

RESOLUTION NUMBER R-310806

DATE OF FINAL PASSAGE NOV 15 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING AN APPEAL AND APPROVING AN ENVIRONMENTAL DETERMINATION, AND DENYING AN APPEAL AND AFFIRMING THE APPROVAL OF THE PERMITS FOR THE FRANCIS PARKER MASTER PLAN AMENDMENT – PROJECT NO. 412987.

WHEREAS, the Francis Parker School Master Plan Amendment project, located at 6501 Linda Vista Road, came before the Planning Commission of the City of San Diego (Planning Commission) for approval on July 28, 2016, at which time the Planning Commission approved a permit (Planned Development Permit No. 1445155 and Site Development Permit No. 1445156) and made an environmental determination to adopt Mitigated Negative Declaration (MND) No. 412987 and a Mitigation, Monitoring, and Reporting Program; and

WHEREAS, on August 5, 2016, Mr. Craig A. Sherman, on behalf of the North Rim HOA, filed an appeal of that environmental determination and of the project's permit; and

WHEREAS, staff from the Development Services Department considered the issues raised by the appellant and prepared a memorandum for the City Council's consideration that addressed those issues and, further, prepared a memorandum dated November 2, 2016 that revised the project's permit to include two new conditions related to recently adopted amendments regarding greenhouse gas and the City's Climate Action Plan (CAP), and an errata dated November 15, 2016 that revised the MND to provide additional analysis consistent with the CAP; and

WHEREAS, the appeal of the environmental determination and the project was heard before the City Council on November 15, 2016, testimony having been heard, evidence having

been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council, with respect to the appeal of the environmental determination, denies the appeal and approves Mitigated Negative Declaration No. 412987, including the errata dated November 15, 2016, and the Mitigation, Monitoring, and Reporting Program.

BE IT FURTHER RESOLVED, that the Council, with respect to the appeal of the permit approval, denies the appeal and affirms the decision of the Planning Commission to approve the permits with the addition of two conditions as stated in the memorandum from staff dated November 2, 2016 (the permit being attached and incorporated hereto); specifically, adopting the following findings with respect to Planned Development Permit No. 1445155 and Site Development Permit No. 1445156:

**Planned Development Permit – Section 126.0604**

**1. The proposed development will not adversely affect the applicable land use plan.** The Francis Parker School (School) proposes amending Planned Development Permit No. 84875 and Site Development Permit No. 215276 to authorize an update to the Master Plan for its Linda Vista Campus (Project). The Linda Vista Campus comprises a Middle School and Upper School. The 22.45-acre site is located at 6501 Linda Vista Road in the Linda Vista Community Plan area. The Project site is designated “School/Institution” and “Open Space” in the Linda Vista Community Plan (Community Plan) and “Institutional & Public Semi-Public” in the City of San Diego General Plan (General Plan). The Project consists of increasing student population to 940 students, demolishing three buildings of approximately 41,229 square feet, adding new buildings of approximately 103,182 square feet, constructing a two-level underground parking

structure providing 279 parking spaces, bringing the total parking spaces on the site to 517 spaces, and an outdoor aquatic center, and reorienting the existing football field to add an eight-lane track for track and field events with three deviations. All new construction will be contained within the existing development footprint and is for educational uses and activities. The existing education facility and proposed improvements are consistent with the "School/Institution" land use designation of the Community Plan and the "Institutional & Public Semi-Public" land use designation of the General Plan.

The Community Plan identifies the site as the Francis Parker Middle School and High School and provides policy direction as to its use and operation. The Project is consistent with these policies which provide that development and growth of the School facility is to be regulated to ensure that impacts to the surrounding neighborhood, especially traffic and circulation impacts, are minimized. The proposed increase of the student population from 800 students to 940 students will generate an additional 476 average daily trips to the community. The traffic impact analysis prepared for the Project concluded direct impacts will result from the growth of the Frances Parker School by 140 students, yet the potential impact will be mitigated with the installation of the traffic signal at Linda Vista Road and Northrim Court as a condition of approval. With the installation of the traffic signal there will be no significant impacts from the project.

Specific policies of the Community Plan applicable to the Project include provision of on-campus parking for students, faculty, and staff, with an emphasis on structured parking rather than surface parking lots, all of which are proposed by the Project. In addition, improvements to internal automobile circulation are proposed to result in added length to student drop-off areas and the re-location of one driveway to reduce queuing of automobiles onto public roadways and to improve traffic safety, as demonstrated by the Project's Traffic Impact Analysis. Consistent with these policies, development of the School is regulated by a Planned Development Permit and Site Development Permit.

The Community Plan also identifies specific policies regarding areas designated as open space. These policies include avoiding grading and development of hillsides and canyons designated as open space, and the provision that areas to be preserved as open space should be restricted by dedication of an open space easement, or by other means. The Project development is contained within the established development footprint and avoids encroachment into hillsides and canyons. Further, the Project proposes the granting of a Covenant of Easement to the City of San Diego over these areas, consistent with the Community Plan's policies on open space.

The Project is consistent with the General Plan with respect to land use, open space, and conservation. As indicated on Table LU-4 of the Land Use and Community Planning Element of the General Plan, schools are identified as a use consistent with the "Institutional and Public and Semi-Public Facilities" land use designation. The Project implements conservation policies of the General Plan, incorporating measures to reduce greenhouse gas emissions, energy use, and waste and promote recycling by complying with Title 24 construction standards, the Green Building Code, and other design features. These measures include the installation of energy efficient appliances and lighting (light-emitting diodes) for energy savings, installation of photovoltaic solar panels on the roof of the Performing Arts Center, installation of electric

vehicle charging stations in the parking lot, and using variable refrigerant flow with “smart” temperature control thermostats, and cool roof technology. The Project will expand the School’s waste recycling program beyond what is required by the regulations. A minimum of seventy-five percent of construction materials will be recycled, that includes landscaping, concrete, asphalt, foundations, building structures, switch gear, and cable. The Project will also recycle at least fifty percent of its solid waste stream by providing separate storage and collection areas for recyclables and continuing its composting program with the City of San Diego. To reduce water consumption, drought tolerant landscaping and water conserving fixtures for all new construction will be installed, including use of artificial turf for the reconfigured athletic field. Shade trees are proposed in all parking lots and on the south and west sides of new buildings. Improved storm water quality will be achieved by treating all project-related run-off within the storm water treatment system which utilizes natural bio-filtration to treat storm water run-off from parking lots, driveways, and buildings. The Project is also consistent with policies in the Conservation Element encouraging preservation of urban canyons and hillsides by limiting Project improvements to the existing development footprint and preserving the existing open space through a Covenant of Easement for open space purposes. All of these design features are incorporated into the Project design and/or the conditions of approval.

The Urban Design Element of the General Plan expresses guiding principles of building upon existing communities and developments. The Project will build upon the existing community by maximizing the existing development footprint and thereby avoiding disturbance to the sensitive canyon and hillside areas on the site, replacing old structures and re-investing in new infrastructure and buildings which will be energy efficient, improving storm water quality, and other facility improvements.

The Project respects and implements policy directives specifically relating to the School site as expressed in the Community Plan, with respect to traffic, parking, open space preservation, and other community concerns, while allowing for the School expansion. In these ways, the proposed development will not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City’s codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional City staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and that the final construction will comply with all regulations. Therefore, the proposed development will not be detrimental to the public health, safety, or welfare of persons residing or working in the area.

**3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than will**

be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The Project is an amendment to the prior Planned Development Permit No. 84875 and Site Development Permit No. 215276 for the School. The amendment integrates proposed new facilities with existing facilities into one comprehensive master plan for the School. The Project has been designed to comply with the regulations of the San Diego Municipal Code (SDMC), including requirements for coverage, open space, grading, landscaping, and all other relevant requirements of the RM-1-1 zone, with three deviations as allowed through the Planned Development Permit process. These deviations allow for building heights to increase slightly to allow elevator shafts to comply with the Americans with Disability Act accessibility requirements, increase height of light standards for an elevated playing area previously approved for the School, and a reduction in the street side yard setback requirement.

The three deviations from the RM-1-1 regulations are as follows:

Deviations from the RM-1-1 Regulations (SDMC Section 131.0431)			
Regulation No.	Code	Proposed	Building/Area/Facility
Overall Structure Height (Sec. 131.0431(e))	39 feet 6 inches, maximum	41 feet 2 inches *	Elevator shafts for Dining Hall and Athletic Offices
Overall Structure Height (Sec. 131.0431(e))	35 feet, maximum	47 feet **	Six light standards for the previously approved sports deck
Street Side Yard Setback (Sec.131.0443(d)(3))	123 feet minimum (distance based on lot width)	25 feet	From property line along west side at Northrim Court

\* The allowed overall structure height is 39' 6," based on a zoning height limitation of thirty feet plus a grade differential of nine feet six inches as allowed per LDC Section 113.0270(a)(2)(B). The overall structure height to the top of the elevator shafts is 41' 2," which exceeds the allowed overall structure height by one foot eight inches.

\*\* The allowed overall structure height is thirty-five feet, based on a zoning height limitation of thirty feet plus a grade differential of five feet as allowed per LDC Section 113.0270(a)(2)(B). From the ground level to the top of the light standards, the overall structure height is 47 feet, which exceeds the allowed overall structure height by twelve feet.

The deviation from the maximum overall structure height required by LDC Section 131.0431(e) for Building 900 and Building 201B is needed to accommodate an elevator shaft in each of the buildings. These elevator shafts are required to comply with the American with Disabilities Act accessibility requirements. The allowed overall structure height is 39' 6," based on a zoning height limitation of thirty feet plus a grade differential of nine feet six inches as allowed per LDC Section 113.0270(a)(2)(B). The overall structure height to the top of the elevator shafts is 41' 2," which exceeds the allowed maximum overall structure height by one foot eight inches. The height of these elevator shafts are predetermined, based on their

mechanical functionality. The portions of the shafts that extend above the roofline account for less than one percent of the total roof area, and will be architecturally integrated into the building.

The deviation from overall maximum structure height required by LDC Section 131.0431(e) will allow lighting of the elevated playing area. A lighting study prepared for the elevated playing area determined six pole lights, at a height of twenty-seven feet each measured from the deck, are required to adequately light the deck. The specific height of the light standards is needed to provide the proper angle to efficiently illuminate the playing area. The allowed overall structure height is thirty-five feet, based on a zoning height limitation of thirty feet plus a grade differential of five feet as allowed per LDC Section 113.0270(a)(2)(B). From the ground level to the top of the light standards, the overall structure height is 47' 0," which exceeds the allowed overall structure height by 12' 0." The proposed lighting will provide additional opportunities for recreational activities and extend the use of the facility. The height of the light standards is well below the height allowed for light standards on the adjacent sports field. These lights will be shielded to prevent light falling onto adjacent properties. There are no sensitive receptors immediately adjacent to the playing area. The playing area is bounded on the north by Linda Vista Road and on the east by Northrim Court and commercial uses. To the south and west are school facilities, including the reconfigured track and field, which provides a substantial buffer from the multi-dwelling unit residences located east and south of the campus. Additionally, the hours of operation for nighttime sports activities, and attendant lighting, are governed by the Planned Development Permit No. 1445155 and Site Development Permit No. 14451564.

The deviation from LDC Section 113.0443(d)(3) is required due to the width of the School site. At just over 1,230 linear feet, the required street side yard setback is 123 feet. A 25-foot street side yard setback will allow for the construction of the proposed Visitor Service building (Building 203) and Athletic Field Storage/Ticket Office (Building 202) that are part of the updated recreational facilities for the school, while maintaining a landscaped separation from Northrim Court. Requiring a 123-foot street side yard setback will either eliminate these two buildings or require expansion of the existing development envelope to accommodate them elsewhere on the property. Such expansion will involve encroaching into the sensitive slope areas on the project site. The reduced setback results in a more desirable project design by consolidating facilities within the existing development envelope and avoiding encroachment into sensitive resources. The proposed twenty-five foot street side yard setback is consistent with the ten to twenty foot street side yard setbacks observed elsewhere in the existing neighborhood. For these reasons, the proposed development will comply with the regulations of the Land Development Code including the proposed deviations pursuant to Section 126.0602(b)(1), which are appropriate for this location, and will result in a more desirable project than will be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

**Site Development Permit – Section 126.0504**

**1. The proposed development will not adversely affect the applicable land use plan.** The project site is designated for “School/Institution” and “Open Space” uses by the Linda Vista Community Plan and “Institutional & Public Semi-Public” uses by the General Plan. The Francis Parker School is a private, non-profit educational facility founded in 1912. The Project is an amendment to the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 215276 for the School. The amendment integrates proposed new facilities with existing facilities into one comprehensive master plan for the School. Based on the above, and as reflected in the plans, studies, and analyses prepared for the project, the proposed development will not adversely affect the applicable land use plan. For additional information, see Planned Development Permit Finding #1 above which is incorporated by reference.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City’s codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans, and that the final construction will comply with all regulations. The proposed development will not be detrimental to the health, safety, or general welfare of persons residing or working in the area.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The Project has been designed to comply with the regulations of the San Diego Municipal Code, including requirements for coverage, open space, grading, landscaping and all other requirements of the development criteria for the RM-1-1 zone, with deviations as allowed through the Planned Development Permit process. Implementation of the Project as proposed will require three deviations. For additional information, see Planned Development Permit Finding # 3 above which is incorporated by reference.

**A. Supplemental Findings – Environmentally Sensitive Lands**

**1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The Project is an amendment to the PDP/SDP for the School. The amendment integrates proposed new facilities with existing facilities into one comprehensive master plan for the School. As established by the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 21527, the project site has a defined development footprint. The southern portion of the Project site contains steep slopes and sensitive biology, as defined by the Environmentally Sensitive Lands regulations.

All proposed development is located within the development footprint established by the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 21527 and will not encroach into environmentally sensitive lands. A Covenant of Easement will be granted over the remaining on-site environmentally sensitive lands for the protection of sensitive biological resources and steep hillsides. Of the 22.45-acre site approximately 8.1-acres, or approximately thirty-six percent, of the site will be graded by the Project. No disturbance of environmentally sensitive lands will occur with the implementation of the Project.

The Project site is located within an existing urbanized area, characterized by a northeast-southwest trending mesa top that makes up the northerly two-thirds of the site. The site's perimeter is partially ringed by a series of ravines that cut into the edges of the mesa top from the south and south west. Elevations on the site range from approximately 220 to 286 feet above mean sea level. The mesa top is fully developed with the existing campus. The combination of natural topography and prior grading for the existing campus results in the mesa top sloping very gradually from north to south, ravines that make up the southerly one-third contain slopes in excess of twenty-five percent that face south, southwest, and west and connect with a larger adjacent canyon. In addition, a large manufactured excavated slope of up to approximately eighty feet in height was created for development of the adjacent Northrim Townhomes project immediately to the southwest of the existing athletic field. Portions of these slopes contain steep slopes and sensitive biology, as defined by the Environmentally Sensitive Lands regulations.

The Project required submission of several technical reports prepared by individuals licensed by the state of California to practice in these professional fields. These technical reports were reviewed by city staff also licensed by the State to practice their technical specialties. A Geotechnical Report was prepared by CTE Inc., a Conceptual Grading/Drainage Plan was prepared by Michael Baker International, Inc., a Storm Water Quality Management Plan was prepared by Michael Baker International, Inc., and a Soil Management Plan/Burn Ash Management Plan was prepared by AECOM. Review of these technical reports when considered in total indicates the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. In addition, all proposed development is located within the established development footprint, and avoids encroachment into the perimeter sensitive lands.

Therefore, based on the above, and as reflected in the plans, studies, and analyses prepared for the Project, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

**2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** Per the hydrology report, the Project site is not within any mapped floodplain and is outside the limits of any floodway or special flood hazard area. Per the preliminary geotechnical report, the Project site is not subject to landslide and there are no known active fault traces that underlie or project toward the site. Also, the site is not located within an earthquake fault zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act.



To address potential fire hazards, a Fire Access Plan was prepared for the Project. The Fire Access Plan was reviewed and accepted by the City for compliance with fire protection and life safety requirements regarding adequacy of hydrants, hose pull length, emergency access, and brush management.

The Project improvements will occur within the existing development footprint established by the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 21527. Of the 22.45-acre site approximately 8.1-acres, or approximately thirty-six percent, of the site will be graded by the Project. All of the grading activities will occur within the existing development footprint established by the prior discretionary permits. No grading will impact any environmentally sensitive lands. The total amount of all grading will be approximately 46,000 cubic yards of material. Of the 46,000 cubic yards, 41,000 cubic yards will be excavated for the proposed subterranean two level parking garage, 5,000 cubic yards will be excavated for the manipulation of the site to implement the Project. Grading quantities do not include excavations for building or retaining walls foundations, underground utilities or shrink swell adjustments of excavation or embankment. The Project will export approximately 45,000 cubic yards of material. The maximum depth of excavation and embankment will be approximately three feet. Maximum height of slopes will be approximately three feet with a 2:1 slope ratio. Retaining walls will total approximately 360 linear feet with a maximum height of approximately fourteen feet. No disturbance of Environmentally Sensitive Lands will occur with the implementation of the Project.

Therefore, the proposed development will minimize the alteration of natural landforms by remaining within an established development footprint and, based on technical studies and plans prepared for the Project, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The Project is contained within the development footprint established by the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 21527. The site is within a fully urbanized area. The site is bounded on the north by Linda Vista Road, on the east by Northrim Court and multi-dwelling unit residential development, to the west by the San Diego Office of Education, and to the west and south are two north/south trending undeveloped open space areas. As established by the previous entitlement permits, the Project site has a defined development footprint. The areas of the site which are undeveloped and contain biological resources and/or steep slopes will have a Covenant of Easement granted over these environmentally sensitive lands for the protection of sensitive biological resources and steep hillsides. The protection of these sensitive biological resources and steep hillsides will provide a buffer between the development footprint of the Project and any adjacent property which has environmentally sensitive lands present. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

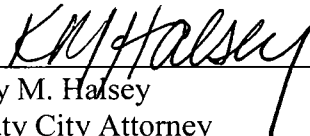
**4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The Project integrates the

proposed new facilities with existing facilities into one comprehensive master plan for the School. The Project site is not within the Multi-Habitat Planning Area of the City's Multiple Species Conservation Plan, and neither connects or is adjacent to any lands designated Multi-Habitat Planning Area. As established by the previous permits, the project site has a defined development envelope. Therefore the development is consistent with the City of San Diego's Multiple Species Conservation Program Subarea Plan.

**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The 22.45-acre site is located at 6501 Linda Vista Road in the OR-1-1 & RM-1-1 zones within the Linda Vista Community Plan area. The site is more than two miles from Mission Bay, more than three miles from San Diego Bay and approximately 4.5 miles from the Pacific Ocean. The drainage design of the Project, the Best Management Practices that address stormwater runoff and the responsible management of the site will assure the Project will not impact the local shoreline sand supply and will not contribute to the erosion of public beaches 4.5 miles to the west. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

**6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The proposed development is an amendment to the prior approved Planned Development Permit No. 84875 and Site Development Permit No. 21527 for the School. The Project integrates the proposed new facilities with existing facilities into one comprehensive master plan for the School. All of the mitigation required as a condition of the permit has been determined to be appropriate for the Project according to current best practices and scientific analysis as is reasonably known or expected. All mitigation required of the Project is balanced and reasonably related to, and calculated to alleviate, negative impacts created by the proposed development so that negative impacts will not be the result of the proposed development. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Keely M. Halsey  
Deputy City Attorney

KMH:als  
11/17/2016  
12/08/2016 Cor. Copy  
Or.Dept:DSD  
Doc. No.: 1392175\_2

Attachment: PLANNED DEVELOPMENT PERMIT and SITE DEVELOPMENT PERMIT

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
501

**WHEN RECORDED MAIL TO**  
CITY CLERK  
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005672

PLANNED DEVELOPMENT PERMIT NO. 1445155 and  
SITE DEVELOPMENT PERMIT NO. 1445156  
**FRANCIS PARKER MASTER PLAN AMENDMENT PROJECT NO. 412987**  
Amending Planned Development Permit No. 84875 and  
Site Development Permit No. 215276  
CITY COUNCIL

This Planned Development Permit No. 1445155 and Site Development Permit No. 1445156, amending Planned Development Permit No. 84875 and Site Development Permit No. 215276, is granted by the City Council of the City of San Diego to FRANCIS PARKER SCHOOL, a non-profit public benefit corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0604 and 126.0504. The 22.45-acre site is located at 6501 Linda Vista Road in the OR-1-1 & RM-1-1 zones of the Linda Vista Community Plan. The project site is legally described as Parcel 1 of Parcel Map No. 5465, filed January 6, 1977 in the Office of the County Recorder of San Diego County, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to increase student population to 940, demolish three buildings of approximately 41,229 square feet, retain existing buildings of approximately 133,753 square feet, add new buildings of approximately 103,182 square feet, construct a two-level underground parking structure providing 279 parking spaces, bringing the total parking spaces on the site to 517 spaces, and an outdoor aquatic center, and reorient the existing football field to add an eight-lane track for track and field events, with three deviations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 15, 2016, on file in the Development Services Department.

The project shall include:

- a. Increase student population to 940, demolish three buildings of approximately 41,229 square feet, retain existing buildings of approximately 133,753 square feet, and add new buildings of approximately 103,182 square feet, construction of a two-level underground parking structure providing 279 parking spaces bringing the total parking spaces on the site to 517 spaces, an outdoor aquatic center and reorient the existing football field to add an eight-lane track for track and field events, with three deviations;
- b. Three deviations from the RM-1-1 regulations are as follows:

<b>Deviations from the RM-1-1 Regulations (SDMC Section 131.0431)</b>			
Regulation No.	Code	Proposed	Building/Area/Facility
Overall Structure Height (Sec. 131.0431(e))	39 feet 6 inches, maximum	41 feet 2 inches *	Elevator shafts for Dining Hall and Athletic Offices
Overall Structure Height (Sec. 131.0431(e))	35 feet, maximum	47 feet **	Six light standards for the previously approved sports deck
Street Side Yard Setback (Sec.131.0443(d)(3))	123 feet minimum (distance based on lot width)	25 feet	From property line along west side at Northrim Court

\* The allowed overall structure height is 39' 6", based on a zoning height limitation of thirty feet plus a grade differential of nine feet six inches as allowed per LDC Section 113.0270(a)(2)(B). The overall structure height to the top of the elevator shafts is 41' 2", which exceeds the allowed overall structure height by one foot eight inches.

\*\* The allowed overall structure height is thirty-five feet, based on a zoning height limitation of thirty feet plus a grade differential of five feet as allowed per LDC Section 113.0270(a)(2)(B). From the ground level to the top of the light standards, the overall structure height is 47 feet, which exceeds the allowed overall structure height by twelve feet.

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. 517 off-street parking spaces;
- e. Energy efficient appliances and lighting (light-emitting diodes) for energy savings, installation of photovoltaic solar panels on the roof of the Performing Arts Center, installation of electric vehicle charging stations in the parking lot, use variable refrigerant flow with "smart" temperature control thermostats, and cool roof technology, expansion of the School's waste recycling program, with a minimum of seventy-five percent of construction materials to be recycled, as well as landscaping, concrete, asphalt, foundations, building structures, switch gear, and cable, and recycling at least fifty percent

of its solid waste stream by providing separate storage and collection areas for recyclables, implementation of a composting program with the City of San Diego, a reduction in water consumption, installation of drought tolerant landscaping and water conserving fixtures for all new construction, including use of artificial turf for the reconfigured athletic field and shade trees are proposed in all parking lots and on the south and west sides of new buildings;

- f. 1. Athletic field activities will end and athletic field lights turned off by 10:00 p.m. except where play-off games enter overtime and California Interscholastic Federation regulations require the game not end in a tie. In no case will the activities extend beyond or the lights remain on after 11:00 p.m., regardless of the event;
2. All outdoor lighting, except lighting deemed necessary for safety and security purposes, will be turned off between 11:00 p.m. and 6:00 a.m.;
3. Activities on the athletic fields will begin no earlier than 8:00 a.m. on Saturdays and 9:00 a.m. on Sundays;
4. Evening events, defined for purposes of this project as events that continue past 8:00 p.m. and which take place wholly or partially on the athletic fields, will be limited to sixty evening events per year, and no more than three in any one week, Sunday to Saturday;
5. The public address (PA) system on the athletic fields will be located on the northwestern portion of the fields to ensure a minimum distance of 296 feet between the PA system and the property line and the sound output of the PA system at this location will be limited to 90 dBA. Alternatively, upon approval by the Development Services Department of an updated Noise Attenuation Study, a PA system may be located in another location, including on the east side of the athletic fields facing west, provided that the one-hour average sound level does not exceed the City's Noise Ordinance;
6. Solid waste will be managed in compliance with the Waste Management Plan prepared for the Francis Parker School – Linda Vista Campus Master Plan Update, by KLR Planning, dated June 2015;
7. The athletic fields lighting system will provide no more than 4.7 foot-candles along the property line with Linda Vista Road and no more than 3.0 foot-candles along the property line adjacent to Northrim Court;
8. If facilities are rented out for use in the evening or on a weekend, the Northrim Court gate will be either closed and locked or a traffic monitor, trained by licensed traffic engineers consistent with California State and National guidelines, will be posted on-site at the driveway to direct traffic entering and leaving the campus at this driveway;
9. During school arrival peak periods 7:30 – 8:30 and p.m. school departure peak periods 2:30 – 3:30, Monday through Friday, traffic monitors, trained by licensed traffic engineers consistent with California State and National guidelines, will be posted on-site at the Alcalá Knolls driveway, the garage access driveway on Linda Vista Road, and the Northrim Court driveway to direct traffic entering and leaving the campus;
10. During Special Events, each defined as an event that occurs during times when school classes are in session which event is expected to draw more than 200 vehicles to the campus, traffic monitors, trained by licensed traffic engineers consistent with California State and National guidelines, will be posted on-site at the Alcalá Knolls driveway, the garage access driveway on Linda Vista Road, and the Northrim Court driveway to direct traffic entering and leaving the campus;

11. During all special events as defined in f.10 above, the "Special Event Parking and Traffic Control Procedures" provided in Appendix K of the Traffic Impact Analysis for Francis Parker School Master Plan Update, dated February 12, 2016, will be maintained and utilized;

12. The driveway to be constructed on Northrim Court will not be open for construction traffic use; and

- g. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 15, 2019.

2. This Planned Development Permit No. 1445155 and Site Development Permit No. 1445156 amends and supersedes Planned Development Permit No. 84875 and Site Development Permit No. 215276 as described on the approved Exhibit "A." Where there is a conflict between this Permit and Planned Development Permit No. 84875 and Site Development Permit No. 215276, this Permit shall prevail. The entitlement and conditions of Planned Development Permit No. 84875 and Site Development Permit No. 215276 shall remain in force and effect except to the extent amended by this Permit.

3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions,

including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

12. This Permit may be developed in phases. All development shall be consistent with the conditions and the approved Exhibit "A."

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 412987 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 412987 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Cultural Resources (Paleontology)
- Hazards and Hazardous Materials
- Transportation/Traffic

**ENGINEERING REQUIREMENTS:**

16. The project proposes to export 45,000 cubic yards of material from the project site. All excavated material listed to be exported shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

17. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct current City Standard concrete driveways, per approved Exhibit "A", adjacent to the site on Linda Vista Road and Northrim Court, satisfactory to the City Engineer.



20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a current City Standard SDG-102 bus stop slab adjacent to the site on Linda Vista Road, satisfactory to the City Engineer.

21. Prior to the issuance of any construction permit, the Owner/Permittee will be required to adhere to the City of San Diego Storm Water Standards in effect at the time of approval of the ministerial permit.

22. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices maintenance, satisfactory to the City Engineer.

23. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

24. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ as amended by Order No. 2012-0006 DWQ and the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100. Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

25. Copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2012-0006-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2012-0006-DWQ.

26. Prior to the issuance of any construction permit, the Storm Water Quality Management Plan and Hydrology Study shall be subject to final review and approval by the City Engineer.

**LANDSCAPE REQUIREMENTS:**

27. Prior to issuance of construction permits for grading, the Owner/Permittee shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

28. Prior to issuance of construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall

provide a forty square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

29. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A." These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

30. Prior to issuance of any construction permits for buildings, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A."

31. The Owner/Permittee shall maintain all landscape in a disease-, weed-, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

32. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

33. The Owner/Permittee shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the City of San Diego's Land Development Manual, Landscape Standards are prohibited.

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

34. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A."

35. Prior to issuance of any construction permits for grading, Landscape Construction Documents required for the construction permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

36. Prior to issuance of any construction permits, a complete set of Brush Management Construction Documents shall be submitted for approval to the Development Services Department and the Fire Marshal. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Uniform Fire Code, M.C. 55.0101; the Land Development Manual, Landscape Standards; and the Land Development Code, Landscape Regulations Section 142.0412 (Ordinance 19413).

37. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on-site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

38. In Zone One, plant material shall visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape Analysis Section and the Environmental Analysis Section of the Development Services Department.

39. All new Zone Two planting shall be temporarily irrigated with an above-ground irrigation system until established. Zone Two shall be maintained on a regular basis by pruning and thinning plants, removing weeds, and maintaining the temporary irrigation system. Only native vegetation shall be planted or hydroseeded. If Zone Two is to be revegetated, fifty percent of the planting area shall be seeded with material that does not grow taller than twenty-four inches in height.

40. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshal and Development Services Department approval.

41. The Brush Management Program shall consist of two zones consistent with the Brush Management Regulations of the Land Development Code Section 142.0412 as follows:

- A. Zone One: A standard Zone One of 25-feet shall be observed along the southeast perimeter extending from Buildings 102, 103, 400, 302, and 303. A Zone One of forty-feet shall extend from the southeast corner of Building 700 to the edge of the concrete walkway at the top of slope. Along the southwest portion of the campus, Zone One shall measure a minimum of forty-feet and encompass the entire width of the paved interior fire access roadway extending from Buildings 102, 101, 100, and 105. A thirty-foot Zone One at Building 105 will be observed where the access road narrows.
- B. Zone Two: A standard Zone Two of thirty-feet shall be observed along the southeast perimeter extending from Buildings 102, 103, 400, 302, and 303. At the southeast corner of Building 700, Zone Two may be decreased by two-feet for every one-foot expansion of Zone One. Therefore Zone Two shall taper to an end point where Zone One is forty-feet or greater. At Building 105, a 20-foot Zone Two shall be observed. No Zone Two is required along the paved interior fire access roadway as Zone One is forty-feet or greater.

**PLANNING/DESIGN REQUIREMENTS:**

42. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

43. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC. All lights will be shielded to prevent light falling onto adjacent properties. The light level from the new playing field lights shall be zero at the property line.

44. Prior to the issuance of any construction permits, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for Sensitive Biological Resources, in accordance with SDMC section 143.0152.

45. All signs associated with this development shall be consistent with the sign criteria established by the City-wide sign regulations.

46. No mechanical equipment, tank, duct, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers, and latticework.

47. Prior to issuance of building permits, construction documents shall fully illustrate compliance with the City-wide Storage Standards for trash and recyclable materials to the satisfaction of the Development Services Department. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupant of and service providers to the project.

#### **TRANSPORTATION REQUIREMENTS:**

48. The Owner/Permittee shall maintain the 290 parking spaces required by Planned Development Permit No. 84875 and Site Development Permit No. 215276, on the site, or enter into one or more off-site parking agreements to the satisfaction of the City Engineer, at all times during construction of all phases authorized by this Permit. At the completion of all phases of construction authorized by this Permit, the Owner/Permittee shall maintain no fewer than 306 parking spaces (517 spaces proposed) on the property at all times in the approximate locations shown on Exhibit "A." All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

49. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of all non-utilized driveways along the project's frontage on Linda Vista Road with current City Standard curb and gutter, satisfactory to the City Engineer.

50. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the installation of a 130 foot median along the project's frontage on Linda Vista Road as shown on the approved Exhibit "A," satisfactory to the City Engineer.

51. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the installation of a new traffic signal at the intersection of Linda Vista Road and Northrim

Court, with signal interconnect to the adjacent traffic signals, and install striping to provide a left-turn lane and right-turn lane on Northrim Court, satisfactory to the City Engineer.

**GEOLOGY REQUIREMENTS:**

52. Prior to issuance of any construction permits, the Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department.

53. Prior to exoneration of the bond and grading permit close-out, the Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

54. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate above ground private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. Back flow prevention devices are typically located on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required back flow prevention devices to be located below grade or within the structure.

55. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

56. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

57. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.

**CLIMATE ACTION PLAN REQUIREMENTS:**

58. The Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements."

59. The Climate Action Plan strategies as identified on Exhibit "A" shall be enforced and implemented, to the satisfaction of the Development Services Department.

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on November 15, 2016 by Resolution No. R-310806.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

---

John S. Fisher  
Development Project Manager  
Development Services Department

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

---

**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**Francis Parker School,**  
a non-profit public benefit corporation  
Owner/Permittee

By \_\_\_\_\_  
Kevin Yaley  
Head of School

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

Passed by the Council of The City of San Diego on NOV 15 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 15 2016

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **310806**