

RESOLUTION NUMBER R- 312640

DATE OF FINAL PASSAGE AUG 06 2019

ITEM # 234B
8/6/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING CONDITIONAL USE PERMIT NO. 2123276, SITE DEVELOPMENT PERMIT NO. 2123277, AND PLANNED DEVELOPMENT PERMIT NO. 2256375 FOR SEABREEZE SENIOR LIVING - PROJECT NO. 600824.

WHEREAS, Bell Valley Holding Company, LP, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an equestrian facility and construct a two-story building with a Senior Residential Care Facility in one, two-story building with 118 units and 118,342 square feet (SF), and five, one-story duplexes that total 17,260 SF, totaling 135,602 SF for the project (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval) for the associated Permit Nos. 2123276, 2123277 and 2256375 on portions of a 10.12-acre site; and

WHEREAS, the project site is located at 5720 Old Carmel Valley Road in the AR-1-1, CVPD-SF2 and CVPD-OS zones of the Carmel Valley Community Plan area; and

WHEREAS, the project site is legally described as: Lots 148 through 156, inclusive of Seabreeze Farms in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 14007, filed in the Office of the County Recorder of San Diego on July 21, 2000; and

WHEREAS, on May 23, 2019, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 2123276, Site Development Permit No. 2123277 and Planned Development Permit No. 2256375 pursuant to the Land Development Code of the City of San Diego and recommended that the City Council of the City of San Diego approve Conditional Use Permit No. 2123276, Site Development Permit No. 2123277 and Planned Development Permit No. 2256375; 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; and

WHEREAS, the matter was set for public hearing on August 6, 2019, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2123276, Site Development Permit No. 2123277, and Planned Development Permit No. 2256375:

A. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0605

1. Findings for all Planned Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. The Seabreeze Senior Living project would construct a senior residential care facility comprising up to 128 residences on the 8.78-net acre (10.12-gross acre) site currently occupied by the Seabreeze Farms equestrian facility. The surrounding area is comprised of predominantly single-family residences, multi-family housing and an adjacent high school. The proposed project is consistent with the underlying zone, as a residential care facility is a use allowed within the AR-1-1 zone with approval of a Conditional Use Permit.

The project requires a Community Plan Amendment to the Carmel Valley Neighborhoods 4, 5, and 6 Precise Plan to modify the land use designation on a portion of the site from Equestrian Facility to Residential Care Facility and to update the land map and text to reflect the land use change. The land use within the portion of the site currently designated as Open Space would not be modified. The change in land use would be consistent with the Precise Plan as the project proposes low intensity development that is residential in use and character.

Development within the surrounding community is low- to medium-density residential in character and varies from five dwelling units per acre (du/ac) in adjacent single-family housing, to 15 du/ac in nearby multi-family housing, and 22 du/ac as multifamily housing further east of the project site. A 128-unit, multi-family development on this site would result in an overall density of 15 du/ac, compatible to the density of residential developments in the surrounding neighborhoods. The proposed residential care facility has buildings that are similar in

architecture and height to both the neighboring two-story single-family homes (proposed single-story casitas) and a multi-family housing development (proposed two-story main building) and much less imposing than the three- to four-story high school buildings adjacent to the east.

Massing of the main building will be articulated with offsetting planes to minimize the appearance of longer elevations, two-story architectural volumes, enhanced-stone work, vertical elements, and courtyards. The duplex casitas are low-profile single-story and sized smaller than the surrounding two-story single-family housing.

While the project would remove an existing equestrian facility, the Precise Plan does not specify the preservation of equestrian uses on the site and existing equestrian uses occur in areas immediately adjacent to the project site in the form of pastures, existing trails, and open space to the south and west of the site. Additionally, there are other equestrian uses located within the community and adjacent areas. In the Carmel Valley Community Plan area, The Riding Club, Carmel Valley Rancho and Ryckman Equestrian, and South Coast Equestrian facilities are located approximately 3.5 miles south of the project site. Approximately four to five miles northwest of the project site, the Rancho El Camino Equestrian and Flower Hill Farms facilities are located adjacent to Old El Camino Real, and Concord Equestrian Center and the San Diego Polo Fields are located along Via de la Valle. KDB Training Stable/Fairbanks Riding Club is located approximately five miles north of the project site within Fairbanks Ranch. Equestrian and nature trails occur south and northwest of the project site. Pasture land and trails exist immediately west of the project site. The project would not alter the existing trails and pasture land.

As the project would provide low intensity development that is residential in use and character, massing and architecture is similar to the surrounding neighborhood, and other equestrian facilities exist in the area, the development would not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The project will improve on-site drainage and add a pedestrian trail connection to the existing regional trail system. The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinances and standards, including Sections 142.0403(b)5 and 142.0412(f) of the Land Development Code (LDC). Relevant landscape standards include street yard, remaining yard, and vehicular use area planting, revegetation/erosion control, street tree screening, water conservation calculation requirements, landscape and irrigation construction, landscape maintenance, and establishment of a Brush Management Program. The project will also provide three new trailheads that connect to the regional trail system. The project will dedicate three feet along the property frontage to provide a 10-foot curb-to-property-line distance on Old Carmel Valley Road and will also build a new 26-foot driveway to current City Standard. These improvements to drainage, the driveway and property frontage will provide increased public safety for pedestrians and the trail connections will serve to enhance public health. In addition, the project will remove and replace the existing contiguous sidewalk with non-contiguous sidewalk for the length of the project frontage. Given the project is a Senior Residential Care Facility, the proposal will result in increased health care provided to the community and the

public. The project will provide 104 assisted living units and 14 assisted living memory care units.

As these improvements will enhance public health, safety and welfare, the proposed development will not be detrimental to the public health, safety and welfare.

c. 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 would 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 site is primarily located within the AR-1-1 Zone. However, a small portion of the site that provides the project's access drive is within the CVPD-SF2 Zone, and a small undeveloped portion at the southern reach of the site lies within the CVPD-OS Zone. However, no development is proposed outside the AR-1-1 Zone where the proposed use is allowed.

Maximum allowed lot coverage for the site is 10 percent. The project proposes 76,902 square feet in building pad area on a 10.12-acre site resulting in a lot coverage of 17.6 percent. This exceedance is allowed with a Planned Development Permit (PDP) for which the project has applied.

The project will improve on-site drainage and add a pedestrian trail connection to the existing regional trail system. The project will also provide three new trailheads that connect to the regional trail system. The project will dedicate three feet along the property frontage to provide a 10-foot curb-to-property-line distance on Carmel Valley Road and will also build a new 26-foot driveway to current City Standard. In addition, the project will remove and replace the existing contiguous sidewalk with non-contiguous sidewalk for the length of the project frontage. Given the project is a Senior Residential Care Facility, the proposal will result in increased health care provided to the community and the public. The project will provide 104 assisted living units and 14 assisted living memory care units.

In addition, the increased lot coverage allows for an overall lower scale of development and diffused density across the project site. The project was originally designed with a three-story main building. In response to concerns regarding views and neighborhood character, a two-story building was proposed, necessitating the requested deviation to Lot Coverage. To accommodate the required building program in a lower scale, the building footprint increased on the site. The proposed design results in a more desirable project than would be achieved if designed in strict conformance with the development regulations applicable to the AR-1-1 zone, as a lower profile project will result. The scale and massing of development allowed with the increased lot coverage is more in character with the surrounding community.

The project has been designed to comply with the regulations of the Land Development Code (SDMC), including requirements for open space, grading, landscaping and all other requirements of the development criteria of the AR-1-1 Zone.

Therefore, 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 would 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.

**B. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0505**

1. Findings for all Site Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. The Seabreeze Senior Living project would construct a senior residential care facility comprising up to 128 residences on the 8.78-net acre (10.12-gross acre) site currently occupied by the Seabreeze Farms equestrian facility. The surrounding area is comprised of predominantly single-family residences, multi-family housing and an adjacent high school. The proposed project is consistent with the underlying zone, as a residential care facility is a use allowed within the AR-1-1 zone with approval of a Conditional Use Permit.

The project requires a Community Plan Amendment to the Carmel Valley Neighborhoods 4, 5, and 6 Precise Plan to modify the land use designation on a portion of the site from Equestrian Facility to Residential Care Facility and to update the land map and text to reflect the land use change. The land use within the portion of the site currently designated as Open Space would not be modified. The change in land use would be consistent with the Precise Plan as the project proposes low intensity development that is residential in use and character.

Development within the surrounding community is low- to medium-density residential in character and varies from five dwelling Units per acre (du/ac) in adjacent single-family housing, to 15 du/ac in nearby multi-family housing, and 22 du/ac as multifamily housing further east of the project site. A 128-unit, multi-family development on this site would result in an overall density of 15 du/ac, compatible to the density of residential developments in the surrounding neighborhoods. The proposed residential care facility has buildings that are similar in architecture and height to both the neighboring two-story single-family homes (proposed single-story casitas) and a multi-family housing development (proposed two-story main building) and much less imposing than the three- to four-story high school buildings adjacent to the east.

Massing of the main building will be articulated with offsetting planes to minimize the appearance of longer elevations, two-story architectural volumes, enhanced-stone work, vertical elements, and courtyards. The duplex casitas are low-profile single-story and sized smaller than the surrounding two-story single-family housing.

While the project would remove an existing equestrian facility, the Precise Plan does not specify the preservation of equestrian uses on the site and existing equestrian uses occur in areas immediately adjacent to the project site in the form of pastures, existing trails, and open space to the south and west of the site. Additionally, there are other equestrian uses located within the community and adjacent areas. In the Carmel Valley Community Plan area, The Riding Club, Carmel Valley Rancho and Ryckman Equestrian, and South Coast Equestrian facilities are located approximately 3.5 miles south of the project site. Approximately four to five miles

northwest of the project site, the Rancho El Camino Equestrian and Flower Hill Farms facilities are located adjacent to Old El Camino Real, and Concord Equestrian Center and the San Diego Polo Fields are located along Via de la Valle. KDB Training Stable/Fairbanks Riding Club is located approximately five miles north of the project site within Fairbanks Ranch. Equestrian and nature trails occur south and northwest of the project site. Pasture land and trails exist immediately west of the project site. The project would not alter the existing trails and pasture land.

In addition, the project requires a Site Development Permit (SDP) due to the presence of Environmentally Sensitive Lands (ESL) per section 143.0110(b) of the Land Development Code. However, an Addendum to the previously prepared Environmental Impact Report (EIR) DEP No. 35-0385/SCH No. 96021001 and Mitigated Negative Declaration (MND) has determined that the proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR and adopted MND.

As the project would provide low intensity development that is residential in use and character, massing and architecture is similar to the surrounding neighborhood, other equestrian facilities exist in the area, and no new environmental impacts are anticipated, the development would not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The project will improve on-site drainage and add a pedestrian trail connection to the existing regional trail system. The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinances and standards, including Sections 142.0403(b)5 and 142.0412(f) of the Land Development Code (LDC). Relevant landscape standards include street yard, remaining yard, and vehicular use area planting, revegetation/erosion control, street tree screening, water conservation calculation requirements, landscape and irrigation construction, landscape maintenance, and establishment of a Brush Management Program. The project will also provide three new trailheads that connect to the regional trail system. The project will dedicate three feet along the property frontage to provide a 10-foot curb-to-property-line distance on Old Carmel Valley Road and will also build a new 26-foot driveway to current City Standard. These improvements to drainage, the driveway and property frontage will provide increased public safety for pedestrians and the trail connections will serve to enhance public health. In addition, the project will remove and replace the existing contiguous sidewalk with non-contiguous sidewalk for the length of the project frontage. Given the project is a Senior Residential Care Facility, the proposal will result in increased health care provided to the community and the public. The project will provide 104 assisted living units and 14 assisted living memory care units.

As these improvements will enhance public health, safety and welfare, the proposed development will not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The project site is primarily located within the AR-1-1 Zone. However, a

small portion of the site that provides the project's access drive is within the CVPD-SF2 Zone, and a small undeveloped portion at the southern reach of the site lies within the CVPD-OS Zone. However, no development is proposed outside the AR-1-1 Zone where the proposed use is allowed.

Maximum allowed lot coverage for the site is 10 percent. The project proposes 76,902 square feet in building pad area on a 10.12-acre site resulting in a lot coverage of 17.6 percent. This exceedance is allowed with a Planned Development Permit (PDP) for which the project has applied.

The project has been designed to comply with the regulations of the San Diego Municipal Code (SDMC), including requirements for open space, grading, landscaping and all other requirements of the development criteria of the AR-1-1 Zone.

The project requires a Site Development Permit (SDP) due to the presence of Environmentally Sensitive Lands (ESL) per section 143.0110(b) of the Land Development Code. However, an Addendum to the previously prepared Environmental Impact Report (EIR) DEP No. 35-0385/SCH No. 96021001 and Mitigated Negative Declaration (MND) has determined that the proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR and adopted MND.

Therefore, the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code

2. Supplemental Findings – Environmentally Sensitive Lands

a. 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 proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

The project site contains ESL in the form of biological resources and Steep Hillside. The City of San Diego previously prepared and certified the Seabreeze Farms Environmental Impact Report (EIR) (DEP No. 35-0385, SCH No. 96021001). Subsequent to the certification of the EIR, the City of San Diego prepared and adopted the Seabreeze Farms Mitigated Negative Declaration (MND) (LDR No. 96-7919). Based on the analysis of the prepared Addendum, the City of San Diego has determined that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

The project site is located in a developed neighborhood, surrounded by existing development on all sides, including a high school to the north, and residential to the south, east and west. The site is currently developed with an equestrian facility that would be demolished

for project implementation and no additional impacts to ESL are proposed with the project. The senior residential care facility would be located on the disturbed, northern portion of the site, adjacent to residential development and all existing, designated Open Space would remain. The site does not contain nor is it adjacent to Multi-Habitat Planning Area (MHPA) lands and does not provide connectivity to any adjacent open space system. The site is served by all existing utilities and public rights-of-way. Therefore, 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.

b. 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. The Project proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

The project proposal would not result in a substantial increase in wind or water erosion of soils. Compliance with the City's standard Best Management Practices (BMPs) will prevent such impacts. The site is not located within or adjacent to a flood hazard zone. The proposed development will minimize the alteration of natural land forms since most of the project is proposed for the northern portion of the property site which is the most disturbed. The Geotechnical Investigation for the proposed project concluded that, from a geotechnical engineering standpoint, the project site is suitable for development of the proposed project. The proposed project includes a Brush Management Plan and additional fire/emergency access points in addition to the main entrance. Therefore, 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.

c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The Project proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

The Addendum to the Mitigated Negative Declaration and Environmental Impact Report concludes that the proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR and adopted MND.

The project site is located in a developed neighborhood, surrounded by existing development on all sides, including a high school to the north, and residential to the south, east and west. The site is currently developed with an equestrian facility that would be demolished for project implementation and no additional impacts to ESL are proposed with the project. The senior residential care facility would be located on the disturbed, northern portion of the site, adjacent to existing residential development, and all existing, designated Open Space would remain. The site does not contain nor is it adjacent to Multi-Habitat Planning Area (MHPA) lands and does not provide connectivity to any adjacent open space system. Therefore, the

proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP). The Project proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

The project site is not located within, or adjacent to, the Multi-Habitat Planning Area. Therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The project site does not contain any vernal pools and is not subject to the VPHCP.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The Project proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

The Project site is not located within the coastal overlay zone. The Project site is located approximately three miles inland of the Pacific Ocean. Thus, the proposed project will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

f. 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 Project proposes to demolish an equestrian facility and construct a senior residential care facility providing up to 128 residences. The care facility comprises a two-story, 118,342 square-foot main building and five detached casitas with paired duplexes totaling 17,260 square feet.

As the project site is located on previously developed land, an EIR and MND were previously prepared for the that included mitigation requirements, and an Addendum to the EIR and MND has been prepared for the proposed project. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to reduce potential impacts to below a level of significance. Air Quality mitigation measures are required to reduce potential air quality impacts associated with dust generation during construction to below a level of significance. Paleontological mitigation measures are required to reduce potential impacts to the highly sensitive Torrey Sandstone Formation. All of the mitigation measures required as conditions of the permit are appropriate and proportional for the project in consideration of the current accepted best practices and scientific analysis standards. None of the mitigation measures are without rational basis in fact or accepted best practices and scientific analysis standards. The SDMC, Land Development Manual, Community Plan, General Plan, CEQA Significance Thresholds, and technical studies prepared for the development were utilized to determine project impacts and required mitigation. 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.

C. **CONDITIONAL USE PERMIT- SAN DIEGO MUNICIPAL CODE (SDMC)**
SECTION 126.0305

1. **Findings for all Conditional Use Permits:**

a. **The proposed development will not adversely affect the applicable land use plan.** The Seabreeze Senior Living project would construct a senior residential care facility comprising up to 128 residences on the 8.78-net acre (10.12-gross acre) site currently occupied by the Seabreeze Farms equestrian facility. The surrounding area is comprised of predominantly single-family residences, multi-family housing and an adjacent high school. The proposed project is consistent with the underlying zone, as a residential care facility is a use allowed within the AR-1-1 zone with approval of a Conditional Use Permit.

The project requires a Community Plan Amendment to the Carmel Valley Neighborhoods 4, 5, and 6 Precise Plan to modify the land use designation on a portion of the site from Equestrian Facility to Residential Care Facility and to update the land map and text to reflect the land use change. The land use within the portion of the site currently designated as Open Space would not be modified. The change in land use would be consistent with the Precise Plan as the project proposes low intensity development that is residential in use and character.

Development within the surrounding community is low- to medium-density residential in character and varies from five dwelling Units per acre (du/ac) in adjacent single-family housing, to 15 du/ac in nearby multi-family housing, and 22 du/ac as multifamily housing further east of the project site. A 128-unit, multi-family development on this site would result in an overall density of 15 du/ac, compatible to the density of residential developments in the surrounding neighborhoods. The proposed residential care facility has buildings that are similar in architecture and height to both the neighboring two-story single-family homes (proposed single-story casitas) and a multi-family housing development (proposed two-story main building) and much less imposing than the three- to four-story high school buildings adjacent to the east.

Massing of the main building will be articulated with offsetting planes to minimize the appearance of longer elevations, two-story architectural volumes, enhanced-stone work, vertical elements, and courtyards. The duplex casitas are low-profile single-story and sized smaller than the surrounding two-story single-family housing.

While the project would remove an existing equestrian facility, the Precise Plan does not specify the preservation of equestrian uses on the site and existing equestrian uses occur in areas immediately adjacent to the project site in the form of pastures, existing trails, and open space to the south and west of the site. Additionally, there are other equestrian uses located within the community and adjacent areas. In the Carmel Valley Community Plan area, The Riding Club, Carmel Valley Rancho and Ryckman Equestrian, and South Coast Equestrian facilities are located approximately 3.5 miles south of the project site. Approximately four to five miles northwest of the project site, the Rancho El Camino Equestrian and Flower Hill Farms facilities are located adjacent to Old El Camino Real, and Concord Equestrian Center and the San Diego Polo Fields are located along Via de la Valle. KDB Training Stable/Fairbanks Riding Club is located approximately five miles north of the project site within Fairbanks Ranch. Equestrian and nature trails occur south and northwest of the project site. Pasture land and trails exist

immediately west of the project site. The project would not alter the existing trails and pasture land.

As the project would provide low intensity development that is residential in use and character, massing and architecture is similar to the surrounding neighborhood, and other equestrian facilities exist in the area, the development would not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety and welfare. The project will improve on-site drainage and add a pedestrian trail connection to the existing regional trail system. The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinances and standards, including Sections 142.0403(b)5 and 142.0412(f) of the Land Development Code (LDC). Relevant landscape standards include street yard, remaining yard, and vehicular use area planting, revegetation/erosion control, street tree screening, water conservation calculation requirements, landscape and irrigation construction, landscape maintenance, and establishment of a Brush Management Program. The project will also provide three new trailheads that connect to the regional trail system. The project will dedicate three feet along the property frontage to provide a 10-foot curb-to-property-line distance on Old Carmel Valley Road and will also build a new 26-foot driveway to current City Standard. The project will also provide three new trailheads that connect to the regional trail system. The project will dedicate three feet along the property frontage to provide a 10-foot curb-to-property-line distance on Old Carmel Valley Road and will also build a new 26-foot driveway to current City Standard. These improvements to drainage, the driveway and property frontage will provide increased public safety for pedestrians and the trail connections will serve to enhance public health.

In addition, the project will remove and replace the existing contiguous sidewalk with non-contiguous sidewalk for the length of the project frontage. Given the project is a Senior Residential Care Facility, the proposal will result in increased health care provided to the community and the public. The project will provide 104 assisted living units and 14 assisted living memory care units.

As these improvements will enhance public health, safety and welfare, the proposed development will not be detrimental to the public health, safety and welfare.

c. 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 site is primarily located within the AR-1-1 Zone. However, a small portion of the site that provides the project's access drive is within the CVPD-SF2 Zone, and a small undeveloped portion at the southern reach of the site lies within the CVPD-OS Zone. However, no development is proposed outside the AR-1-1 Zone where the proposed use is allowed.

Maximum allowed lot coverage for the site is 10 percent. The project proposes 76,902 square feet in building pad area on a 10.02-acre site resulting in a lot coverage of 17.5 percent. This exceedance is allowed with a Planned Development Permit (PDP) for which the project has applied.

The project has been designed to comply with the regulations of the San Diego Municipal Code (SDMC), including requirements for open space, grading, landscaping and all other requirements of the development criteria of the AR-1-1 Zone.

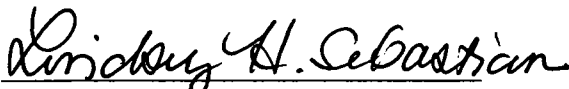
Therefore, the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

d. The proposed use is appropriate at the proposed location. The proposed residential care facility is appropriate at the proposed location as it is located in a developed neighborhood, surrounded by existing residential development to the west, south and east and a high school to the north. The site is served by all existing utilities and public rights-of-way and emergency access in addition to the main access drive is proposed. The site is currently developed with an equestrian facility that would be demolished for project implementation and no additional impacts to ESL are proposed with the project. The senior residential care facility would be located on the disturbed, northern portion of the site and all existing, designated Open Space would remain. The site does not contain nor is it adjacent to Multi-Habitat Planning Area (MHPA) lands and does not provide connectivity to any adjacent open space system. The project site is primarily located within the AR-1-1 Zone. However, a small portion of the site that provides the project's access drive is within the CVPD-SF2 Zone, and a small undeveloped portion at the southern reach of the site lies within the CVPD-OS Zone. However, no development is proposed outside the AR-1-1 Zone where the proposed use is allowed. Therefore, the proposed use is appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Planned Development Permit No. 2256375, Conditional Use Permit No. 2123276, and Site Development Permit No. 2123277 is hereby granted to Bell Valley Holding Company, LP, Owner/Permittee, under the terms and conditions as set forth in the attached permit which is made a part hereof, contingent upon the final passage of Resolution No. R- 312642 approving amendments to the General Plan and Carmel Valley Community Plan.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Lindsey H. Sebastian
Deputy City Attorney

LJS:als
07/16/2019
Or.Dept:DSD
Doc. No.: 2039359

Attachment: Conditional Use Permit/Site Development Permit/Planned Development Permit

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

**WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501**

INTERNAL ORDER NUMBER: 24007776 SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 2256375/CONDITIONAL USE PERMIT NO.
2123276/SITE DEVELOPMENT PERMIT NO. 2123277

**SEABREEZE SENIOR LIVING PROJECT NO. 600824
CITY COUNCIL**

This Planned Development Permit No. 2256375/Conditional Use Permit No. 2123276/Site Development Permit No. 2123277 is granted by the City Council of the City of San Diego to Bell Valley Holding Company, LP, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) Sections 126.0602(b), 141.0312 and 143.0110(b). The 10.12-acre site is located at 5720 Old Carmel Valley Road in the AR-1-1 zone of the Carmel Valley Community Plan area. The project site is legally described as: Lots 148 through 156, inclusive of Seabreeze Farms in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 14007, filed in the Office of the County Recorder of San Diego on July 21, 2000.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an equestrian facility and construct a 128-unit residential care facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 6, 2019, on file in the Development Services Department.

The project shall include:

- a. Demolition of an equestrian facility and construction of a 118,342-square-foot (SF), two-story building with a Senior Residential Care Facility in one, two-story building with 118 units and construct five, one-story duplexes that total 17,260 SF, totaling 135,602 SF for the project;
- b. One deviation to allow 17.5 percent lot coverage;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- e. 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 August 6, 2022.
2. 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.
3. 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.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).
7. 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.

8. 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.

9. 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.

10. 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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. 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.

12. The mitigation measures specified in the MMRP and outlined in Addendum No. 600824 to EIR No. 35-0385/SCH No. 96021001 and MND No. 96-7919, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Addendum No. 600824 to EIR No. 35-0385/SCH No. 96021001 and MND No. 96-7919, 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:

Air Quality and Paleontological Resources.

CLIMATE ACTION PLAN REQUIREMENTS:

14. 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" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

15. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

16. The drainage system proposed for this development is subject to approval by the City Engineer.

17. 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.

18. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

19. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

20. Prior to the issuance of any construction permit, the owner/permittee shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

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

22. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 3 feet on Old Carmel Valley Road to provide a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.

23. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 26 ft. driveway per current City Standards, adjacent to the site on Old Carmel Valley Road to the satisfaction of the City Engineer.

24. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to removal and replacement of the existing contiguous sidewalk with current City Standard non-contiguous sidewalk, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, adjacent to the site on Carmel Valley Road.

TRANSPORTATION REQUIREMENTS:

25. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC.

26. Prior to the issuance of the first certificate of occupancy, the Owner/Permittee must construct and maintain a private five-foot wide concrete sidewalk from the public right-of-way to the project's building entrance, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

28. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-

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. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.

30. In the event that a foundation-only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

31. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

33. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

34. The Brush Management Program shall be based on a standard Zone One of 35-ft. in width and a Zone Two of 65-ft. in width, extending out from the structure towards the native/naturalized vegetation, consistent with §142.0412. Zone One shall range from 35-ft. to 79-ft. in width with a corresponding Zone Two of 0-ft. to 65-ft. in width, exercising Zone Two reduction options under §142.0412(f).

35. Prior to issuance of any Building Permits, a recorded easement shall be obtained from the adjacent property owner of Lots 154, 155, & 156 of Map No. 14007 (APN 305-030-23-00, 305-100-46-00, & 305-100-48-00) for the purposes of performing off-site Zone Two brush

management. Said easement shall remain in effect until such a time as the adjacent lot is developed and the fuel-load no longer exists. In the event that an easement cannot be obtained, alternative compliance will be required.

36. Prior to issuance of any grading permit, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

37. Prior to issuance of any Building Permits, a complete Brush Management Plan shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A," on file in the Development Services Department. The Brush Management Plan shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

38. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or Type IV heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

39. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PUBLIC UTILITIES REQUIREMENTS:

40. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond the design and construction of all public water and sewer facilities as required in the accepted water and sewer studies for this project in a manner satisfactory to the Public Utilities Director and the City Engineer. Water and sewer facilities, as shown on the approved Exhibit "A," may require modification based on the accepted water and sewer studies and final engineering

41. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

42. Owner/Permittee shall apply for a plumbing permit for the installation of appropriate 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. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

43. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

44. The Owner/Permittee shall grant water easement for the proposed above ground water meters as shown on the approved Exhibit "A," in a manner satisfactory to the Public Utilities Director and the City Engineer.

45. The Owner/Permittee shall grant water easements and water access easement as shown on the approved Exhibit "A," satisfactory to the Public Utilities Director and the City Engineer. Easements shall be located entirely within one lot or parcel and adjacent to the property line.

46. Prior to the recordation of the easement vacation the Owner/Permittee shall assure, by permit, bond and As-built completion the abandonment of the water main, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

47. Prior to the recordation of the easement vacation all public water facilities must be abandoned or privatize, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

48. No approved improvements or landscaping, including private water facilities, grading and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

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

PLANNING/DESIGN REQUIREMENTS:

50. 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.

51. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

52. 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.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 August 6, 2019, and by Resolution No. R-312640.

Planned Development Permit No. 2256375
Conditional Use Permit No. 2123276
Site Development Permit No. 2123277
Date of Approval: August 6, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Anthony Bernal
Development Project Manager

**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.**

Bell Valley Holding Company, LP
Owner/Permittee

By _____
Chad Harris
Manager

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

Passed by the Council of The City of San Diego on AUG 06 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 06 2019.

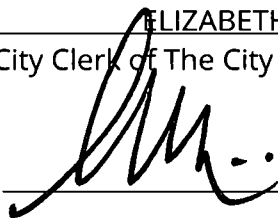
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312640