

#332B
05/25/21

(R-2021-443)
COR. COPY

RESOLUTION NUMBER R- 313557

DATE OF FINAL PASSAGE MAY 25 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO GRANTING NEIGHBORHOOD DEVELOPMENT
PERMIT NO. 2324693, AND SITE DEVELOPMENT PERMIT
NO. 2471596 FOR - 32nd & BROADWAY - PROJECT NO.
637438.

WHEREAS, 32nd & BROADWAY, LLC, a California limited liability company, and BENNY C. ANDERSON, Owners and 32nd & BROADWAY, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a Neighborhood Development Permit and Site Development Permit to construct a 38-unit residential condominium project, including four moderate-income dwelling units, and associated site improvements known as the 32nd & Broadway project, located at the northeast corner of Broadway and 32nd Street, north of State Route 94 (APNs 539-563-0600, 539-563-0700, and 539-563-1000), and legally described as Lots 25 through 36, Block 124 of Choate's Addition, in the City of San Diego, County of San Diego, State of California, According to Map thereof No. 167, filed in the Office of the County Recorder of San Diego County, November 20, 1886, and Fractional Lot 25, Block 124, E.W. Morse's Subdivision, According to Map Thereof No. 547, Filed in the Office of the County Recorded of San Diego County on December 30, 1871, in the RM-1-1 zone, and the San Diego International Airport (SDIA) Noise Contours Overlay Zone (65-70 CNEL), the Airport Influence Area (SDIA - Review Area 1), the Federal Aviation Administration (FAA) Part 77 Noticing Area (SDIA), within the Greater Golden Hill Community Plan area; and

WHEREAS, on March 4, 2021, the Planning Commission of the City of San Diego considered Neighborhood Development Permit No. 2324693 and Site Development Permit No. 2471596 (Permit), and pursuant to Resolution No. 5131-PC voted to recommend City Council approval of the Permit; 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 May 25, 2021, 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 Council of the City of San Diego, that it adopts the following findings with respect to Neighborhood Development Permit No. 2324693 and Site Development Permit No. 2471596:

A. NEIGHBORHOOD DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0404

1. Findings for all Neighborhood Development Permits-SDMC Section 126.0404(a):

a. The proposed development will not adversely affect the applicable land use plan. The 32nd & Broadway project proposes to vacate an unimproved portion of Broadway public right-of-way (PROW) and subdivide a 1.21-acre property into one lot for the construction of 38 residential condominiums, including 34 market rate and four moderate income affordable units, landscaping, and associated onsite and off-site improvements. The 38 residential condominiums will be contained within six, three-story buildings totaling approximately 68,538 square feet in Gross Floor Area (GFA), and include 14 one-bedroom units, 8 two-bedroom units, and 16 three-bedroom units ranging in size from 866 square-feet to 1,635 square-feet of habitable area, each with a one- or two-car garage. The project requests one

development incentive in accordance with the provisions of the Affordable Housing Regulations for deviation to structure height. The project requests deviations from the required side setback, floor area ratio (FAR), angled building envelope plane, retaining wall heights within front, rear, and side yards pursuant to SDMC Section 143.0920.

The Golden Hill Community Plan (GHCP) designates the site for residential development at a density range between 10 and 15 dwelling units/acre (du/ac). The Residential-Low Medium land use designation is intended for both single-family and multifamily housing. The GHCP also provides an increased density development option within the neighborhood east of 32nd Street that allows up to 29 du/ac. The project proposes to subdivide the 1.21-acre site and utilize the Affordable Housing Regulations for development of 38 attached dwelling units consistent with GHCP land use and zoning regulations.

The proposed project is consistent with the goals and policies of the General Plan and the GHCP. Overall, the project will advance the General Plan City of Villages Strategy by providing housing utilizing the maximum density range specified by the GHCP and paying its proportional fair-share of public facilities costs through payment of a Development Impact Fee for new residential development in accordance with SDMC Section 142.0640.

The General Plan's Housing Element promotes the use of affordable housing/density bonus programs to achieve projected residential housing needs over a broader range of income levels than typical of market rate housing projects. The project proposes to utilize the density bonus program within the Affordable Housing Regulations to provide additional housing units, including four housing units affordable to moderate income households. Maximizing housing within this vacant infill development site furthers General Plan and GHCP goals and policies related to the provision of housing.

The GHCP contains policies that identify the need for a park to serve the adjacent neighborhood which can be addressed. The GHCP's Recreation Element identifies the project site, portions of the unimproved street PROW, and the adjacent vacant parcels as part of a 3.81-acre neighborhood park. The proposed development removes a 1.21-acre area, including the PROW vacation, from consideration for future acquisition of a park site. A development previously approved within a vacant one-acre site to the north also reduces the available park acreage. The option to use the site for a neighborhood park requires acquisition of the site by the City. Currently, there is no identified funding source available for acquisition and development of this park. The Golden Hill Impact Fee Study lists public facilities needed to implement the GHCP and identifies funding sources, including a Development Impact Fee (DIF). Currently, the majority of DIF funds are allocated to other projects and it is unknown when sufficient DIF funds will become available. The project proposes to construct housing according to community plan land use. The project will pay required DIF fees which include a Parks and Recreation component.

The segment of Broadway proposed to be vacated is not part of the GHCP's classified streets network and is not identified on the Mobility Element's Planned Street Classification map (Figure 3-5). The proposed street vacation will not affect the following types of facilities identified as part of the GHCP's mobility network: Pedestrian Routes, Existing or Planned Bicycle Network, and Planned Transit Facilities, because routes for these facilities are not

mapped within this portion of Broadway. Unimproved local streets may be considered for a ROW vacation if needs for public access infrastructure are addressed, including feasibility of construction (refer to separate ROW vacation findings). The project proposes to incorporate the vacated ROW into the total site area for the construction of housing.

The proposed project would make mobility improvements that implement goals and policies of the GHCP. The project will construct the unimproved 32nd Street ROW to provide public vehicle and pedestrian access to the project site and construct a cul-de-sac turn-around with driveway for utility maintenance access and access to the abutting parcel to the south. The new sidewalks will be designed to replicate a traditional historic scoring pattern specified by the GHCP.

The GHCP's Urban Design Element policies pertaining to development within canyons, hillsides and open space apply to this site. The grade elevation of the site descends approximately 40 feet between the northwest corner and the southeast corner of the site. Proposed grading will create flat development pads for the four building plans and balance cut and fill within the site. Internal driveways generally flow with the sloping topography and buildings will be stepped in specific areas to incorporate the natural drop of the slope. Building volumes incorporate variations in rooflines and wall planes that transition with the flow of the slope. Buildings facades will incorporate neutral, muted and primarily earth-tone colors reflecting the nearby 32nd Street Canyon area.

The Urban Design Element recommends street facing yards and building facades incorporate landscape and architectural features to provide design detail, variety and visual interest along the street facing edge. The residences would orient to 32nd Street by providing a combination of street-facing balconies and windows. Landscaping within the street yard along 32nd Street will include a variety of trees, shrubs and accent plants to provide visual interest at the pedestrian level. The project will provide a total of 1,188 square feet of common open space configured in two separate landscaped areas, including an amenity area for pets which meets a community plan requirement for projects with more than 20 units. Based on the above, the proposed development will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development is consistent with the relevant SDMC, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of SDMC in effect for this project. Such conditions within the permit have been determined necessary to avoid adverse impact upon the public health, safety, and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property and other regulations and guidelines pertaining to the subject property per the SDMC.

Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all building, electrical, mechanical, plumbing and fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Compliance with these regulations during and after construction will be enforced through building inspections completed by the City's building inspectors.

The project is located within the Airport Influence Area for SDIA (Review Area 1), and FAA Part 77 Notification Area for SDIA. The project has been reviewed for consistency with the Airport Land Use Compatibility Plan for SDIA by the San Diego County Regional Airport Authority acting as the Airport Land Use Commission (ALUC). On October 30, 2019, ALUC staff determined the proposed project is conditionally consistent with the SDIA ALUCP provided residences are sound attenuated to 45 dB CNEL interior noise level, and that an aviation easement for height and noise is recorded with the County Recorder. The project has been conditioned accordingly.

Furthermore, the project has been reviewed pursuant to the California Environmental Quality Act, and the environmental analysis did not find any significant impacts to the public health and safety. Therefore, 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 proposed 32nd & Broadway project proposes to vacate an unimproved portion of Broadway PROW and subdivide a 1.21-acre property into one lot for the construction of 38 residential condominiums, including 34 market rate and four moderate income affordable units, landscaping, and associated onsite and off-site improvements. The 38 residential condominiums will be contained within six, three-story buildings totaling approximately 68,538 square feet in Gross Floor Area (GFA), and include 14 one-bedroom units, 8 two-bedroom units, and 16 three-bedroom units ranging in size from 866 square-feet to 1,635 square-feet of habitable area, each with a one- or two-car garage.

The Project complies with the regulations of the Land Development Code (LDC), including requirements for parking, landscaping, and all other requirements of the development criteria for its zoning, except where deviations are allowed as development incentives in accordance with the Affordable Housing Regulations, and through the Neighborhood Development Permit process pursuant to SDMC Section 143.0920. The project includes one development incentive and four deviations. The project is requesting an incentive to allow structure heights between 30 to 45 feet, where the maximum height limit in the RM-1-1 Zone is 30 feet. The height incentive is supported because the project is consistent with the community plan policies, is designed to address the physical environment and topographic constraints, and would not adversely impact the public's health and safety. Furthermore, the development incentives request is consistent with the intent of the State's Density Bonus Law and there is no substantial evidence pursuant to the SDMC or State law to deny the applicant's request for the incentive.

The project also requests four deviations: 1) to allow a 1.30 Floor Area Ratio (FAR) (68,538 square feet), where a maximum 0.75 FAR is permitted; 2) to allow a five-foot side setback from the south property line, where 50 percent of the length of the building requires a setback of 14.2 feet (10 percent of the lot width); 3) to allow buildings without the required angled building envelope plane; and 4) to allow retaining wall height up to 9.5 feet within the front yard and up to 8.8 feet within side and rear yards, where two, three-foot walls and two, six-foot walls are allowed, respectively. The requested deviations are supported due to site topographical constraints, and to allow the project maximize density with an affordable housing component, maintain the architectural character of the project, and comply with American with Disabilities Act requirement.

The project would benefit the community by providing additional market rate and affordable housing opportunities in the Greater Golden Hill Community. The requested incentive and deviations are necessary to allow the 38 proposed units in accordance with State density bonus law, the City's Affordable Housing Regulations, and the Affordable Housing, In-fill Projects, and Sustainable Buildings Development Regulations, given the site size and constraints. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the Land Development Code and San Diego Municipal Code. 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 – SDMC Section 126.0404 (b):**

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 proposed 32nd & Broadway project proposes to vacate an unimproved portion of Broadway PROW and subdivide a 1.21-acre property into one lot for the construction of 38 residential condominiums, including 34 market rate and four moderate income affordable units, landscaping, and associated onsite and off-site improvements. The project site is located at the northeast corner of Broadway and 32nd Street, north of State Route 94, in the RM-1-1 zone, and the San Diego International Airport (SDIA) Noise Contours Overlay Zone (65-70 CNEL), the Airport Influence Area (SDIA - Review Area 1), the Federal Aviation Administration (FAA) Part 77 Noticing Area (SDIA), within the Greater Golden Hill Community Plan area.

The project site slopes to the south and east with site elevations ranging from approximately 175 feet above mean sea level (AMSL) at the northwest corner of the site to 135 feet AMSL at the southeast corner of the site. Surrounding development includes single-family and multi-family residential development to the west, multi-family development to the east, and vacant land and SR-94 to the south. The unimproved area to the north of the project site is currently entitled for the development of 19 residential condominiums.

Project implementation would include grading consisting of balanced earthwork, with cuts of approximately 9.2 feet in the northwest portion of the site, and fills up to 11 feet at the central and southern portion of the site to adapt the sloping site to the development. According to a geotechnical investigation report prepared for the project by NOVA Services, Inc., the site is suitable for the proposed development provided the geotechnical recommendations are incorporated into project design.

The project site is not within or adjacent to the Multiple Habitat Planning Area. The site contains Environmentally Sensitive Lands in the form of Biological Resources. Per Cadre Environmental's Biological Resources Report (11/3/2020), the majority of the site contains disturbed ruderal/urban/ornamental vegetation communities. There are two patches of disturbed Diegan coastal sage scrub vegetation within the Broadway ROW (off-site impact area) and ruderal invasive species. A total of 0.23 acre of disturbed coastal sage scrub will be directly impacted as a result of the project implementation, which will be mitigated through applicant's contribution to the City of San Diego's Habitat Acquisition Fund.

Based on the above, 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 landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The grade elevation of the project site descends approximately 40 feet between the northwest corner and the southeast corner of the site. Project grading would create flat development pads for the construction of six buildings and balance cut and fill within the site. Internal driveways would generally flow with the sloping topography and buildings would be stepped in specific areas to incorporate the natural drop of the slope.

The project is located in Geologic Hazard Category 52, Other level areas, gently sloping to steep terrain, favorable geologic structure, low risk. No known active faults are mapped on the site area. According to a geotechnical investigation report prepared for the project by NOVA Services, Inc., the site is suitable for the proposed development provided the geotechnical recommendations are incorporated into project design. The project has been conditioned to require the preparation of a geotechnical investigation report in accordance with the City's Guidelines for Geotechnical Reports that specifically addresses the proposed grading plans prior to the issuance of any grading permits. Additionally, the project would be required to comply with the California Building Code, City of San Diego Grading Ordinance, as well as the Storm Water Standards, and utilize proper engineering design and construction practices. Therefore, the proposed development will minimize the alternation 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. As specified in Neighborhood Development Permit (NDP) Finding A.2.a. above, the site contains environmentally sensitive lands in the form of Biological Resources. The majority of the site contains disturbed ruderal/urban/ornamental vegetation communities. There are two patches of disturbed Diegan coastal sage scrub vegetation within the Broadway ROW (off-site impact area)

and ruderal invasive species. A total of 0.23 acre of disturbed coastal sage scrub will be directly impacted as a result of the project implementation, which will be mitigated through applicant's contribution to the City of San Diego's Habitat Acquisition Fund.

The project will comply with all applicable water quality regulations, including obtaining and complying with those conditions established in State Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permits. Both permits include the treatment of all surface runoff from paved and developed areas, the implementation of applicable Best Management Practices (BMPs) during construction activities and the installation and proper maintenance of structural BMPs to ensure adequate long-term treatment of water before entering any stream course or offsite conservation areas. The project will include the development of an onsite bioretention basin for the capture, treatment and release of project related runoff.

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 MSCP Subarea Plan and VPHCP. The 1.21-acre project site is located within the City of San Diego's MSCP Subarea Plan. The site is not located within or adjacent to a Multi-Habitat Planning Area (MHPA), open space or conserved land. Therefore, no conservation or land use adjacency guidelines are applicable. A total of 0.23-acre of Diegan coastal sage scrub located outside of the MHPA will be directly impacted as a result of project implementation. A mitigation ratio of 1:1 for impacts to Tier II (uncommon uplands, coastal sage scrub, coastal sage scrub/chaparral) will be required. Prior to issuance of a grading permit, the project applicant will provide monetary compensation to the City's Habitat Acquisition Fund (HAF) as established by the City Council. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan and VPHCP.

e. The nature and extent of mitigation required as a condition of the permit is reasonably calculated to alleviate negative impacts created by the proposed development. As specified in NDP Finding A.2.a. above, the site contains environmentally sensitive lands in the form of Biological Resources. The majority of the site contains disturbed ruderal/urban/ornamental vegetation communities. There are two patches of disturbed Diegan coastal sage scrub vegetation within the Broadway ROW (off-site impact area) and ruderal invasive species. A total of 0.23 acre of disturbed coastal sage scrub will be directly impacted as a result of the project implementation, which will be mitigated through applicant's contribution to the City of San Diego's Habitat Acquisition Fund. The nature and extent of mitigation required as a condition of the permit is reasonably calculated to alleviate negative impacts created by the proposed development.

3. Supplemental Findings-Affordable Housing, In-Fill Projects, Sustainable Buildings Deviation- SDMC Section 126.0404 (f):

a. The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable buildings opportunities. The GHCP designates the site for residential development at a density range between 10 and

15 du/ac. The Residential-Low Medium land use designation is intended for both single-family and multifamily housing. The GHCP also provides an increased density development option within the neighborhood east of 32nd Street that would allow up to 29 du/ac. The 32nd & Broadway project proposes to subdivide the 1.21-acre site and utilize the Affordable Housing Regulations for development of 38 residential condominiums consistent with GHCP land use and zoning regulations. The project would utilize the density bonus program within the Affordable Housing Regulations to provide four housing units affordable to moderate income households at 100% Area Median Income (AMI). Maximizing housing within this vacant infill development site furthers General Plan and GHCP goals and policies related to the provision of housing.

Furthermore, the project provides sustainable features consistent with the requirements in the City of San Diego Climate Action Plan (CAP) checklist including ensuring 50% of the required electric vehicle charging spaces are equipped to provide active electric vehicle charging stations, include low-flow fixtures and appliances in the residential units, and include roofing materials with a minimum of 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code (CGBSC). Based on the above, the development will materially assist in accomplishing the goal of providing affordable housing, in-fill development, and sustainable buildings.

b. Any proposed deviations are appropriate for the proposed location.

The project site is an infill development proposed on an undeveloped site located at the northeast corner of Broadway and 32nd Street within the Greater Golden Hill Community Plan area. Surrounding development includes single-family and multi-family residential development to the west, multi-family development to the east, and vacant land and SR-94 to the south. The grade elevation of the site descends approximately 40 feet between the northwest corner and the southeast corner of the site. Project grading would create flat development pads for the construction of six buildings, and balance cut and fill within the site. Internal driveways would generally flow with the sloping topography and buildings would be stepped in specific areas to incorporate the natural drop of the slope. Building volumes would also incorporate variations in rooflines and wall planes that transition with the flow of the slope.

The project requests four deviations: 1) to allow a 1.30 Floor Area Ratio (FAR) (68,538 square feet), where a maximum 0.75 FAR is permitted; 2) to allow a five-foot side setback from the south property line, where 50 percent of the length of the building requires a setback of 14.2 feet (10 percent of the lot width); 3) to allow buildings without the required angled building envelope plane; and 4) to allow retaining wall height up to 9.5 feet within the front yard and up to 8.8 feet within side and rear yards, where two, three-foot and two, six-foot walls are allowed, respectively.

The purpose of the Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations is to provide flexibility in the application of development regulations for projects providing affordable shelter and to provide an additional incentive to facilitate the development of affordable housing, in-fill projects, and sustainable buildings while assuring that the development achieves the purpose and intent of the applicable land use plan. Maximizing housing within this vacant infill development site furthers General Plan and GHCP goals and

policies related to the provision of housing. The proposed deviations are necessary due to site constraints, and to allow the project maximize density with an affordable housing component, maintain the architectural character of the project, and comply with American with Disabilities Act requirement, on an otherwise underutilized site. The proposed deviations provide a design that is suitable for the proposed development and are appropriate for this location.

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

1. Findings for all Site Development Permit- SDMC Section 126.0505(a) [per SDMC Section 143.0920(a)]:

a. The proposed development will not adversely affect the applicable land use plan. The 32nd & Broadway project proposes improvements to 32nd Street with curb, gutter, a five-foot wide non-contiguous sidewalk on the eastern side of the street, and construction of a cul-de-sac at its southern terminus. A Site Development Permit is requested for the construction of a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac. Adjacent properties to the west will not be impacted due to abutting properties located at a higher elevation with an elevation differential of 14 to 27 feet between the properties and 32nd Street, and properties' access via Edgemont Street. As outlined in NDP Finding (A)(1)(a) listed above, the project is consistent with the goals, objectives, and proposals of the GHCP and the General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. A component of the 32nd & Broadway project is the proposed improvements to 32nd Street, including the construction of a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac. Although the proposed retaining wall would be located within the PROW, no sidewalk or other pedestrian walkway is proposed for this location, and as such, the construction of the retaining wall would not be detrimental to the public health and safety. Furthermore, as outlined in NDP Findings (A)(1)(b) listed above, 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. As outlined in NDP Findings (A)(1)(c) listed above, the requested incentives and deviations are consistent with the intent of the State's Density Bonus Law, the City's Affordable Housing Regulations and the Affordable Housing, In-fill Projects, and Sustainable Buildings Development Regulations. The project would benefit the community by providing additional market rate and affordable housing opportunities in the Greater Golden Hill Community Plan area. Furthermore, the proposed retaining wall exceeding three feet in

height within the PROW on the west side of 32nd Street is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac and allowed with the approval of an SDP. Therefore, the proposed development will comply with the applicable regulations of the land Development Code, including any allowable deviations pursuant to the LDC.

2. **Supplemental Findings-Public Right-of-Way Encroachments - SDMC**
Section 126.0505(m):

The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property. The 32nd & Broadway project proposes improvements to 32nd Street with curb, gutter, a five-foot wide non-contiguous sidewalk on the eastern side of the street, and construction of a cul-de-sac at its southern terminus. A Site Development Permit (SDP) is requested for the construction of a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac, providing vehicular access and benefiting the public. Adjacent properties to the west will not be impacted due to abutting properties located at a higher elevation with an elevation differential of 14 to 27 feet between the properties and 32nd Street, and properties' access via Edgemont Street. Therefore, the proposed encroachment is reasonably related to public travel and benefits a public purpose.

a. **The proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel.** As outlined in SDP Findings (b)(2)(a) listed above, the proposed encroachment is a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac for public travel. The proposed encroachment does not interfere with the free and unobstructed use of the PROW for public travel.

b. **The proposed encroachment will not adversely affect the aesthetic character of the community.** The 32nd Street & Broadway project proposes improvements to 32nd Street with curb, gutter, a five-foot wide non-contiguous sidewalk on the eastern side of the street, and construction of a cul-de-sac at its southern terminus. A SDP is requested for the construction of a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall ranges five to eight feet and is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac, providing vehicular access and benefiting the public. Adjacent properties to the west will not be impacted due to abutting properties located at a higher elevation with an elevation differential of 14 to 27 feet between the properties and 32nd Street, and properties' access via Edgemont Street. Furthermore, project includes landscaping including street trees and shrubs. Therefore, the proposed encroachment will not adversely affect the aesthetic character of the community.

c. **The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.** A component of the 32nd & Broadway project is the proposed improvements to 32nd Street, including the construction of a retaining wall exceeding three feet in height on the west side of 32nd Street within the City PROW. The retaining wall is necessary to hold back the existing sloping terrain for the construction of 32nd Street improvements and the cul-de-sac. The proposed encroachment may be permitted with the approval of a SDP in accordance with the SDMC. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.

d. **For coastal development in the coastal overlay zone, the encroachment is consistent with Section 132.0403 (Supplemental Use Regulations of the Coastal Overlay Zone).** This project is not a coastal development and is not located in the coastal overlay zone.

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 Neighborhood Development Permit No. 2324693 and Site Development Permit No. 2471596 is granted to 32nd & Broadway, LLC, a California limited liability company, and Benny C. Anderson, Owners, and 32nd & Broadway, LLC, a California limited liability company, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Lauren N. Hendrickson
Lauren N. Hendrickson
Deputy City Attorney

LNH:nja:cm
05/05/2021
05/17/2021 COR. COPY
Or. Dept: DSD
Doc. No.: 2654508_2

Attachment: Neighborhood Development Permit No. 2324693/Site Development Permit No. 2471596

**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: 24008268

NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2324693

SITE DEVELOPMENT PERMIT NO. 2471596

32nd & BROADWAY - PROJECT NO. 637438 [MMRP]

CITY COUNCIL

This Neighborhood Development Permit No. 2324693 and Site Development Permit No. 2471596 is granted by the City Council of the City of San Diego to 32nd & Broadway, LLC, a California limited liability company and Benny C. Anderson, Owners and 32nd & Broadway, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0404 and 126.0505. The 1.21-acre unimproved site is located at the northeast corner of Broadway and 32nd Street, north of State Route 94 (APNs 539-563-0600, 539-563-0700, and 539-563-1000), in the RM-1-1 zone, and the San Diego International Airport (SDIA) Noise Contours Overlay Zone (65-70 CNEL), the Airport Influence Area (SDIA - Review Area 1), the Federal Aviation Administration (FAA) Part 77 Noticing Area (SDIA), within the Greater Golden Hill Community Plan area. The project site is legally described as Lots 25 through 36, Block 124 of Choate's Addition, in the City of San Diego, County of San Diego, State of California, According to Map thereof No. 167, filed in the Office of the County Recorder of San Diego County, November 20, 1886, and Fractional Lot 25, Block 124, E.W. Morse's Subdivision, According to Map Thereof No. 547, Filed in the Office of the County Recorder of San Diego County on December 30, 1871.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a 38-unit residential condominium project, including four moderate-income dwelling units, and associated site improvements as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated **MAY 25 2021**, on file in the Development Services Department.

The project shall include:

- a. Construction of 38 residential condominium units totaling approximately 68,538 square-feet, including 34 market-rate and 4 moderate income affordable units, in six, three-story buildings, and consist of 14 one-bedroom units, 8 two-bedroom units, and 16 three-bedroom units ranging in size from approximately 866 square-feet to 1,635 square-feet of habitable area, each with a one or two-car garage;

- b. Approval of one development incentive to allow building heights between 30 to 45 feet, where a maximum height of 30 feet is allowed per SDMC Section 131.0431 (Table 131-04G).
- c. Approval of the following four deviations:
 - 1. Allow a 1.30 Floor Area Ratio (FAR) (68,538 square feet), where a maximum 0.75 FAR is permitted pursuant to SDMC Section 131.0431(e), Table 131.04G;
 - 2. Allow a five-foot side setback from the south property line, where 50 percent of the length of the building requires a setback of 14.2 feet (10 percent of the lot width) pursuant to SDMC Section 131.0443(d)(2), Table 131.04G;
 - 3. Allow buildings without the angled building envelope plane as required pursuant to SDMC Section 131.0444(e)(1); and
 - 4. Allow a retaining wall height up to 9.5 feet within the front yard and up to 8.8 feet within side and rear yards, where two, three-foot and two, six-foot walls are allowed pursuant to SDMC Sections 142.0340(c)(1) and 142.0340(d)(1), respectively.
- d. Construction of a retaining wall exceeding three feet in height within the west side of the 32nd Street public right-of-way;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking;
- g. Approximately 1,188 square feet of common open space area to include a dog/pet amenity area; and
- h. 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 05/25/2024.

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. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Wildlife [CDFW] pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third

Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. 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.

13. The mitigation measures specified in the MMRP and outlined in MITIGATED NEGATIVE DECLARATION NO. 637438 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in MITIGATED NEGATIVE DECLARATION NO. 637438 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 area:

• **Biological Resources**

CLIMATE ACTION PLAN REQUIREMENTS:

15. 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.

AFFORDABLE HOUSING REQUIREMENTS:

16. Prior to issuance of any construction permits, the Owner/Permittee shall demonstrate compliance with the provisions of the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the San Diego Municipal Code. The Owner/Permittee shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable affordability conditions consistent with the San Diego Municipal Code. The Agreement will specify that in exchange for the City's approval of the Project, which contains a six percent density bonus (3 units in addition to what is permitted by the underlying zoning regulations), alone or in conjunction with any incentives or concessions granted as part of Project approval, the Owner/Permittee shall provide four affordable density bonus units with sales prices set at 100 percent of Area Median Income (AMI).

17. The Agreement referenced in the preceding paragraph will satisfy the requirements of San Diego Municipal Code section 143.1303(g) and therefore, exempt the Project from the Inclusionary Affordable Housing Regulations in Chapter 14, Article 2, Division 13 of the San Diego Municipal Code.

AIRPORT REQUIREMENTS:

18. Prior to the issuance of any construction permits, the Owner/Permittee shall grant an aviation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement. The Owner/Permittee shall use the aviation easement form provided by the San Diego County Regional Airport Authority.

19. Prior to submitting construction plans for a building to the City for review, the Owner/Permittee shall place a note on all building plans indicating that an aviation easement has been granted across the property to the airport operator. The note shall include the County Recorder's recording number for the aviation easement.

20. Prior to the issuance of any construction permits for a building, the Owner/Permittee shall demonstrate the dwelling units are sound attenuated to 45 dB CNEL interior noise level.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

ENGINEERING REQUIREMENTS:

22. This Neighborhood Development Permit and Site Development Permit shall comply with all Conditions of the Final Map for the Tentative Map No. 2324694.

23. Prior to the issuance of any construction permit, the Owner/Permittee shall vacate Broadway Public Right-of-Way, as shown on approved Exhibit 'A', satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

24. 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.

25. Prior to issuance of any construction permit for public improvement, 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.

26. Prior to issuance of any construction permit for building (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)6.

27. 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.'

28. 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.

29. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, 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.

GEOLOGY REQUIREMENTS:

30. Prior to the issuance of any construction permit for grading, the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed grading plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any grading permit.

PLANNING/DESIGN REQUIREMENTS:

31. The 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 authorized by the appropriate City decision maker in accordance with the SDMC.

32. Prior to issuance of occupancy, each unit in the development will be equipped with its own standard air conditioning unit and individual ventilation system that includes residential High Efficiency Particulate Arresting (HEPA) filters with a Minimum Efficiency Reporting Value (MERV) rating of 17 or better.

33. Prior to issuance of any construction permits for residential building, the Owner/Permittee shall submit an acoustical analysis report that identifies sound transmission reduction measures demonstrating that building structures will attenuate exterior noise to a 45 dBA CNEL in habitable residential space per the preliminary recommendations of the project-specific Acoustical Analysis Report by Eilar Associates, Inc. Acoustical & Environmental Consulting dated March 22, 2019.

34. Prior to issuance of any construction permits for residential building, the Owner/Permittee shall submit an acoustical analysis report that identifies sound transmission reduction measures that will attenuate exterior noise to not exceed 65 CNEL in private outdoor use areas per the preliminary recommendations of the project-specific Acoustical Analysis Report by Eilar Associates, Inc. Acoustical & Environmental Consulting dated March 22, 2019.

35. Prior to issuance of Final Inspection, the Owner/Permittee shall submit two copies of the final Acoustical Analysis Report with the construction documents to the Building Inspector.

36. 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.

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

38. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

39. Prior to the issuance of any construction 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.

40. 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.

41. Prior to the issuance of any construction permits, the Owner/Permittee shall finalize Water and sewer capacity charges. Capacity charges, as well as service and meter size, are determined by Water Meter data card which is completed during the building plan review process.

42. The Owner/Permittee shall grant sewer and water easements, as shown on the approved Exhibit "A", satisfactory to the Public Utilities Director and the City Engineer.

43. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the construction permit building plan check.

44. Prior to issuance of any construction permits, the Owner/Permittee shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed private sewer main within the public right-of-way.

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 MAY 25 2021, by
Resolution No. R-313557.

Permit Type/PTS Approval No.: NDP No. 2324693 &
SDP No. 2471596
Date of Approval: MAY 25 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Travis Cleveland
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.**

32ND & BROADWAY, LLC
- A California limited liability company
Owner/Permittee

By _____
Benny C. Anderson
Manager

BENNY C. ANDERSON
Owner

By _____
Benny C. Anderson

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

Passed by the Council of The City of San Diego on MAY 25 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 25 2021

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Linda Rivera, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **313557**