

RESOLUTION NUMBER R- 315906

DATE OF FINAL PASSAGE NOV 19 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SITE DEVELOPMENT PERMIT NO. PMT-2596197 AND NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-328775 AND RESCINDING DEVELOPMENT IMPLEMENTATION OVERLAY ZONE PERMIT NO. 90-0830 FOR CLAIREMONT VILLAGE – PROJECT NO. PRJ-0697307 (MMRP).

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. Clairemont Village Quad, LLC, a California Limited Liability Company, submitted an application to the City of San Diego for a Neighborhood Development and Site Development Permit to rescind Community Plan Implementation Overlay Zone Permit No. 90-0830 to demolish approximately 3,770 square feet of retail commercial space to allow for a fire-access lane around a new five-story multi-dwelling unit building over two levels of parking, construction of a new five-story 224-unit multi-dwelling unit building totaling 262,624 square feet over two levels of parking totaling 124,449 square feet. The multi-dwelling unit building will also include two outdoor courtyards including a lap pool, a club area, two lounges, and a fitness center (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval), for the Clairemont Village project.

B. The 12.96-acre site is located at 3001 through 3089 Clairemont Drive within the Clairemont Mesa Community Plan in the CC-1-3 Zone, Airport Land Use Compatibility Overlay Zone (Montgomery Field), Airport Influence Area – Review Area 2 (Montgomery Field), Federal Aviation Administration (FAA) Part 77 Noticing Area, Clairemont Mesa Height Limitation Overlay Zone, Community Plan Implementation Overlay Zone (CPIOZ)–Type B, and

Very High Fire Hazard Severity Zone . The project site is legally described as Parcel A: Parcel 1 of Parcel Map No. 13891, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 31, 1985, as Instrument No. 85-274379 of official records. Parcel B: Parcel 3 of Parcel Map No. 11146, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, March 27, 1981, as Instrument No. 81-093895 of official records.

C. On September 26, 2024, the Planning Commission of the City of San Diego considered Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755, and voted to recommend Council approval of the project pursuant to Resolution No. 5313-PC.

D. On November 19, 2024, the Council considered Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755 pursuant to the Land Development Code of the City of San Diego.

E. The Office of the City Attorney prepared this Resolution based on the information provided by City staff with the understanding that this information is complete and accurate.

F. Under San Diego Charter section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the 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.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the following findings with respect to Site Development

Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755:

A. NEIGHBORHOOD DEVELOPMENT PERMIT – SDMC Section 126.0404

1. **The proposed development will not adversely affect the applicable land use plan.**

The subject property is a 12.96-acre parcel located at 3001 through 3089 Clairemont Drive. The site is located in the CC-1-3 (Commercial-Community) zone within the Clairemont Mesa Community Plan area. The area of impact for the proposed development is approximately 2.67 acres and allows for up to 376 multi-dwelling units on the property, as further described below.

The subject property contains an existing 124,083-square-foot shopping center with 666 parking stalls. The project proposes the redevelopment of 2.67 acres of the 12.96-acre parcel and would include the demolition of approximately 3,770 square feet of retail commercial space for the provision of a fire access lane and the construction of a 224-multi-dwelling unit building within five floors over two levels of parking. The residential component of the building would be 262,624 square feet and the parking component would be 124,449 square feet. Additionally, two outdoor courtyards would be provided, one of which would include a club area, two lounges, and a fitness center. Twenty-three (23) out of 224 units would be designated as affordable with rents of no more than 30% of 60% of area median income (AMI) for no fewer than 55 years.

516 retail parking spaces will remain for the shopping center, and approximately 342 parking spaces would be provided within the parking garage, with one level partially below-grade level and one at-grade level. However, 43 existing retail parking spaces will be shared with residents and their guests between the hours of 6 PM and 9 AM. Therefore, 385 parking spaces will be provided for residential use and meets the minimum parking requirement of 385 parking spaces per San Diego Municipal Code (SDMC) Table 142-005C – Minimum Required Parking Spaces for Multiple Dwelling Units and Related Accessory Uses. In total, the 12.96-acre site will have 858 parking spaces.

The project site has a General Plan land use designation of Commercial Employment, Retail, and Services (Community Commercial), and the Clairemont Mesa Community Plan designates the site as Commercial. Commercial Employment, Retail, and Services (Community Commercial) land uses provide for shopping areas with retail, service, civic, and office uses for the community at large within three to six miles. It can also be applied to transit corridors where multi-family residential uses could be added to enhance the viability of existing

commercial uses. The proposed project site is part of a commercial shopping center, which is located along a major transit corridor (Clairemont Drive). The proposed project would enhance the viability of the existing commercial uses in the area.

The Clairemont Mesa Community Plan also identifies the project site as "Clairemont Village" and designates the total 12.96-acre site as Community Center within the Community Plan Implementation Overlay Zone (CPIOZ) - Type B. The community plan does not identify a specific residential density for mixed-use development, nor does it preclude residential development. As proposed, the project would introduce residential development resulting in "horizontal" mixed-use fashion at the Clairemont Village site and would not affect the retention of existing commercial uses as the community center.

The property is zoned CC-1-3 which permits residential development at a density of 1 unit per 1,500 square feet (29 units/acre) of lot area pursuant to SDMC section 131.0531 and Table 131-05E. This would allow for up to 376 units on the 12.96-acre property or 29 units per acre. With the application of development regulations, engineering and building standards, and architectural design features, the proposed project would total 224 units, or one unit per 2,520 square feet of lot area (17 units per acre).

The project design is consistent with the community's land use plan through the provision of 224 multi-dwelling units and the maintenance of existing commercial and retail services. Policy HE-A.2 of the Housing Element encourages location and resource-efficient development whereby housing is located near employment, shopping, schools, recreation, transit, and walking/bicycling infrastructure. The project will implement this policy by locating close to facilities in the area including the following facilities identified near the project site: one elementary school (1-mile southwest), one middle school (1.3-miles northeast), a high school (1.4-miles north), Western Hills Park (1-mile south), and Clairemont Village Shopping Center (adjacent to the project site). The project site is located adjacent to one bus route that provides service to the north and south, including the Old Town Transit Center, and the project site is approximately 880 feet walking distance from the San Diego Metropolitan Transit System (SDMTS) Bus Route 105 northbound stop at the far side of the intersection of Clairemont Drive and Burgener Boulevard and approximately 925 feet walking distance from the SDMTS Bus Route 105 southbound stop at the far side of the intersection of Clairemont Drive and Burgener Boulevard. The project results in redevelopment within the CPIOZ B and complies with the Clairemont Mesa Community Plan to emphasize creating a pleasant and convenient shopping environment for future residents. Therefore, the proposed project will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project will not be detrimental to the public health, safety, and welfare because the permits controlling the development and use of the site requires compliance with City codes, policies, and other regional, state, and federal regulations. Construction plans will be reviewed by City Staff to ensure compliance with all building code regulations. All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. The project will be inspected by certified building and engineering inspectors to assure construction is in accordance with approved plans and regulations.

The permit for the project includes conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions will avoid adverse impacts to the health, safety, and general welfare of persons residing or working in the surrounding area. Permit requirements include complying with the City of San Diego's Climate Action Plan Consistency Checklist; constructing a curb ramp adjacent to the site on Cowley Way; constructing a bus stop slab adjacent to the site on Clairemont Drive; constructing a 30-foot driveway adjacent to the site on Burgener Boulevard; incorporating construction Best Management Practices; submitting a Technical Report based on the Storm Water Standards; dedicating 0.5 feet of right-of-way along the project frontage on Cowley Way and reconstructing the existing contiguous sidewalk to a 10-foot wide parkway with a 5-foot wide non-contiguous sidewalk, curb, and gutter; reconstructing the existing curb ramp at the mid-block crossing along the project frontage on Cowley Way; restriping to lengthen the exclusive northbound left turn pocket to provide a total storage length of 110 feet and lengthen the exclusive westbound left turn pocket to provide a total storage length of 145 feet at the intersection of Clairemont Drive and Burgener Boulevard; installation of pedestrian countdown signal heads and the installation of traffic signal heads with retroreflective backplates on all approaches and restripe to lengthen the exclusive northbound left turn pocket to provide a total storage length of 75 feet at the intersection of Clairemont Drive and Iroquois Avenue; and re-striping to lengthen the exclusive westbound right turn pocket at the intersection of Field Street and Burgener Boulevard to provide a total storage length of 110 feet and lengthen the exclusive southbound left turn pocket to provide a total storage length of 130 feet.

The project will comply with the development conditions in effect for the subject property as described in Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755, and other regulations and guidelines pertaining to the subject property per the Land Development Code.

Subsequent Mitigated Negative Declaration No. 693707/SCH No. 2019060003 has been prepared for the project in accordance with CEQA Guidelines section 15152 and 15168, which allows a lead agency to prepare a tiered environmental document to a broad Environmental Impact Report or Negative Declaration and concentrate the later tiered environmental document solely on the issues specific to the later project. The proposed project results in impacts to Transportation, Archaeological, and Tribal Cultural Resources, therefore, a Mitigation Monitoring and Reporting Program (MMRP) is required. However, implementation of the measures below would mitigate Vehicle Miles Traveled (VMT) impacts, Archaeological, and Tribal Cultural Resources to the extent feasible:

- Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) reduction measures, totaling at least 5 points, in accordance with Mobility Choices Regulations (San Diego Municipal Code Chapter 14, Article 3, Division 11), Appendix T Mobility Choices Regulations: Implementation Guidelines, as shown on Exhibit 'A', satisfactory to the City Engineer. Implementation of these VMT reduction measures would mitigate VMT impacts to the extent feasible.
 1. Provide long-term bicycle parking spaces at least 10 percent beyond the minimum requirements (2 points for each 10 percent beyond the minimum)
 - Long-term bicycle parking required = 100 spaces
 - Long-term bicycle parking provided = 110 spaces (2 points)
 2. Provide an on-site bicycle repair station (1.5 points/unit)
 - Two on-site bicycle repair stations will be provided (3 points)
- In accordance with the requirements of PRC Section 21080.3.1, Assembly Bill (AB) 52, the City distributed notification letters on September 13, 2022, to the local Kumeyaay Native American Tribes that are traditionally and culturally affiliated with the project area. The City completed a consultation meeting with the San Pasqual Tribe on October 5, 2022. In the meeting, the San Pasqual Tribe requested tribal monitoring during grading to address concerns regarding Tribal Cultural Resources. An Archaeological Monitor and Native American Consultant/Monitor shall be present full-time during all soil disturbing and grading, excavation, and trenching activities which could result in impacts to Archaeological, and Tribal Cultural Resources.

Compliance with applicable local, state, and federal regulations along with permit conditions and implementation of project design features will result in a project which will not be detrimental to the public health, safety, and welfare. Therefore, the proposed development would not be detrimental to the public health, safety and welfare.

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

The proposed project is described in Neighborhood Development Permit (NDP) Finding A.1.a, incorporated by reference herein.

The proposed development is a permitted use as the CC-1-3 Zone (Commercial—Community) zone is intended to provide for a range of development patterns from pedestrian-friendly commercial streets to shopping centers and auto-oriented commercial streets. The CC-1-3 Zone permits a maximum density of one dwelling unit per 1,500 square feet of lot area (29 units/acre) pursuant to San Diego Municipal Code (SDMC) section 131.0531 and Table 131-05E. The 12.96-acre site allows for up to 376 units or 29 units per acre. The proposed project will contain 224 multi-dwelling units, or one unit per 2,520 square feet of lot area (17 multi-dwelling units per acre).

The project has been designed to conform to Community Plan Implementation Overlay Zone (CPIOZ)-Type B regulations which limit the use and site design. CPIOZ-Type B does not identify a specific residential density for mixed-use development, nor does it preclude residential development. As proposed, the project would introduce residential development resulting in "horizontal" mixed-use fashion at the Clairemont Village site and would not affect the retention of existing commercial uses as the community center. The proposed development is integrated with the existing shopping center to ensure compatibility in height, architecture and site design, signage, landscaping, and circulation. The proposed development will also be linked to the surrounding neighborhood by pedestrian access through well-defined entryways.

The project site is within the Clairemont Mesa Height Limit Overlay Zone which requires new structures or alteration of existing structures to have a maximum structure height of 30 feet. Since the proposed building will range in height from 65 feet to 85 feet, the project requires an exception from the Clairemont Mesa Height Limit through a Site Development Permit pursuant SDMC section 132.1306 that is subject to consideration by the City Council.

A Process 2 Neighborhood Development Permit per SDMC section 126.0603 (Reduced Permit and Processing for Affordable Housing, In-Fill Projects, and Sustainable Buildings) is required and granted for a reduced processing level since the development is consistent with the affordable housing, in-fill projects, and/or sustainable building regulations in SDMC section 143.0915(a)(4) and the

residential development will designate at least 10 percent of the dwelling units as affordable to households earning no more than 150 percent of area median income, as determined by the U.S. Department of Housing and Urban Development and published by the San Diego Housing Commission, for a period of at least 15 years. Twenty three out of 224 units would be designated as affordable with rents of no more than 30% of 60% of area median income (AMI) for no fewer than 55 years. The project may be permitted with a Neighborhood Development Permit with a reduced process level in accordance with Process Two, provided the findings in SDMC section 126.0404(a) are made. In the event that deviations are requested, the supplemental findings in SDMC section 126.0404(f) shall also be made. The project is requesting two deviations which are further described below.

SDMC section 131.0531 and Table 131-05E indicate the maximum structure height in the CC-1-3 Zone is 45 feet. The project is requesting a deviation to the maximum height requirements of the CC-1-3 Zone. Any proposed deviations that are requested as part of the project is processed through the approval of a NDP in accordance with SDMC section 126.0603. The first requested deviation is further described below:

- A deviation from SDMC section 131.0531 and Table 131-05E to provide a maximum structure height of 85 feet when the maximum structure height allowed in the CC-1-3 Zone is 45 feet.

SDMC Table 142-04A and section 142.0410(a)(2)(A) – Landscape Regulations apply to the 12.96-acre project site since the proposed structure exceeds 1,000 square feet, is proposing Multiple Dwelling Unit Residential Development, and since the gross floor area on the whole of the site is increasing by over 100%. The area of impact for the proposed project currently includes a surface parking lot and a portion of an existing commercial building totaling 2.67 acres within the 12.96-acre shopping center.

The project applicant is requesting a second deviation from the Landscape Regulations to limit the required landscaping to only cover 2.67 acres instead of the full 12.96-acre site. The second requested deviation is further described below:

- A deviation from SDMC Table 142-04A and section 142.0410(a)(2)(A) to limit landscape requirements to 2.67-acres of the site to comply with the Landscape Regulations for new development when 12.96 acres is required.

Within the 2.67-acre area of work, the proposed development will provide new landscaping consistent with the regulations of SDMC sections 142.0403 - 142.0407, 142.0409, and 142.0413. This includes street yard planting, remaining yard planting, vehicular use area planting, street trees, and water conservation methods.

The portions of the 12.96-acre Clairemont Village Shopping Center outside of the current 2.67-acre area of development have previously undergone remodeling which included several upgrades to site landscaping consistent with the landscape regulations. No additional landscape is proposed outside of the area of development.

The requested exception for the Clairemont Mesa Height Limit to exceed the 30-foot height limit which requires a Site Development Permit and the first requested deviation to allow a maximum structure height of 85 feet instead of 45 feet as required for development within the CC-1-3 Zone which requires a Neighborhood Development Permit will result in a multi-dwelling unit structure which serves as a transition between the tallest building (Sorrento Towers) located to the east of the project site which stands at 180 feet and the existing single-level commercial structures abutting the site to the west.

The requested exception to the Clairemont Mesa Height Limit to exceed a maximum height limit of 30 feet, and the deviations to exceed the maximum structure height of 45 feet allowed in the CC-1-3 Zone, and only the area of impact totaling 2.67 acres to comply with the Landscape Regulations has been reviewed as they relate to the proposed project and the impact on the surrounding community. The requested exception and deviations are appropriate and will result in a project that efficiently utilizes the subject property, provide on-site affordable housing and provides a use consistent with the Commercial designation of the Clairemont Mesa Community Plan. 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.

B. SUPPLEMENTAL FINDINGS – AFFORDABLE HOUSING, IN-FILL PROJECTS, OR SUSTAINABLE BUILDINGS DEVIATIONS – San Diego Municipal Code (SDMC) Section 126.0404(f)

- 1. The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable building opportunities.**

The project is described in NDP finding A.1, incorporated by reference herein. The project site has a General Plan land use designation of Commercial Employment, Retail, and Services (Community Commercial), and the Clairemont Mesa Community Plan designates the site as Commercial. Commercial Employment, Retail, and Services (Community Commercial) land uses provide for shopping areas with retail, service, civic, and office uses for the community at large within three to six miles. It can also be applied to transit corridors where multi-family residential uses could be added to enhance the viability of existing

commercial uses. The Clairemont Mesa Community Plan also identifies the project site as "Clairemont Village" and designates the total 12.96-acre site as Community Center within the Community Plan Implementation Overlay Zone (CPIOZ) - Type B. The community plan does not identify a specific residential density for mixed-use development, nor does it preclude residential development. The project proposes the construction of a multi-family housing development with 224 dwelling units consisting of 28 studios (530 SF), 103 one-bedroom units (605 SF – 904 SF), and 85 two-bedroom units (971 – 1,278 SF) and 8 three-bedroom units (1,315 SF – 1,685 SF). The on-site affordable housing units will include 10 percent (23 units) of the units provided at 30% of 60% area median income (AMI) for no fewer than 55 years. The proposed infill development at the underutilized site contributes to the housing stock of affordable housing dwelling units that are diverse housing opportunities at a variety of income levels near community resources such as regional transit, healthcare services, shopping areas and employment centers. As such the proposed development would be provided in conformance with the goals and policies of the Housing Element of the General Plan which include Goal 1: Facilitate the Construction of Quality Housing, Goal 2: Improve the Existing Housing Stock, and Goal 3: Provide New Affordable Housing.

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

The project is described in NDP finding A.1, incorporated by reference herein. The project site is an infill development proposed on an underutilized site consisting of a surface parking lot located at 3901 through 3089 Clairemont Drive. The project site is within the Clairemont Mesa Community Plan area and CPIOZ-B. Surrounding development includes the Clairemont Village shopping center to the west, one and two-story single-dwelling units to the south, two and three-story multi-dwelling unit buildings to the north, and Sorrento Tower high-rise building to the east.

The project is requesting two deviations to allow for an increase in building height and only the area of impact to comply with the Landscape Regulations, described in NDP finding A.3, incorporated by reference herein. 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 qualifying project types while assuring that development achieves the purpose and intent of the applicable land use plan. Maximizing housing within this infill development site furthers the General Plan and Clairemont Mesa Community Plan goals and policies related to the provision of housing. The requested deviation is necessary due to site constraints, to maximize the density of market rate and affordable dwelling units, and to maintain the architectural character of the project. Other than the requested deviation the proposed project is in conformance with the applicable regulations and policy documents and consistent with the land use and development standards in effect for the subject property per the SDMC. Therefore, the proposed deviations are appropriate for the project location.

C. **SITE DEVELOPMENT PERMIT – San Diego Municipal Code (SDMC) Section 126.0505**

1. **The proposed development will not adversely affect the applicable land use plan.**

As outlined in Neighborhood Development Permit Finding No. A.1 listed above, the proposed development will not adversely affect the applicable land use plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.**

As outlined in Neighborhood Development Permit Finding No. A.2 listed above, the proposed development will not be detrimental to the public health, safety, and welfare.

3. **The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

As outlined in Neighborhood Development Permit Finding No. A.3 listed above, the proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

4. **Supplemental Findings – Clairemont Mesa Height Limit.**

- a. **The granting of an exception will not significantly interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area.**

The project is located at 3001 through 3089 Clairemont Drive in San Diego. The 12.96-acre Clairemont Village Shopping Center is bounded by multi-family residences to the north, Cowley Way to the east, Field Street to the south, Burgener Boulevard to the southwest, and Clairemont Drive to the northwest. The residential apartment building area of impact is in the easternmost portion of the shopping center in a currently underutilized surface parking lot area. Existing land uses directly surrounding the area of impact include two and three-story multi-family residences over parking to the north; the 14-story Sorrento Tower high-rise residential building to the east across Cowley Way; one- and two-story single-family residences to the south across Field Street; and the existing, single-level commercial uses to the west within the Clairemont Village shopping center and along the south side of Burgener Boulevard.

The Clairemont Village Shopping Center is situated one block west of the top of the ridge line that follows along the western edge of Tecolote Canyon. There are no public view corridors of Mission Bay or the Pacific Ocean near

or on the project site along Cowley Way, Field Street, or Burgener Boulevard. Distant, southerly public views along Clairemont Drive will not be impacted by the proposed residential building. Public views to the east across the canyon will not be impacted by the proposed residential building. Therefore, the granting of the height exception for the proposed project will not significantly interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area.

- b. The granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible.**


The granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible with surrounding one, two, or three-story structures. Existing land uses directly surrounding the area of impact include two and three-story multi-family residences over parking to the north, the 14-story Sorrento Tower senior residential building to the east across Cowley Way, one- and two-story single-family residences to the south across Field Street, and the existing single-level commercial uses to the west within the Clairemont Village Shopping Center.

At 14 stories and approximately 180 feet, the Sorrento Tower senior residential building is substantially taller than the surrounding residential properties. The properties to the north of the project site rise in elevation along Cowley Way, with at-grade elevations approximately 15 to 30 feet above the proposed project site grade level. Thus, with 15 to 30 feet of grade difference plus 30 to 40 feet of building height, these buildings will appear to be between 45 and 70 feet in height in relation to the project site. The proposed five-story multi-family residential apartment project over two levels of parking will range in height from approximately 65 feet (to the north at the Cowley Way driveway) to 78-79 feet (along Field Street) to the top of parapet with a maximum height of approximately 85 feet to the top of the stair towers/elevator shafts are approximately 80 feet and will therefore be compatible in height with the surrounding properties to the north and east. The project will serve as a transition between the tallest building (Sorrento Tower) and the large, though single-level, commercial structures abutting the site to the west in the existing shopping center. This transition will also establish residential uses between the shopping center and the existing single-family neighborhoods to the south across Field Street. Therefore, the granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible.

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

3. Based on these findings adopted by the Council, Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755 are granted by the Council to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755, a copy of which is attached to and made a part of this Resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney


By  for
Shannon C. Eckmeyer
Deputy City Attorney

SCE:cm
October 18, 2024
Or.Dept: Development Services
Doc. No. 3851550

ATTACHMENT: Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on NOV 19 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk for Gil Sanchez

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

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

INTERNAL ORDER NUMBER: 24009038

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SITE DEVELOPMENT PERMIT NO. PMT-2596197
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3287755
CLAIREMONT VILLAGE - PROJECT NO. PRJ-0697307 [MMRP]
CITY COUNCIL**

This Site Development Permit No. PMT-2596197 and Neighborhood Development Permit No. PMT-3287755 is granted by the City Council of the City of San Diego to Clairemont Village Quad, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0502(e)(3) and 126.0503. The 12.96-acre site is located at 3001 through 3089 Clairemont Drive in the CC-1-3 Zone, Airport Land Use Compatibility Overlay Zone (Montgomery Field), Airport Influence Area – Review Area 2 (Montgomery Field), Federal Aviation Administration (FAA) Part 77 Noticing Area, Clairemont Mesa Height Limitation Overlay Zone, Community Plan Implementation Overlay Zone (CPIOZ)–Type B, and Very High Fire Hazard Severity Zone within the Clairemont Mesa Community Plan area. The project site is legally described as: Parcel A: Parcel 1 of Parcel Map No. 13891, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 31, 1985, as Instrument No. 85-274379 of official records. Parcel B: Parcel 3 of Parcel Map No. 11146, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, March 27, 1981, as Instrument No. 81-093895 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish retail and commercial space and to construct a seven-story multi-dwelling unit building subject to the City's land use regulations] described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 19, 2024, on file in the Development Services Department.

The project shall include:

- a. Rescinding Community Plan Implementation Overlay Zone Permit No. 90-0830;
- b. Demolition of approximately 3,770 square feet of retail commercial space to allow for a fire-access lane around a new five-story multi-dwelling unit building over two stories of parking;

- c. Construction of a new five-story 224-unit multi-dwelling unit building totaling 262,624 square feet over two stories of parking totaling 124,449 square feet. The five levels with multi-dwelling units will also include two outdoor courtyards with one of the courtyards including a lap pool, club area, two lounges, and a fitness center;
- d. Allowable deviations and exception from the development regulations pursuant to the following sections of the San Diego Municipal Code;
 - a. A deviation from SDMC section 131.0531 and Table 131-05E to allow a maximum structure height of 85 feet when the maximum structure height in the CC-1-3 Zone is 45 feet.
 - b. A deviation from SDMC Chapter 14, Article 02, Division 04 – Landscape Regulations to allow 2.67 acres to comply with the Landscape Regulations when 12.96 acres is required.
 - c. An exception from SDMC section 132.1305(a) to allow a maximum structure height of 85 feet when the maximum structure height in the Clairemont Mesa Height Limit Overlay Zone is 30 feet.
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 19, 2027.
- 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. 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:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] outlined in Subsequent Mitigated Negative Declaration No. 697307/State Clearing House No. 2019060003 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 Subsequent Mitigated Negative Declaration No. 697307/State Clearing House No. 2019060003, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

The Owner/Permittee shall comply with the MMRP as specified in Subsequent Mitigated Negative Declaration No. 697307/State Clearing House No. 2019060003 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:

Tribal Cultural Resources

Transportation

13. Prior to issuance of the grading permit, the applicant/permittee shall provide the Environmental Designee (ED) a Concurrence Letter from the DEHQ VAP for the Cleanup Program Site (Local Case #DEH2022-LSAM-000709).

14. Prior to issuance of the building permits, the applicant/permittee shall provide the Environmental Designee (ED) a Closure/ No Further Action Letter from the DEHQ VAP for Cleanup Program Site (Local Case #DEH2022-LSAM-000709).

ENVIRONMENTAL SERVICES /WASTE MANAGEMENT PLAN REQUIREMENTS:

15. The Owner/Permittee shall comply with the Waste Management Plan dated September 2022 and shall be enforced and implemented to the satisfaction of the Environmental Services Department.

CLIMATE ACTION PLAN REQUIREMENTS:

16. 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:

17. Prior to issuance of any building permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Inclusionary Affordable Housing Regulations of San Diego Municipal Code Chapter 14, Article 2, Division 13 and the Inclusionary Housing Procedures Manual. 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, the Owner/Permittee shall provide 23 affordable units with rent of no more than 30% of 60% of AMI for no fewer than 55 years.

ENGINEERING REQUIREMENTS:

18. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate additional Right-of-Way to provide a 10-foot curb-to-property-line distance, adjacent to the site on Cowley Way, satisfactory to the City Engineer.

19. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a City Standard bus stop slab, adjacent to the site on Clairemont Drive, satisfactory to the City Engineer.

20. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 30-foot driveway, adjacent to the site on Burgener Boulevard, satisfactory to the City Engineer.

21. Prior to the issuance of any building permit, 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.

22. The drainage system for this project, per approved Exhibit 'A', will be subject to approval by the City Engineer.

23. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for all private encroachments located in the City's right-of-way and easements, satisfactory to the City Engineer.

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

25. Prior to the issuance of any building 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.

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

27. 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.

28. 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.

LANDSCAPE REQUIREMENTS:

29. Prior to issuance of any construction permit for grading, 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.

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

31. 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.

32. 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.'

33. 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.

34. 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:

35. Prior to the issuance of any construction permits (either grading or building), the Owner/ Permittee shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

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

PLANNING/DESIGN REQUIREMENTS:

37. 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.

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

39. 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.

TRANSPORTATION REQUIREMENTS

40. 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.

41. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate 0.5 feet of right-of-way along the project frontage on Cowley Way and assure by permit and bond the reconstruction of the existing contiguous sidewalk to a 10-foot-wide parkway with a 5-foot wide non-contiguous sidewalk, curb, and gutter as shown on Exhibit 'A' per current City standards, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.

42. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing curb ramp and curb line at the mid-block crossing, along the project frontage adjacent to the site on Cowley Way as shown on Exhibit 'A' per current City standards, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.

43. Prior to the issuance of any building permit, the Owner/Permittee shall record a shared parking agreement to share 43 existing retail parking spaces with the proposed residential use in favor of all parcels within the project site, satisfactory to the City Engineer. Per SDMC 142.0545(a)(4), shared parking facilities shall provide signs on the premises indicating the availability of the facility for patrons of the participating uses.

44. At the intersection of Clairemont Drive/Burgener Boulevard, prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the following:

- Re-stripe to lengthen the exclusive northbound left turn pocket to provide a total storage length of 110 feet and lengthen the exclusive westbound left turn pocket to provide a total storage length of 145 feet via a signing and striping plan.
- All improvements shall be completed and operational prior to first occupancy, per current City standards, satisfactory to the City Engineer.

45. At the intersection of Clairemont Drive/Iroquois Avenue, prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the following:

- Installation of pedestrian countdown signal heads and the installation of traffic signal heads with retroreflective backplates on all approaches via a traffic signal modification plan.
- Re-stripe to lengthen the exclusive northbound left turn pocket to provide a total storage length of 75 feet via a signing and striping plan.

All improvements shall be completed and operational prior to first occupancy, per current City standards, satisfactory to the City Engineer.

46. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond to re-stripe and lengthen the exclusive westbound right turn pocket at the intersection of Field Street and Burgener Boulevard to provide a total storage length of 110 feet and lengthen the exclusive southbound left turn pocket to provide a total storage length of 130 feet via a signing and striping plan per current City standards, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.

47. Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) reduction measures, totaling at least 5 points, in accordance with Mobility Choices Regulations (San Diego Municipal Code Chapter 14, Article 3, Division 11), Appendix T Mobility Choices Regulations: Implementation Guidelines, as shown on Exhibit 'A', satisfactory to the City Engineer.

- a. Provide long-term bicycle parking spaces at least 10 percent beyond the minimum requirements (2 points for each 10 percent beyond the minimum)
 - Long-term bicycle parking required = 100 spaces
 - Long-term bicycle parking provided = 110 spaces (2 points)
- b. Provide an on-site bicycle repair station (1.5 points/unit)
 - Two on-site bicycle repair stations will be provided (3 points)

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

48. Prior to any Building Construction Permit being issued, all proposed water and sewer facilities within the public right-of-way and/or public easement (as detailed on the Project's City approved Exhibit 'A' or within the Project's PUD approved Water and Sewer Studies) shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

49. Prior to any Certificate of Occupancy being issued:

ALL EXISTING AND PROPOSED WATER LINES SERVING THIS DEVELOPMENT (INCLUDING DOMESTIC, IRRIGATION, AND FIRE) MUST PASS THROUGH A PERMITTED, PRIVATE, ABOVE GROUND, BACKFLOW PREVENTION DEVICE (BFPD).

50. Prior to any Building Construction Permit being issued, any existing water service shown on Exhibit 'A' as TO BE RETAINED, which is subsequently determined to be inadequately sized, requires that the applicant obtain a permit for and construct the following: kill the existing water service line at the main, and install a new water service in a location acceptable to the Public Utilities Director and City Engineer. To ensure acceptability, the new main connection should be at least 30" from any prior water service line connection, 5 feet from any driveway, and 10 feet from any active sewer lateral.

51. Prior to any Certificate of Occupancy being issued, any damages caused to the City of San Diego's public water and sewer facilities, which are due to the activities associated with this project, shall be repaired or reconstructed in a manner satisfactory to the Public Utilities Director and the City Engineer in accordance with Municipal Code section 142.0607.

52. Prior to any Certificate of Occupancy being issued, any private improvements which lie within a public ROW fronting the development, or within a public easement inside the development, which could inhibit the City's right to access, maintain, repair, or replace its public water and sewer facilities (as determined by the Public Utilities Director or the City Engineer) must be removed unless the Owner/Permittee has or obtains a City approved/County Recorded Encroachment and Maintenance Removal Agreement (EMRA) specific to that encroachment.

53. Prior to any Building Construction Permit being issued, all private sewer mains associated with the development which connect directly to a public sewer manhole must be located and labeled on an approved City Construction Record Drawing (D-sheet) so as to clearly convey all of the following: the sewer main's non-public status (PRIVATE), its nominal inside diameter, the type of material it is to be constructed of, and its authorization to encroach (i.e. the City approved EMRA #).

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 November 19, 2024 pursuant to Resolution No. K- 315906.

SITE DEVELOPMENT PERMIT NO. PMT-2596197
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3287755
Date of Approval: November 19, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Benjamin Hafertepe
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.

**CLAIREMONT VILLAGE QUAD, LLC, A
CALIFORNIA LIMITED LIABILITY COMPANY**
Owner/Permittee

By _____
NAME:
TITLE:

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

Passed by the Council of The City of San Diego on NOV 19 2024, 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"/>
Henry L. Foster III	<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"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 NOV 19 2024.

(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:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **315906**