

RESOLUTION NUMBER R- **315669**DATE OF FINAL PASSAGE JUL 02 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING COASTAL DEVELOPMENT
PERMIT NO. PMT-2370432 AND SITE DEVELOPMENT
PERMIT NO. PMT-2370433 FOR 10801 SORRENTO VALLEY
ROAD VACATION – PROJECT NO. PRJ-0651255.

WHEREAS, Velmatt L.P., a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit and Site Development Permit to vacate an unnamed alley known as the 10801 Sorrento Valley Road Vacation project, located at 10801 Sorrento Valley Road, and legally described as: ALL THAT PORTION OF THE UNNAMED ALLEY LYING WITHIN BLOCK 16 OF SORRENTO LANDS AND TOWNSITE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 9, 1888, LYING BETWEEN THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 805 AS GRANTED TO THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 29, 1970 AT FILE/PAGE NO. 133132 OF OFFICIAL RECORDS AND A LINE PARALLEL WITH AND 8.00 FEET NORTHEASTERLY OF THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SORRENTO VALLEY ROAD AS DEDICATED PER DOCUMENT RECORDED JANUARY 27, 1977 AT FILE/PAGE NO. 77-032629 OF OFFICIAL RECORDS; and

WHEREAS, the project site is in the Torrey Pines Community Plan area, the IL-3-1 Zone, Coastal Overlay Zone (Non-Appealable), Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Airport Influence Areas (MCAS Miramar, Review Area 1), Parking Impact Overlay Zone (Coastal Impact), Parking Standards Transit Priority Area, and the Transit Priority Area; and

WHEREAS, on May 9, 2024, the Planning Commission of the City of San Diego considered Coastal Development Permit No. PMT-2370432 and Site Development Permit No. PMT-2370433, and pursuant to Resolution No. 5287-PC voted to recommend approval of the permits; and

WHEREAS, the matter was set for public hearing on July 2, 2024, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the San Diego City Council (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 City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented;
NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. PMT-2370432 and Site Development Permit No. PMT-2370433:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) SECTION 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The 10801 Sorrento Valley Road right-of-way vacation project proposes to vacate an unnamed 20-foot wide alley totaling 6,518 square feet. There is no development associated with the project. The project site is zoned IL-3-1 and designated Industrial in the Torrey Pines Community Plan and Local Coastal Land Use Plan (Community Plan). The project site is surrounded by existing manufacturing, research and development, laboratories, offices, commercial, and retail uses.

The proposed site does not contain any existing physical accessway utilized by the general public to and along the ocean and other scenic coastal areas. The proposed site is not identified in the Community Plan as a proposed accessway to be utilized by the general public for providing access to the ocean or other scenic coastal area, nor is the proposed site identified as a public view resource. The project site is approximately 1.9 miles east of the Pacific Ocean. The action is the vacation of a public right-of-way consisting of an unnamed alley with no construction or development proposed. No obstruction to views to and along the ocean and other scenic coastal areas will occur as a result of the public right-of-way vacation.

The Community Plan does not identify the unnamed alley for physical access to the beach and coastline, nor does it designate any public view resources along Sorrento Valley Road relative to the project site. The portions of vacated right-of-way will revert to the owner of the abutting parcels.

Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

b. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project site contains environmentally sensitive lands (ESL) in the form of Special Flood Hazard Areas and lies within the 100-year FEMA Floodplain Special Flood Hazard Overlay (Flood Zone AE). No development is proposed for this project and therefore this project would not impact any ESL. The site has been previously graded and no additional grading is required to utilize the vacated land.

The proposed activity is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense) of the State CEQA Guidelines. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The portion being vacated is not within or adjacent to the Multiple Habitat Planning Area (MHPA) and does not contain any other type of environmentally sensitive lands as defined in the San Diego Municipal Code Section 113.0103 aside from the Special Flood Hazard Area. The project does not propose new development; therefore the project will not adversely affect environmentally sensitive lands.

c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The vacation will not result in any physical change to the project site. The adopted Torrey Pines Community Plan does not identify Sorrento Valley Road and the unnamed alley as an arterial street, major street, nor coastal access facility. The right-of-way ownership will revert to the abutting parcels. The underlying land use within the right-of-way will retain its current zoning and Community Plan designations in compliance with Community plan.

The project does not propose any development, nor deviations or variances from regulations or policy documents. It is consistent with the land use designation, conforms with the Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project site is approximately 1.9 miles east of the Pacific Ocean. The project site is not located between the sea and the first public roadway, is not a designated view corridor with views to the Pacific Ocean, is not a designated viewshed or scenic overlook, and does not contain a public accessway, as identified in the Torrey Pines Community Plan. There is no development planned with this project, only a public right-of-way vacation. Therefore, the proposed vacation is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

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

The 10801 Sorrento Valley Road right-of-way vacation project proposes to vacate an unnamed 20-foot-wide alley totaling 6,518 square feet. There is no development associated with the project. The project site is zoned IL-3-1 and designated Industrial in the Community Plan.

The Torrey Pines Community Plan identifies the site for industrial development. Industrial development in the Torrey Pines planning area is contained in Sorrento Valley, which contains approximately 380 acres of industrially-designated property. Industrial development in Sorrento Valley includes manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and support commercial and retail uses. Currently, a pet cemetery is located to the north and three vacant lots to the south contain an accessory structure for the pet cemetery and vehicle parking. The right-of-way vacation does not affect the Torrey Pines Community Plan mobility policies. The proposed site is also not identified in the Community Plan or the Local Coastal Program as a proposed accessway to be utilized by the general public for providing access to the ocean or other scenic coastal areas. The Torrey Pines Community Plan does not identify the alley as an arterial street, major street, or coastal access facility. The Torrey Pines Community Plan identifies Sorrento Valley Road as a Four-Lane Major with a Class II Bikeway, and the portion of the right-of-way contained within the project site is not identified as part of the circulation network.

The area proposed to be vacated would revert to the four abutting parcels for private ownership: 10801 Sorrento Valley Road (APN 340-120-4000), 3880 Begonia Street (APN 340-120-3600), 0 Begonia Street (APN 340-120-3700), and 0 Begonia Street (APN 340-120-3800). The area of the vacation will be reconveyed to the adjacent property owner to facilitate the fullest and highest use of the land as designated by the Community Plan which is consistent with the Industrial designation. Therefore, the proposed development will not affect the applicable land use plan.

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

The environmental analysis of the project did not find any significant impacts to public health, safety, and welfare. The vacation will not have any impact on the provision of essential public services. The permits contain specific conditions addressing compliance with the City's codes, policies, regulations, and other regional state, and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the area. The project is conditioned to require an Encroachment Maintenance and Removal Agreement (EMRA) for the fence, mailbox, landscaping, and retaining wall in the Sorrento Valley Road right-of-way. The project is also conditioned to replace the existing driveway with a rolled curb prior to recordation of the vacation exhibit. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The project does not propose any development, nor deviations or variances from regulations or policy documents. It is only the vacation of public right-of-way. It is consistent with the land use designation, and the underlying zone. The project will not change the land use designation or the underlying zone. Therefore, the proposed development will comply with the regulations of the LDC including any allowable deviations pursuant to the Land Development Code.

2. Supplemental Findings – Environmentally Sensitive Lands

a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The proposed project is the vacation of an existing public right-of-way and as such no change to the land will occur with the approval of the Coastal Development Permit or Site Development Permit. The project is more fully described in SDP finding B.1.a. incorporated by reference herein. The project site contains ESL in the form of Special Flood Hazard Areas and lies within the 100-year FEMA Floodplain Special Flood Hazard Overlay (Flood Zone AE). There is no additional ESL on site. No development is proposed for this project and therefore would not impact any ESL. The site has been previously graded and no additional grading is required to utilize the vacated land.

The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

- b. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.**

The proposed project is the vacation of an existing public right-of-way and as such no change to the land will occur with the approval of the Coastal Development Permit or Site Development Permit. The project is more fully described in SDP finding B.1.a. incorporated by reference herein. The site consists of existing unpaved access to the surrounding commercial enterprise. There will be no additional grading or improvements within the area of the vacation. No development, construction or grading is proposed as part of this project. Therefore, the proposed vacation of the unnamed alley will have no effect on the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The proposed project is the vacation of an existing public right-of-way and as such no change to the land will occur with the approval of the Coastal Development Permit or Site Development Permit. The project is more fully described in SDP finding B.1.a. incorporated by reference herein. The project site contains ESL in the form of Special Flood Hazard Areas and lies within the 100-year FEMA Floodplain Special Flood Hazard Overlay (Flood Zone AE). No development is proposed for this project and therefore would not impact any ESL. The site has been previously graded and no additional grading is required to utilize the vacated land. Therefore, the proposed vacation will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

- d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).**

The project site contains ESL in the form of Special Flood Hazard Areas and lies within the 100-year FEMA Floodplain Special Flood Hazard Overlay (Flood Zone AE). No additional ESL is present on the project site. No development is proposed for this project and therefore would not impact any ESL. The site has been previously graded and no additional grading is required as part of this project. The project area is located within the boundaries of the City of San Diego MSCP Subarea Plan in a developed community. However, the project site is not within the Multiple Habitat Planning Area (MHPA). The closest MHPA area is approximately 1,823 feet west of the site. The site is not identified as within the VPHCP. Therefore, the proposed vacation will be consistent with the City of San Diego's MSCP Subarea Plan and VPHCP.

- e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.**

The proposed project is the vacation of an existing public right-of-way and as such no change to the land will occur with the approval of the Coastal Development Permit or Site Development Permit. The project is more fully described in SDP finding B.1.a, incorporated by reference herein. The project site is developed within an established industrial and commercial area in the Community Plan. The site is not located adjacent to a beach or shoreline. The project site is approximately 1.9 miles east of the Pacific Ocean. The project site is not located between the sea and the first public roadway, is not a designated view corridor with views to the Pacific Ocean, is not a designated viewshed or scenic overlook, and does not contain a public accessway, as identified in the Torrey Pines Community Plan. No development, construction or grading is proposed. Therefore, the proposed vacation will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

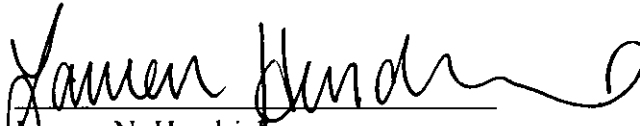
f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development

The proposed project is the vacation of an existing public right-of-way. No development is proposed. No mitigation is required as there is no change of land use or development. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

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 Coastal Development Permit No. PMT-2370432 and Site Development Permit No. PMT-2370433 are granted to Velmatt L.P., a California Limited Partnership, Owner/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 
Lauren N. Hendrickson
Deputy City Attorney

LNH:cm
May 28, 2024
Or.Dept: Development Services Department
Doc. No. 3665176

Attachment: Coastal Development Permit No. PMT-2370432 and Site Development Permit
No. PMT-2370433 for 10801 Sorrento Valley Road Vacation - Project
No. PRJ-651255

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this
meeting of JUL 02 2024.

DIANA J.S. FUENTES
City Clerk

By Linda Irwin
Deputy City Clerk
For Gilbert 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: 24008453

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-2370432
SITE DEVELOPMENT PERMIT NO. PMT-2370433
10801 SORRENTO VALLEY ROAD VACATION - PROJECT NO. PRJ-0651255
CITY COUNCIL

This Coastal Development Permit No. PMT-2370432 and Site Development Permit No. PMT-2370433 is granted by the City Council of the City of San Diego to VELMATT L.P., a California Limited Partnership, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702, 126.0502, 143.0110, and Table 143-01A. The 0.15-acre site is located at 10801 Sorrento Valley Road in the IL-3-1 Zone, Coastal Overlay Zone (Non-Appealable), Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Airport Influence Areas (MCAS Miramar, Review Area 1), Parking Impact Overlay Zone (Coastal Impact), Parking Standards Transit Priority Area, and Transit Priority Area, of the Torrey Pines Community Plan area. The project site is legally described as: ALL THAT PORTION OF THE UNNAMED ALLEY LYING WITHIN BLOCK 16 OF SORRENTO LANDS AND TOWNSITE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 9, 1888, LYING BETWEEN THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 805 AS GRANTED TO THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 29, 1970 AT FILE/PAGE NO. 133132 OF OFFICIAL RECORDS AND A LINE PARALLEL WITH AND 8.00 FEET NORTHEASTERLY OF THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SORRENTO VALLEY ROAD AS DEDICATED PER DOCUMENT RECORDED JANUARY 27, 1977 AT FILE/PAGE NO. 77-032629 OF OFFICIAL RECORDS.

Subject to the terms and conditions set forth in this Permit, and 10801 Sorrento Valley Road Vacation No. PMT-2370476 incorporated herein by reference, permission is granted to Owner/Permittee to vacate an unnamed alley located at 10801 Sorrento Valley Road described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "B"] dated July 2, 2024, on file in the Development Services Department.

The project shall include:

- a. Vacating an unnamed 20-foot wide alley totaling 6,518 square feet located at 10801 Sorrento Valley Road; and

- b. 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 July 2, 2027.
2. 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.
3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.
8. 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.

9. 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.

ENGINEERING REQUIREMENTS:

10. Prior to the recordation of the vacation, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the fence, mailbox, and any landscaping in Sorrento Valley Road right-of-way.

11. Prior to the recordation of the vacation, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the retaining wall in Sorrento Valley Road right-of-way.

12. Prior to the recordation of the vacation, the Owner/Permittee shall grant to the City an eight-foot wide Irrevocable Offer of Dedication for the adjacent site, on Sorrento Valley Road, satisfactory to the City Engineer.

13. Prior to the recordation of the vacation, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveway with a rolled curb adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

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 July 2, 2024 and R-315669.

Coastal Development Permit No. PMT-2370432
and Site Development Permit No. PMT-2370433
Date of Approval: July 2, 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.

**VELMATT L.P., A CALIFORNIA LIMITED
PARTNERSHIP**
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 JUL 0 2 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<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 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 JUL 0 2 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:

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

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Linda Arwin, Deputy
For Gilbert Sanchez

Office of the City Clerk, San Diego, California

Resolution Number R- **315669**