

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 27, 2010 **REPORT NO. PC-10-033**

ATTENTION: Planning Commission, Agenda of June 3, 2010

SUBJECT: CHURCH OF CHRIST. PROJECT NO. 27374. PROCESS 4.

**OWNER/
APPLICANT:** Robert E. Jones.
Frisco White.

SUMMARY

Issue(s): Should the Planning Commission approved permits to construct a multi-purpose building to be used as a private elementary school, offices, day care, Sunday school and associated church uses on a 3.09-acre lot within the Encanto Neighborhoods of the Southeastern San Diego Community Plan?

Staff Recommendation:

1. **CERTIFY** Mitigated Negative Declaration No. 27374 and **ADOPT** the Mitigation Monitoring and Reporting Program; and
2. **APPROVE**, Planned Development Permit No. 711903, Site Development Permit No. 73647, and Conditional Use Permit No. 73646 (Amendment to Conditional Use Permit C-12062).

Community Planning Group Recommendation: On April 20, 2009, the Encanto Neighborhoods Community Planning Group voted 9-0-0 to recommend approval of the project without conditions (Attachment 11).

Environmental Review: A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement: None associated with this action. All costs associated with the processing for this project are paid by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The proposed project would result in the demolition of one residential unit. No additional residential units are proposed as part of this project. The removal of this structure would result in a net loss of one residential structure in the community.

BACKGROUND

The project proposes the demolition of a 1,700 square-foot home with detached garage for the development of a 38,483 square-foot multi-use building with two levels of subterranean parking. The proposed uses include a private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school. The 3.09-acre site is located at 6070 Division Street in the SF-5000 zone of the Southeastern San Diego Planned District within the Encanto Neighborhoods of the Southeastern San Diego Community Plan. The property consist of two parcels designated Residential with a density range of 5-10 dwelling units per acre (Attachment 2). Parcel one is developed with the Church of Christ church and a single family home. Parcel 2, located adjacent and northeast of the site, is vacant. The site is irregular in shape, relatively flat and elevated approximately six feet above 61st Street and three feet above Division Street. The property does not contain natural steep slopes or environmentally sensitive lands.

In 1973, Conditional Use Permit (CUP) C-12062 was approved to allow the construction of a 2,166 square-foot sanctuary and 8,034 square feet of class room space with a total of 96 off-street parking spaces for the Church of Christ Assembly. In 1980, an amendment to CUP C-12062 was granted to add 1,770 square feet to the existing sanctuary, 3,070 square feet of classroom space, and 540 square feet of pastor's study with 16 additional off-street parking spaces. In 1984, a Substantial Conformance Review (SCR) was approved to add 500 square feet to the minister's study.

Amendment to CUP C-12062 is required to modify the existing site with the addition of a 38,483 square-foot multi-use building.

A Conditional Use Permit is required in accordance with the San Diego Municipal Code sections 141.0407 and 141.0606 for an educational facility and Child Care Center.

A Planned Development Permit (PDP) is required for deviations to allow the multi-purpose classroom roof and elevator tower to exceed the 30-foot height limit and for parking in the front yard setback.

A Southeastern San Diego Development Permit (processed as a Site Development Permit (SDP)) in accordance with San Diego Municipal Code section 1519.0202 is required for developments requiring a Conditional Use Permit.

A Mitigation, Monitoring and Reporting Program was required for the project to mitigate potentially significant environmental impacts to below a level of significance for traffic, noise, and paleontology (See Environmental Resource discussion below).

DISCUSSION

Project Description:

The project proposes the demolition of a 1,700 square-foot home with detached garage for the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth and a day care. The building will also be used for Sunday school and other associated uses for the existing church

The proposed building will comply with all of the development regulations with respect to coverage, floor area ratio, interior side and rear setback requirements. The parking lots conform to city standards regarding ingress and egress, driveway widths, surfacing and landscape requirements. However, the project proposes deviations to the maximum building height allowance and parking within the front yard setback (see Project Related Issues below).

The two story multi-purpose structure will provide schooling for grades kindergarten through sixth, day care service, administration offices, and a large multi-purpose room on the first floor. The second floor will be comprised of classrooms for a maximum of 320 students with 20-22 teachers and staff. School hours will be from 7:00 a.m. to 5:00 p.m. Monday through Friday. The day care will operate from 6:00 a.m. to 6:00 p.m. Monday through Friday and provide care for pre-school and elementary aged children. During non-school hours, the facility will be used for bible study, conferences and youth activities associated with the existing Church of Christ Assembly church.

To the east, south and west across 61st Street, Division Street and adjacent to the site are single family homes and San Diego Baptist Church. To the north is Nye Elementary School.

Community Plan Analysis:

The site is located within the Southeastern San Diego Community Plan, Encanto Neighborhoods Planning Area. The Community Plan designates the subject property as Single Family Residential, 5 to 10 dwelling units per acre. The 3.09 acre site could accommodate between 15 and 31 residential dwelling units. A religious facility currently exists on the subject site. The addition of a 38,483 square foot building to include a multi-purpose room, kindergarten through sixth grade private school, daycare center, and underground parking as part of the existing religious complex will not adversely affect the General Plan and Southeastern San Diego Community Plan.

Environmental Analysis:

A Mitigated Negative Declaration was prepared for the project as it was determined that the proposed development could have a significant impact in the following areas:

- Noise, due to vehicular traffic along Division Street during school hours;

- Paleontological Resources, due to the grading of 6,600 cubic yards on site within an area defined as having a high paleontological resources; and,
- Transportation/Circulation, due to cumulative and significant traffic impacts along Division Street.

An acoustical analysis prepared for the project identified that the building facades facing Division Street would be subjected to exterior noise levels of up to 66.5 and 65.5 dB CNEL for the first and second floors respectively. To reduce interior noise levels to below 45 dB, the applicant would be required to install mechanical ventilation and dual glazed windows as detailed in Section V of the Mitigated Negative Declaration.

Grading for the proposed project would require excavation and removal of approximately 6,660 cubic yards of cut material and would extend to depths of approximately 19 feet. Due to the quantity and depth of grading, mitigation is required for paleontological resources requiring paleontological monitoring during grading activities.

The project's Traffic Study identified that the development would result in significant direct impacts to three key street segments (Division Street between Harbison and 58th Street; Division Street between Valencia Parkway and 61st Street; and Division Street Between 61st Street and Plaza Boulevard). This impact would require mitigation in the form of various street improvements as detailed in Section V of the Mitigated Negative Declaration.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates all potentially significant environmental impacts to noise, paleontological resources, and Traffic/Circulation related issues.

Project-Related Issues:

Planned Development Permit/Deviation Analysis:

The project requires a PDP for two deviations to the building height and parking within the front yard setback as noted below. Staff's expanded analysis of the deviations requests are outlined within the draft PDP/SDP/CUP Resolution for consideration in Attachment 9.

The project proposes a deviation to the maximum 30-foot height limit and to allow parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof provides an architectural enhancement to soften the bulk and scale. The elevator deviation is requested for functional purposes. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaping to effectively screen the area from the public right-of-way. The multi-purpose building will be set back 20 feet from the

edge of the property line adjacent to Division Street. Given the size of the lot, the proximity and height of adjacent homes, Nuy elementary school, and existing church in the area, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structures in the surrounding area. Strict application of the height regulations would reduce design options for this institutional use.

The project proposes a deviation to allow parking within the 15-foot front yard setback. The encroachment enables additional parking spaces for the multi-purpose structure and existing church, minimizing parking impacts to the adjacent neighbors. The parking lot will be screened with a 36-inch high solid wall and landscape screening material. Prohibiting parking within the front yard would potentially result in a reduction of 40 parking spaces or a reduction in classrooms.

The purpose of the Planned Development Permit is to provide flexibility in the application of development regulations for projects where strict application of the base zone regulations would restrict design options and result in a less desirable project. The intent of the regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, site constraints, project amenities, public improvements, community and City benefits. Deviations shall be permitted only if it is shown that similar situations exist within the surrounding neighborhood, or, that the deviations to the regulations are beneficial to the neighborhood because of unique circumstances pertaining to the subject property. The development is an institutional use subject to the residential zone regulations. The development provides a community benefit in that it will provide alternative options for educational opportunities as well as public right-of-way improvements.

Conclusion:

Staff has reviewed the proposed project and has determined the project (except for the deviations) is in conformance with all applicable sections of the San Diego Municipal Code Sections. Staff has concluded that the proposed deviations will not adversely affect the General Plan or the Southeastern San Diego Community Plan. Staff has determined the required findings can be supported as the project meets the applicable San Diego Municipal Code requirements regulating institutional developments.


ALTERNATIVES

1. **Approve** Planned Development Permit No. 711903, Site Development Permit No. 73647, and Conditional Use Permit No. 73646 **with modifications.**
2. **Deny** Planned Development Permit No. 711903, Site Development Permit No. 73647, and Conditional Use Permit No. 73646 **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



William Zounes
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Project Landscape Plans
7. Project Elevations
8. Draft Permit with Conditions
9. Draft Resolution with Findings
10. C-12062 Recorded Permit
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement
13. Project Chronology
14. Photo Simulations

Attachment 1

Aerial Photograph of Site



Project Site
6070 Division Street

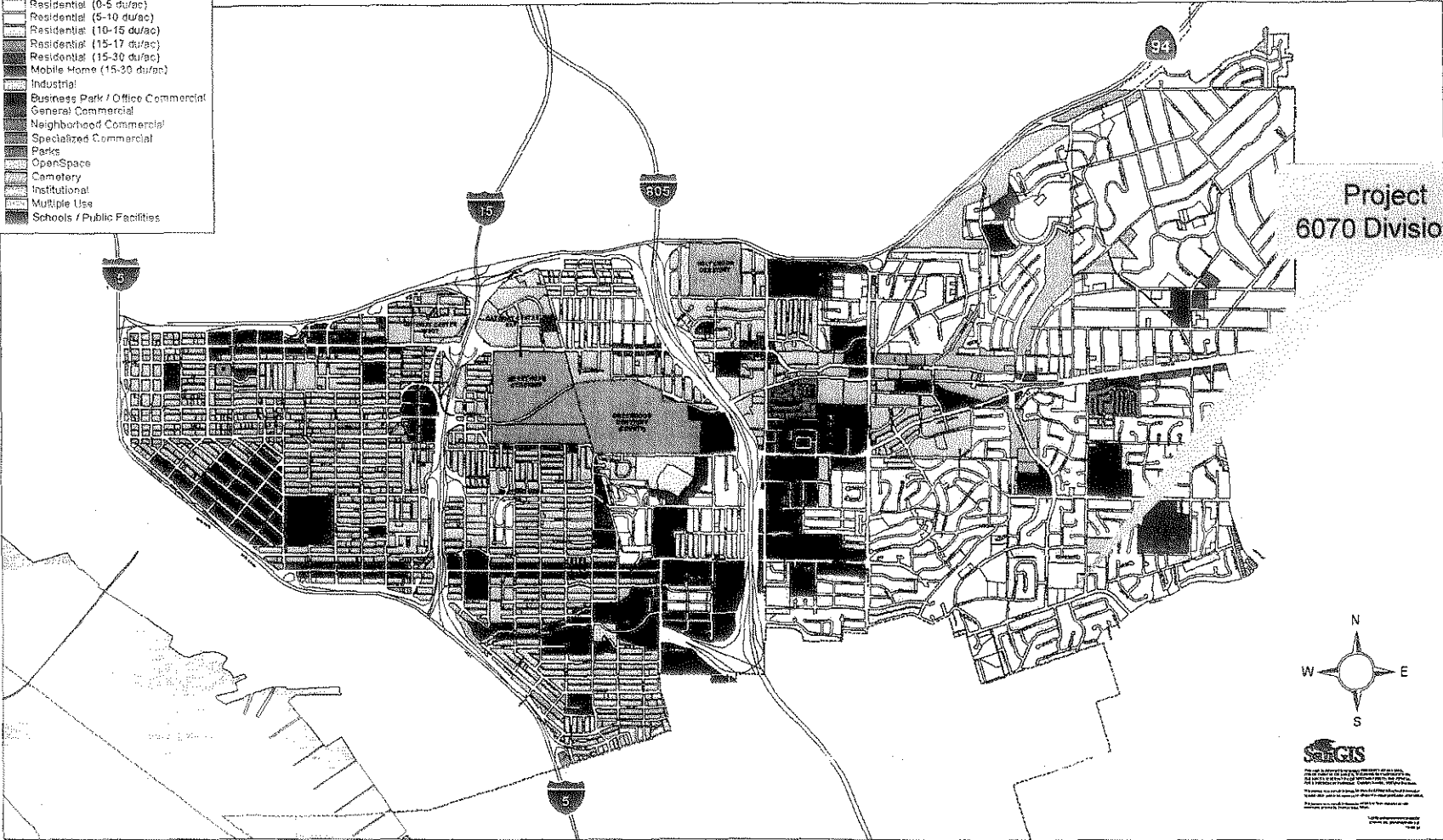


City of San Diego Planning Department

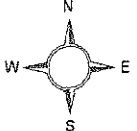
Southeastern San Diego Community Plan Land Use

LEGEND

- Residential (0-2 du/ac)
- Residential (0-5 du/ac)
- Residential (5-10 du/ac)
- Residential (10-15 du/ac)
- Residential (15-17 du/ac)
- Residential (15-30 du/ac)
- Mobile Home (15-30 du/ac)
- Industrial
- Business Park / Office Commercial
- General Commercial
- Neighborhood Commercial
- Specialized Commercial
- Parks
- OpenSpace
- Cemetery
- Institutional
- Multiple Use
- Schools / Public Facilities



Project Site
6070 Division Street



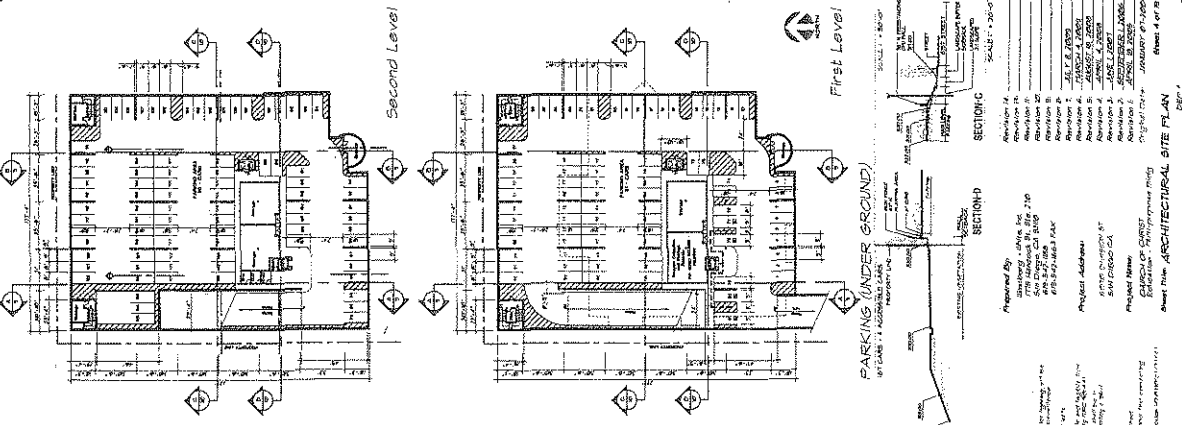
Attachment 2
Community Plan Land Use Map

Attachment 3 Project Location



PROJECT DATA SHEET

PROJECT NAME:	Church of Christ	
PROJECT DESCRIPTION:	Proposed 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school, a day care, and church related activities for an existing church on the same site.	
COMMUNITY PLAN AREA:	Southeastern San Diego	
DISCRETIONARY ACTIONS:	Conditional Use Permit/Southeastern San Diego Development Permit/Planned Development Permit/Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<u>ZONING INFORMATION:</u>		
<p>ZONE: SF-5000</p> <p>HEIGHT LIMIT: 30 feet</p> <p>LOT SIZE: 5,000 square-foot minimum lot size.</p> <p>FLOOR AREA RATIO: 0.50 maximum.</p> <p>FRONT SETBACK: 15 feet.</p> <p>SIDE SETBACK: 10 feet.</p> <p>STREETSIDE SETBACK: 20 feet.</p> <p>REAR SETBACK: 10 feet.</p> <p>PARKING: 244 parking spaces required for church use</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; SF-5000	Nye elementary school, homes
SOUTH:	Residential; SF-5000	homes
EAST:	Residential; SF-5000	homes
WEST:	Residential; SF-5000	Homes, church
DEVIATIONS OR VARIANCES REQUESTED:	Height and parking within front yard setback.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 20, 2009, the Encanto Neighborhoods Community Planning Group voted 9-0-0 to recommend approval of the project without conditions.	



MANSION MOTORVEHICLE PARKING REQUIRED:

- 1. PROPOSED OR EXISTING (SEE SECTION B)
- 2. EXISTING OR PROPOSED ACCESSIBLE
- 3. ACCESSIBLE
- 4. ACCESSIBLE (SEE SECTION B)
- 5. ACCESSIBLE (SEE SECTION B)
- 6. ACCESSIBLE (SEE SECTION B)
- 7. ACCESSIBLE (SEE SECTION B)

MINIMUM MOTORVEHICLE PARKING REQUIRED:

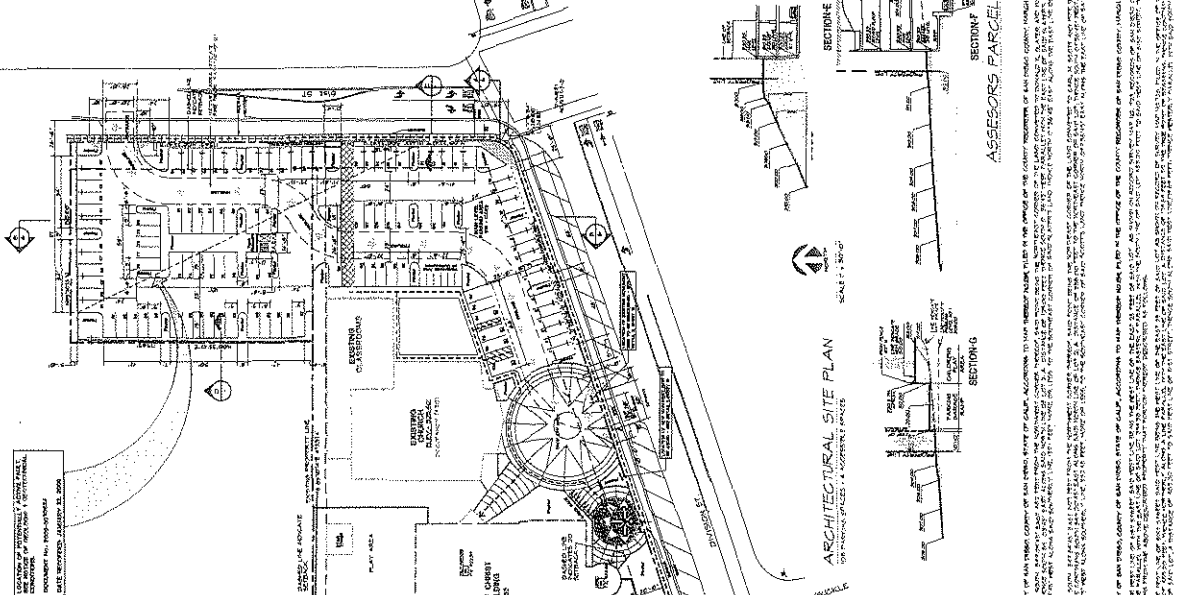
- 1. PROPOSED OR EXISTING (SEE SECTION B)
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PROPOSED OR EXISTING ACCESSIBLE:

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- 7. ACCESSIBLE (SEE SECTION B)



GENERAL NOTES:

- 1. PROVIDE VEHICLE CIRCULATION AS SHOWN ON THIS PLAN.
- 2. PROVIDE VEHICLE CIRCULATION AS SHOWN ON THIS PLAN.
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SECTION B
SECTION C
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ASSASSINATOR'S PARCEL NO. 184-08-01-00-00-00-00

ARCHITECTURAL SITE PLAN
ON EXISTING GRADATION - 2' SURVEY ELEVATION

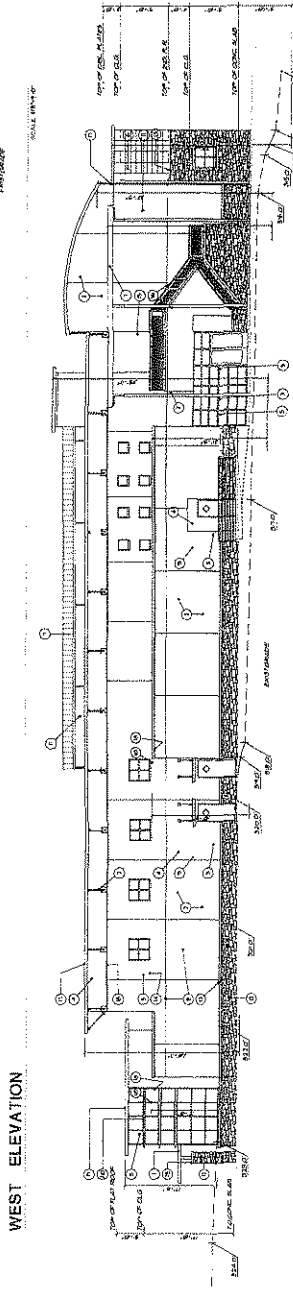
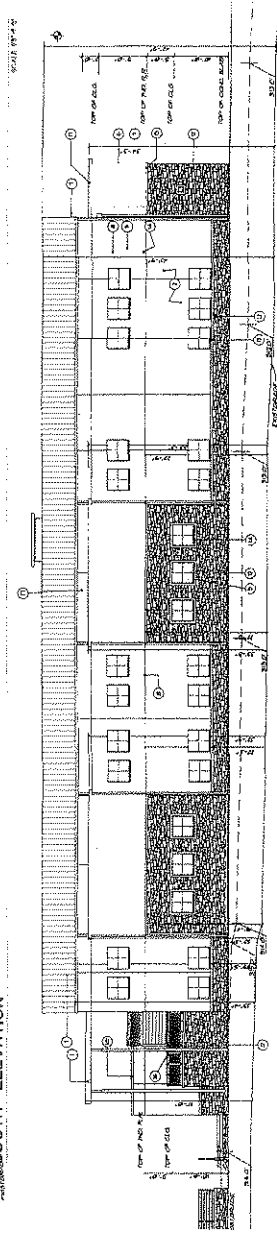
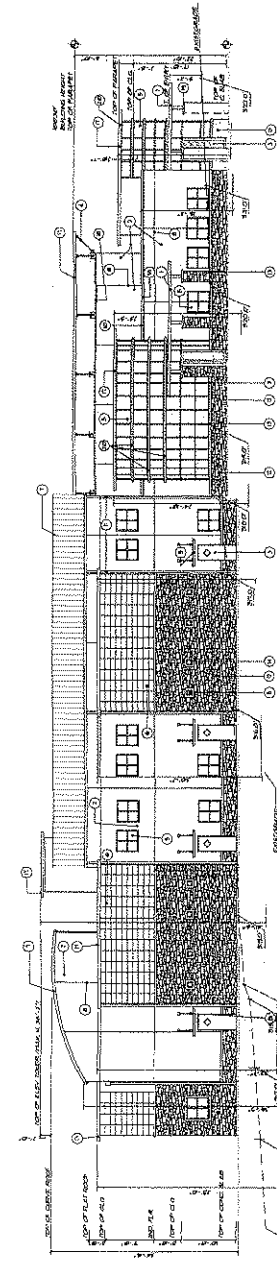
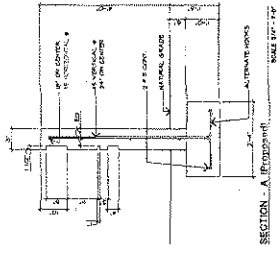
PARTIAL SITE SECTIONS
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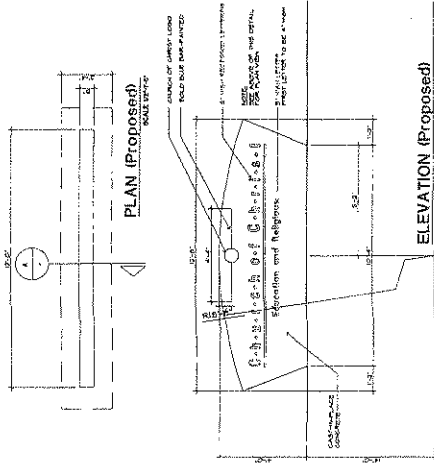
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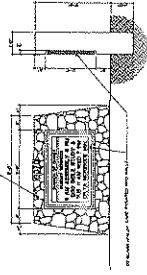
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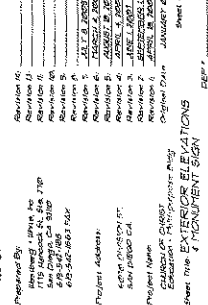


ELEVATION (Proposed)

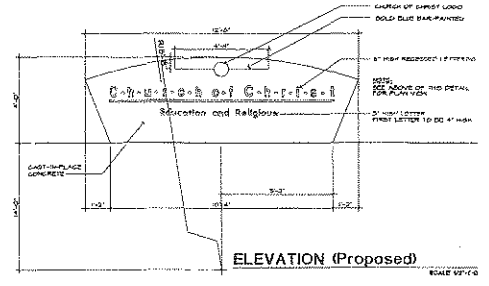
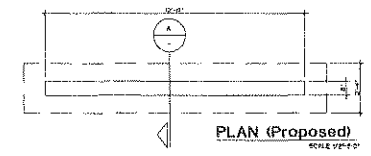
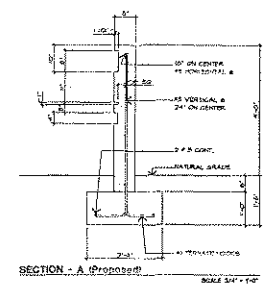
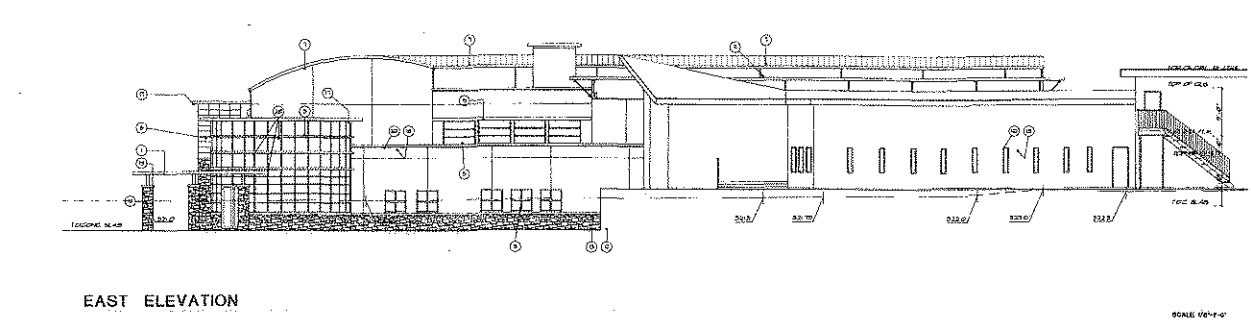
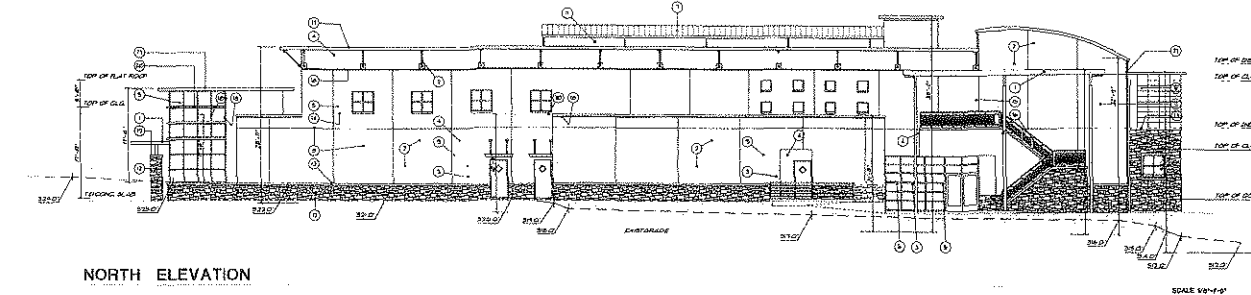
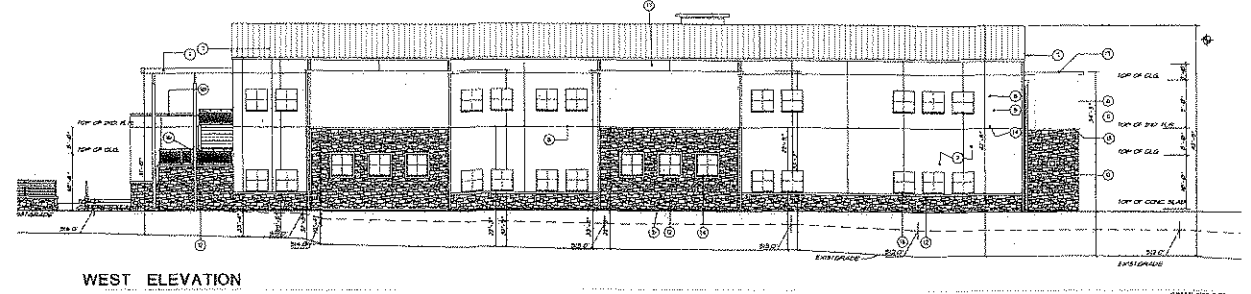
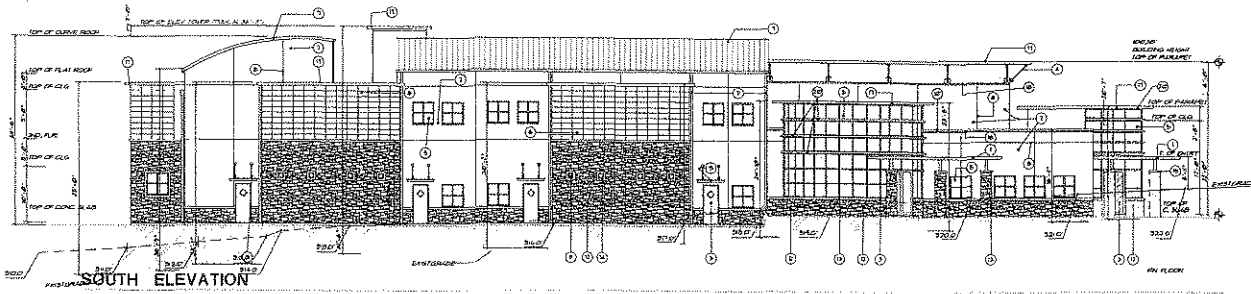
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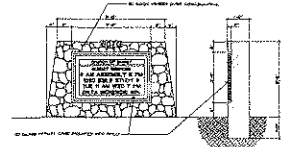
2 EXISTING MONUMENT SIGN (to be demolished)



PROJECT: FRODOGARD
DATE: 1/1/2004
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
APPROVED BY: J. H. HARRIS
SCALE: 1/4" = 1'-0"



1 NEW MONUMENT SIGN (proposed) SCALE ARCH. 1/8\"/>



2 EXISTING MONUMENT SIGN (to be demolished) SCALE ARCH. 1/2\"/>

KEY NOTES

- 1 METAL CANOPY
- 2 BRICKWORK
- 3 EXTERIOR DOOR
- 4 METAL BRIDGE W/STE PLATES
- 5 TRANSITION W/STE PLATES AREA
- 6 RAILBALL SYSTEM
- 7 METAL PANEL SIGNMOUNT TOWER COL.
- 8 EXISTING SIGN MOUNT
- 9 METAL COVER W/STE BRACK
- 10 METAL TRIM AT PARAPET
- 11 GALVANIZED STEEL PANEL SIGNMOUNT
- 12 WOOD ON STONE FINISH
- 13 EXISTING SIGN
- 14 BRICK TRIM
- 15 METAL PANEL SIGNMOUNT
- 16 METAL BRIDGE W/STE BRACK
- 17 BRICKWORK AT METAL TRIM
- 18 ALUMINUM RASTER CHANNEL
- 19 COLUMN CAP
- 20 METAL BRIDGE W/STE

Proposed By:
Wardberg - White, Inc
175 Hancock St. Ste 270
San Diego, CA 92101
619-542-1000
619-542-1003 FAX

Project Address:
4000 DIVISION ST.
SAN DIEGO, CA

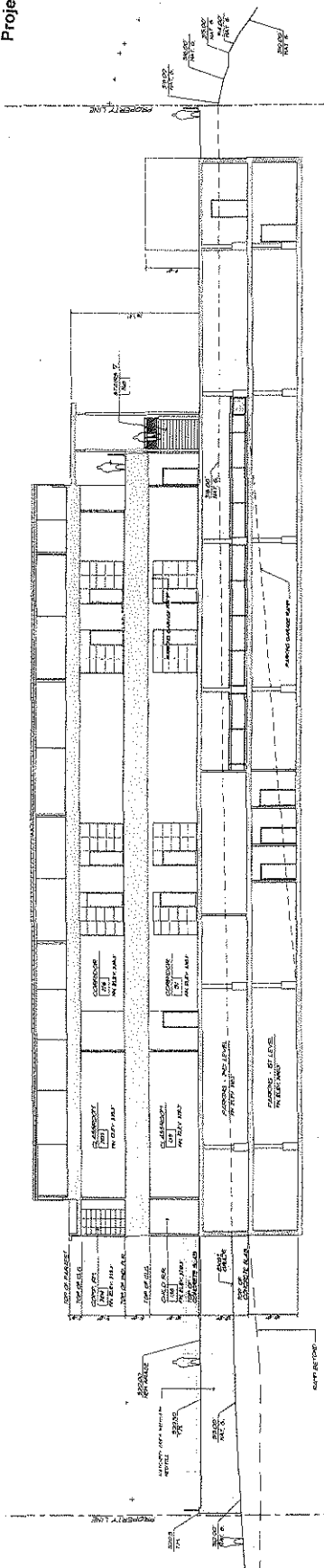
Project Name:
CHURCH OF CHRIST
Education - Multipurpose Bldg

Sheet Title: EXTERIOR ELEVATIONS
& MONUMENT SIGN

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Revision 04: _____
Revision 05: _____
Revision 06: _____
Revision 07: _____
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DATE: JANUARY 07, 2004

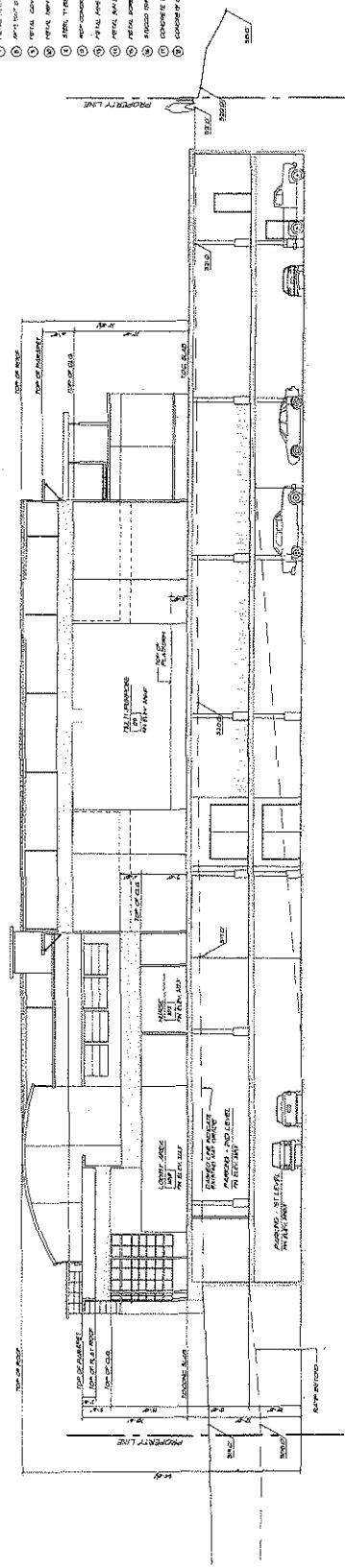
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BUILDING SECTION A-A
1/2" = 1'-0"

KEY NOTES

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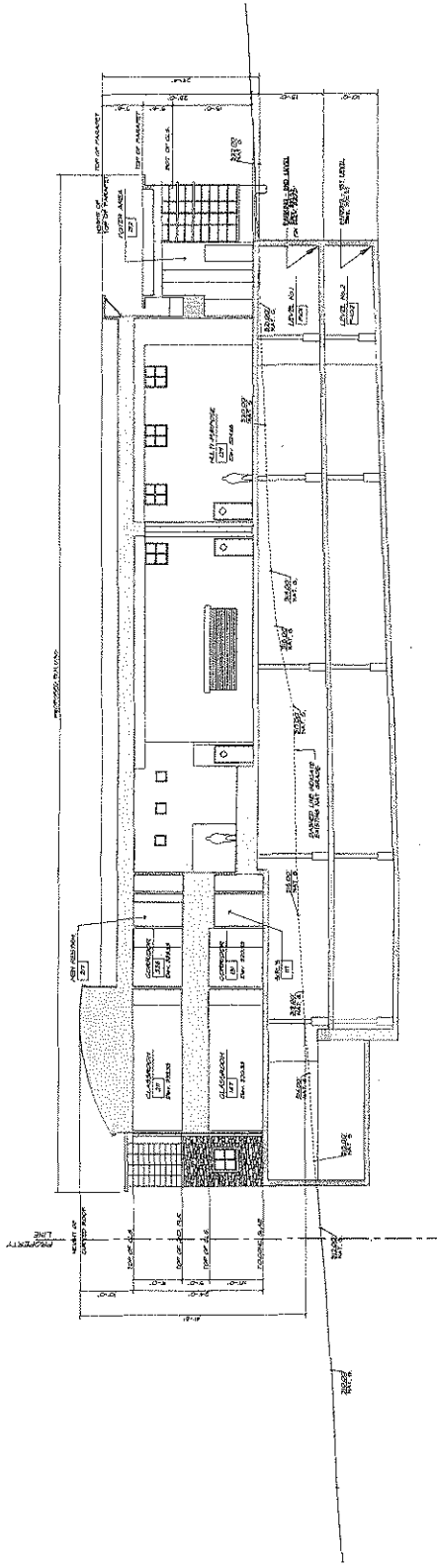
BUILDING SECTION B-B
1/2" = 1'-0"

Prepared By: [Name]
 Checked By: [Name]
 Date: [Date]

Project Address: [Address]
 City: [City]
 State: [State]
 Zip: [Zip]

Project Name: [Name]
 Client: [Client]
 Architect: [Firm Name]

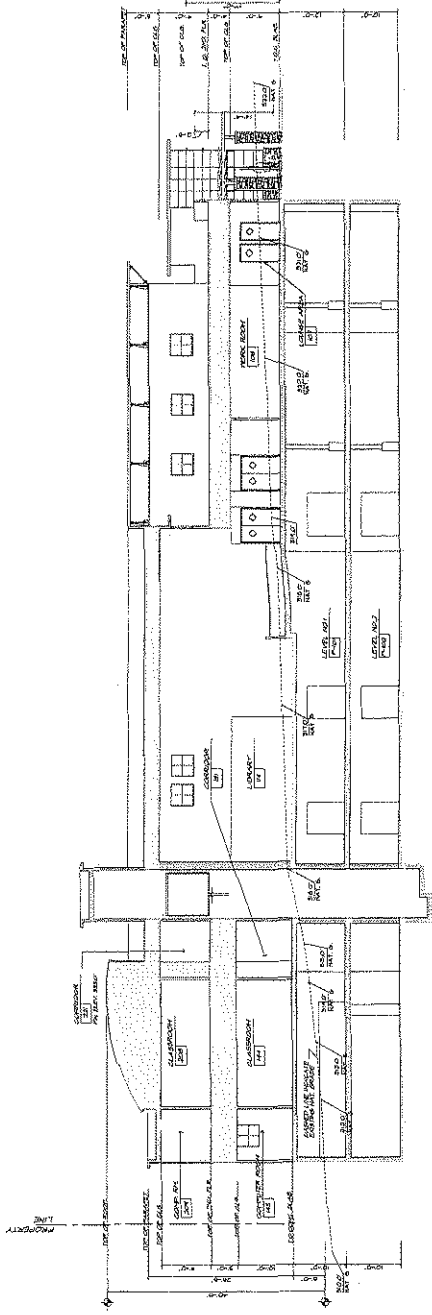
Sheet No. of B



BUILDING SECTION C-C
SCALE: 1/8" = 1'-0"

KEY NOTES

1. REFER TO OTHER DRAWING FILE
2. CONCRETE FLOOR
3. REIN. MESH AND WIRE MESH
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BUILDING SECTION D-D
SCALE: 1/8" = 1'-0"

Prepared By: [Name]
 Checked By: [Name]
 Drawn By: [Name]
 Project Address: [Address]
 Project Name: [Name]
 Scale: 1/8" = 1'-0"

Sheet No. BUILDING SECTIONS A 1 B
 Page 4 of 4

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 23422394

CONDITIONAL USE PERMIT NO. 73646
SITE DEVELOPMENT PERMIT NO. 73647
PLANNED DEVELOPMENT PERMIT NO. 711903
CHURCH OF CHRIST PROJECT NO. 27374
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 12062)
PLANNING COMMISSION

This Conditional Use Permit NO. 73646, Site Development Permit No. 73647, Planned Development Permit No. 711903 and Amendment to Conditional Use Permit No. 12062 is granted by the Planning Commission of the City of San Diego to ROBERT E. JONES Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0303, 142.0407, 142.0606, 1519.0202, and 126.0602. The 3.09-acre site is located at 6070 Division Street in the SF-5000 zone of the Southeastern San Diego Planned District within the Southeastern San Diego community plan. The project site is legally described as that portion of Lot 2 of Cave and Mchatton Subdivision according to Map No. 159 recorded in the office of the county recorder of San Diego County in 1887 and that portion of Lot 4 of Cave and McHatton Subdivision according to Map No. 159 recorded in the office of the county recorder of San Diego County in 1887;

Subject to the terms and conditions set forth in this Permit, permission is granted to owner ROBERT E. JONES Owner/Permittee to construct a multi-purpose building to include an educational facility, day care, and underground parking for a proposed school and an existing church, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 3, 2010, on file in the Development Services Department.

The project shall include:

- a. A 38,483 square-foot Multi-Purpose Facility to include:
 - 1) Private school ranging in grades from 1st through 6th (Monday – Friday 7:00 a.m. – 5:00 p.m.) with a maximum of 320 students;

- 2) Bible Study, community activities, church conferences and youth activities (after school hours only);
 - 3) Subterranean Parking Facility to include 187 parking spaces;
 - 4) A Child care facility, for children ranging in age from preschool through elementary school located on the lower floor of the multi-purpose building;
 - 5) Approximate 6,550 square-foot open area within Multi-purpose Building used for school activities;
- b. Demolition of existing single family home and existing garage;
- c. Existing 14,719 square-foot church with sanctuary/office/pastors quarters/administration office building to remain;
- b. Deviations as follows;
- 1) Elevator Tower 41'-6" in height where 30'-0" is allowed;
 - 2) Barrel Roof 40'-6" high in height where 30'-0" is allowed;
 - 3) 40 parking spaces within the required front yard setback along Division Street and 61st Street where parking is not allowed within the front yard setback;
- d. Playground and courtyard;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
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 modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that 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 are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

12. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in the Mitigated Negative Declaration NO. 27374 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration NO. 27374 satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Transportation;
Noise;
Paleontological Resources;

14. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
16. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
17. Prior to the issuance of a building permit the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
18. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
19. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
20. All driveways and curb openings shall comply with City Standard Drawings G-14A, G-16 and SDG-100.
21. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
22. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the construction of City Standard curb, gutter and sidewalk, adjacent to the site on Division Street and 61st Street, satisfactory to the City Engineer.

23. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the construction of a City Standard curb ramp, at the northwest corner of the Division Street and 61st Street intersection, satisfactory to the City Engineer.

24. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for the private storm drain pipes within the Division Street and 61st Street right-of-way, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

25. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A" Landscape Development Plan.

26. Prior to issuance of any construction permits for grading, landscape construction documents for the revegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards 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 Office of the Development Services Department.

27. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account 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.

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

29. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

30. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

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

32. Prior to issuance of any construction permit for parking structures, the Owner/Permittee shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.

33. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced 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 or a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

34. No fewer than 244 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

35. 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.

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

37. 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.

38. The discretionary permit shall be recorded against both of the existing parcels so that both parcels are encumbered. This consideration is being provided in lieu of a lot consolidation which would otherwise be required to accommodate an excess of floor area ratio for the parcel developed with the church (to be developed with the recreational building).

TRANSPORTATION REQUIREMENTS:

39. **Non-Worship Days:** A minimum of 244 off-street parking spaces (with 274 off-street parking spaces provided) shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A." Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

40. **Worship Days:** A minimum of 151 off-street parking spaces (with 274 off-street parking spaces provided) shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A." Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

41. A minimum of 7 disabled accessible automobile parking spaces (8 provided), 8 bicycle spaces, and 8 motorcycle spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A." All spaces shall be in compliance with the requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

42. Prior to the issuance of any improvement permits, the applicant shall assure by permit and bond half-width improvements of Division Street, along the project frontage to a four lane collector standard, including 36 feet of pavement from curb to centerline, curb, gutter, and 5-foot sidewalk within a 10 foot curb to property line distance plus any required off site transition and striping modifications to the east and west and at the intersection of Division Street and 61st Street, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

43. The owner/permittee shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be redesigned or private.

44. Prior to the issuance of any building permits, the owner/permittee shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.

45. The owner/permittee shall design and construct all proposed private sewer facilities to conform with the most current State, Federal and City Regulations, and to the requirements of the most current edition of the Metropolitan Wastewater Department Sewer Design Guide or the California Uniform Plumbing Code as adopted by the City of San Diego.

46. Sewer lateral connections shall be made in accordance with Table 2-6 Of the City of San Diego sewer design guide.

WATER REQUIREMENTS:

47. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the

disconnection at the water main of the existing water service adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

48. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service serving the project, in a manner satisfactory to the Water Department Director and the City Engineer.

49. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

50. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, as shown on approved Exhibit "A", shall be modified at final engineering to comply with standards.

GEOLOGY REQUIREMENTS:

51. Prior to the issuance of any construction permits, the Owner/Permittee shall provide additional geotechnical information for the review and approval of the City Geologist, satisfactory to the City Geologist and Development Services Department.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on June 3, 2010.

Permit Type/PTS Approval No.: CUP NO. 73646, SDP NO. 73647, PDP NO. 711903
Date of Approval: June 3, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

William Zounes
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.

Owner/Permittee

By _____
Robert E. Jones

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

Rev. 05/13/09 rh

PLANNING COMMISSION
RESOLUTION NO. XXXXXX
CONDITIONAL USE PERMIT NO. 73646
SITE DEVELOPMENT PERMIT NO. 73647
PLANNED DEVELOPMENT PERMIT NO. 711903
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 12062)
CHRUCH OF CHRIST
PROJECT NO. 27374

WHEREAS, Robert E. Jones and Taylor A. McKenzie, Owner/Permittee, filed an application with the City of San Diego for a permit to construct an educational facility, day care, and underground parking for a school (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 73646, 73647, and 711903), on portions of a 3.09 acre site;

WHEREAS, the project site is located at 6070 Division Street in the SF-5000 zone(s) of the Southeastern San Diego Planned District within the Encanto Neighborhoods of the Southeastern San Diego community plan;

WHEREAS, the project site is legally described as that portion of Lot 2 of Cave and Mchatton Subdivision according to Map No. 159 recorded in the office of the county recorder of San Diego County in 1887 and that portion of Lot 4 of Cave and McHatton Subdivision according to Map No. 159 recorded in the office of the county recorder of San Diego County in 1887;

WHEREAS, on June 3, 2010, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 73646, Site Development Permit No. 73647, and Planned Development Permit No. 711903 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 3, 2010

FINDINGS:

Conditional Use Permit - Section 126.0305

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The site is designated as low density residential 5-10 dwelling units per acre.

The proposed project is located in the South Encanto neighborhood of Encanto Neighborhoods Planning Area within the Southeastern San Diego community plan. The site is surrounded by residential development to the east

and south. To the north is Nye elementary school. To the west is the United Baptist Church. The existing Church of Christ religious assembly structure will remain onsite as is, with no work or land use changes proposed for the structure. The Southeastern San Diego Community Plan does not specifically call out recommendations for private schools however the Urban Design Element of the plan recommends a visual and character improvement of the community. The proposed structure implements architecture design features recommended from the community plan which includes improving the visual and physical character of the community and compatibility between new structures and existing neighborhoods. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and add rhythm to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert star designs at the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact following areas:

- Noise, due to vehicular traffic along Division Street during school hours;
- Paleontological Resources, due to the grading of 6,600 cubic yards on site within an area defined as having a high paleontological resources; and,
- Transportation/Circulation, due to cumulative and significant traffic impacts along Division Street.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to noise, paleontological resources, and Traffic/Circulation related issues in accordance with the California Environmental Quality Act.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, landscaping, public improvements, signs, lighting, parking, water, and sewer requirements. All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes governing the construction and continued operation of the development apply to this

site to prevent adverse affects to those persons or other properties in the vicinity. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

All proposed buildings will comply with all of the development regulations with respect to coverage, floor area ratio, interior side and rear setback requirements. The parking lots conform to city standards regarding ingress and egress, driveway widths, surfacing and landscape requirements. The project proposes a deviation to the maximum 30-foot height limit and to allow parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof is that it provides an architectural enhancement to the bulk and scale. The elevator deviation is a requirement for function. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaped to effectively screen the area from the public right-of-way.

The two story multi-purpose structure will provide schooling for grades kindergarten through sixth, day care service, administration offices, and a large multi-purpose room on the first floor. The second floor will be comprised of classrooms. To the east, south and west across 61st Street, Division Street and adjacent to the site are single family homes. To the north is Nye Elementary School. The proposed multi-purpose facility will be separated from the homes by 250 feet to the east and approximately 120 feet to the south and approximately 100 feet from Nye Elementary School. To the west the facility will be separated from existing homes by approximately 30 feet. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert designs within the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. The structure has incorporated design measures which mitigate the over height condition.

Given the size of the lot, the proximity and height of the homes in the area and, the distance from existing homes and the elementary school to the multi-purpose building, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structure heights in the surrounding area. The perimeter of the site will be landscaped creating a buffer and further screening the parking lot and structures. In addition, the project would result in a landscape plan that exceeds the City's requirements. Therefore, the proposed

development will comply to the maximum extent feasible with the regulations the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

The existing Church of Christ church was originally approved in 1973 under C-12062 which allowed the development of a new 2,166 square-foot sanctuary with 8,034 square feet for class rooms. In 1980 under amendment to C-12062, 1,770 square feet of sanctuary space was added to the church. According to the owner the church has grown significantly in the last several years and has triggered a demand to expand the congregation and associated school. With the growth of the church and demand for school space associated with the church come issues related to traffic and parking requirements. The existing location of the church located on the existing 3.09 acre site will fulfill the needs of an expanding congregation and school demand by providing sufficient parking through two levels of subterranean parking and existing vacant adjacent lot, traffic control measures through mitigation requirements to restripe Division Street, and create a buffer from existing residence through enhanced landscaping. The proposed development will be an expansion to an already functioning use. There are two other San Diego unified public schools in the immediate vicinity. The proposed private school will provide an alternative educational opportunity in the community. Therefore, the proposed use is appropriate at the proposed location.

Site Development Permit - Section 126.0504

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The site is designated as low density residential 5-10 dwelling units per acre.

The proposed project is located in the South Encanto neighborhood of Encanto Neighborhoods Planning Area within the Southeastern San Diego community plan. The site is surrounded by residential development to the east and south. To the north is Nye elementary school. To the west is the United Baptist Church. The existing Church of Christ religious assembly structure will remain onsite as is, with no work or land use changes proposed for the structure. The Southeastern San Diego Community Plan does not specifically call out recommendations for private schools however the Urban Design Element of the plan recommends a visual and character improvement of the community. The proposed structure implements architecture design features recommended from the community plan which includes improving the visual and physical character of the community and compatibility between new structures and existing neighborhoods. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and add architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer

stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert star designs at the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact following areas:

- Noise, due to vehicular traffic along Division Street during school hours;
- Paleontological Resources, due to the grading of 6,600 cubic yards on site within an area defined as having a high paleontological resources; and,
- Transportation/Circulation, due to cumulative and significant traffic impacts along Division Street.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to noise, paleontological resources, and Traffic/Circulation related issues in accordance with the California Environmental Quality Act.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, landscaping, public improvements, signs, lighting, parking, water, and sewer requirements. All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity. Therefore, the proposed development will 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.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070

Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

All proposed buildings will comply with all of the development regulations with respect to coverage, floor area ratio, interior side and rear setback requirements. The parking lots conform to city standards regarding ingress and egress, driveway widths, surfacing and landscape requirements. The project proposes a deviation to the maximum 30-foot height limit and to allow parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof is that it provides an architectural enhancement to the bulk and scale. The elevator deviation is a requirement for function. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaped to effectively screen the area from the public right-of-way.

The two story multi-purpose structure will provide schooling for grades kindergarten through sixth, day care service, administration offices, and a large multi-purpose room on the first floor. The second floor will be comprised of classrooms. To the east, south and west across 61st Street, Division Street and adjacent to the site are single family homes. To the north is Nye Elementary School. The proposed multi-purpose facility will be separated from the homes by 250 feet to the east and approximately 120 feet to the south and approximately 100 feet from Nye Elementary School. To the west the facility will be separated from existing homes by approximately 30 feet. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert designs within the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. The structure has incorporated design measures which mitigate the over height condition.

Given the size of the lot, the proximity and height of the homes in the area and, the distance from existing homes and the elementary school to the multi-purpose building, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structure heights in the surrounding area. The perimeter of the site will be landscaped creating a buffer and further screening the parking lot and structures. In addition, the project would result in a landscape plan that exceeds the City's requirements. Therefore, the proposed development will comply to the maximum extent feasible with the regulations the Land Development Code.

Southeast San Diego Planned District Ordinance - Section 103.1703

1. The proposed use and project design meet the purpose and intent of this Division, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The intent of the Southeastern San Diego Planned District Ordinance is to implement the Southeastern San Diego Community Plan through the use of the applied urban design standards contained in the Ordinance. The ordinance is being applied through land development regulations implementing setbacks, height, gross floor area, parking, landscaping and design standards.

The proposed project is located in the South Encanto neighborhood of Encanto Neighborhoods Planning Area within the Southeastern San Diego community plan. The site is surrounded by residential development to the east and south. To the north is Nye elementary school. To the west is the United Baptist Church. The existing Church of Christ religious assembly structure will remain onsite as is, with no work or land use changes proposed for the structure. The Southeastern San Diego Community Plan does not specifically call out recommendations for private schools however the Urban Design Element of the plan recommends a visual and character improvement of the community. The proposed structure implements architecture design features recommended from the community plan which includes improving the visual and physical character of the community and compatibility between new structures and existing neighborhoods. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and add architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert star designs at the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance.

As an existing elementary school exist to the north and a church to the west, the proposed use and project design meet the purpose and intent of this Division, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

2. The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church on the site. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The proposed project is located in the South Encanto neighborhood of Encanto Neighborhoods Planning Area within the Southeastern San Diego community plan. The site is surrounded by residential development to the east and south. To the north is Nye elementary school and to the west, is United Baptist Church.

The Southeastern San Diego Community Plan does not specifically call out recommendations for private schools but the Urban Design Element of the plan recommends a visual and character improvement of the community.

The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and add rhythm to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with a star design at the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance.

The proposed project will assist in fulfilling the needs of an expanding school by providing sufficient parking, traffic control measures and maintain a consistent use similar to those within the general vicinity. There are two public schools in the immediate area as well as residential developments and church. Therefore, the proposed use, a school with an existing church, will be compatible with existing and planned land uses on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

3. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact following areas:

- Noise, due to vehicular traffic along Division Street during school hours;
- Paleontological Resources, due to the grading of 6,600 cubic yards on site within an area defined as having a high paleontological resources; and,
- Transportation/Circulation, due to cumulative and significant traffic impacts along Division Street.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to noise, paleontological resources, and Traffic/Circulation related issues in accordance with the California Environmental Quality Act.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, landscaping, public improvements, signs, lighting, parking, water, and sewer requirements. All Uniform Building, Fire, Plumbing, Electrical, and

Mechanical Codes governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

4. The proposed use will comply with the relevant regulations of the Municipal Code.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

All proposed buildings will comply with all of the development regulations with respect to coverage, floor area ratio, interior side and rear setback requirements. The parking lots conform to city standards regarding ingress and egress, driveway widths, surfacing and landscape requirements. The project proposes a deviation to the maximum 30-foot height limit and to allow parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof is that it provides an architectural enhancement to the bulk and scale. The elevator deviation is a requirement for function. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaped to effectively screen the area from the public right-of-way.

The two story multi-purpose structure will provide schooling for grades kindergarten through sixth, day care service, administration offices, and a large multi-purpose room on the first floor. The second floor will be comprised of classrooms. To the east, south and west across 61st Street, Division Street and adjacent to the site are single family homes. To the north is Nye Elementary School. The proposed multi-purpose facility will be separated from the homes by 250 feet to the east and approximately 120 feet to the south and approximately 100 feet from Nye Elementary School. To the west the facility will be separated from existing homes by approximately 30 feet. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert designs within the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. The structure has incorporated design measures which mitigate the over height condition.

Given the size of the lot, the proximity and height of the homes in the area and, the distance from existing homes and the elementary school to the multi-purpose building, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structure heights in the surrounding area. The perimeter of the site will be landscaped creating a buffer and further screening the parking lot and structures. In addition, the project would result in a landscape plan that exceeds the City's requirements. Therefore, the proposed

development will comply to the maximum extent feasible with the regulations the Land Development Code.

Planned Development Permit - Section 126.0604

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The site is designated as low density residential 5-10 dwelling units per acre.

The proposed project is located in the South Encanto neighborhood of Encanto Neighborhoods Planning Area within the Southeastern San Diego community plan. The site is surrounded by residential development to the east and south. To the north is Nye elementary school. To the west is the United Baptist Church. The existing Church of Christ religious assembly structure will remain onsite as is, with no work or land use changes proposed for the structure. The Southeastern San Diego Community Plan does not specifically call out recommendations for private schools however the Urban Design Element of the plan recommends a visual and character improvement of the community. The proposed structure implements architecture design features recommended from the community plan which includes improving the visual and physical character of the community and compatibility between new structures and existing neighborhoods. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and add architectural interest to the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert star designs at the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District. The site is designated as low density residential 5-10 dwelling units per acre.

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact following areas:

- o Noise, due to vehicular traffic along Division Street during school hours;
- o Paleontological Resources, due to the grading of 6,600 cubic yards on site within an area defined as having a high paleontological resources; and,

- o Transportation/Circulation, due to cumulative and significant traffic impacts along Division Street.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to noise, paleontological resources, and Traffic/Circulation related issues in accordance with the California Environmental Quality Act.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, landscaping, public improvements, signs, lighting, parking, water, and sewer requirements. All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity. Therefore, 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.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

All proposed buildings will comply with all of the development regulations with respect to coverage, floor area ratio, interior side and rear setback requirements. The parking lots conform to city standards regarding ingress and egress, driveway widths, surfacing and landscape requirements. The project proposes a deviation to the maximum 30-foot height limit and to allow parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof is that it provides an architectural enhancement to the bulk and scale. The elevator deviation is a requirement for function. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaped to effectively screen the area from the public right-of-way.

The two story multi-purpose structure will provide schooling for grades kindergarten through sixth, day care service, administration offices, and a large multi-purpose room on the first floor. The second floor will be comprised of classrooms. To the east, south and west across 61st Street, Division Street and adjacent to the site are single family homes. To the north is Nye Elementary School. The proposed multi-purpose facility will be separated from the homes by 250 feet to the east and approximately 120 feet to the south and approximately 100 feet from Nye Elementary School. To the west the facility will be separated from existing homes by approximately 30 feet. The design of the proposed facility has incorporated numerous architectural elements to diminish the bulk and scale and architectural interest to

the building. These elements include offsetting planes with an assortment of material such as veneer stone and glazing to enhance the building with architectural texture and transparency. Geometric shapes and colors have been used to include curved metal roofs to further enhance the community goal and identify the structure as a building for children. The entrance will also incorporate artistic features with stamped concert designs within the entrance. The proposed color palette of Natural Birdseyes, Bristol Blue, and Belize will give the building a bold yet soft aesthetic appearance. The structure has incorporated design measures which mitigate the over height condition.

Given the size of the lot, the proximity and height of the homes in the area and, the distance from existing homes and the elementary school to the multi-purpose building, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structure heights in the surrounding area. The perimeter of the site will be landscaped creating a buffer and further screening the parking lot and structures. In addition, the project would result in a landscape plan that exceeds the City's requirements. Therefore, the proposed development will comply to the maximum extent feasible with the regulations the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

The proposed school is associated with the Church of Christ and it operates and or is affiliated with numerous community organizations and educational facilities. The proposed school will provide for a maximum of 320 students and 20 teachers and staff. The applicant has stated that, its demand for a school facility continues to expand, so must its facilities. The proposed school will accommodate existing and incoming families and provide new community facilities. Two of the objectives in the Commercial Element of the Southeastern San Diego Community Plan states that new commercial facilities shall provide attractive quality community and neighborhood commercial uses offering a variety of goods and services to meet community needs and to increase job opportunities and resources within the immediate community. The proposed child care facility and increase employment to operate the propose school will alternative educational facility to the area and promote job opportunities. Therefore, the proposed school will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The project proposes the development of a 38,483 square-foot multi-use building with two levels of subterranean parking to be used for a new private elementary school ranging in grades from kindergarten through sixth, a day care, and Sunday school classes for an existing church. The site is located at 6070 Division Street within the Southeastern San Diego planning area and zoned SF-5000 within the Southeastern San Diego Planned District.

The project proposes a deviation to the maximum 30-foot height limit and parking within the front setback. The deviation to height includes an elevator tower at 41'-6" and a barreled roof at 40'-6". The deviation for height of the barreled roof is one element of the school's design providing an architectural enhancement to the bulk and scale and adding rhythm to the skyline. The elevator deviation is a requirement for function. The elevator tower projects above the 30-foot height limit due to requirements imposed by the California Building Code to house the elevator pulleys and equipment at the top of the elevator shaft. The project also proposes a deviation to the 15-foot front yard setback requirement where parking is proposed within the setback along Division Street and 61st Street. The parking lot will be screened by a 36-inch block wall and landscaped to effectively screen the area from the public right-of-way.

The pad elevation of the first floor will be 320 feet and the top of the barreled roof will be 354 feet and elevator shaft 356 feet, giving the proposed multi-purpose building height of 34 and 36 feet respectively. The existing grade is approximately 312 feet above sea level at the lowest point below the proposed structure giving the structure height of 42-feet, 9-inches above existing grade. The eight feet of elevation difference between the first floor pad and existing grade allows an entrance and a portion of the subterranean parking area. The barreled roof and elevator tower are characteristic of the school design and function. The two story multi-purpose structure will provide day care services, classrooms, cafeteria, and administration offices on the first floor. Additionally, a 6,000 square-foot open area will be used for school functions such as assemblies. Classrooms will be located on the second floor. The nearest residence, in location to the multi-purpose building, is located approximately 100 feet to the west with a pad elevation of approximately 305 feet above sea mean sea level. The multi-purpose building will be set back 20 feet from the edge of the property line adjacent to Division Street. Given the size of the lot, the proximity and height to the homes, Nuy elementary school, and existing church in the area, the proposed development will not overwhelm the surrounding neighborhoods in terms of height, bulk, and scale and will create a blended development comparable with structures in the surrounding area. Strict application of the height regulations would reduce design options for this institutional use.

The project proposes a deviation to allow parking within the 15-foot setback for the SF-6000 zone for the subject site. The encroachment of parking spaces enables additional parking spaces for the multi-purpose structure and existing church minimizing parking impacts to the adjacent neighbors. The parking lot will be screened with a 36-inch high solid wall and landscape screening material. Prohibiting parking within the front yard would potentially result in a reduction of 40 parking spaces or a reduction in classrooms.

Two objectives in the Commercial Element of the South Eastern San Diego Community Plan states that new commercial facilities shall provide attractive quality neighborhood commercial uses offering a variety of goods and services to meet community needs and to increase job opportunities and resources within the immediate community. The proposed child care facility and school will provide increased and alternative educational options to the area and promote job opportunities. In addition, the project is anticipated to visually enhance the neighborhood by developing a site that currently contains a home, a vacant lot and church with a development that includes extensive landscaping and prominent structures that have been designed to implement the design recommendations of the Southeastern Community Plan.

The project has been determined to be consistent with the development regulations contained within the Southeastern San Diego Planned District Ordinance, Chapter 15, Article 19, and Division 1 through 4, MF-5000 zone and all other pertinent regulations of the Land Development Code (LDC). It has been

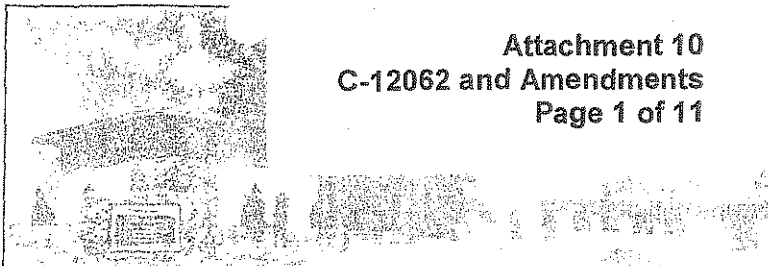
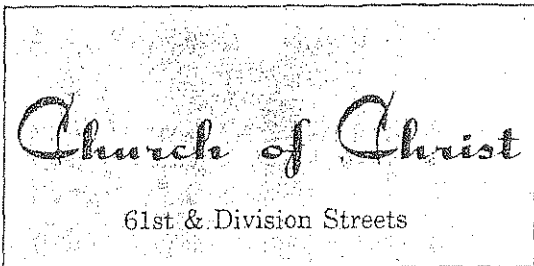
Attachment 9
Draft Resolution with Findings

determined from City staff that the proposed development is in conformance with land use regulations regarding density, land use, grading, and architectural design. The project is consistent with the goals and policies of the Land Development Code. The perimeter of the site will be landscaped creating a buffer and further screening the parking lot and structures. In addition, the project would result in a landscape plan that exceeds the City's requirements. Therefore, the proposed deviation to height is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 73646, Site Development Permit No. 73647, and Planned Development Permit No. 711903 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 73646, 73747, and 711903, a copy of which is attached hereto and made a part hereof.

William Zounes
Development Project Manager
Development Services

Adopted on: June 3, 2010
Job Order No. 2342422394
cc: Legislative Recorder, Planning Department



SEPT. 6, 1983

6070 Division Street, P. O. Box 11249 • Telephone 714-263-6931
San Diego, California 92114

Minister
Taylor A. McKenzie
Residence
714-466-8663
Office *CA 112*
714-263-6931

September 6, 1983

Elders
Charles Luckie, Sr.
Shannon Ross, Sr

Zoning Administration
1222 First Avenue
Mail Station 300
San Diego, California 92102
Attention: Joseph Flynn

Deacons
Harold Wesson
Charles Wynn

Dear Mr. Flynn,

It is requested that we be granted an addition to our plans, file #E90261, which were submitted on December 11, 1979. The plans were re-submitted on October 8, 1982. The current file number is F11940. The request is for an extension on variance C12062.

Thank you very much for your consideration.

Sincerely,

Taylor A. McKenzie
Minister

SAN DIEGO PLANNING DEPT.	
Zoning Division	
Amend/Ext. Case #	<u>C12062</u>
Pd. _____	Receipt # _____
Date: <u>9/6/83</u>	By: <u>[Signature]</u>

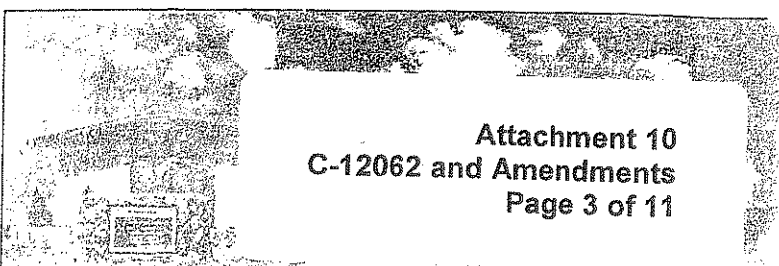
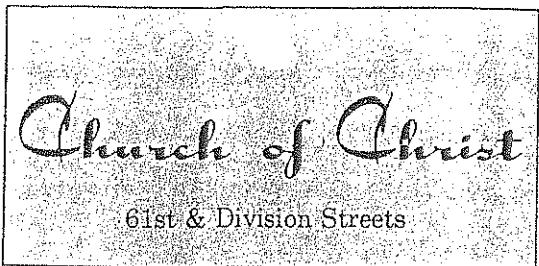
EXTENSION OF TIME - CONDITIONAL USE PERMIT

Sept. 5, 1983

CONDITIONS - CUP-12062

1. That the project shall comply with all requirements of the Building Inspection Department and City Engineering and Development Department;
2. That existing landscaping shall be maintained in a good, growing condition at all times;
3. That the chain across the driveway from 61st Street shall be maintained when the church is not being utilized;
4. That the parking area be restriped in compliance with Division 6;
5. That construction shall be in substantial conformance with approved plans dated 9/5/80;
6. That this extension of time shall expire September 5, 1983.

JTF:CS:eg



Minister
Taylor A. McKenzie
Residence
714-466-8651
Office
714-263-6931

6070 Division Street, P. O. Box 14249 • Telephone 714-263-6931
San Diego, California 92114

March 4, 1983

MARCH 4, 1983

Elders
Charles Luckie, Sr.
Shannon Ross, Sr.

Zoning Administration
1222 First Avenue
Mail Station 300
San Diego, California 92102
Attention: Ms. Jenny Synder

Deacons
Harold Wesson
Charles Wynn

Dear Ms. Synder,

It is requested that we be granted an addition to our plans, file #E90261, which were submitted on December 11, 1979. The plans were re-submitted on October 8, 1982. The current file number is F11940. The request is for an additional 500 square feet which will be used for a minister's study.

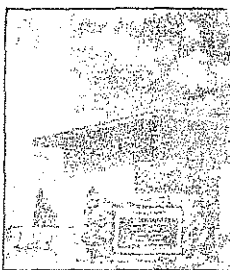
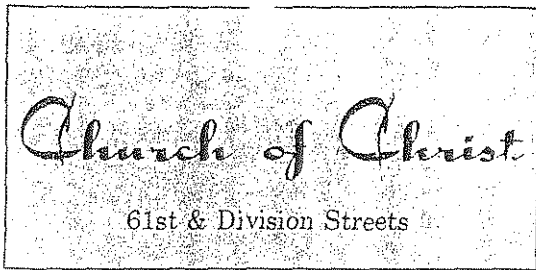
The C.U.P. number is 12062.

Thank you very much for your consideration.

Sincerely,

Taylor A. McKenzie
Taylor A. McKenzie
Minister

- Revised plans comply with CUP 12062;
amendments not required.
3/4/83 G.S.
[Signature]



JAN 7, 1983

6070 Division Street, P. O. Box 14249 • Telephone 714-263-6831
San Diego, California 92114

Minister
Taylor A. McKenzie
Residence
714-466-8651
Office
714-263-6931

January 7, 1983

Elders
Charles Luckie, Sr.
Shannon Ross, Sr.

Deacons
Harold Wesson
Charles Wynn

Zoning Administration
1222 First Avenue
Mail Station 300
San Diego, California 92102
Attention: Ms. Jenny Synder

Dear Ms. Synder,

C-12062

It is requested that we be granted an extension for our plans, file #E90261, which were submitted on December 11, 1979. The plans were re-submitted on October 8, 1982. The current file number is F11940. The extension is necessary in order for us to complete our financial arrangements for construction.

Thank you very much for your consideration.

Sincerely,

Taylor A. McKenzie
Taylor A. McKenzie
Minister

*I think 18 mos from exp dat
same year
same Amelation
7-5-83
Per J.F.*

Sept. 5, 1980

Minutes - 9/5/80

SLB:fb

C-12062

PRESENT: No One.

DISCUSSION: Staff Report was read into the record, and it was noted the project is complying with parking requirements at 1:35 sq. ft. Total square footage of the facility when completed will be 14,719 sq. ft.

DECISION: APPROVE, subject to the following condition:

That the project shall comply with all requirements of Building Inspection Department and City Engineering and Development.

existing
That landscaping be maintained in a good growing condition at all times.

That the drain ^{downway from} ~~down~~ be maintained when church is not being utilized.

That parking area be restriped ~~per~~ in compliance with Division 5.

That construction ^{shall} be in substantial conformance with approved plans dated 9/5/80.

CONDITIONAL USE PERMIT CASE 12062 (AMENDMENT)

HEARING DATE: 9/5/80

STAFF REPORT: 8/21/80

J. B.

RAVEN STREET CHURCH OF CHRIST to amend CUP #12062 which permitted a church sanctuary and classrooms, to construct a 1,770 sq. ft. sanctuary and classroom addition to the existing facility to result in 3,886 sq. ft. and provide an additional 20 parking spaces. Portion of Lot 2, Cave and Manhattan Subdivision, Map No. 159 at Division Street between 58th and 61st street, zone R-1-5.

The subject parcel is an irregular shaped 1.67-acre lot located at the northwest corner of Division and 61st streets. Division Street is a 60'-wide right-of-way and 61st Street is a 50'-wide right-of-way. There are no curbs or sidewalks adjacent to the subject property. This parcel is approximately 6' above street grade from 61st Street but slopes approximately 3' down to the southwest off Division Street. This parcel was created in 1952.

Existing on the lot is a one-story church sanctuary and classrooms. There is a total of 96 uncovered parking spaces serving the facility that are to be restriped. A 36'-wide-paved driveway leads to the property off Division Street, and a 25'-wide-paved driveway leads to the property off 61st Street. Matured landscaping exist basically along the south side of the sanctuary with several trees growing on the north, east and south portion of the lot. In 1973, Case No. CUP 12062 allowed permission to build a church and classroom with 92 parking spaces, to serve the facility. In 1976, an agreement was made allowing The City of San Diego a

CUP-12062 (Amendment)

Page 2

14' right-of-way on Division Street where such right-of-way eliminated the planning strip on Division Street and resulted also in a reduction of 6 parking spaces, leaving a total of 86 parking spaces where 64 parking spaces were required. In 1977, an amendment was applied for and approved to maintain the existing 5'-high open fence that borders the property of 6020 Division Street, instead of the 5'-high solid fence that is required by Zoning.

[The neighborhood includes one- and two-story single-family dwellings. Property adjacent to the west and across 61st Street to the east are improved with one-story single-family dwellings. Property across Division Street to the south of subject property drops approximately 10' in elevation and is improved with one- and two-story single-family dwellings. Property adjacent to the north of subject property is unimproved.]

The applicant proposes to construct 1,770 sq. ft. addition to the existing sanctuary to result in a total 3,886 sq. ft. and to increase the number of parking spaces to 112 (10 compact) where 111 is required.

There have no letters of protest or adverse comments received to date.

JB:dh

RETURN TO: 615

Attachment 10
C-12062 and Amendments
Page 8 of 11

ZONING ADMINISTRATION
(Mail Station 300)
City Operations Building
1222 First Avenue
San Diego, California 92101

OCT 20 11 16 AM '80

OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
VERA L. LYLE
RECORDER

NO FE

CITY OF SAN DIEGO - DECISION OF THE ASSISTANT ZONING ADMINISTRATOR - CASE 12062
AMENDMENT - CONDITIONAL USE PERMIT - HEARING

The Assistant Zoning Administrator has considered the request of THE RAVEN STREET CHURCH OF CHRIST to amend CUP No. 12062 which permitted a church sanctuary and classrooms, to construct a 1,770 sq. ft. sanctuary and classroom addition to the existing facility to result in 3,886 sq. ft. and provide an additional parking spaces, and does hereby APPROVE said request, subject to the following conditions:

1. That the project shall comply with all requirements of the Building Inspection Department and City Engineering and Development Department;
2. That existing landscaping shall be maintained in a good growing condition at all times;
3. That the chain across the driveway from 61st Street shall be maintained when the church is not being utilized;
4. That the parking area be restriped in compliance with Division 8;
5. That construction shall be in substantial conformance with approved plans dated 9/5/80.

FINDING OF FACTS

A. The subject parcel is an irregular shaped 1.67 acre lot located at the northwest corner of Division and 61st Streets. Division Street is a 60' wide right-of-way and 61st Street is a 50' wide right-of-way. There are no curbs or sidewalks adjacent to the subject property. This parcel is approximately 6' above street grade from 61st Street but slopes approximately 3' down to the southwest off Division Street.

Existing on the lot is a one-story church sanctuary 2,166 sq. ft. and classrooms 8,034.25 sq. ft. approved by Condition Use Permit No. 12062 in 1973. There is a total of 96 uncovered parking spaces serving the facility that are to be restriped. Two 36' wide paved driveways lead to the property off Division Street and a 25' wide paved driveway leads to the property off 61st Street. Mature landscaping exists basically along the south side of the sanctuary with several trees growing on the north, east and south portion of the lot. In 1976, an agreement was made allowing the City of San Diego a 14' right-of-way on Division Street where such right-of-way eliminated the planting strip on Division Street and resulted also in a reduction of six parking spaces, leaving a total of 86 parking spaces where 64 parking spaces were required.

The applicant proposes to construct 1,770 sq. ft. addition to the existing sanctuary to result in a total of 3,886 sq. ft., and construct second floor classroom of 3,070 sq. ft. and 540 sq. ft. pastor's study and conference room, for a total church facility of 14,719 sq. ft. The number of parking spaces is to be increased to 112 (10 compact) where 111 is required.

The proposed use is an expansion to an existing facility and is not viewed as having an adverse effect on the neighborhood, the General Plan or the Community Plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area. In addition, the facility as it now exists, is in compliance with all the conditions imposed by the previous variance.

B. The proposed use will comply with all relevant regulations of the Municipal Code.

SEP 5 1980

RIGHT OF APPEAL expires
10 DAYS
after the above date.

This Conditional Use Permit is not a permit or license and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this Grant is violated, or if the same be not complied with in every respect, then this Conditional Use Permit shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

Failure to utilize such Conditional Use Permit within the eighteen (18) month period will automatically void the same, in accordance with Municipal Code Section 101.0508. Except as provided in Section 101.0509, during the eighteen (18) month period referred to in this Section, the property covered by a Conditional Use Permit granted by the Zoning Administrator shall not be used for any purpose other than that authorized by the Permit.

The permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after a decision is made, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

C-12062
SLB:JB:CN

CITY PLANNING DEPARTMENT

Sharren L. Boyer
Assistant Zoning Administrator

CITY OF SAN DIEGO
ZONING ADMINISTRATOR
NOTICE OF EXEMPTION

Pursuant to the California Environmental Quality Act and State EIR Guidelines

Case Number:

12062

The City of San Diego has reviewed the above-referenced project. Based on the information available, it has been determined that the subject activity is exempt from the requirements for the preparation of environmental documents pursuant to the California Environmental Quality Act (CEQA).

___ This activity is a ministerial project and is exempt under Article 8, Section 15100.1 of the California State EIR Guidelines.

___ This activity is a minor alteration of an existing facility and is exempt under Article 8, Section 15101 of the California State EIR Guidelines.

___ This activity is a replacement or reconstruction of an existing structure and is exempt under Article 8, Section 15102 of the California State EIR Guidelines.

___ This activity consists of construction or installation of single, new facilities or equipment and is exempt under Article 8, Section 15103 of the California State EIR Guidelines.

___ This activity is a minor alteration to land and is exempt under Article 8, Section 15104 of the California State EIR Guidelines.

✓ ___ This activity is a minor alteration in land use limitations and is exempt under Article 8, Section 15105 of the California State EIR Guidelines.

___ Other (explain)

No further environmental review is required; discretionary action on the proposed project may proceed.

[Signature]

8-6-80

Date

CAVE & MC HATTON'S SUBD.

AUG. 7, 1973

✓ Lot 2 (Wly 300') -~~XXXXXXXXXX~~ to Nina Lee to use the above described property as a building site and have applied for a zone variance by application #4350, dated 12-5-46.

✓ Lot 2, exc the W 300' to May hill, Charles Hill, Donald Slater, and Viola Slater, to divide property, have applied for a Z.V. #4350 (12-5-46)

Agreement #445 12-23-46

Lot 13, exc Nly 3 acres - AGREEMENT #524 to W. F. Peterson and Ethel Peterson to divide part into three bldg sites and const sin fam res on ea, applied for zone variance, appl No. 5461, dated 11-21-47. Resa. 2837 2-5-48

Wly 300' Lot 2 - Permit to House of David, Church of God in Christ to move in church bldg in addn to exist dwell & garage on R-1-5 lot, where residential use only is perm at 5930 Division St., betw 58th & 61st Sts., Zone R-1-5 cond1.

C-9318 6-17-69

Por Lot 1, Lots 3,6,7 & 9 - Permit to Somerset Village Unit No. 1 to constr and operate a planned residential development located betw 58th and 59th Sts north of Division St Zone R-1-5.

PRD #6 3-3-71

Lots 17 & 18 and portions of Lots 14,15,19, portion of Charmolee Tract- AMENDED permit to Financial Scene, Inc. and Avco Neighborhood, Inc. and San Diego Neighborhood Dev.Corp. to construct and operate a PRD located on the N side of Skyline Dr betw 59th & 61st Sts.

PRD #30 10-12-71

CAVE & MC HATTON'S SUBD.

CARD#8

Por Lot 2 - Permit to Raven Street Church of Christ to develop property for use as sanctuary and classrooms with 92 parking spaces to serve facility, on Division Street between 58th and 61st Streets, Zone R-1-5 - Cond

C-12,062 8-7-73

Amended 2-13-74

Por Lot 1 - Permit to Eric C. and Gwendolyn M. Ward, Owner, and Ishmeal J. and Edna L. Brown, Purchaser, to convert existing single family dwell. to residential care home for not more than six adults; at 1211 So. 58th St. between Alta Vista Avenue and Division Steet, Zone R-1-5 - Cond'1.

✓C-12,700 7-10-74

Por Lot 13, Permit to J. B. HEMPHILL to erect & main for a 1 yr per a 3-faced 3'x5' hi 9' sub dir sign adv homes in Valencia Views, at NE corner of Skyline Dr & 58th St, Zone R-1-5. DENIED as req, but APPROVED 8 sq. ft. sing-faced 8' hi sign, to exp. 1-24-77

app. time to app. 1-24-79 (2-2-78) + 11/24/80 (2/5) C-14057 1-20-77

Por Lot 19 - Permit to Aulton W. & Clara D. Stephens to provide access to Parcel 1 across easement on Parcel 2 which extends approx 200' easterly from the Linnett Street where access to pking is req to be taken directly from a ded. st. or alley on the south side of Imperial Ave., 300' west of 61st St. Zone R-1-5. C-14276. 5-4-77.

C-12062

**ENCANTO NEIGHBORHOODS COMMUNITY PLANNING GROUP
MINUTES OF MEETING
Date: 4/20/09**

1. **CALL TO ORDER/INTRODUCTIONS: At: 6:40 p.m. by: Derryl Williams**

Seat	Member	Here?	Seat	Member	Here?
Alta Vista	Betty Cherry	Y	At Large	Roman de Salvo	Y
Broadway Hghts	Maxine Sherard	Y	At Large	Jewell Hooper	Y
Chollas View	Ardelle Matthews	Y	At Large	Kathy Griffiee	Y
Emerald Hills	Henry Merritt	Y	At Large	Francine Maxwell	N
Encanto-North			At Large		
Encanto-South			At Large	Greg Morales	N
Lincoln Park	Dorothy James	Y	At Large	Derryl Williams	Y
Valencia Park			At Large	Marry Young	Y

City Department	Name	Here?	Dept	Name	Here?
Planning	Myles Pomeroy	Y	4 th Dist	Bruce Williams	Y

Number of Visitors: 14 Sign-in Sheet on file: yes

2. **COMMUNICATIONS FROM THE PUBLIC**

Name/Agency	Subject	On file?
A. SDPO-		none
B. SDFire		none
C. Mayor		none
4th District: Bruce Williams	-Councilman Young excited about 5 th Ammendment vote next Tuesday; likes mixed use plan and encourages support at Council hearing -Loans for fix-up old housing stock: 146 K St, SD Housing Commision; < 35K if in home for 10 years	Notes only-see newsletter
Communications from the Public: Thomas Ledford for Supervisor Roberts		none

3. Adoption of Agenda: MM: M. Young S: A. Matthews V: 8-0-0 Changes: none

3. OLD BUSINESS: None

5. NEW BUSINESS (10 minutes each presentation)

- A. Pham Tentative Map PTS # 120124 – Tentative Map to create two parcels from an existing 0.54 acre site south of 6700 Radio Drive. Presenter: Steve Schutt **Action Required**
Vacant lot between 6688 and 6700 Radio Dr.; plans began in 2005. Proposing splitting lot into two lots. No outstanding issue w/Planning Department. Lot 101 feet wide and 200ft deep-plan was to split lot horizontally but city wanted vertical split. Problem w/this is causes them to deviate from 65 ft frontage.

Asked for reduction road frontage and reduction lot width of 50 ft. House fronts are angled to face the road as per the Neighborhood Plan. Landscaping is layered: proposed Haliconia for untamed environment. Tamed environment-mondo grass doesn't require mowing but nice visually. Screening along retaining walls will be boganvilla-trained into a box pattern, Trees in back musa basja-hardy banana tree-coastal plants from Fallbrook. Front trees: colored Palm trees orange and red w/gray trunks. Street trees-bottle trees. Plan is for targeted irrigation-spray (tamed), bubblers, drip irrigation for the untamed environment. Will have lawn areas in back w/Bermuda. Owner built home at 6700 Radio Dr. To encourage walk-ability-sidewalks included for both. Homes are two stories-
Current zoning is 10,000 sf

Dorothy James arrived at 7:05 pm

**MM to approve: tentative map with deviation of road frontage/lot 50 ft width and PDP: R. deSalvo
S:H.Merritt V: 9 - 0 - 0**

- B. Church of Christ School, PTS # 27374 – Site Development Permit, Conditional Use Permit and Planned Development Permit to construct a multi-purpose building on a site with an existing church building at 6020 Division Street. Presenter: Fred Cole development team **Action Required**
Many years ago this project was brought forth and meet all the requirements for the city. Ammendment to PDP. Two levels Parking will be underneath new building. Landscaping includes existing parking lot. Hill is in the back of school. Requirment from city is to increase right of way for Division St. Classrooms will have computer alcoves, school will have large multipurpose room that can be used by the church. Full kitchen for meals. Second floor-more classrooms, restrooms, art class room and multipurpose room is two story in volume. SQ footage is less than 50 percent coverage allowed for this property. Roof plan-varied height to add interest. Textures varied to add interest. Will take green building issues into consideration and modify landscaping to fit drought conditions. Asking for deviations to the height requirements due to the variation of roof levels. Will use local contractors. Due to street widening, plan will lessen traffic due to entry before intersection, then second entrance on other street and underground parking. Sidewalks included. Can transplant existing trees.
A conditional use permit already in place for the church; now asking for an amendment to include school. Grades K-6
Motion to: Approve project as presented amendment to current cup with deviation to height requirement (PDP) **MM: A. Matthews S: M. Sherard V: 9-0-0**

- C. Five Year Consolidated Plan – Presentation on the needs, resources, priorities and proposed activities to be undertaken with respect to federally funded community development programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), American Dream Downpayment Initiative (ADDI), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with Aids (HOPWA). Presenter: Victoria Joes, San Diego Housing Commission. **Informational** Plan open for public comment 4/1-4/30. Application on behalf of the City for four grants: HOPWA, Due to HUD May 15th. Invite public to provide testimony at City Council on May 5th 2pm four programs total 26 million dollars to the City. Will need to come to PG again w/substantial amendment. Division of Planning department runs CDBG department-less emphasis on social services and more on emphasis on public improvements. Councilman Young requested this presentation to the Planning Group re: these programs.
Ms. Sherard left the meeting prior to this item.

- D. Election of Planning Group Officers – Francine Maxwell, Presenter. **Action Required**
Jewell Hooper is resigning from Executive Board
AM moves to accept nominations by acclamation Second: Jewel Hooper V 8-0-0

**Attachment 12
Ownership Disclosure Form**

Project Title: CHURCH OF CHRIST MULTI-PURPOSE BLDG Project No. (For City Use Only) 27374

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? CA Corporate Identification No. C0365699
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Yes No

Corporate/Partnership Name (type or print): CHURCH OF ROBERT E JONES CHRIST
 Owner Tenant/Lessee

Street Address: 6070 DIVISION

City/State/Zip: SAN DIEGO

Phone No: 619-263-6931 Fax No: 619-263-6933

Name of Corporate Officer/Partner (type or print): ROBERT E JONES

Title (type or print): CHAIRMAN

Signature: Robert E Jones Date: 1-25-2010

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

**Church of Christ
Project No. 27374**

Date	Action	Description	City Review Time	Applicant Response
3/16/04	First Submittal	Project Deemed Complete and distributed		
5/20/04	First Submittal Assessment Letter out		65 days	
5/3/05	Second submittal In	Normal Submittal		348 days from First Assessment Letter
6/7/05	Second Submittal Assessment Letter out		35 days	
9/15/06	Third submittal In	Normal Submittal		465 days from Second Assessment Letter
10/20/06	Third Submittal Assessment Letter out		35 days	
6/13/07	Fourth submittal In	Normal Submittal		236 days from Third Assessment Letter
7/30/07	Fourth Submittal Assessment Letter out		47 days	
4/4/08	Fifth submittal In	Normal Submittal		249 days from Fourth Assessment Letter
5/19/08	Fifth Submittal Assessment Letter out		45 days	
6/19/08	Sixth submittal In	Normal Submittal		31 days from Fifth Assessment Letter
7/21/08	Sixth Submittal Assessment Letter out		32 days	
8/22/08	Seventh Submittal In	Normal Submittal		32 Days from sixth Assessment Letter
9/22/08	Seventh Submittal Assessment Letter out		31 days	
3/6/09	Eight Submittal In	Normal Submittal		165 Days from seventh Assessment Letter
4/14/09	Eight Submittal Assessment Letter out		39 days	
7/10/09	Ninth Submittal In	Normal Submittal		87 Days from eighth assessment letter
8/20/09	Ninth Submittal Assessment letter out		41 days	
6/3/10	Planning Commission Hearing		287 days	
TOTAL STAFF TIME**			10 month 17 days	

**ATTACHMENT 13
Project Chronology**

TOTAL APPLICANT TIME**			53 months 23 days
TOTAL PROJECT RUNNING TIME**	From Deemed Complete to PC Hearing	64 months 10 days	

**Based on 30 days equals to one month.

Attachment 14
Photo Simulation

