THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 14, 2020 REPORT NO. HO-20-045

HEARING DATE: October 21, 2020

SUBJECT: LEGACY CHURCH, Process Three Decision

PROJECT NUMBER: 633590

OWNER/APPLICANT: Legacy Church

SUMMARY

Issue: Should the Hearing Officer approve an amendment to Conditional Use Permit No. C-12510 for the construction of a new one-story building for the expansion of an existing childcare facility on the Legacy Church Campus, located at 10881 Tierrasanta Boulevard, within the Tierrasanta Community Planning area?

Staff Recommendation: Approve Conditional Use Permit (CUP) No. 2313607, an amendment to CUP No. C-12510.

Community Planning Group Recommendation: On July 3, 2019, the Tierrasanta Planning Group voted 8-0-1 to recommend approval of the proposed project with conditions (Attachment 9).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 4, 2020, and the opportunity to appeal that determination ended September 21, 2020 (Attachment 7).

BACKGROUND

The 4.8-acre site is located on the west side of Tierrasanta Boulevard, between Ducos Place and La Cuenta Drive, at 10881 Tierrasanta Boulevard (Attachment 1). The site is in the RS-1-8 (Residential-Single Unit) Zone, and designated Low-Density Residential use and identified as an existing religious facility site in the Tierrasanta Community Plan (Attachment 2). The project site is also located within the Airport Land Use Compatibility Plan (MCAS Miramar and Montgomery), Airport Influence Areas – Review Area 2 (MCAS Miramar and Montgomery), Federal Aviation Administration (FAA) Part 77

Noticing Area (MCAS Miramar and Montgomery), Brush Management, Brush Zones with 300 Foot Buffer, and Very High Fire Hazard Severity Overlay Zones. The site is surrounded by single family residential to the south and west, multi-family residential to the east, a fire station, library, and commercial office to the north (Attachment 3).

The church facility was originally approved by Conditional Use Permit (CUP) C-12510 on April 18, 1974, and subsequently extended in 1976 and in 1977, allowing the development of the property for Church, Sunday School, day care nursery, including four trailer modules for temporary occupancy, and associated parking. The CUP was amended in September 1977 to include construction of permanent facilities, and extended in 1979. The CUP was amended again in July 1981 to allow a storage building and trash enclosures, and again in November 1981 to allow two temporary mobile units for use as Sunday School classrooms for a period of one year. The permit was extended in November 1982. The site was then improved with three buildings containing 11,100 square feet for classroom purposes. The CUP was amended again in September 9, 1983 to allow the construction of a two-story, 20,000 square foot sanctuary building containing classrooms, offices, and a 700-seat capacity church sanctuary, with 256 off street parking spaces, for a combined gross floor area of 31,100 square feet.

A Substantial Conformance Review (Project No. 96002565 P-1) was approved in 1999, and Building Permit No. B-201282 issued March 31, 2000, which reduced the previously entitled sanctuary building to 17,000 square feet and 526 seats, and included a remodel and addition to the church buildings. The property has been developed incrementally and currently includes a 14,640 square-foot, single-story, building that includes offices, classrooms, a day-care, an auditorium/multipurpose room with 300 seats for church services, a sand lot, a play yard, 105 off-street parking spaces, and landscaping. The balance of the site consists of a lawn area, which is intended for the future construction of the previously entitled, 17,000 square-foot sanctuary with additional off-street parking.

A Childcare Center is a separately regulated Commercial Services use that is allowed in the RS-1-8 Zone with a CUP pursuant to San Diego Municipal Code (SDMC) Table 131-04B. The proposed expansion of the childcare facility requires a CUP, amending CUP No. C-12510. This amendment to CUP No. C-12510 is only for the addition of the one-story detached 2,500 square-foot building for the expansion of the existing childcare facility, and does not affect the previously entitled 31,640-square-foot church facility, which is subject to CUP No. C-12510 and associated Exhibit "A".

DISCUSSION

Project Description and Analysis:

The project is requesting an amendment to CUP No. C- 12510 to allow the construction of a new one-story, 2,500 square-foot building on the Legacy Church Campus, for the expansion of an existing childcare facility. The childcare facility would accommodate an additional 48 students for a total of 214 students in accordance with the State of California Social Services licensing requirements. The project has been designed in conformance with all applicable development regulations, including floor area ratio, setbacks and structure height. Additionally, the project provides a total of 105 off-street parking spaces, which satisfies the original permit condition requiring one parking space for each 3 sanctuary seats for the 300-seat auditorium, and the required 4 spaces for 4 staff for the

additional 48 childcare students at a rate of 2 staff per 24 students, in accordance with California Child Care Teacher to Child Ratios per Title 22 Regulations.

The project has been conditioned to ensure compliance with the Separately Regulated Use regulations for Childcare Centers related to designated drop-off and pick areas, outdoor play and activity areas, and maintaining on file on the premises a Hazardous Materials Substance Approval form executed by the County of San Diego Hazardous Materials Division.

Community Plan Consistency:
The Tierrasanta Community Plan (TCP) designates the site for Low Density Residential use. The site is also identified as an "existing religious facility site" (TCP, Figure 28). The TCP land use designation is implemented by the underlying RS-1-8 Zone. The childcare facility is allowed in the RS-1-8 Zone with a CUP, and does not conflict with the TCP designated land use for the site. One of the TCP goals is to provide adequate services and facilities to meet the social, cultural, and recreational needs of the residents and to create a sense of community, and recommends religious organizations offer space and facilities to the community for meeting rooms, childcare, counseling services and recreation (TCP pages 89-90). The project implements the TCP goal and recommendation by expanding the opportunities for childcare in the community.

Community Planning Group Recommendation:
On July 3, 2019, the Tierrasanta Community Planning Group voted 8-0-1 to recommend approval of the project with the following conditions:

1. Clarify existing CUP and location of approved square footage to be "moved";
2. Intended use - church, school, daycare, community, etc.;
3. Hours and Days of Operation; and
4. Traffic and Parking impacts/study.

The original project scope included a proposed transfer of square footage from the previously entitled sanctuary building for the construction of a new two-story, 5,000 square foot building that would accommodate church ancillary uses and a 20-percent expansion of the existing childcare facility. Since then, the scope of the project has been revised to include the addition of a one-story, 2,500 square-foot child-care facility that would accommodate 48 additional day care children, with no modification to the previously entitled sanctuary building. The facility is currently licensed by the State of California Department of Social Services allowing 166 children, including 20 infants, 98 preschool, and 48 school age children. The childcare facility would operate from 8:00 AM to 6:00 PM Monday through Friday.

With respect to required parking, the project satisfies the original permit condition requiring one parking space for each 3 sanctuary seats serving the auditorium seating capacity of 300. The project also provides 4 spaces for 4 staff for the additional 48 childcare students at a rate of 2 staff per 24 students, in accordance with California Child Care Teacher to Child Ratios per Title 22 Regulations.

A trip generation analysis prepared by LOS Engineering Inc. for the proposed 2,500 square-foot childcare facility was reviewed and accepted by LDR-Transportation. The project would increase project trips by less than 300 ADTs and is presumed to have less than a significant impact under a Vehicle Miles Traveled (VTM) metric.

Conclusion:
City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted regulations of the Land Development Code. The project complies with all development regulations of the RS-1-8 Zone and the Separately Regulated Use regulations, and no deviations are requested. Staff has provided draft findings (Attachment 5) to support the proposed development and draft conditions of approval (Attachment 6). Staff is recommending the Hearing Officer approve the project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2313607, with modifications.

2. Deny Conditional Use Permit No. 2313607, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Firouzeh Tirandazi, Development Project Manager

Attachments:

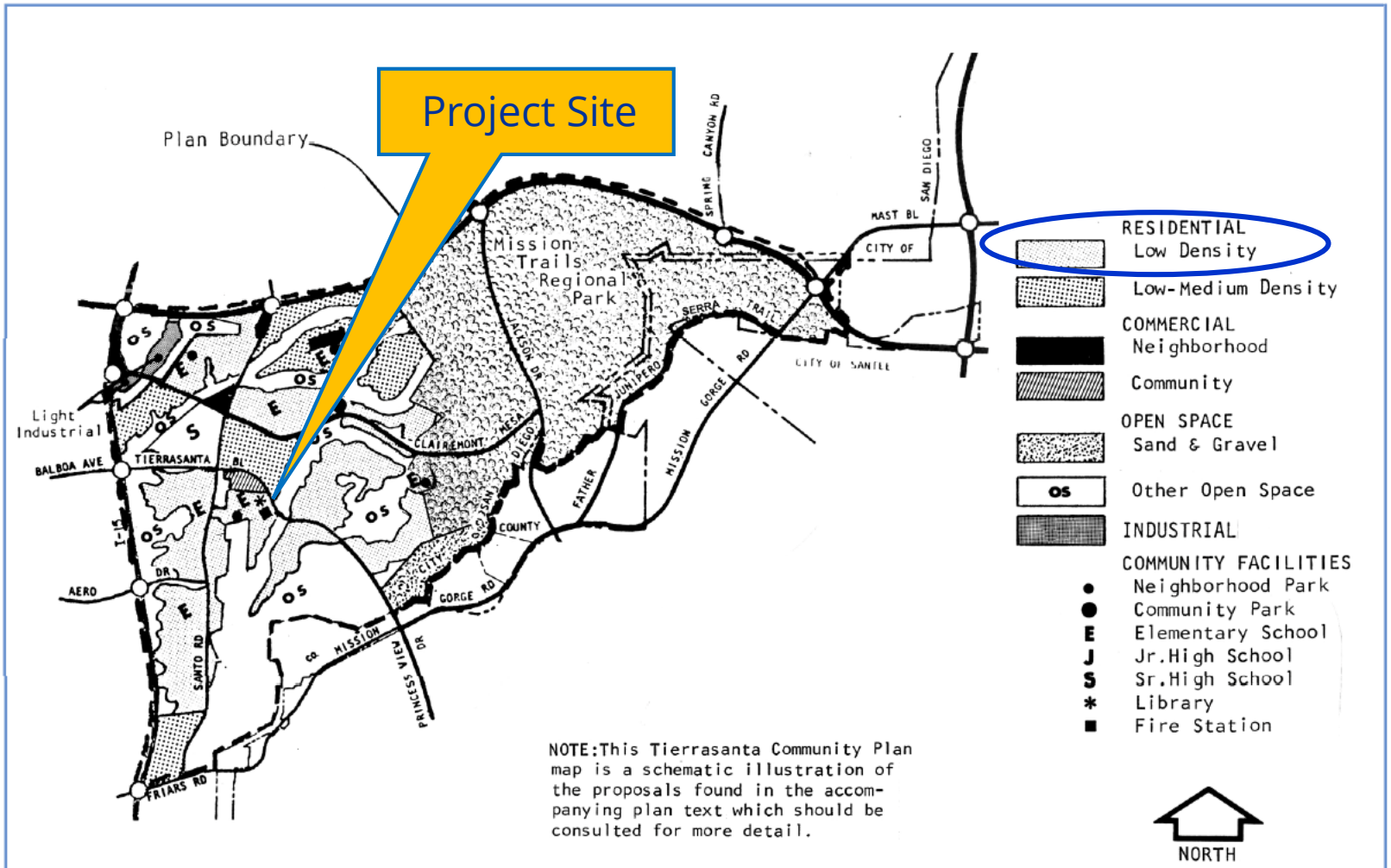
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Copy of Recorded (existing) Permits
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Plans

Project Location Map

Legacy Church NUP / 10881 Tierrasanta Boulevard
PROJECT NO. 633590

North

ATTACHMENT 1



Community Plan Map **30** FIGURE

Tierrasanta Community Plan

Land Use Map

Legacy Church NUP / 10881 Tierrasanta Boulevard

PROJECT NO. 633590

North

ATTACHMENT 2

Aerial Photo

Legacy Church NUP / 10881 Tierrasanta Boulevard

PROJECT NO. 633590

North

ATTACHMENT 3

PROJECT DATA SHEET

PROJECT NAME:	Legacy Church
PROJECT DESCRIPTION:	Conditional Use Permit, amending C-12150 for construction of new 2,500 sf one-story building and expansion of existing childcare facility on the Legacy Church Campus.
COMMUNITY PLAN AREA:	Tierrasanta
DISCRETIONARY ACTIONS:	Conditional Use Permit (amendment)
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential

ZONING INFORMATION:

ZONE:	RS-1-8
HEIGHT LIMIT:	35 feet
LOT SIZE:	4.8 acres
FLOOR AREA RATIO:	.45
FRONT SETBACK:	25 feet min
SIDE SETBACK:	10 feet min
STREETSIDE SETBACK:	20 feet min
REAR SETBACK:	10 feet min
PARKING:	104 parking spaces (1 per 3 seats; 4 spaces at rate of 2 staff/24 students for additional 48 children)

ADJACENT PROPERTIES:	**LAND USE DESIGNATION & ZONE**	**EXISTING LAND USE**
NORTH:	Library, Fire Station, Neighborhood Commercial; R-S-1-8 and CO-1-2	Commercial Facility; Library; Fire Station
SOUTH:	Low Density Residential; RS-1-14	Residential; Single Dwelling Units
EAST:	Low-Medium Density Residential; RM-1-1	Residential; Multiple Dwelling Units
WEST:	Low Density Residential; RS-1-14	Residential; Single Dwelling Units

DEVIATION REQUESTED:	None
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 3, 2019, the Tierrasanta Planning Group voted 8-0-1 to recommend approval of the proposed project with conditions: Clarify existing CUP and location of approved square footage to be “moved”; intended use - church, school, daycare, community, etc.; hours and days of operation; and traffic and parking impacts/study.

HEARING OFFICER RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 2313607
LEGACY CHURCH - PROJECT NO. 633590
AMENDMENT TO CONDITIONAL USE PERMIT NO. C-12150
HEARING OFFICER

WHEREAS, LEGACY CHURCH, a California Non-Profit Religious Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new 2,500-square-foot, one story building for the expansion of the existing childcare facility located on the Legacy Church Campus, as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Permit No. 2313607, on portions of a 4.8-acre site;

WHEREAS, the project site is located at 10881 Tierrasanta Boulevard in the RS-1-8 (Residential-Single Unit) Zone, and the Airport Land Use Compatibility Plan (MCAS Miramar and Montgomery), Airport Influence Areas – Review Area 2 (MCAS Miramar and Montgomery), Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar and Montgomery), Brush Management, Brush Zones with 300 Foot Buffer, and Very High Fire Hazard Severity Overlay Zones within the Tierrasanta Community Plan;

WHEREAS, the project site is legally described as Lot 1 of Tierrasanta Baptist Church in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 8053, filed in the Office of the County Recorder of San Diego County, December 30, 1974;

WHEREAS, on September 4, 2020, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) and there was no appeal of the

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Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on October 21, 2020, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2313607 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2313607:

A. CONDITIONAL USE PERMIT [San Diego Municipal Code (SDMC) Section 126.0305]

1. Findings for Conditional Use Permit:

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

The project includes the construction of a new one-story, 2,500 square-foot building on the Legacy Church Campus, for the expansion of an existing childcare facility. The 4.8-acre site is located at 10881 Tierrasanta Boulevard in the RS-1-8 (Residential-Single Unit) Zone, within the Tierrasanta Community Plan (TCP) area. The project site is also located within the Airport Land Use Compatibility Plan (MCAS Miramar and Montgomery), Airport Influence Areas – Review Area 2 (MCAS Miramar and Montgomery), Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar and Montgomery), Brush Management, Brush Zones with 300 Foot Buffer, and Very High Fire Hazard Severity Overlay Zones.

The church facility was originally approved by Conditional Use Permit (CUP) C-12510 on April 18, 1974, and subsequently extended in 1976, 1977, 1979, and 1982, amended in 1977, 1981 and 1983, with a Substantial Conformance Review approved in 1999. The site has incrementally developed to its present-day configuration. The site is currently improved with a 14,640 square-foot, single-story, building that includes offices, classrooms, a day-care, an auditorium/multipurpose room with 300 seats for church services, a sand lot, a play yard, 105 off-street parking spaces, and landscaping. The balance of the site consists of a lawn area, which is intended for the future construction of the previously entitled, 17,000 square-foot sanctuary with additional off-street parking.

The TCP designates the site for Low Density Residential use, and identifies the site as an "existing religious facility site". The TCP land use designation is implemented by the underlying RS-1-8 Zone. A Childcare Center is a separately regulated Commercial Services use and allowed in the RS-1-8 Zone with a CUP pursuant to SDMC Table 131-04B, and does not conflict with the TCP designated land use for the site. One of the

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TCP goals is to provide adequate services and facilities to meet the social, cultural, and recreational needs of the residents and to create a sense of community. The TCP also recommends religious organizations offer space and facilities to the community for meeting rooms, childcare, counseling services and recreation. The project implements the TCP goal and recommendation by expanding the opportunities for childcare in the community.

The childcare facility would operate from 8:00 AM to 6:00 PM Monday through Friday. The peak hours of this facility are generally during morning and afternoon workday hours, consistent with most childcare facilities. A trip generation analysis was prepared by LOS Engineering Inc. for the proposed 2,500 square-foot childcare facility. The project would increase project trips by less than 300 ADTs and is presumed to have less than a significant impact under a Vehicle Miles Traveled (VTM) metric. Based on the above analysis, the proposed expansion of the childcare facility is consistent with the TCP and would not adversely affect the applicable land use plan.

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

The project proposes the addition of a 2,500 square-foot building for the expansion of the existing childcare facility on the Legacy Church Campus. The project will not be detrimental to public health, safety, and welfare in that the permit for this site contains specific conditions addressing compliance with City codes, policies, and regulations, as well as other regional, state, and federal regulations.

Conditions of approval require review and issuance of permits for construction of structures and public improvements in compliance with all building, mechanical, fire, and plumbing regulations, which must be completed through final inspection. The project has also been conditioned to ensure compliance with the separately regulated use regulations for a childcare facility including providing designated drop-off and pick areas, standards for outdoor play and activity areas, and maintaining on file on the premises a Hazardous Materials Substance Approval form executed by the County of San Diego Hazardous Materials Division. Additionally, the City of San Diego conducted an environmental review of this project in accordance with the State of California Environmental Quality Act (CEQA) guidelines and concluded there would be no environmental impacts associated with the proposed project. Based on the above analysis, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The project proposes the expansion of an existing childcare facility within a new, one-story, 2,500 square-foot building on the Legacy Church Campus, a 4.8-acre site

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located at 10881 Tierrasanta Boulevard in the RS-1-8 (Residential-Single Unit) Zone within the TCP.

The subject property has been graded and partially developed with 14,640 square-foot, single-story, building containing offices, classrooms, a day-care, and an auditorium/multipurpose room with 300 seats for church services. The site has also been improved with a sand lot, play yard, 105 off-street parking spaces and landscaping. The balance of the site consists of a lawn area, which is intended for the future construction of the previously entitled, 17,000 square-foot sanctuary with additional off-street parking.

A Childcare Center is a separately regulated Commercial Services use that is allowed in the RS-1-8 Zone with a CUP pursuant to San Diego Municipal Code (SDMC) Table 131-04B. The childcare facility would accommodate an additional 48 students for a total of 214 students in accordance with the State of California Social Services licensing requirements. The project has been designed in conformance with all applicable development regulations of the SDMC relevant for the site, including the separately regulated use regulations set forth in SDMC Section 141.0606. The project conforms to the maximum floor area ratio, setbacks, structure height, and parking. Additionally, the project observes the minimum 1,000-foot required distance from businesses that handle or store hazardous material as specified in SDMC Section 141.0606(c). No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

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

The 4.8-acre site is located on the west side of Tierrasanta Boulevard, between Ducos Place and La Cuenta Drive, at 10881 Tierrasanta Boulevard. The site is in the RS-1-8 (Residential-Single Unit) Zone, and designated Low-Density Residential use and identified as an existing religious facility site in the TCP. The site is surrounded by single family residential to the south and west, multi-family residential to the east, a fire station, library, and commercial office use to the north.

The church facility was originally approved by CUP No. C-12510 on April 18, 1974, and subsequently extended in 1976, 1977, 1979, and 1982, amended in 1977, 1981 and 1983, with a Substantial Conformance Review approved in 1999. The site has been incrementally developed to its present-day configuration, and currently includes a 14,640 square-foot, single-story, building containing offices, classrooms, a day-care, and an auditorium/multipurpose room with 300 seats for church services. The site has also been improved with a sand lot, a play yard, 105 off-street parking spaces, and landscaping. The balance of the site consists of a lawn area, which is intended for the future construction of the previously entitled, 17,000 square-foot sanctuary with additional off-street parking.

The TCP designates the site for Low Density Residential use, and identifies the site as an “existing religious facility site”. The TCP land use designation is implemented by

the underlying RS-1-8 Zone. A Childcare Center is a separately regulated Commercial Services use and allowed in the RS-1-8 Zone with a CUP pursuant to SDMC Table 131-04B, and does not conflict with the TCP designated land use for the site. The childcare facility would accommodate an additional 48 students for a total of 214 students in accordance with the State of California Social Services licensing requirements. The project has been designed in conformance with all applicable development regulations of the SDMC relevant for the site, including the separately regulated use regulations set forth in SDMC Section 141.0606. The project conforms to the maximum floor area ratio, setbacks, structure height, and parking. In addition, the project observes the required minimum 1,000-foot distance from businesses that handle or store hazardous material in accordance with SDMC Section 141.0606(c).

The childcare facility would operate from 8:00 AM to 6:00 PM Monday through Friday. The peak hours of this facility are generally during morning and afternoon workday hours, consistent with most childcare facilities. A trip generation analysis was prepared by LOS Engineering Inc. for the proposed 2,500 square-foot childcare facility. The project would increase project trips by less than 300 ADTs and presumed to have less than a significant impact under a Vehicle Miles Traveled (VTM) metric.

The proposal to expand the existing childcare facility is allowed at this location with an approved CUP, is consistent with the TCP land use designation, and contributes to the TCP goal of providing adequate services to meet the social needs of the residents by expanding the opportunities for childcare in the community. Therefore, the proposed use is appropriate at the proposed location.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Conditional Use Permit No. 2313607 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2313607, a copy of which is attached hereto and made a part hereof.

_____

Firouzeh Tirandazi
Development Project Manager
Development Services

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Adopted on: _____

IO#: 11004543

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ATTACHMENT 6

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 11004543 SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2313607
LEGACY CHURCH - PROJECT NO. 633590
AMENDMENT TO CONDITIONAL USE PERMIT NO. C-12150
HEARING OFFICER

This Conditional Use Permit No. 2313607 is granted by the Hearing Officer of the City of San Diego to LEGACY CHURCH, a California non-profit religious corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 4.8-acre site is located at 10881 Tierrasanta Boulevard in the RS-1-8 (Residential-Single Unit) Zone, and the Airport Land Use Compatibility Plan (MCAS Miramar and Montgomery), Airport Influence Areas – Review Area 2 (MCAS Miramar and Montgomery), Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar and Montgomery), Brush Management, Brush Zones with 300 Foot Buffer, and Very High Fire Hazard Severity Overlay Zones within the Tierrasanta Community Plan. The project site is legally described as: Lot 1 of Tierrasanta Baptist Church in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 8053, filed in the Office of the County Recorder of San Diego County, December 30, 1974.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new 2,500-square-foot, one story building for the expansion of the existing childcare facility located on the Legacy Church Campus, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 21, 2020 on file in the Development Services Department.

The project shall include:

a. An amendment to Conditional Use Permit No. C-12510 for the expansion of an existing childcare facility within a new detached one-story, 2,500 square-foot building, on the previously entitled 31,640 square-foot Legacy Church Campus, to accommodate an additional 48 students for a total of 214 students in accordance with State of California Department of Social Services licensing;

b. Landscaping (planting, irrigation and landscape related improvements);

c. Off-street parking; and

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d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 5, 2023.

2. This amendment to Conditional Use Permit C-12510 is only for the addition of the one-story detached 2,500 square-foot building for the expansion of the existing childcare facility. Unless otherwise noted herein, all applicable conditions of Conditional Use Permit No. C-12510 and associated Exhibit "A', for the previously entitled 31,640-square-foot facility shall remain in effect and applicable to the Legacy Church Campus.

3. 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.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.).

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8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan

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

ENGINEERING REQUIREMENTS:

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

14. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing curb ramp, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, satisfactory to the City Engineer.

15. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.

16. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

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

LANDSCAPE REQUIREMENTS:

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

19. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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

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

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

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

PLANNING/DESIGN REQUIREMENTS:

24. Prior to commencing operation, the childcare center operator shall obtain an maintain on file on the premises a Hazardous Materials Substance Approval Form executed by the County of San Diego Hazardous Materials Division.

25. Drop off and pick up of children from vehicles shall be permitted only on the driveways, in approved parking areas, or in the street directly in front of the facility.

26. All outdoor play and activity areas shall be enclosed with a fence that is at least four feet and no more than six feet in height.

27. All outdoor play and activity areas shall be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, and refuse and recycling storage areas.

28. 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.

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

30. 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.

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TRANSPORTATION REQUIREMENTS

31. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC. THIS STANDARD CONDITION OR CONDITION 32 – LDR-Transportation to confirm

32. Prior to issuance of any building permit, the Owner/Permittee shall dedicate 1 foot additional Right-of-Way to provide a 10-foot curb-to-property-line distance, adjacent to the site on Ducose Place, satisfactory to the City Engineer.

33. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard 24-foot driveway, adjacent to the site on Tierrasanta Blvd, satisfactory to the City Engineer.

34. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard 24-foot driveway, adjacent to the site on Baroque Lane, satisfactory to the City Engineer.

35. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction City standard 24-foot driveway, adjacent to the site on Ducose Place, satisfactory to the City Engineer.

36. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the two (2) existing curb ramps, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, satisfactory to the City Engineer.

37. Owner/Permittee shall provide and maintain a 25 feet x 25 feet visibility area at the intersection of Tierrasanta Blvd and Ducose Place measured along the property line. No obstacles higher than 36 inches shall be located within this area e.g. shrubs, landscape, walls, columns, signs etc.

38. Owner/Permittee shall provide and maintain a 25 feet x 25 feet visibility area at the intersection of Baroque Lane and Ducose Place measured along the property line. No obstacles higher than 36 inches shall be located within this area e.g. shrubs, landscape, walls, columns, signs etc.

39. Owner/Permittee shall provide and maintain a 25 feet x 25 feet visibility area at both sides of the driveway on Tierrasanta Blvd. measured along the property line. No obstacles higher than 36 inches shall be located within this area e.g. shrubs, landscape, walls, columns, signs etc.

DRAFT

40. Owner/Permittee shall provide and maintain a 10 feet x 10 feet visibility area at both sides of the driveway on Baroque Lane measured along the property line. No obstacles higher than 36 inches shall be located within this area e.g. shrubs, landscape, walls, columns, signs etc.

41. Owner/Permittee shall provide and maintain a 10 feet x 10 feet visibility area at both sides of the driveway on Ducose Place measured along the property line. No obstacles higher than 36 inches shall be located within this area e.g. shrubs, landscape, walls, columns, signs etc.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

42. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

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

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

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

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

APPROVED by the Development Services Department of the City of San Diego on October 21, 2020 and Resolution Number HO-XXXX.

DRAFT

ATTACHMENT 6

Permit Type/PTS Approval No.: Conditional Use Permit No. 2313607
Date of Approval: October 21, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____
Firouzeh Tirandazi
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.

LEGACY CHURCH,
a California Non-Profit Religious Corporation
Owner/Permittee

By _____
Curtis B. Gruber
President

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

DRAFT

ATTACHMENT 7

NOTICE OF EXEMPTION

(Check one or both)

TO: X Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

_____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Project Name/Number: Legacy Church / 633590 **SCH No.:** N.A.

Project Location-Specific10881 Tierrasanta Boulevard, San Diego, CA 92124

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: Amendment to Conditional Use Permit (CUP) No. C-12150 for the construction of a new, 2,500-square-foot, one-story building and expansion of the existing childcare facility located on the Legacy Church Campus. The 4.8-acre site located at 10881 Tierrasanta Boulevard.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Andre Graf, Harper Communities, 8110 El Paseo Grande, San Diego, CA 92037, 304-918-3353

Exempt Status: (CHECK ONE)

( ) Ministerial (Sec. 21080(b)(1); 15268);
( ) Declared Emergency (Sec. 21080(b)(3); 15269(a));
( ) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
(x) Categorical Exemption: Sections 15301 (Existing Facilities) and Section 15303 (New Construction)
( ) Statutory Exemptions

Reasons why the project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 and 15303; and where the exceptions listed in Section 15300.2 would not apply. Section 15301 allows for the permitting and expansion of existing uses. Section 15303 allows for the construction of limited new small facilities. Since the project is the construction of a 2,500-square-foot building and the expansion of an existing use the exemptions are appropriate.

Lead Agency Contact Person: C. Holowach Telephone: 619-446-5187

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ( ) Yes ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Courtney Holowach Associate Planner 10/1/20
Signature/Title Date

Check One:
(X) Signed By Lead Agency
( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Revised May 2018

ATTACHMENT 8

1001

PAGE NO. 74-130052
BOOK 1974
RECORDED REQUEST OF
Zoning Admin.
MAY 17 2 45 PM '74
OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
HARLEY E. BLOOM
RECORDER

RETURN TO:

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

NO FEE

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - Case No. 12510

CONDITIONAL USE PERMIT

The Zoning Administrator has considered the request of CHRISTIANA COMMUNITY BUILDERS, Owner, and SOUTHWEST BAPTIST CONFERENCE, Purchaser, to develop property for use as church, parking, Sunday School and Day Care Nursery; - Por. Rosedale Tract, Lot 1 of Tentative Map for Tierrasanta Baptist Church Site, Southerly side of Tierrasanta Boulevard, approximately 3000 ft. east of Santo Road, Zone R-1-40; and after consideration of the following finding of facts, has GRANTED the request, including the proposal to move in four trailer modules for temporary occupancy, subject to the following conditions:

1. That all requirements of the Building Inspection Department shall be complied with;

2. That use of the temporary facilities shall be for a period of two years from the date of recordation of the final Subdivision Map;

3. That parking and landscaping shall be installed substantially as shown on Plot Plan on file in the Office of the Zoning Administration of the Planning Department;

4. That a Stop sign shall be installed near the exit in accordance with all requirements of Traffic Engineering.

FINDING OF FACTS

After thorough consideration of the statements contained in the application, the report of the Investigator thereon, a study of the plans, a personal inspection of the property and the surrounding district, the Environmental Impact Report No. 73-12-1006P, dated January 23, 1974, and the statements made before the Zoning Administrator at the hearing on April 5, 1974, all of which are by reference made a part hereof, it was found that the four requirements for granting a Conditional Use Permit as enumerated in Section 101.0503 of the Municipal Code have been established by the following facts:

A tentative Subdivision Map (T.M. 73-215) has been approved for the subject property, making it an irregularly shaped corner lot with an area of 3.2 acres. The property fronts on Tierrasanta Boulevard which is a major, four lane divided street, with proposed streets adjoining the rear and south side of the lot. This hillside lot has an elevational difference of 40 ft., rising from a small triangularly shaped area at street grade in the northerly corner to the top of the hill in the southerly corner of the lot.

The neighborhood is residentially zoned, with existing and nearly completed condominiums and planned residential districts located opposite the subject lot on the Northeast side of Tierrasanta Boulevard. The area surrounding the subject lot on the Southwest side of Tierrasanta Boulevard is similar in zoning and landscape, with undeveloped rolling hills and canyons. Adjoining the church site to the North is a temporary fire station on the site of a future City of San Diego library. There are no other churches or commercial development nearby.

The proposal is to ultimately build a two-story church structure and two-story classroom building, with parking provided for 151 cars where 148 spaces are required for the planned 5200 sq. ft. worship area.

APR 22 1974

W. Du...

ATTACHMENT 8

1. The proposed use at the particular location is desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

2. The proposed use will not be detrimental to the public health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations specified in the Code for such use.

4. The granting of the Conditional Use Permit will not adversely affect the PROGRESS GUIDE AND GENERAL PLAN OF THE CITY OF SAN DIEGO or the adopted plan of any governmental agency.

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 it is filed in the Office of the City Clerk; 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.

CITY PLANNING DEPARTMENT

Voyd H. Beights

Voyd H. Beights
Zoning Administrator

FILED IN OFFICE
OF CITY CLERK

APR 18 1974

RIGHT OF APPEAL expires
10 DAYS
after the above date.

VHB:RK:ab

cc: F. Wayne Hough
E. F. Cook

STATE OF CALIFORNIA ss
COUNTY OF SAN DIEGO

On this 16th day of May, 1974, before me Madelyn L. Leibold, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared Voyd H. Beights known to me to be the person(s) described in and whose name(s) is (~~are~~) subscribed to the within instrument and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my Office in San Diego, County of San Diego, State of California, the day and year in this certificate first above written.

(Notary Stamp)

OFFICIAL SEAL
MADELYN L. LEIBOLD
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Expires Dec. 22, 1974

Madelyn L. Leibold
Notary Public in and for the County
of San Diego, State of California

Applicant shall have agreed to each and every condition hereof by having this conditional use permit signed within thirty (30) days of the decision of the Zoning Administrator.

The undersigned Permittee by execution hereof agrees to each and every condition of this conditional use permit and promises to perform each and every obligation of Permittee hereunder.

SOUTHWEST BAPTIST CONFERENCE

F. Wayne Hough

CHRISTIANA COMMUNITY BUILDERS

William D Duncan VICE PRES.

Alex V Eckel ASST. SECY.

State of California)
County of San Diego) ss

On this 7TH day of MAY, 1974, before me C.A. MERRELL, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared F. WAYNE HOUGH known to me to be the person(s) described in and whose name(s) is(are) subscribed to the within instrument and acknowledged to me that _he_ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in OCEANSIDE, County of San Diego, State of California, the day and year in this certificate first above written.

(Notary Stamp)

OFFICIAL SEAL
C. A. MERRELL
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Expires Feb. 16, 1976

C A Merrell
Notary Public in and for the County of San Diego, State of California

CUP-ag

ATTACHMENT 8

RECEIVED
CITY CLERK'S OFFICE
1976 FEB 24 PM 3:48
SAN DIEGO, CALIF.

CITY OF SAN - DECISION OF THE ZONING ADMINISTRATOR

EXTENSION OF TIME

CONDITIONAL USE PERMIT - HEARING - CASE NO. 12510

The Zoning Administrator has considered your request, dated 2/5/76, for Extension of Time to Case No. 12510, dated 4/18/74, which permitted SOUTHWEST BAPTIST CONFERENCE to develop property for use as church, parking, Sunday School and Day Care Nursery; - Por. Rosedale Tract, Lot 1 of Tentative Map for Tierrasanta Baptist Church Site, Southerly side of Tierrasanta Boulevard, approximately 3000 ft. east of Santo Road, Zone R-1-40; and does hereby grant the request, subject to the following conditions:

1. That all requirements of the Building Inspection Department shall be complied with;

2. That use of the temporary facilities shall be for a period of two years from the date of recordation of the final Subdivision Map;

3. That parking and landscaping shall be installed substantially as shown on Plot Plan on file in the Office of the Zoning Administration of the Planning Department;

4. That a Stop sign shall be installed near the exit in accordance with all requirements of Traffic Engineering.

5. That this variance shall be for a period of one (1) year, to expire March 1, 1977.

FINDING OF FACTS

After reviewing your request for an extension of time, as well as an inspection of the property and the neighborhood, all of which are by reference made a part hereof, it was found that there has been no material change of circumstances since the granting of the original request.

This Extension of Time 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 variance or 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 if a public hearing was held and five (5) days if a public hearing was not held, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Extension of Time shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk if a public hearing was held and on the sixth day if a public hearing was not held, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days if a public hearing was held and within five (5) days if a public hearing was not held; 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.

CITY PLANNING DEPARTMENT

Voyd H. Beights
Zoning Administrator

:A

VHB:RCN:wpc

CC: Vista Grande Church
10881 Tierrasanta Blvd., 92124

FILED IN OFFICE
OF CITY CLERK

FEB 24 1978

RIGHT OF APPEAL expires
10 DAYS
after the above date.

ATTACHMENT 8

RECEIVED
CITY CLERK'S OFFICE
1977 FEB 23 PM 4:35
SAN DIEGO, CALIF.

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR

EXTENSION OF TIME

CONDITIONAL USE PERMIT - HEARING - CASE NO. 12510

The Zoning Administrator has considered your request, dated 2/4/77, for Extension of Time to Case No. 12510, dated 4/18/74, which permitted SOUTHWEST BAPTIST CONFERENCE to develop property for use as church, parking, Sunday School and Day Care Nursery; - Por. Rosedale Tract, Lot 1 of Tentative Map for Tierrasanta Baptist Church Site, Southerly side of Tierrasanta Boulevard, approximately 3000 ft. east of Santo Road, Zone R-1-40; and does hereby grant the request, subject to the following conditions:

1. That all requirements of the Building Inspection Department shall be complied with;

2. That use of the temporary facilities shall be for a period of two years from the date of recordation of the final Subdivision Map;

3. That parking and landscaping shall be installed substantially as shown on Plot Plan on file in the Office of the Zoning Administrator of the Planning Department;

4. That a Stop sign shall be installed near the exit in accordance with all requirements of Traffic Engineering.

5. That this variance shall be for a period of one (1) year, to expire March 1, 1978.

FINDING OF FACTS

After reviewing your request for an extension of time, as well as an inspection of the property and the neighborhood, all of which are by reference made a part hereof, it was found that there has been no material change of circumstances since the granting of the original request.

This Extension of Time 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 variance or 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 if a public hearing was held and five (5) days if a public hearing was not held, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

ATTACHMENT 8

The permission granted by this Extension of Time shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk if a public hearing was held and on the sixth day if a public hearing was not held, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days if a public hearing was held and within five (5) days if a public hearing was not held; 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.

CITY PLANNING DEPARTMENT

Voyd H. Beights

Voyd H. Beights
Zoning Administrator

V-E;RCN:wpc

FILED IN OFFICE
OF CITY CLERK

FEB 23 1977

RIGHT OF APPEAL expires
10 DAYS
after the above date.

THIS IS NOT A BUILDING PERMIT

ATTACHMENT 8

RECEIVED
CITY CLERK'S OFFICE
1977 SEP 21 PM 2:44
SAN DIEGO, CALIF.

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

AMENDMENT - CONDITIONAL USE PERMIT - (HEARING)

The Zoning Administrator has considered your request, dated 8/22/77, for Amendment to Case No. 12510, dated 5/17/74 and subsequently extended, which permitted SOUTHWEST BAPTIST CONFERENCE to develop property for use as church, parking, Sunday School and Day Care Nursery - Por. Rosedale Tract, Lot 1 of Tentative Map for Tierrasanta Baptist Church Site, Southerly side of Tierrasanta Boulevard, approximately 3000' east of Santo Road, Zone R-1-40; and does hereby AMEND said permission to include construction of permanent facilities - as shown on revised plans dated 9/20/77 - subject to the following conditions:

1. That parking shall be provided at a ratio of one (1) parking space for each three (3) seats in the main sanctuary or other principal place of assembly;

2. That parking and landscaping shall be installed substantially as shown on the Plot Plan, dated 9/20/77, on file in the office of Zoning Administration;

3. That all requirements of Building Inspection Department shall be complied with;

4. That the use of the temporary facilities shall terminate March 1, 1978.

FINDING OF FACTS

After reviewing the request for an amendment, as well as an inspection of the property and the neighborhood, it was found that there has been no material change of circumstances since the granting of the original request. The first development stage will consist of a day care building and an auditorium with a seating capacity of 300. One Hundred parking spaces will be provided. A future sanctuary is planned, and parking will be provided at a ratio of one parking space for each three seats in the sanctuary.

This Amendment 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 variance 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.

The permission granted by this Amendment shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk 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, any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

Voyd H. Beights

Voyd H. Beights
Zoning Administrator

VHB:CK:fb

Filed in Office
of City Clerk

SEP 21 1977

RIGHT OF APPEAL expires
10 DAYS
after the above date.

ATTACHMENT 8

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

EXTENSION OF TIME

Zoning Administration has considered your request, dated March 1, 1979 for Extension of Time, and does hereby APPROVE the request, subject to the following conditions:

1. That parking shall be provided at a rate of one (1) parking space for each three (3) seats in the main sanctuary or other principal place of assembly;
2. That parking and landscaping shall be installed substantially as shown on the plot plan dated 9/20/77, on file in the office of Zoning Administration;
3. That all requirements of Building Inspection Department shall be complied with;
4. That use of any temporary facilities shall terminate March 1, 1980.

Building removed - no extension necessary - per CK - 7-24-81-fb

FINDING OF FACTS

After reviewing your request for an extension of time, as well as an inspection of the property and the neighborhood, all of which are by reference made a part hereof, it was found that there has been no material change of circumstances since the granting of the original request.

This Extension of Time 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 variance or 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 if a public hearing was held and five (5) days if a public hearing was not held, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Extension of Time shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk if a public hearing was held and on the sixth day if a public hearing was not held, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days if a public hearing was held and within five (5) days if a public hearing was not held; said appeal to be filed in Zoning Administration, Third Floor, City Operation 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.

CITY PLANNING DEPARTMENT

FILED IN OFFICE
OF CITY CLERK

MAR 16 1979

RIGHT OF APPEAL expires
10 DAYS
after the above date.

Joseph T. Flynn, Assistant Zoning Administrator

JTF:CK:rb

ATTACHMENT 8

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

AMENDMENT - CONDITIONAL USE PERMIT

The Zoning Administrator has considered your request, dated 7/13/81, for Amendment to Case No. 12510, dated 4/18/74, which permitted SOUTHWEST BAPTIST CONFERENCE to develop property for use as church plant with day care nursery - Portion Rosedale Tract, Lot 1, Tierrasanta Baptist Church, on southerly side Tierrasanta Boulevard, approximately 3,000' east of Santo Road, Zone R-1-40; and does hereby AMEND said permission to include a 10' x 32' storage building and trash enclosures, subject to the following condition:

That the project shall comply with all requirements of Building Inspection Department.

FINDING OF FACTS

The proposed storage building will be located at the northwest side of the lot, and will observe all required yards. It will be recessed into an existing 10' high bank which separates this property from the adjacent lot, which is improved with a City library and parking lot. Existing improvements on the subject property consist of one-story church building and parking adjacent to Tierrasanta Boulevard. The proposed storage building will be located adjacent to an existing paved driveway, and will not adversely affect any parking or required landscaping.

This Amendment 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 variance 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 five (5) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Amendment shall become effective and final on the sixth day after a decision is made, unless a written appeal is filed on official form and accompanied by required fee within five (5) 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.

CITY PLANNING DEPARTMENT

Joseph T. Flynn

Joseph T. Flynn
Zoning Administrator

JTF:CK:fb

JUL 10 1981

RIGHT OF APPEAL expires
10 DAYS
after the above date.

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

AMENDMENT - CONDITIONAL USE PERMIT

The Zoning Administrator has considered your request, dated October 9, 1981, for amendment to Case No. 12510, dated April 18, 1974 and subsequently amended, which permitted SOUTHWEST BAPTIST CONFERENCE (Vista Grande Church) to develop property for use as church plant with day-care nursery, including a 10' x 32' storage building and trash enclosures - Portion Rosedale Tract, Lot 1, Tierrasanta Baptist Church, on southerly side Tierrasanta Boulevard, approximately 3,000' east of Santo Road, Zone R-1-40; and does hereby AMEND said permission to include two (2) temporary mobile units for use as classrooms for a period of one year, subject to the following conditions:

1. That all requirements of the Building Inspection Department shall be complied with;

2. That the use of the temporary facilities shall terminate 11-5-82;

3. That a minimum of 100 parking spaces remain available to serve the existing facilities.

FINDING OF FACTS

This church facility was originally approved by CUP on 5-17-74. Since that time, the property has been developed incrementally. The lot now contains classroom facilities, a day-care nursery, and an auditorium used for church services, all permanent buildings. A future permanent sanctuary is planned in the future. The proposed temporary mobile unit will accommodate recent growth of the church's Christian Education Program. The original condition requiring one parking space for each 3 seats in the auditorium, now used for church services, has been satisfied. 113 parking spaces are provided to serve a seating capacity of 300.

The proposed mobile units will be located behind the existing permanent buildings and approximately 100' west of Ducos Place. Landscaping and required parking will not be affected and the original uses permitted by this CUP will not be changed.

This Amendment 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 variance 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 five (5) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Amendment shall become effective and final on the sixth day after a decision is made, unless a written appeal is filed on official form and accompanied by required fee within five (5) 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.

CITY PLANNING DEPARTMENT

Joseph T. Flynn
Zoning Administrator

JTF:CK:arb

NOV 13 1981

RIGHT OF APPEAL expires
5 DAYS
after the above date.

ATTACHMENT 8

Ista Grande Church
10881 Tierransanta Blvd.
San Diego, CA 92124

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

EXTENSION OF TIME

Zoning Administration has considered your request, dated October 12, 1982 for Extension of Time, and does hereby APPROVE the request, subject to the following conditions:

1. That all requirements of the Building Inspection Department shall be complied with;

2. That a minimum of 100 parking spaces remain available to serve the existing facilities;

3. That the use of the temporary facilities shall terminate 11-5-83.

FINDING OF FACTS

After reviewing your request for an Extension of Time, as well as an inspection of the property and the neighborhood, all of which are by reference made a part hereof, it was found that there has been no material change of circumstances since the granting of the original request.

This Extension of Time 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 variance or 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 five (5) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Extension of Time shall become effective and final on the sixth day unless a written appeal is filed on official form and accompanied by required fee within five (5) 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.

CITY PLANNING DEPARTMENT

Sharren L. Boyer, Assistant Zoning Administrator

NOV 1 1982

RIGHT OF APPEAL expires
5 DAYS
after the above date.

SLB:CK:eg

ATTACHMENT 8

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12510

AMENDMENT - CONDITIONAL USE PERMIT

The Zoning Administrator has APPROVED the request of SOUTHWEST BAPTIST CONFERENCE (VISTA GRANDE CHURCH) to AMEND Case No. 12510 which permitted Southwest Baptist Conference to develop property for use as Church, parking, Sunday School and Day Care Nursery, with permanent and temporary mobile units for use as classrooms; AMENDMENT approved to include construction of main sanctuary, per plans submitted, Lot 29, Rosedale Tract, Map #825, at 10881 Tierrasanta Boulevard, Zone R-1-40, subject to the following conditions:

1. That parking shall be provided on a ratio of one space for each three seats;

2. That the classrooms approved, based on plans submitted, are for Sunday School classrooms, and are not intended to serve elementary, junior, or high school;

3. That the project shall comply with all requirements of Building Inspection Department.

FINDING OF FACTS

a. The subject property is located on the west side of Tierrasanta Boulevard between Ducos Place and La Cuenta Drive. It also has frontage on Baroque Lane. The subject property is a 4.8 acre irregular-shaped parcel of varied topography. Beginning at street grade at the southwest corner, the property slopes up in a northerly direction. The west half of the property is elevated approximately 10' - 15' from the existing parking lot.

Ducos Place is a 56' wide right-of-way with a distance of 10' from the curb-to-property-line.

A Negative Declaration has been reviewed and approved for the subject property (E.Q.D. No. 83-0414).

The subject property has been graded and partially developed with three structures and three trailer units currently in use as offices, classrooms and for church services and activities. The balance of the site is vacant and contains perimeter landscaping, 38 parking spaces and a partially paved playground.

In 1974 the Conditional Use Permit permitted and subsequently extended owners to develop property for use on a Church, parking, Sunday School, and Day Car Nursery; subsequently amended to include construction of permanent facilities and temporary mobile units for use as classrooms.

The surrounding area is improved with one and two-story, single-family residences to the south and west of the subject property, multi-family residences to the east, and a fire station and library site which is currently under construction adjacent to the north of the subject property.

The applicants are requesting to amend C-12510 to include the construction of a two-story, 10,998 sq. ft., 700 seat church sanctuary building on the same lot with three buildings containing 11,100 sw. ft., for a total of 22,098 sq. ft. The proposal will result in a .10 Floor Area Ratio where .60 Floor Area Ratio is the maximum permitted. The main floor will contain classrooms and offices. The upper floor will contain a 700 seat capacity, including a library and two counselling offices. Parking will be increased from 38 to 256 spaces off Baroque Lane. The existing three buildings along Tierrasanta Boulevard will continue to be used as classrooms.

In view of the foregoing and conditions imposed, the Hearing Officer found that the proposed use will not adversely affect 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.

b. The proposed use will comply with all the relevant regulations in the Municipal Code.

This Conditional Use Permit Amendment is not a permit or license and any permits and licenses required by law must be obtained form 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 Amendment shall be subject to revocation; provided, however, th 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 Amendment shall become effective and final on the eleventh day after a decision is made; 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.

CITY PLANNING DEPARTMENT

Joseph T. Flynn
Zoning Administrator

JTF:JB:jma

SEP 9 1993
RIGHT OF APPEAL expires
10 DAYS
after the above date.

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

THE CITY OF SAN DIEGO

Community Planning Committee Distribution Form Part 2

Project Name:	Project Number:	Distribution Date:
Legacy Church NUP	633590	05/31/2019

Project Scope/Location: 12,000SF 5,000SF

TIERRASANTA - (Process 2) Neighborhood Development Permit to amend the CUP#12510 to construct a new 25,000 SF Ministry Building and reduce the approved 17,000 SF Sanctuary Building to a 14,000 SF, in the Legacy Church Campus, at 10881 Tierrasanta Blvd. The 4.8-acre site is in the RS-1-7 Zone of the Tierrasanta Community Plan Area. Council District 7.

For use as additional pre-school classrooms on the first floor (as noted on the Site Plan ASP-100 in a summary table noting adding 34 students (from am original request to add 36) to the existing 166 as a 20% increase).

Applicant Name:	Applicant Phone Number:
Harper, Tyler	(858) 761-5371

Project Manager:	Phone Number:	Fax Number:	E-mail Address:
Blake, Martha	(619) 446-5375	(619) 446-5245	MBlake@sandiego.gov

Committee Recommendations (To be completed for Initial Review):

	Members Yes	Members No	Members Abstain
☒ Vote to Approve	8	0	1
☐ Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Deny	Members Yes	Members No	Members Abstain

☐ No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) ☐ Continued

CONDITIONS: Clarify existing CUP and location of approved square footage to be 'moved'. Intended Use; church, school, daycare, community, etc. Hours and Days of Operation. Traffic and Parking impacts/study.

NAME: JAN WHITACRE	TITLE: CHAIRCPG
SIGNATURE:	DATE: 3 July 2019

Attach Additional Pages If Necessary.

Please return to:
Project Management Division
City of San Diego
Development Services Department
1222 First Avenue, MS 302
San Diego, CA 92101

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

(01-12)

ATTACHMENT 10

SD	**City of San Diego** **Development Services** 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	**Ownership Disclosure Statement**	**FORM** **DS-318** **October 2017**

Approval Type: *Check appropriate box for type of approval(s) requested:* ☑ Neighborhood Use Permit ☐ Coastal Development Permit ☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ **Other** _____

Project Title: Legacy Church Campus **Project No. *For City Use Only*:** _____

Project Address: 10881 Tierrasanta Blvd. San Diego CA 92124

Specify Form of Ownership/Legal Status (please check):

☑ Corporation ☐ Limited Liability -or- ☐ General – What State? _____ Corporate Identification No. _____

☑ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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 owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: Curtis Gruber (Legacy Church) ☑ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 10881 Tierrasanta Blvd

City: San Diego State: CA Zip: 92124

Phone No.: 858-761-5371 Fax No.: — Email: tylerchaseharper@gmail.com

Signature: Curtis B Gruber Date: April 11, 2019

Additional pages Attached: ☐ Yes ☑ No

Applicant

Name of Individual: Tyler C. Harper ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 8110 El Paseo Grande #105

City: La Jolla State: CA Zip: 92037

Phone No.: 858-761-5371 Fax No.: — Email: tylerchaseharper@gmail.com

Signature: Ty C Date: 5/21/19

Additional pages Attached: ☐ Yes ☑ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

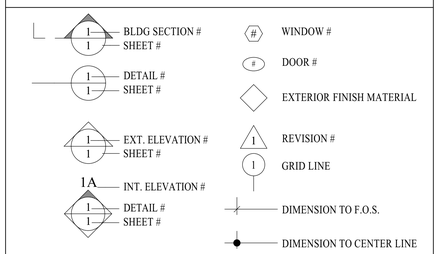
Additional pages Attached: ☐ Yes ☐ No

Legacy Church Campus

ABBREVIATIONS

A.B.	Anchor Bolt
A.C.	Asphaltic Cement
A/C	Air Conditioning
ADJ	Adjacent
A.F.F.	Above Finish Floor
ALT	Alternate
ALUM	Aluminum
AUTO	Automatic
B.F.	Bottom of Footing
BLK(G)	Block(ing)
BM.	Beam
BOT.	Bottom
BRG.	Bearing
C.I.	Cast Iron
℄	Center Line
C.J.	Ceiling Joist
CLG.	Ceiling
CNTR	Counter
COL.	Column
CONC.	Concrete
CONT.	Continuous
CORR.	Corridor
C.T.	Ceramic Tile
DBL	Double
D.F.	Douglas Fur
DR	Door
D.S.	Downspout
DWG.	Drawing
EA	Each
E.F.	Each Face
ELEC.	Electrical
ELEV.	Elevation
E.N.	Edge Nail
E.S.	Each Side
EWC	Electrical Water Cooler
EQ	Equal
EXIST.	Existing
EXT.	Exterior
F.D.	Floor Drain
FAU	Forced Air Unit
FDN	Foundation
F.E.	Fire Extinguisher
FF	Finish Floor
FG	Finished Grade/Fixed Glass Fixed Glass
FIN	Finish
FIXT.	Fixture
FLR.	Floor
FN	Field Nail
FOC	Face of Concrete
FOM	Face of Masonry
FOS	Face of Stud
FTG	Footing
GA.	Galvanized
GFI	Ground Fault Interrupter
GL.	Glass
GI	Galvanized Iron
G.R.	Grade
GYP.BD.	Gypsum Board
H.B.	Hose Bibb
H.C.	Hollow Core
HDR	Header
HTG	Heating
INT	Interior
INSUL.	Insulation
JST	Joist
LAM.PLAS	Laminated Plastic
MAS	Anchor Bolt
MAT'L	Material
MAX.	Maximum
M.B.	Machine Bolt
MFGR	Manufacturer
NG	Natural Grade
N.I.C.	Not In Contract
N.T.S.	Not To Scale
O/C	On Center
ℙ	Property Line
PLYWD	Plywood
PNL	Panel
P.O.C.	
PR	Pair
P.T.D.F.	Pressure Treated Douglas Fur
R.	Radius
REINF.	Reinforce(ment)
REQD.	Required
RG	Rough Grade
RWD	Redwood
S.C.	Solid Core
SHTG	Sheathing
SHT.	Sheet
SIM	Similar
SQ.	Square
STL	Steel
STRUCT	Structural
SUSP	Suspended
T.B.	Top of Beam
T.C.	Top of Concrete
T.F.	Top of Footing
T & G	Tongue & Groove
T.S.	Top of Slab
T.W.	Top of Wall
TYP.	Typical
U.O.N.	Unless Otherwise Noted
V.C.T.	Vinyl Composition Tile
V.T.R.	Vent Thru Roof
W/	With
WP	Waterproof
W/O	Without
W.R.	Water Resistant
W.W.F.	

SYMBOLS



Owner:

Legacy Church
10881 Tierrasanta Blvd
San Diego, CA 92124
Phone: (858) 560-5686
Contact: Mr. Curt Gruber
E-mail: adays@legacysd.org

Applicant:

Harper Communities Inc.
8110 El Paso Grande Ste. 105
San Diego, CA. 92037
Phone: (304) 918-3353
Contact: Andre Graf
E-mail: andre@harpercommunities.com

CODES

THIS PROJECT WILL COMPLY WITH THE FOLLOWING BUILDING CODES AND ASSOCIATED CITY OF SAN DIEGO AMENDMENTS:

2016 CALIFORNIA BUILDING CODE (CBC)
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
2016 CALIFORNIA ELECTRICAL CODE (CEC)
2016 CALIFORNIA MECHANICAL CODE (CMC)
2016 CALIFORNIA PLUMBING CODE (CPC)
2016 CALIFORNIA FIRE CODE (CFC)
2016 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS (CBEES)

GENERAL NOTES

1. The project will comply with all requirements of Building Inspection Department.

2. The proposed use will comply with all the relevant regulations in the Municipal Code.

3. Plumbing fixtures and fittings may not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code; and Appliances and fixtures for commercial applications shall meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code.

4. The project will provide more short- and long-term bicycle parking spaces than required in the City's Municipal Code (Chapter 14, Article 2, Division 5).

5. The proposed project will comply with all the requirements of the current City of San Diego Storm Water Standards Manual before a Grading or Building permit is issued. It is the responsibility of the owner/designer/applicant to ensure that the current storm water permanent BMP design standards are incorporated into the project.

6. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

PROJECT INFORMATION

SITE ADDRESS:
10881 Tierrasanta Blvd, San Diego, CA 92124

ASSESSOR'S PARCEL NUMBER:
455-060-4000

LEGAL DESCRIPTION:
LOT 29, Rosedale Tract, Map #825

(E) OCCUPANCY:
MIXED E & B

(E) TYPE OF CONSTRUCTION:
TYPE V-1 HR

EXISTING ZONING:
RS-1-8

CONDITIONAL USE PERMIT NUMBER:
C-12510

(N) OCCUPANCY:
MIXED E & B

(N) TYPE OF CONSTRUCTION:
TYPE V-1 HR

Conditional Use Permit Amendment (Process 3) for the expansion of the existing childcare entitled use C-12510 per San Diego Municipal Code (SDMC) section 126.0303(a), 126.0304(a) and 126.0305 on the Legacy Church Campus.

The proposed project is located on a 4.8-acre site located at 10881 Tierrasanta Boulevard within the Tierrasanta Community Plan Area.

The site is zoned RS-1-8 with overlay zones including Aiport Influence Area, Fire Brush Zones, and High Fire Severity Zone.
Development regulations are governed by a Conditional Use Permit No. C-12510.
The Tierrasanta Community Plan identifies the land use as Low-Medium Residential use.

Currently state licensing allows 166 children (20 infants, 98 pre-school and 48 school age). The project proposes to add 48 children for a total of 214.

VICINITY MAP

SHEET INDEX

General	
G-001	Title Sheet / General Info
Architectural	
ASP-100	Site Plan - Existing
ASP-101	Site Plan - Proposed
ASP-102	Site Plan - Entitled
A-101	Proposed Plans
A-102	Building Elevations
Landscape	
L-001	Landscaping Plan

Legacy Church Campus
10881 Tierrasanta Blvd,
San Diego, CA 92124

STATUS:/		BY	REVISIONS	DATE
DATE:	05/28/2019	SJ	City Submittal	05/28/2019
DRAWN BY:	SJ, DM	SJ	City Re-Submittal	09/23/2019
SCALE:		SJ	City Re-Submittal	01/23/2020
		SJ	City Re-Submittal	05/07/2020
Sheet Number: 1 of 7		SJ	City Re-Submittal	08/04/2020

Sheet Titles:
Title Sheet / General Info

HARPER COMMUNITIES

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And were created and develop for use on, and in connection with this project. None of such ideas, design, arrangements or plans shall be used by any person or business for any purpose whatsoever without the written permission of Harper Communities.
Filing these drawings or specifications with any public agency is not a publication of same. Unauthorized reproduction is not permissible.

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

G-001

Plotted On: 09/01/2020

ATTACHMENT 11

GENERAL NOTES

1. All public improvements that are not State Accessibility compliant and not to current City Standards, including driveways and curb ramps, shall be constructed to current city standards at the time of the ministerial building permit.

2. All private encroachments in the public right of way shall require an EMRA (Encroachment Maintenance and Removal Agreement) at the time of the ministerial building permit.

3. The existing water and sewer services will remain.

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

Parking for Phase 1-2:	Required	Provided
Sanctuary seating capacity	300 seats	300 seats
Parking Ratio	3:1	3:1
Standard	96	101
Accessible	4	4
Total	100	105

Phase:	Floor Area	Students	Preschool Staff	Church Staff
Phase 1-2 (Existing)	14,640 sf	166	30	2
Phase 3 (Proposed)	2,500 sf	48	4	0
Phase 4 (Entitled)	17,000 sf	0	0	8
Total Phases 1-4:	**34,140 sf**	**214**	**34**	**10**

Setbacks	Allowable per Code (ft)	Actual New Child Care Building (ft)
Min Front setback (ft)	25'	25'-3"
Min Side setback (ft)	10'	25'-0"
Min Street side setback (ft)	20'	23'-0"
Max structure height (ft)	35'	28' *

* Note: 1999 CUP Plans allow 38' tower heights.

Site Plan Existing

1

SCALE: 1/16" = 1'-0"

Gross Floor Area Calculations

Building Area:	per 1983 Neg. Declaration	1999 Remodel	Proposed Revision
Entitled Sanctuary	20,000 sf	17,000 sf	17,000 sf
Existing Building	11,640 sf	14,640 sf	14,640 sf
Child Care Building			2,500 sf
Total	31,640 sf	31,640 sf	34,140 sf

The CUP approved 31,640 sf Church and Day Care results in a .15 Floor Area Ratio when a .60 Floor Area Ratio is the maximum permitted.
Note: Building sf are estimated based on viewing CUP documents in City files.
MAJOR USE PERMIT NUMBER: C-12510

Legacy Church Campus

10881 Tierrasanta Blvd,
San Diego, CA 92124

HARPER COMMUNITIES

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And were created and develop for use on, and in connection with this project. None of such ideas, design, arrangements or plans shall be used by any person or business for any purpose whatsoever without the written permission of Harper Communities.
Filing these drawings or specifications with any public agency is not a publication of same. Unauthorized reproduction is not permissible.

STATUS:/	BY	REVISIONS	DATE
DATE: 05/28/2019	SJ	City Submittal	05/28/2019
DRAWN BY: SJ, DM	SJ	City Re-Submittal	09/23/2019
SCALE: 1/16" = 1'-0"	SJ	City Re-Submittal	01/23/2020
	SJ	City Re-Submittal	05/07/2020
	SJ	City Re-Submittal	08/04/2020

Sheet Number:
2 of 7

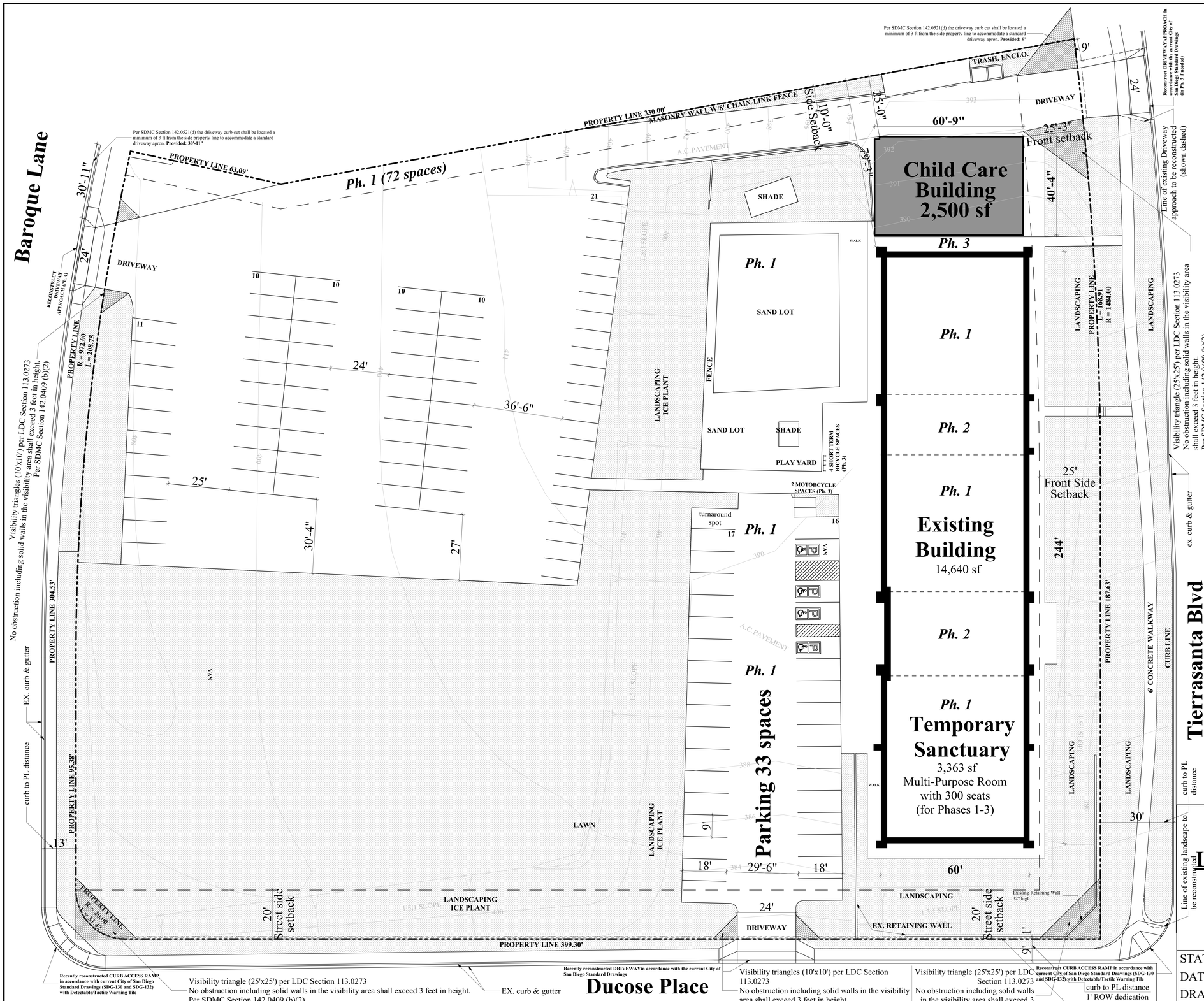
Sheet Titles:
Site Plan - Existing

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

ASP-100

Plotted On: 09/01/2020



GENERAL NOTES

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2. All private encroachments in the public right of way shall require an EMRA (Encroachment Maintenance and Removal Agreement) at the time of the ministerial building permit.

3. The existing water and sewer services will remain.

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

California Child Care Teacher to Child Ratios per Title 22 Regulations (typical centers include for-profit, faith based, non-profit but not state funded) https://www.cdss.ca.gov/getinfo/pdf/ccc7.pdf
o 1:12 1 fully qualified teacher for 12 children. (2-5 years old)
o 1:15 1 fully qualified teacher and 1 aide for 15 children.
o 1:18 1 fully qualified teacher and 1 aide for 18 preschool aged children (3-5 years old)
o 1:4 1 fully qualified teacher for 4 infants, or 1:12 infants teacher with 2 aides
o 1:6 1 fully qualified teacher for 6 toddlers, or 1:12 infants teacher with 1 aide (Toddler Component 18-30 months)
o 1:14 1 fully qualified teacher for 14 school age children,
examples 15 – 28 children= 1 Teacher & 1 Aide; 29 - 42 children = 2 Teachers & 1 Aide;
43 - 56 children = 2 Teachers & 2 Aides.

Parking for Phase 3:	Required	Provided
Sanctuary seating capacity	300 seats	300 seats
Parking Ratio	3:1	3:1
Standard	96	101
Accessible	4	4
Total	100	105
Electical Vehicle Spaces	0	0
Zero emission/carpool spaces	0	0
Motorcycle spaces	2	2
Short term Bicyle spaces	2	4
Long term Bicycle spaces	0	0

Phase:	Floor Area	Students	Preschool Staff	Church Staff
Phase 1-2 (Existing)	14,640 sf	166	30	2
Phase 3 (Proposed)	2,500 sf	48	4	0
Phase 4 (Future)	17,000 sf	0	0	8
Total Phases 1-4:	**34,140 sf**	**214**	**34**	**10**

Setbacks	Allowable per Code (ft)	Actual New Child Care Building (ft)
Min Front setback (ft)	25'	25'-3"
Min Side setback (ft)	10'	25'-0"
Min Street side setback (ft)	20'	23'-0"
Max structure height (ft)	35'	28' *

* Note: 1999 CUP Plans allow 38' tower heights.

Site Plan Proposed

1

SCALE: 1/16" = 1'-0"

Gross Floor Area Calculations

Building Area:	per 1983 Neg. Declaration	1999 Remodel	Proposed Revision
Entitled Sanctuary	20,000 sf	17,000 sf	17,000 sf
Existing Building	11,640 sf	14,640 sf	14,640 sf
Child Care Building			2,500 sf
Total	31,640 sf	31,640 sf	34,140 sf

The CUP approved 31,640 sf Church and Day Care results in a .15 Floor Area Ratio when a .60 Floor Area Ratio is the maximum permitted.
Note: Building sf are estimated based on viewing CUP documents in City files.
MAJOR USE PERMIT NUMBER: C-12510

Legacy Church Campus

10881 Tierrasanta Blvd,
San Diego, CA 92124

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STATUS:/	BY	REVISIONS	DATE
DATE: 05/28/2019	SJ	City Submittal	05/28/2019
DRAWN BY: SJ, DM	SJ	City Re-Submittal	09/23/2019
SCALE: 1/16" = 1'-0"	SJ	City Re-Submittal	01/23/2020
	SJ	City Re-Submittal	05/07/2020
	SJ	City Re-Submittal	08/04/2020

Sheet Number:
3 of 7

1" ACTUAL

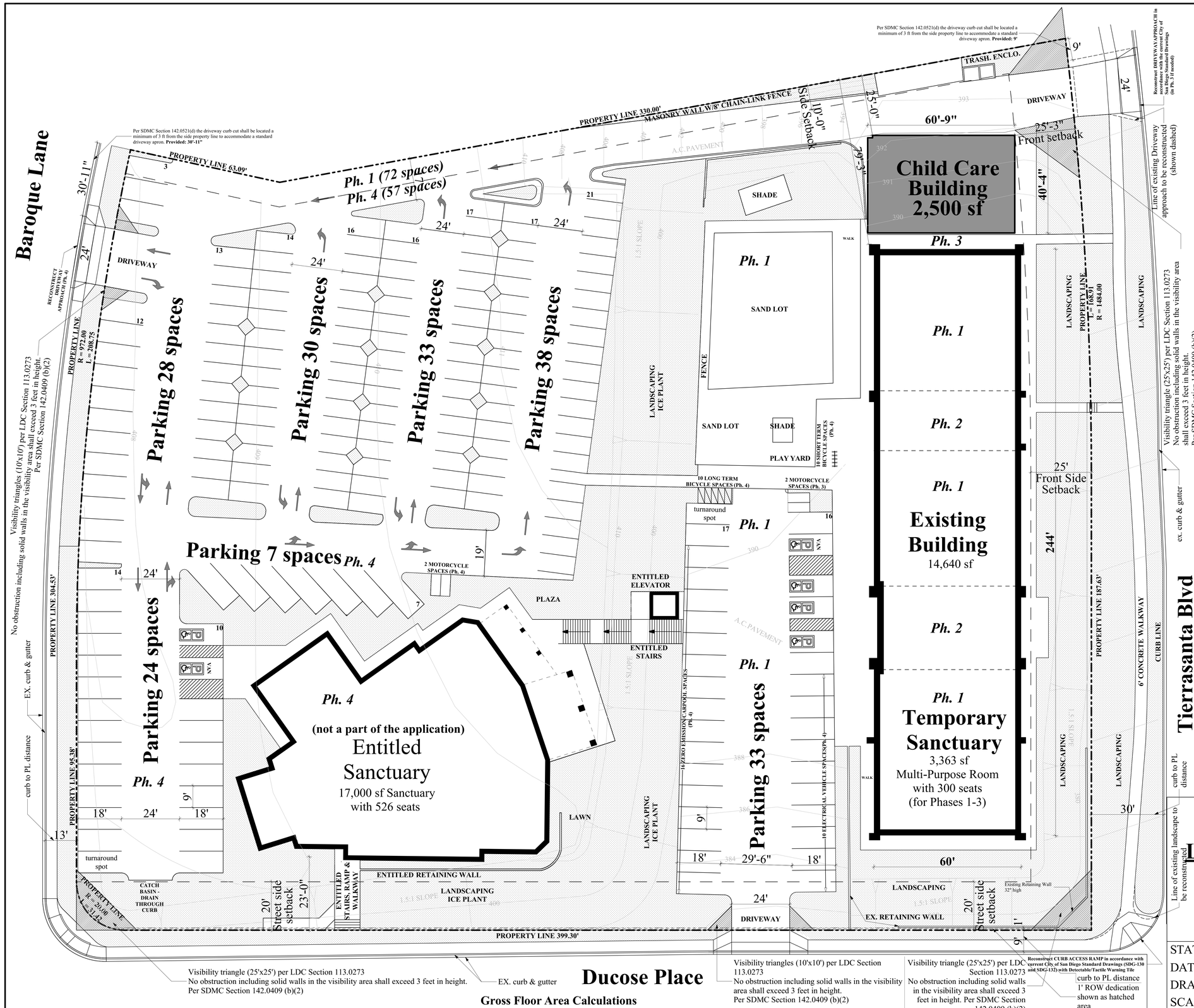
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

Sheet Titles:
Site Plan - Proposed

ASP-101

Plotted On: 09/01/2020

ATTACHMENT 11



GENERAL NOTES

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3. The existing water and sewer services will remain.

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

Parking for Phase 4:	Required	Provided
Sanctuary seating capacity	526 seats	526 seats
Parking Ratio	3:1	3:1
Standard	169	187
Accessible	6	6
Total	175	193
Electical Vehicle Spaces	10	10
Zero emission/carpool spaces	16	16
Motorcycle spaces	4	4
Short term Bicyle spaces	9	10
Long term Bicycle spaces	9	10

Phase:	Floor Area	Students	Preschool Staff	Church Staff
Phase 1-2 (Existing)	14,640 sf	166	30	2
Phase 3 (Proposed)	2,500 sf	48	4	
Phase 4 (Future)	17,000 sf			8
Total Phases 1-4:	**34,140 sf**	**214**	**34**	**10**

Setbacks	Allowable per Code (ft)	Actual New Child Care Building (ft)
Min Front setback (ft)	25'	25'-3"
Min Side setback (ft)	10'	25'-0"
Min Street side setback (ft)	20'	23'-0"
Max structure height (ft)	35'	28' *

* Note: 1999 CUP Plans allow 38' tower heights.

Legacy Church Campus

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SJ	City Re-Submittal	01/23/2020
SJ	City Re-Submittal	05/07/2020
SJ	City Re-Submittal	08/04/2020

1" ACTUAL

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Sheet Number:
4 of 7

Sheet Titles:
Site Plan - Entitled

ASP-102

Plotted On: 09/01/2020

Ducose Place

Gross Floor Area Calculations

Building Area:	per 1983 Neg. Declaration	1999 Remodel	Proposed Revision
Entitled Sanctuary	20,000 sf	17,000 sf	17,000 sf
Existing Building	11,640 sf	14,640 sf	14,640 sf
Child Care Building			2,500 sf
Total	31,640 sf	31,640 sf	34,140 sf

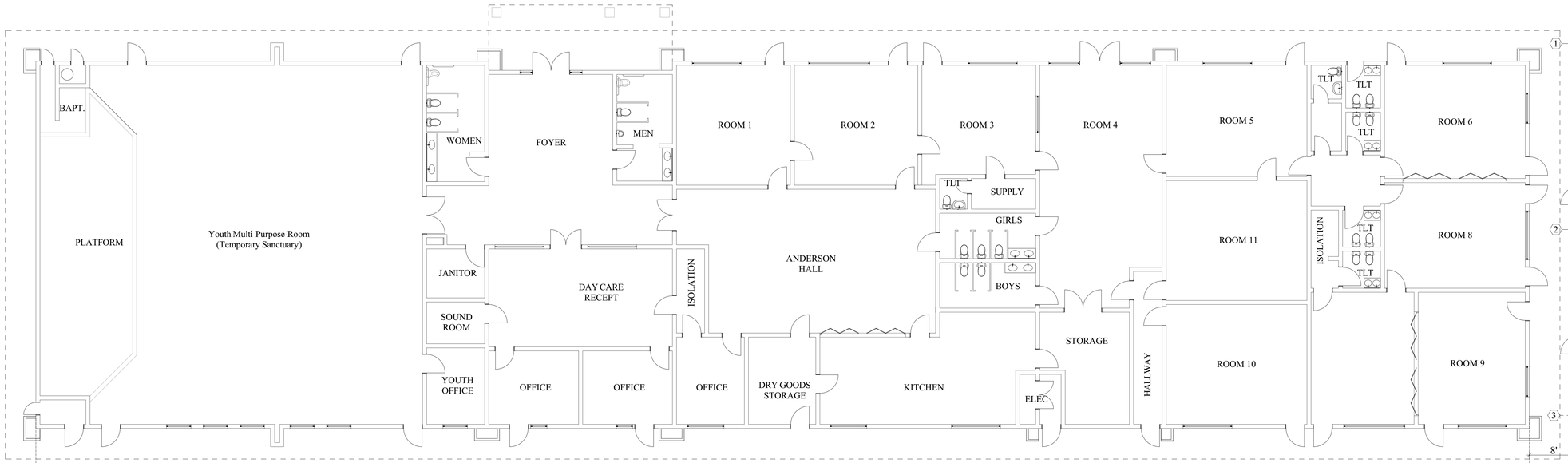
The CUP approved 31,640 sf Church and Day Care results in a .15 Floor Area Ratio when a .60 Floor Area Ratio is the maximum permitted.
Note: Building sf are estimated based on viewing CUP documents in City files.
MAJOR USE PERMIT NUMBER: C-12510

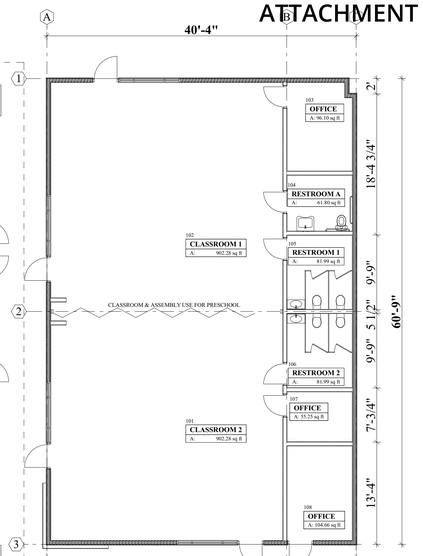
1

Site Plan Entitled

SCALE: 1/16" = 1'-0"

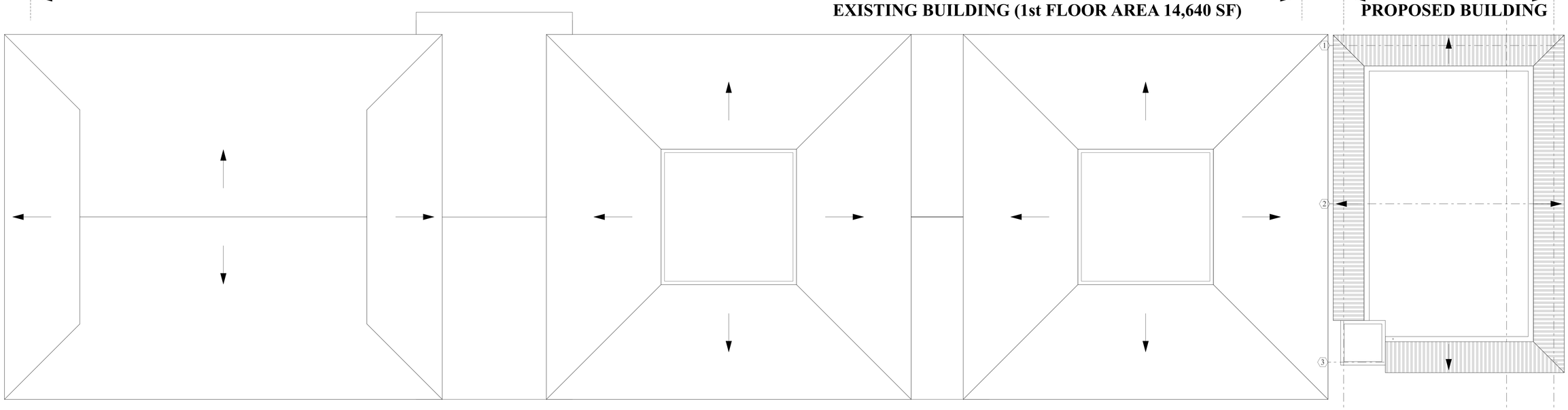
ATTACHMENT 11





EXISTING BUILDING (1st FLOOR AREA 14,640 SF)

PROPOSED BUILDING



1 **1st Floor Proposed Plan**

SCALE: 1/8" = 1'-0"

2 **Proposed Roof Plan**

SCALE: 1/8" = 1'-0"

Legacy Church Campus

10881 Tierrasanta Blvd,
San Diego, CA 92124

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SJ	City Re-Submittal	08/04/2020

Sheet Number:
5 of 7

Sheet Titles:
Proposed Plans

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1" ACTUAL

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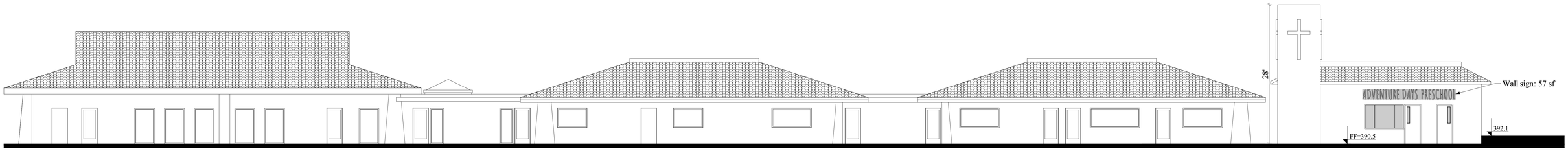
A-101

Plotted On: 09/01/2020

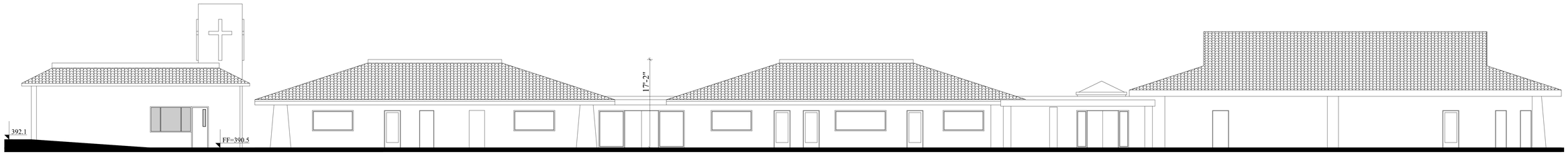


EXISTING BUILDING

PROPOSED BUILDING

NorthEast Proposed Elevation

SCALE 1/8" - 1'-0"

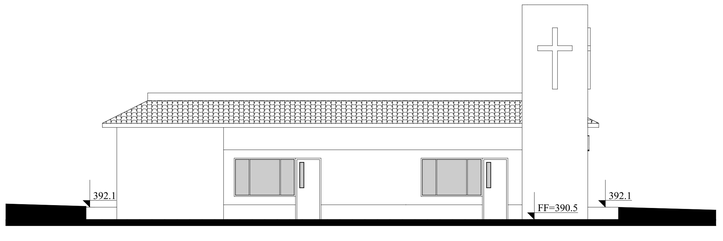


PROPOSED BUILDING

EXISTING BUILDING

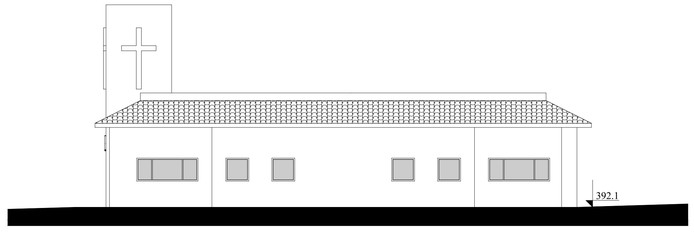
SouthWest Proposed Elevation

SCALE 1/8" - 1'-0"



SouthEast Proposed Elevation

SCALE 1/8" - 1'-0"



NorthWest Proposed Elevation

SCALE 1/8" - 1'-0"

Legacy Church Campus

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San Diego, CA 92124

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DRAWN BY: SJ, DM

SCALE: 1/8" = 1'-0"

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Sheet Number:
6 of 7

Sheet Titles:
Building Elevations

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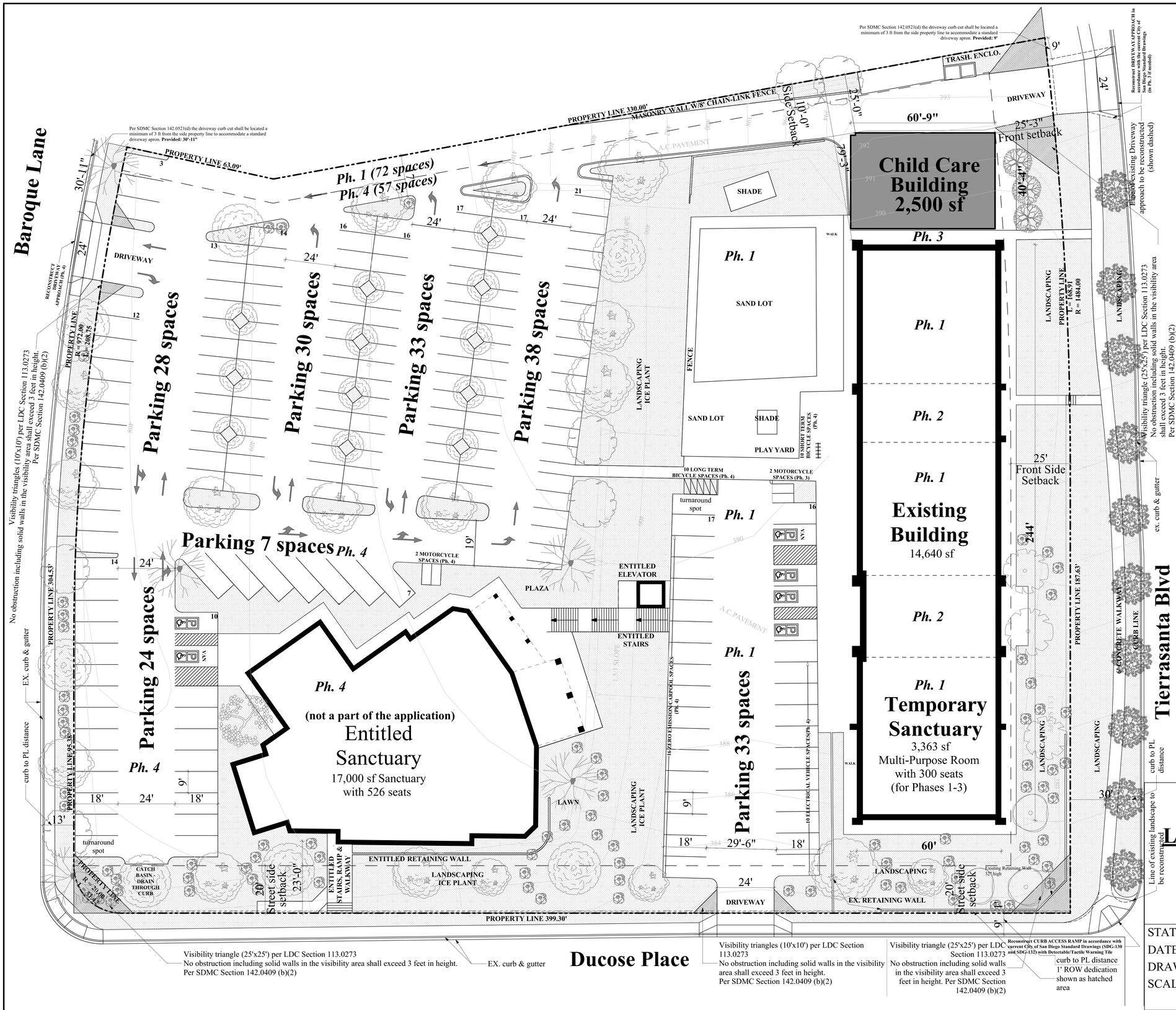
A-102

Plotted On: 09/01/2020

ATTACHMENT 11



GENERAL NOTES

1. "ALL LANDSCAPE AND IRRIGATION AS SHOWN ON THESE PLANS, INCLUDING WITHIN THE PUBLIC RIGHT-OF-WAY, SHALL BE MAINTAINED BY THE OWNER.

   THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION CONSISTENT WITH THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS AND STANDARDS."R.

2. MINIMUM TREE SEPARATION DISTANCE - 30 FEET
   TRAFFIC SIGNALS / STOP SIGNS - 20 FEET
   UNDERGROUND UTILITY LINES - 5 FEET (10' FOR SEWER)
   ABOVE GROUND UTILITY STRUCTURES - 10 FEET
   DRIVEWAY (ENTRIES) - 10"
   INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
   *5 FEET ON RESIDENTIAL STREETS RATED AT 25 MPH OR LOWER.

EXISTING

QUERCUS ASRIFOLIA
COAST LIVE OAK (3)
36" BOX.

EUCALYPTUS GLOBULUS
TASMANIAN BLUE GUM (3)
24" BOX.

EUCALYPTUS SIDEROXYLON
RED IRONBARK (3)
67% 36" BOX, 33% 24" BOX.

PROPOSED

PLATANUS RACEMOSA
SYCAMORE (15)
40% 36" BOX, 60% 24 BOX".

PRUNUS CERASIFERA
PURPLE-LEAG PLUM (5)
24" BOX.

QUERCUS ASRIFOLIA
COAST LIVE OAK (6)
36" BOX.

TRISTANIA CONFERTA
BRISBANE BOX (21)
24" BOX.

PODOCARPUS [NOW AFROCARPUS] GRACILIOR FERN PINE (1)
24" BOX.

TAM JUNIPERS @ 4'-O.C.

PROPOSED STREET TREES

TIPUANA TIPU
TIPU TREE (11)
24" BOX.

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Sheet Number:
7 of 7

Sheet Titles:
Landscaping Plan

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L-001

Plotted On: 09/01/2020

1

Landscaping Plan

SCALE: 1/16" = 1'-0"