

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

| DATE ISSUED: | May 9, 2012 | REPORT NO. PC-12-058 |
|--------------|--|-----------------------------|
| ATTENTION: | Planning Commission Agenda of May 17, 2012 | |
| SUBJECT: | Initiation of an Amendment to the University Community Plan to increase allowable development intensity of Scientific Research on a 7.076 acre site. | |
| OWNER/ | | |

APPLICANT:

BMR-Executive Drive, LLC

SUMMARY

Issue: Should the Planning Commission INITIATE an amendment to the University Community Plan to increase allowable development intensity of Scientific Research Use on a 7.076 acre site owned by BMR-Executive Drive, LLC? The project site is located at 4775 and 4785 Executive Drive.

Staff Recommendation: INITIATE the plan amendment process.

<u>Community Planning Group Recommendation:</u> On April 10, 2012, the University Community Planning Group voted 15-0-0 in favor of initiating an amendment to the University Community Plan. Their recommendation has been included as Attachment 1.

Environmental Impact: This activity is not a "project" under the definition set forth in CEQA Guidelines Section 15378. Should initiation of the community plan amendment be approved, environmental review would take place at the appropriate time in accordance with CEQA Guidelines Section 15004.

Fiscal Impact: Processing costs would be paid by the applicant.

Code Enforcement Impact: None

Housing Impact: None



Development Services • Planning Division

BACKGROUND

The site is located at 4775 and 4785 Executive Drive within the University Community Planning Area (Attachment 2). The site is designated Scientific Research by the University Community Plan (UCP) (Attachment 3), is located within the Community Plan Implementation Zone (CPIOZ) Type A, is identified as Prime Industrial Lands and is regulated by the Nexus University Science Center - Site Development Permit No. (SDP) 9754.

The uses contemplated by the UCP within areas designated for Scientific Research are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities.

The UCP's goals for industrial development are to:

A) Ensure that industrial land needs as required for a balanced economy and balanced land use are met consistent with environmental considerations.

B) Protect a reserve of manufacturing land from encroachment by non-manufacturing uses.

C) Develop and maintain procedures to allow employment growth in the manufacturing sector. D) Encourage the development of industrial land uses that are compatible with adjacent non-industrial uses and match the skills of the local labor force.

E) Emphasize the citywide importance of and encourage the location of scientific research uses in the North University area because of its proximity to the University of California at San Diego (UCSD).

The main purpose of CPIOZ A within the UCP is to ensure implementation of the Development Intensity Element and to limit uses and development intensity to the levels specified in the Land use and Development Intensity Table (Table 3). The project is located in Subarea 31 as depicted in Figure 26 of the Development Intensity Element and allocated 20,000 square feet per acre of Scientific Research use by Table 3. The Land Use and Development Intensity Table is meant to ensure a balance of land uses in the community while helping to also ensure a workable circulation system. Projects that would differ significantly from the land uses or development intensities in Table 3 would be found to be inconsistent with the community plan. Such projects would require a community plan amendment.

The site is included in the General Plan's Economic Prosperity Element as Prime industrial land on Figure EP-1 which indentifies areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The General Plan provides several policies which are intended to protect base sector industrial uses and those areas identified as prime industrial lands. These include Policies EP-A.1 through A.5 and EP-A.12 through A.15.

SDP 9754 permitted construction of three buildings on 3 existing lots to include one (1) three story building totaling 49,920 sf on Parcel 1, one (1) two-story building totaling 89,678 sf on Parcel 2, and one (1) two-story building totaling 51,858 sf on Parcel 3 (Attachment 2). At 20,000 square feet per acre and total acreage of approximately 9.6 acres, the site was entitled for

a total of 191,456 square feet of Scientific Research use. The proposed amendment would apply to Parcels 2 and 3. Per SDP 9754, a total of 141,536 sf of Scientific Research use is permitted on Parcels 2 and 3. There is an existing building on Parcel 3 which was constructed in 2008 which was never occupied and is currently still in shell condition. A building shell was permitted in 2008, on Parcel 2; however, the building has not yet been built.

The proposed community plan amendment would increase the allowable development intensity of Scientific Research use on Parcels 2 and 3 from 20,000 square feet per acre to approximately 35,300 square feet per acre. This would allow total development intensity of approximately 250,000 square feet where currently 141,536 square feet is permitted. If initiated, the applicant would move forward with a community plan amendment, SDP amendment and development project to demolish the existing shell building and construct approximately 250,000 square feet of scientific research use.

DISCUSSION

The City is unique among jurisdictions in that the process to amend the General Plan and/or a community plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may actually proceed. Community plans are components of the City's General Plan. The proposed amendment is anticipated to result in revisions to the community plan, but would not necessitate text or mapping changes to the General Plan. The staff recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan. The Development Services Department - Planning Division believes that all of the following initiation criteria can be met:

(1) The amendment request appears to be consistent with the goals and policies of the General Plan and University Community Plan:

The site is designated Scientific Research by the University Community Plan. The proposed amendment would increase the allowable development intensity of Scientific Research use on-site and would not result in inconsistencies with the existing land use designation. The Industrial Element of the UCP emphasizes the city-wide importance of and encourages the retention and growth of Scientific Research use in the community because of its proximity to UCSD. Increased intensity would be consistent with this emphasis and the community plan policies regarding retention and growth of Scientific Research in areas designated for industrial development.

The General Plan's Economic Prosperity Element also encourages the growth and retention of base sector industrial uses such as Scientific Research, in areas that are identified as Prime Industrial Lands. Policies EP-A.1 through EP-A.5 and EP-A.12 aim to protect base sector uses that provide quality job opportunities, encourage expansion of existing industrial uses to facilitate retention in the area in which they are located, mitigate any environmental impacts to adjacent land and be adequately served by existing and planned infrastructure.

Adding additional square footage in the UCP for Scientific Research use would allow for companies to locate or expand their business activities at a location close to the UCSD campus and related research facilities that contribute significantly to the City's overall economy as export-oriented business activities. In addition, the increase of square footage would make better use of the site's designation as Prime Industrial Land, particularly considering the reduction in availability of such land both in the City and the University Community Planning area, and the increase in the number of quality employment opportunities in the City. The location of the site adjacent to a significant residential housing supply and mass transit opportunities could reduce travel times on freeways and may promote the quality of life concerns articulated in the General Plan. Any environmental impacts and additional infrastructure needs which may occur as a result of increased intensity would be analyzed should the proposed community plan amendment be initiated.

Approval of a community plan amendment would allow opportunities to implement many sustainable design features and practices discussed in the General Plan that are not otherwise included in the existing and permitted building shells on the site today.

(2) The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design; and

The proposed community plan amendment to increase allowable development intensity of Scientific Research use would help provide additional quality job opportunities including middle-income jobs and provide secondary employment and supporting uses. Retention and growth of scientific research use in this area would also provide greater opportunities for collaboration with other scientific research uses in the immediate vicinity, in the Torrey Pines Mesa area of the community as well as with UCSD.

(3) Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.

The University Community planning area is an urbanized community and all necessary public services appear to be available. If the plan amendment is initiated, an analysis of public services and facilities would be conducted with the review of the amendment.

As outlined above, the proposed plan amendment meets all of the above criteria as described; therefore, staff recommends that the amendment to the University Community Plan be initiated.

The following land use issues have been identified by City Staff. If initiated, these issues, as well as others that may be identified, would be analyzed and evaluated through the community plan amendment review process:

- Evaluate consistency with the Miramar Airport Land Use Compatibility Plan
- Evaluate the Air Quality and Noise Impacts from I-805 and MCAS Miramar

- Evaluate traffic generation and circulation
- Evaluate the accessibility of transit
- Evaluate the ability of the project to incorporate of sustainable design features

Although staff believes that the proposed amendment meets the necessary criteria for initiation, staff has not fully reviewed the applicant's proposal. Therefore, by initiating this community plan amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.

Respectfully submitted,

Christine Rothman, AICP Program Manager – Community Planning Development Services Department

Dan Monroe Senior Planner Development Services Department

Attachments:

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- 1. University Community Planning Group Recommendation
- 2. Vicinity Map
- 3. University Community Plan Land Use Map
- 4. Draft Planning Commission Resolution
- 5. Ownership Disclosure Statement

UNIVERSITY COMMUNITY PLANNING GROUP University Town Center – Forum Hall Executive Committee Monthly Meeting – Tuesday, April 10, 2012 Minutes (Draft)

Directors present: Janay Kruger (JK) (Chair), Kris Kopensky (KK) (Secretary), Milt Phegley (MP) (Membership Secretary), Jana Fortier (JF), Andrew Wiese (AW), Charley Herzfeld (CH), John Bassler (JB), Nan Madden (NM), Pat Wilson (PW), Sam L. Greening (SG), Doug Williamson (DW), George Lattimer (GL), Marilyn Dupree (MD), Petr Krysl (PK), William Geckeler (WG), Ryan Perry (RP), and Alice Tana (AT).

Directors absent: Deryl Adderson (DA), Bruce Rainey (BR), Juan H. Lias (JL).

- 1. Call Meeting to Order Janay Kruger (JK) at 6:03 PM.
- 2. Pledge of Allegiance.
- 3. Agenda Adoption –

Motion: MD motion to approve with no changes seconded by RP. **Vote: Unanimous**

4. Seat Newly Elected & Re-Elected Board Members

5. Declare a Vacancy in the Business 2 District

Motion: Motion to declare seat open by MD and seconded by WG. **Vote: Unanimous**

6. Call for Nominations for Business 2 Seat

a. JK: notice was sent to all b2 members as notice was posted in public librariesb. Rebecca Robinson Wood spoke, interested in running

Motion: Motion to nominate Rebecca Wood by RP, no second.

Motion: Motion to nominate George Lattimer to the B2 seat by PW and seconded by NM.

Vote: To be announced later in meeting as vote was done by secret ballot 7. Approval of March Minutes -

a. PW: emailed several spelling corrections

b. DW: 6c clarification, JB comment "at eastern end of Gilman, hard turn that heads to the north", suggested more, 8 e replace "we" with "they", section K, reword PW comment "great" to "severe"

Motion: Recommend approval of minutes by AT and seconded by JF.

Vote: Unanimous

8. Announcements – Janay Kruger (Chair)

- a. Campus Point speed limit issue, city plans to raise speed limit from 30 to 40 request comment from PD
- b. PD recommends we go to 40 as not changing it would void the use of radar/laser enforcement
- c. Milt Phegley Retirement Party 5:30 p.m. May 8th!

9. SDPD – Steve Shaw

- a. Discussion on reduction of crime in the area as well an update on neighborhood watch program
- b. ramping up beach patrol for the summer

10. Reports-

a. 50th District Brian Bilbray Office – Brian Bilbray

- a. Congressional Update
- b. Congressman Bilbray thanked the UCPG for their contribution to the American experience
- c. Review of items he is working on in Washington

- d. Reviewed Federal budget status
- b. Membership Milt Phegley (Membership Secretary)
 - a. Review of membership and candidate requirements
- c. **UCSD** Milt Phegley
 - a. UCSD Update available and attached
 - b. MP retiring at end of June, a new appointee will be present next month
 - c. JK, announcement of Milt's retirement party, next meeting at 5:30
 - d. Q: Community: is building happening at UCSD that lacks the funding to operate. A: A large amount of the building going on is funded by non government funds, some of the building operation also has funding from non government funds
- d. Councilperson Sherri Lightner Office Sherri Lightner
 - a. Connecting to careers initiative discussed
 - b. Status on water policy implementation
- e. Supervisor Ron Roberts Office absent
- Assemblyman Nathan Fletcher Office- Sterling McHale
 - a. SAFE bill, addressing call box system, bill moving forward on 16th, going to transportation committee vote
 - b. March 28th in UTC, community coffee hours 10:30-12:00 at south UC library
 - c. Military appreciation Month is coming up, care package drive being coordinated, packages can be dropped off at Nathan Fletcher's office
 - d. Nathan has announced that he now is an independent and not affiliated with the Republican party
- g. 53rd District, Susan Davis Office Katherine Fortner
 - a. Davis dispatch distributed
 - b. Review of dispatch
- h. MCAS Miramar Absent
- i. Planning Department Dan Monroe
 - a. Available for questions
- j. Public Comment
 - a. Representative from SEIU spoke about upcoming contract negotiations
- k. Announcement of Secret Ballot Results

Motion: Motion to nominate George Lattimer to the B2 seat by PW and seconded by NM.

Vote: 14 for and 1 abstention, motion passed

11. Election of Officers

a. MP: Call for Chair nominations

Motion: Nominate JK as Chair by MD and seconded by PW.

Vote: Unanimous

Motion: Nominate WG as Vice Chair by JK and seconded by PW.

Vote: Unanimous

Motion: Nominate KK as secretary by MD and seconded by AT. **Vote: Unanimous**

12. Information Item: MTS, Super Loop Update - Mark Tomsen, MTS

- a. Third year anniversary coming up
- b. Super Loop is unique in that it is designed by SANDAG and serviced by MTS
- c. Funded by fare which is 46% of cost, the rest by Transnet tax initiatives, not funded by UCSD
- d. UCSD does pay for student fares ridership, currently over 1.3M people per year 87% of which are UCSD students, 4,500 riders per day
- e. Super Loop will expand to east loop on June 10th expansion made possible by partnership with Westfield and their expansion of the transportation station
- f. Public outreach at UTC transit center for proposals this Friday the 13th

- g. C: JB, Address noise levels that community has brought up as well as parking impact.
 A: Noise issues have been addressed, review of fix. regarding parking in neighborhoods, notes that the problem preceded the super loop and he understands it, suggests forming a parking district
- h. Discussion on parking districts
- i. Q: RP, what percentage of riders are park and ride? A: he will check the survey and get back
- j. Q: RP, do you have a ball park so that the community can hear? A: not answered
- k. Q: PW to MP, has UCSD done studies on ridership? A: MP, no, but he will make a request
- I. Q: AW: are there studies on how many vehicles were parking on the street ahead of the Super Loop being in place? A: He will check to see if that information is available
- m. Q: BG: Can you define a ride on the shuttle; is a boarding round trip or one way? A: A round trip is considered two boardings
- n. JK suggest getting information from MTS and then discus further at next meeting
- o. DW, suggest we make a motion at the next meeting to have the City address

13. Action Item: FBA Update 2012 - Megan Sheffield, Facilities Financing/Project Manager

- a. KK read motion into record, copy attached
- b. C:AT: Concerned that the sub-committee motion was read and not available for review in print
- c. Mayor's office will not allow unencubering Regents Road Bridge project
- d. Q:DW, this draft is based on subcommittee information?, A: Draft from various City departments, then sent to subcommittee for review
- e. C:CH: A large number of the executive committee and stake holders and community members were in attendance at subcommittee meetings
- f. A large amount of debate, questions, and deliberation occurred
- g. C:GL: Think we need to be careful in how we define what the traffic study will do, it will tell us what trips are versus what the FBA says that they are, not necessarily change the Financing plan
- h. C: GL: Thought that language would be added about the FBA not paying fee for public lands. A: this was added and pointed out Q2: Does not see language as suggested about prioritizing projects. A: Letter to City from UCPG will serve this purpose

Motion: Motion to recommend with addition of request to unencumber appropriation for Genesee Road widening by CH and seconded by GL.

Vote: 15 for and 1 abstention (DW) due to lack of information presented prior to the meeting. Motion passed.

i. Subcommittee appointment for review of South UC Summary page, CH, PW, AW, MD, Carol Piatres, and Debbie Knight

14. Note: AW has completed COW course

- 15. Action Item: Bio Med Realty, Request to Initiate a Community Plan Amendment for Table 3, Land Use and Development Intensity, Sub Area 30 - Ryan Bussard, Perkins and Will Architects
 - a. Review of project
 - b. Current parking allotment is 480, amendment change request includes allotment for 875 spaces
 - c. Increasing density to 250 rsf from 141 rsf
 - d. Q: BG: Estimate of professional jobs is 270 additional professional jobs? A: yes
 - e. Q: Community, what is your suggestion on alleviating traffic in the area? A:No specific plans at this time, traffic studies currently under way
 - f. Q: AT are there plans for low level nuclear waste? A: Currently no Tenants are Identified however not typical of their tenants

g. C: GL Bringing up that in the past we have motioned to not remove SR and tonight's vote is to add SR. If we move this forward, it would be useful to this group to understand how much area is left to be developed as SR
 Motion: Motion to recommend approval as presented by GL and Seconded by DW.

Vote: Unanimous

16. Ad Hoc Committees

- a. Torrey Pines City Glider Park Doug Williamson a. No update
- b. Bicycle Safety Committee Petr Krysl a. No update
- c. Mid Coast Trolley –JK a. No update
- d. High Speed Rail Sam Greening a. No update
- e. Scripps Health J. Kruger
 - a. Second EIR with City
- f. La Jolla Crossroads III AT
- a. Meeting needed

17. Old/New Business

18. Adjourn – 9:11 PM

Submitted by:

Kristopher J. Kopensky, Secretary University Community Planning Group





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PLANNING COMMISSION RESOLUTION NO. XXXX-PC

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INITIATING AN AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN

WHEREAS, on May 17, 2012, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering a request to initiate an amendment to the University Community Plan; and

WHEREAS, the proposed amendment would increase the allowable development intensity of Scientific Research land use on a 7.076 acre site located at 4775 and 4785 Executive Drive; and

WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, and written documents presented for this project; NOW, THEREFORE:

BE IT RESOLVED by the Planning Commission of the City of San Diego, that the initiation of a plan amendment in no way confers adoption of a plan amendment, that neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment, and the City Council is not committed to adopt or deny the proposed amendment; and

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Diego determines that the proposed plan amendment meets the three criteria for initiation as described in section LU-D.10 of the Land Use Element of the General Plan:

- a) The amendment request appears to be consistent with the goals and policies of the General Plan and community plan and any community plan specific amendment criteria
- b) The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design
- c) Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process

The following land use issues have been identified with the initiation request. These plan amendment issues, as well as others that have been and/or may be identified, will be analyzed and evaluated through the community plan amendment review process:

- Evaluate consistency with the Miramar Airport Land Use Compatibility Plan
- Evaluate the Air Quality and Noise Impacts from I-805 and MCAS Miramar
- Evaluate traffic generation and circulation

- Evaluate the accessibility of transit
- Evaluate the ability of the project to incorporate of sustainable design features

Dan Monroe Senior Planner Planning Division - Development Services Department

Approved on May 17, 2012 Vote: x-x-x

PTS No. 238283

cc. Legislative Recorder, Development Services Department

| Development Services 1222 First Ave., MS-302 San Diego, CA 92101 The Grazier Real Diego (619) 446-5000 | Ownership Disclosu Stateme |
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| Project Titla Innovation Center | Frojbat No. For Oly Use Only SFT-7-7-7-5-V |
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| Part II - To be completed when property is held by a corporation or partnership | | | |
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| Ex signing the Ownership Disclosure Statement, the Bwner(a) askin as identified above, will be filed with the City of San Diego on the s the property. Please list below the names, liftes and addresses of otherwise, and state the type of property interest (e.g., tenants who in a partnership who own the property). A signature is required of property. Attact, additional pages if needed. Note: The applicant is ownership during the time the application is being processed or co Manager at least thirty days prior to any public hearing on the subj information could result in a delay in the hearing process. Additional | all persons who have an interest in the property, recorded or swill benefit from the permit, all comporate officers, and all permise at least die of the cornolate officers or partners who own the responsible for notifying the Project Managet of any changes in neldered. Changes in ownership are to be given to the Project ect property. Failure to provide accurate and current ownership onal pages attached F Yes S No | | |
| Corporate/Partnership Name (type or print): BMR-EXECUTIVE DRIVE LLC | *Corporate/Pannarship Name (type or print): | | |
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| City/StateZip: San Diego, CA, 92128 Phone No: | CBy/State/Zip: | | |
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