

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	April 23, 2015	REPORT NO. PC-15-046
ATTENTION:	Planning Commission, Agenda of April 30, 2015	
SUBJECT:	APPEAL OF THE HEARING OFFICER DECISION TO GRANT THE EF INTERNATIONAL LANGUAGE CUP. PROJECT NO. 392464. Process Three.	
REFERENCE:	Hearing Officer Report HO-15-041 Planning Commission Report PC-05-121	
LOCATION:	3425-3475 Kenyon Street	
APPLICANT:	EF EDUCATION FIRST	

SUMMARY

Issue(s): Should the Planning Commission grant or deny an appeal of the Hearing Officer's decision to approve the EF International Language School project located within the Midway-Pacific Highway Corridor Community Plan and the Peninsula Community Plan areas?

<u>Staff Recommendation</u>: Deny the appeal and uphold the Hearing Officer decision to **Approve** Conditional Use Permit No. 1373200.

<u>Community Planning Group Recommendation</u> - On November 19, 2014, the Midway Pacific Highway Community Planning Group voted 7-0-0 to approve the project, with no conditions; on November 20, 2014, the Peninsula Community Planning Board voted 11-2-0 to recommend approval of the proposed project, with no conditions.

Environmental Review - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 15303 (New Construction). This project was determined to be categorically exempt from the California Environmental Quality Act on February 27, 2015 and the opportunity to appeal that determination ended March 13, 2015.



Fiscal Impact Statement - No fiscal impact. All costs associated with processing the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - No code enforcement impact.

Housing Impact Statement - No housing impact. The site is currently developed with a vacant hospital facility proposed for redevelopment as an international language school; an existing single-family home will be maintained.

BACKGROUND

This item is an appeal of the Hearing Officer's decision to approve Conditional Use Permit No. 1373200 allowing a change in use of an existing facility, from a hospital use (former Sharp Cabrillo Hospital) to an educational use, on a 6.35-acre project site located at 3425-3475 Kenyon Street. The majority of the property lies within the Midway-Pacific Highway Corridor Community Plan area, is designated for institutional land use and zoned CO-1-2 (Commercial-Office); a small area of the site along the southern property boundary fronting onto Shadowlawn Street is within the Peninsula Community Plan area, is designated for single-family residential land use and zoned RS-1-7 (Residential-Single Family). The project site is currently regulated by CUP No. 211334 (Planning Commission Report PC-05-121). Approved by the City Council on June 21, 2005, the CUP was part of the larger Cabrillo Point Loma Project (PTS 23708) which reduced the property area comprising the hospital facility by eliminating a 7.02-acre portion of the site. This 7.02-acre property adjacent to the project site is zoned CO-1-2 and was developed in 2006 with a 170 unit multi-family condominium development currently known as The Bay at Point Loma.

Per San Diego Municipal Code (SDMC) Section 59.5.0401 (Sound Level Limits), the City's noise standards for multi-family residences are 55 dBA during the daytime (7:00 a.m. to 7:00 p.m.) and 50 dBA during the evening (7:00 p.m. to 10:00 p.m.). Per SDMC Section 142.0740 (Outdoor Lighting Regulations), outdoor lighting fixtures shall be installed to minimize light trespass and are required to direct, shield, and control light to keep it from falling onto surrounding properties. SDMC Section 142.0740 states "Outdoor lighting used to illuminate recreational activities that are not in a residential zone may continue after 11:00 P.M. only when equipped with automatic timing devices and shielded to minimize light pollution."

Project Description:

The project applicant, Education First (EF), proposes to convert the existing vacant hospital facility to an international language school to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-square-foot building to a Student'Activities Center, addition of outdoor recreational space and continued use of an existing single family residence.

Hearing Officer's Decision:

The Hearing Officer considered the project on March 18, 2015 (Attachment 11). Public testimony was presented in favor and in opposition to the project. Issues discussed focused primarily on concerns about the proposed recreational area (lighting, hours of operations and noise). During the public hearing the applicant proposed a draft condition of approval to install a sound attenuation fence along the boundary of the property line they share with The Bay at Point Loma development. The proposed draft condition was the result of the applicant's ongoing discussions with the Bay at Point Loma Community Association. Other public testimony generally related to concerns about the proposed change of use from a vacant hospital facility to an educational use facility (landscape screening along adjacent residential uses, water use for the pool, student parking within the residential neighborhood, student transportation, enrollment/curriculum and operations).

After deliberation and upon close of public testimony, the Hearing Officer approved the project with the addition of two conditions to the Conditional Use Permit. The Hearing Officer limited the hours of operation of the outdoor recreational use areas (including swimming pool, soccer field and sand volleyball courts) to 8AM to 9PM daily, and accepted the applicant's offer to install a noise attenuation fence along the southwestern property boundary, adjacent to the Bay at Point Loma multi-family development (Condition No. 27, No. 28 - Attachment 6).

Appeal of Hearing Officer's Decision:

On April 2, 2015, Mr. Jerome Eggers filed an appeal of the Hearing Officer's decision to approve Conditional Use Permit No. 1373200 (Attachment 1), citing factual error, findings not supported and new information as the reasons for the appeal.

DISCUSSION

Following are concerns raised in Mr. Egger's appeal, and staff responses:

<u>Appeal Issue 1</u>: "The Hearing Officer should have found that 50 abutting residences would suffer noise nuisance from night-time use of athletic fields and imposed a condition prohibiting field lighting and requiring suspension of use at dusk."

<u>Staff Response</u>: On the western portion of the site adjacent to The Bay at Point Loma condominium development and in the location of an existing parking lot (to be demolished), the project proposes installation of an outdoor community and recreational space, including a swimming pool, soccer field (smaller than regulation) and two (2) sand volleyball courts. Along this property edge are five (5) 3-story, multi-family residential structures. The residential units in this area have window openings facing east across the proposed recreation areas/current parking lot, however, no balconies, patios or outdoor activity areas directly face the project site (Attachment 7). An existing solid and continuous block wall approximately 6 feet in height is

located along the property line between the project site and the residences. The edge of the proposed recreational space will be approximately 10 feet from the property line, resulting in a distance of approximately 25 feet from the residential structures, however, the primary recreational activities would occur at a greater distance due to the nature of soccer, volley ball and swimming pool activities. Along the western edge of the recreational area fourteen (14) 24" box screening trees will be planted as a landscaped buffer between the site and the adjacent multi-family development.

Operationally, the soccer field and volleyball courts will be utilized for pick-up games and not organized events. The proposed soccer field will be smaller than regulation size, and will not include bleachers, designated spectator areas, or a public address system. Peak activity time on the soccer field is anticipated between 4:00 p.m. and 7:00 p.m. Peak time use of the two (2) sand volleyball courts is anticipated between 3:00 p.m. and 5:00 p.m. The pool will be utilized for recreational swimming between 10:00 a.m. and 7:00 p.m. with peak time activity estimated between 3:00 p.m. and 5:00 p.m.

A noise analysis prepared for the project ("EF International Language School – Noise Analysis", dated January15, 2014 by Michael Baker International) included analysis of existing conditions and the proposed outdoor recreational space. Existing noise level in the area closest to the project site and neighboring condominiums was measured at 60.6 dBA. Because they have different noise generating characteristics and operational use times will vary, each type of recreational use planned for the outdoor activity area (pool, soccer and volley ball) was studied both for individual and combined use noise levels. The analysis assumed the pool area closed at dusk (prior to 7:00 p.m.).

Regarding daytime recreational noise levels, the report concluded that the noise levels anticipated from individual uses (soccer: 49.4 dBA, volleyball: 49.4 dBA, and pool: 50.5dBA) and the combined noise levels from simultaneous use of each recreational area (soccer/volleyball/pool: 54.6 dBA) would be within the City's daytime standard 55 dBA for multi-family uses, and lower than the existing ambient noise level of 60.6 dBA. Regarding night time recreational noise levels, the report concluded that the noise levels from individual uses (soccer: 49.4 dBA, volleyball: 49.4 dBA) and the combined noise levels (soccer/volleyball: 49.4 dBA) would be within the City's evening standard 50 dBA for multi-family uses.

Twelve (12) lighting fixtures approximately 25 feet in height are proposed within the recreational use area (6 at soccer field; 2 at volleyball court; 4 at pool area). To meet SDMC outdoor lighting requirements to minimize spill and glare, the applicant reports that they will utilize sports grade lighting with shields. These lighting fixtures have the capability to be directionally controlled, thereby allowing the lighting fixture to focus a cone of light on an area and prevent lateral spread of light. Condition No. 26 of the CUP specifies that "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."

The project applicant met numerous times with the Bay at Point Loma Community Association (BPLCA) as part of their public outreach efforts (Attachment 8). At the Hearing Officer public

hearing, the applicant presented information from their latest discussions with the BPLCA indicating that the BPLCA would be favorable to the installation of a sound attenuation fence along the joint property line adjacent to the proposed outdoor recreation areas (Attachment 9). The applicant testified they understood the fence was not required, but as a goodwill gesture they'd be willing to include a sound attenuation fence as a project feature. The Hearing Officer acknowledged the offer and added a condition to the CUP that prior to the issuance of any building permit(s) for a fence structure, the fence would need to be reviewed by staff through a Substantial Conformance Review (SCR) to ensure the design would meet the design regulations of the underlying CO-1-2 zone.

The Hearing Officer considered testimony at the hearing related to noise generation, lighting and land use associated with the proposed outdoor recreational area. Public testimony and project application materials indicate that daytime and evening recreational noise levels will be within the City's daytime and evening regulatory standards for multi-family uses. Although SDMC Section 142.0740 would generally allow outdoor lighting used to illuminate recreational activities that are not in a residential zone to continue after 11:00 P.M., to support making the necessary CUP findings (Attachment 5) to approve the proposed project, the Hearing Officer modified Condition No. 27 of the CUP to further limit the hours of operation of the outdoor recreational area, changing the staff recommendation of 8AM to 10PM daily, to 8AM to 9PM daily.

<u>Appeal Issue 2</u>: "No notice of hearing by the Midway/Pacific Highway Community Planning Group or the Peninsula Community Planning Group was given to appellant or Bay at Point Loma Community Association member-owners."

<u>Staff Response</u>: Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" establishes operating procedures for recognized community planning groups to ensure compliance with California's Open Meeting Law and the Ralph M. Brown Act. These procedures require community planning groups to post a meeting agenda at least 72 hours before a regular meeting in a place freely accessible to the general public. Additionally, if a community planning group maintains a website, the agenda should also be posted on that website at least 72 hours in advance of the meeting, and community planning groups shall offer their agendas to the City for posting on the City's website. Council Policy 600-24 may be reviewed via the following link to the City of San Diego webpage: http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf.

The Chair of the Midway Pacific Highway Community Planning Group (MPHCPG) has confirmed that 72 hours prior to their November 19, 2014, review and approval of the project, the agenda for the meeting was posted on the bulletin board at the San Diego Community College campus where the MPHCPG monthly meeting is held, in accordance with CP 600-24. Two meetings with the MPHCPG prior to the vote were also put on the agenda and posted, a preliminary meeting on July 17, 2014, and an information update meeting on September 17, 2014. The Midway Pacific Highway Community Planning Group does not maintain a website.

The Chair of the Peninsula Community Planning Board (PCPB) has confirmed that 72 hours prior to their November 20, 2014, review and approval of the project, the agenda for the meeting was posted at the Peninsula Library and additionally on their PCPB website: <u>http://pcpb.net</u>.

Appeal Issue 3: "See March 17, 2015 letter attached and incorporated by reference."

<u>Staff Response</u>: The appellant testified at the Hearing Officer hearing on March 18, 2015 and provided correspondence dated March 17, 2015 to the Hearing Officer for consideration (this correspondence was attached to the appeal). The applicant reports that in the time since the March 17, 2015, letter was signed, excepting the appellant Mr. Eggers, EF has come to an understanding with the Bay at Point Loma Board and its residents, and that the Bay at Point Loma Board of Directors has communicated to EF that the appeal does not reflect the Board's position nor do they support the appeal.

Issues in the letter not discussed in other areas of this report include questions regarding legal enforcement of the permit, water supply assessment relative to the proposed swimming pool, and the proposed installation of trees. As a condition of approval, the CUP will be recorded on the project property, and is a covenant running with the subject property which regulates the development and operation of the site and the project. All of the requirements and conditions of the CUP and related documents are binding upon the Owner/Permittee and any successor(s) in interest. Any violation of the permit conditions is subject to code enforcement action by the City and could void the CUP. A water supply assessment was not required for the project. In order to provide visual screening (not noise attenuation) from adjacent residential uses, landscaping improvements will be installed along the eastern, southern and western perimeter of the property. Fourteen (14) 24" box screening trees will be planted along the western edge of the outdoor recreational use area as a visual buffer between the site and The Bay at Point Loma multi-family development.

Appeal Issue 4: "Permittee breached agreement to provide binding letter of intent."

<u>Staff Response</u>: City staff is not aware of a binding letter of intent with the appellant and/or Permittee. Appeal issue appears to reference a private matter between appellant and the Permittee not associated with the Hearing Officer's decision to approve the project.

Conclusion

The proposed conversion of the existing hospital facility to an international language school facility will reactivate a 6.35-acre site which has been sitting unused for over five years. Adaptive reuse of an older vacant hospital building is a unique challenge, and the proposed reuse as an educational facility, under the terms of Conditional Use Permit 1373200, will not adversely affect the Midway-Pacific Highway Corridor Community Plan or the Peninsula Community Plan, and will provide many benefits to the community. The project complies with the applicable San Diego Municipal Code regulations and requirements, and no deviations are required. Staff recommends the Planning Commission deny the appeal and uphold the Hearing Officer's approval of Conditional Use Permit No. 1373200.

ALTERNATIVES

- 1. Deny the appeal and Approve Conditional Use Permit No. 1373200, with modifications.
- 2. Grant the appeal and Deny Conditional Use Permit No. 1373200, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Assistant Deputy Director Development Services Department

Patricia J. FitzGerald Development Project Manager Development Services Department

WESTLAKE/PJF

Attachments:

- 1. Appeal of Mr. Jerome Eggers, dated April 2, 2015
- 2. Aerial Photograph
- 3. Community Plan Land Use Maps
- 4. Project Location Map
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Photo of Existing Adjacency Conditions
- 8. Applicant Public Outreach
- 9. BPLCA Correspondence dated March 18, 2015
- 10. CEQA Notice of Exemption
- 11. Hearing Officer Report No. HO-15-041

City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101	Development Permit/ FORM Environmental Determination DS-303 Appeal Application October 2012			
See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure. 1. Type of Appeal: Process Two Decision - Appeal to Planning Commission Process Three Decision - Appeal to Planning Commission Process Four Decision - Appeal to City Council Process Four Decision - Appeal to City Council				
2. Appellant Please check one Applicant (113.0103)	Officially recognized Planning Committee A "Interested Person" (Per M.C. Sec.			
	E-mail Address: <u>eggerssel</u> C Pachell net <u>San Dieco</u> <u>CA</u> <u>92110</u> (<u>G19</u>) <u>523.2287</u> val being appealed). Complete if different from appellant. Der and EKEKTA CABRILLO ; permistee	_		
4. Project Information Permit/Environmental Determination & Permit/Docum アアロデビス NO・392464; 107 Decision (describe the permit/approval decision):	ment No.: Date of Decision/Determination: City Project Manager: 2005/93 MARCH 18, 2015 P.J. Fitz Gevald			
APPROVE CONDICTIONAL 5. Grounds for Appeal (Please check all that apple Factual Error Conflict with other matters Findings Not Supported	USE PERMIT 1373200 RECEIVED APR 0 2 2015 New Information City-wide Significance (Process Four decisions only) DEVELOPMENT SERVICE	2		
Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in <u>Chapter 11. Article 2. Division 5 of the San Diego Municipal Code</u> . Attach additional sheets if necessary.) 1. THE HEARING OFFICER JHOULD HAVE FOUND THAT 5D ABUTTING				
DESIDENCES WOULD SUPPER NOISE NUISANCE FROM NIGHTIME USE OF ATHLETIC FIELDS AND IMPOSED & CONDITION PROHIBITING				
FIELD LIGHTING AND REQUIRING SUSPENSION OF USE AT DUSK. (FINDINGS NOT SUPPORTED) 2. NO NOTICE OF HEARING BY THE MIDWAY/PACIFIC HIGHWAY				
WIMMUNITY PLANNING GROUP OR THE PERMISULA COMMUNITY PLANNING GROUP WAS GIVEN TO APPELANT OR BAY AT POINT				
LOMA COMMUNITY ASSOCIATION MEMBER-OWNERS. (NEW INFO) 3. SEE MARCH 17, 2015, LETTER ATTACHED AND INCORPORATED BY REFERENCE. (FACTUAL ERROR, FINDN'S NOT SUPPORTED)				
4. PERMITEE BREALAED AGREEMENT TO PROVIDE BINDING LETTER OF INTENT, L 6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct. Signature:				
Note: Faxed appeals are not accepted. Appeal fee Printed on recycled paper. Vi	es are non-refundable. isit our web site at <u>www.sandiego.gov/development-services</u> .			

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DS-3031 (10-12)

March 17, 2015

City of San Diego, Development Services Department Attn: P.F FitzGerald 1222 First Avenue, MS 501 San Diego, CA 92101-3864

Re: EF International CUP Modification Request, Project No. 392464

We, the undersigned, are owners and/or residents of living units in The Bay at Point Loma Community, a multi-family condominium project that abuts the entire Northwest boundary of the former Cabrillo Hospital site. Approval of EF International Language School's application, as currently constituted, will severely and adversely effect our quiet enjoyment of our homes and significantly devalue our property for all of the following reasons:

1. The large swimming pool, soccer field and volley ball courts EF will install for use 14 hours per day, seven days per week, by its one thousand five hundred students will create enormous, unmitigated noise pollution. Imagine your next door neighbor throwing a loud fraternity party with hundreds of students at the pool and on the fields a stone's throw from your front porch and bedroom windows.

2. There is no legal mechanism currently in place that will give our Community residents recourse to City enforcement action if EF violates or amends in so-called Code of Conduct.

3. The Water Supply Assessment dated December 4, 2014 submitted by EF is deficient and misleading because it does not account for EF's planned, large swimming pool.

4. EF misled Community residents by implying it would mitigate noise pollution by installing an acoustic foam (or similar) system, nowhere mentioned in its submittals.

5. Planned installation of eleven 24-inch box trees (virtual saplings) will have no positive impact on noise pollution for many years.

We urge the City to prevent this gross imposition on our quality of life and property values by denying the requested permit.

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We urge the City to prevent this gross imposition on our quality of life and property values by denying the requested permit.

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We urge the City to prevent this gross imposition on our quality of life and property values by denying the requested permit.

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Midway-Pacific Highway Corridor Land Use Map PROJECT NO. 392464

ATTACHMENT 3B



Peninsula Land Use Map PROJECT NO. 392464



Project Location Map PROJECT NO. 392464

PLANNING COMMISSION RESOLUTION NO. PC-____ CONDITIONAL USE PERMIT 1373200 EF INTERNATIONAL LANGUAGE CUP - PROJECT NO. 392464

WHEREAS, GREENTREE FAMILY, LLC, Owner, and EFEKTA CABRILLO, INC., Permittee, filed an application with the City of San Diego for a permit to convert an existing vacant hospital facility to an international language school facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1373200), on portions of a 6.35-acre site; and

WHEREAS, the project site is located at 3425-3475 Kenyon Street in the CO-1-2 Zone within the Midway-Pacific Highway Corridor Community Plan area, and in the RS-1-7 Zone within the Peninsula Community Plan area; and

WHEREAS, the project site is legally described as Parcel No. 2 of Parcel Map No. 13248; and

WHEREAS, on February 27, 2015, 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 Section 15332 (In-Fill Development) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, on March 18, 2015, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 1373200 pursuant to the Land Development Code of the City of San Diego and on April 2, 2015, an appeal of the Hearing Officer's decision was filed by Mr. Jerome E. Eggers; and

WHEREAS, on April 30, 2015, the Planning Commission of the City of San Diego considered the appeal of Conditional Use Permit No. 1373200 pursuant to the Land Development Code of the City of San Diego;

NOW THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated April 30, 2015.

FINDINGS:

CONDITIONAL USE PERMIT FINDINGS (SDMC Section 126.0305):

1. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-squurefoot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The proposed development will not adversely affect the Midway-Pacific Highway Corridor Community Plan or the Peninsula Community Plan. The Midway Pacific Highway Corridor Community Plan (MPHCCP) designates the site for Institutional Use and specifically recommends that "should the hospital relocate, the site should be used for commercial office or residential development at a maximum of 29 dwelling units per net acres." Although the residential uses are group quarters rather than dwelling units, the proposed project would be in conformance with the adopted community plan since the project will consist of mixed use commercial office and classroom space with residential uses at a density comparable to 29 dwelling units per acre. Currently developed with a single-family home, a small area of the site along the southern property boundary fronting onto Shadowlawn Street is designated for single-family residential land use by the Peninsula Community Plan. The MPHCCP specifically recommends that "any future development of the portion of this site which abuts Shadowlawn Street should be compatible with the scale and character of the surrounding residential development." The project will maintain the current single-family use of the existing home fronting Shadowlawn Street.

Installation of new parking lot landscaping, and enhancement of the Kenyon Street frontage will support the MPHCCP recommendation that parking areas visible from the public right-ofway should be screened. The requirement for a new shared parking agreement between the school and existing medical office users will support the MPHCCP recommendation that "Institutional uses should provide adequate parking for current, as well as future needs."

The MPHCCP recommends that "Institutional uses should examine existing, as well as predicted increases in, traffic and pedestrian circulation and should provide physical and operational improvements to the community circulation system and/or other transit programs which will reduce vehicular congestion and promote public and employee access." Additionally, the community plan recommends that "In an effort to reduce traffic congestion and automobile trips, institutional uses should incorporate bicycle storage facilities and an employee recreational area with amenities such as tables, cafeteria, jogging trail or pedestrian parkway concourse. Site and design buildings to invite access to public transportation." Provision of bike sharing and storage facilities, and installation of a pedestrian circulation system through the site to physically link Kenyon Street and Shadowlawn Street, will improve pedestrian and bicycle access from the abutting streets through the site, and will support linkages to public transportation and increased use of alternative forms of transportation.

The community plan recommends "In order to ensure future compatibility, provide needed public urban space, and help beautify the community, incorporate public open space such as

urban plazas, benches, fountains, pedestrian concourses and parkways into the design of institutional facilities." Providing new landscaped green space and outdoor gathering and sitting areas on the project site adjacent to the Kenyon Street public right-of-way, the project will provide urban space features envisioned in the MPHCCP.

2. THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-sqaure-foot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guideline Section 15301 (Existing Facilities) and Section 15303 (New Construction). The Project has been conditioned through Conditional Use Permit 1373200 to comply with the development regulations in effect for the subject property as set forth in the Land Development Code, and will be required to obtain building permits to show that construction will comply with all applicable Building and Fire Codes. The proposed development and associated improvements will meet all development standards and will not be detrimental to the public health, safety and welfare.

3. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-sqaure-foot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The proposed development meets the purpose, intent and goals of the underlying CO-1-2 and RS-1-7 zones, and is consistent with the policies of the adopted Midway Pacific Highway Corridor Community Plan and Peninsula Community Plan. Pursuant to SDMC Section 141.0404, the proposed educational facility use may be permitted in the CO-1-2 zone with a Conditional Use Permit (CUP). The proposed adaptive reuse of an older vacant hospital building and the proposed reuse as an educational facility requires no deviations and complies with the applicable regulations of the Land Development Code.

4. THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION.

The project proposes to convert an existing vacant hospital facility to an international language school facility. Physical changes to the facility to accommodate the EF International Language School include interior renovations of the existing 178,885-square-foot vacant hospital building to create approximately 40 classrooms, and single, double and triple occupancy

dormitory rooms for 450-700 students. Approximately 1.5-acres of the existing paved parking area on the western portion of the site will be removed to accommodate the construction of outdoor community and recreational space, including a swimming pool, soccer field (smaller than regulation) and sand volleyball courts. The existing 5,000-square-foot office building fronting Kenyon Street will be renovated to accommodate a student activities center, and the property's frontage on Kenyon Street will be improved with new, landscaped green space and outdoor gathering areas. The project has adequate vehicular access from Kenyon Street and is located in close proximity to public transportation options. Three blocks from the project site the MTS Bus #35 operates along Midway Drive and provides direct access to Ocean Beach and the Old Town Transit Center, where transportation connections can be made to/from downtown and other areas of San Diego through the MTS bus and trolley system, and to further regional destinations via options available through Amtrak and the Coaster train systems. On site, the project proposes to provide transportation demand management measures and will offer an extensive bike sharing program and bike storage areas. The project will provide 290 spaces (including 8 accessible spaces). As a condition of approval a new shared parking agreement will be required between the school facility and the adjacent medical office building to ensure adequate parking for both uses. Conditions of approval of the project require all private outdoor lighting to be shaded and adjusted to fall on the same premises where such lights are located in accordance with the applicable regulations in the SDMC. Additionally, the recreational use area hours of operation have been limited to 8AM to 9PM daily for the soccer field and sand volleyball courts, and 8AM to 7PM for the swimming pool. The proposed adaptive reuse of an older vacant hospital building will reactivate a 6.35-acre project site which has been sitting unused for over five years and will provide many benefits to the community and is an appropriate use at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1373200, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1373200, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald Development Project Manager Development Services

Adopted on: April 30, 2015

Job Order No. 24004583

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: 24005193

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT 1373200 EF INTERNATIONAL LANGUAGE CUP - PROJECT NO. 392464 PLANNING COMMISSION

This Conditional Use Permit 1373200 is granted by the Planning Commission of the City of San Diego to GREENTREE FAMILY, LLC, Owner, and EFEKTA CABRILLO, INC., Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0305 and 141.0404. The 6.35-acre site is located at 3425-3475 Kenyon Street in the CO-1-2 Zone within the Midway-Pacific Highway Corridor Community Plan area, and in the RS-1-7 Zone within the Peninsula Community Plan area. The project site is legally described as Parcel No. 2 of Parcel Map No. 13248.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to convert an existing vacant hospital facility to an international language school facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 30, 2015, on file in the Development Services Department.

The project shall include:

- a. Conversion of an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 adult students;
- b. Renovation of an existing 178,885-square-foot hospital building to create approximately 40 classrooms, including dormitory facilities for 450-700 students;
- c. Conversion of an existing 5,000-square-foot office building to a Student Activities Center;
- d. Demolition of an existing parking area and construction of outdoor community and recreational space, including a swimming pool, soccer field and sand volleyball courts;
- e. Continued use of an existing single family residence;
- f. Parking facilities to accommodate a minimum of 288 parking spaces, including 7 accessible spaces (290 spaces proposed, including 8 accessible spaces);

- b. Cancellation of Conditional Use Permit 211334;
- g. Landscaping (planting, irrigation and landscape related improvements);
- h. 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 April 30, 2018.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee sign and return the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

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

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

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

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

9. All of the conditions contained in this Permit have been considered and were determinednecessary 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.

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

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

AIRPORT REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall grant an avigation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement. The Owner/Permittee shall use the avigation easement form provided by the San Diego County Regional Airport Authority.

13. Prior to the issuance of any building permits, the Owner/Permittee shall provide evidence that the structures will achieve sound attenuation to 45dB CNEL interior noise level.

ENGINEERING REQUIREMENTS:

14. The project proposes to export 2,200 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized driveway with current City Standard curb, gutter and sidewalk, adjacent to the site on Shadowlawn Street, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing driveway with current City Standard 14 ft wide concrete driveway, adjacent to the site on Shadowlawn Street, satisfactory to the City Engineer.

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

20. 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.

21. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.

22. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2007-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

TRANSPORTATION REQUIREMENTS:

23. <u>Shared Parking Agreement</u>: Prior to the issuance of any occupancy permit the applicant shall execute a City standard shared parking agreement for allocation of 163 parking spaces (numbers 1 through 163) of the site's 290 total parking spaces for the 47,880-square-foot medical offices building located at 3405 Kenyon Street.

24. No fewer than 288 parking spaces, including 7 accessible spaces (290 spaces proposed, including 8 accessible spaces) shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

PLANNING/DESIGN REQUIREMENTS:

25. All signage shall be consistent with the SDMC City-wide Sign Code regulations.

26. 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.

27. <u>Recreational Use Area Hours of Operation - Hearing Officer Condition of Approval</u>: Hours of operation of the soccer field and volleyball court outdoor recreational use areas shall be limited from 8AM to 9PM daily. Hours of operation of the swimming pool outdoor recreational use areas shall be limited from 8AM to 7PM daily.

28. <u>Noise Attenuation Fence - Hearing Officer Condition of Approval</u>: The Owner/Permittee shall install a noise attenuation fence along the southwestern property boundary, adjacent to the Bay at Point Loma multi-family development, in accordance with the development regulations of the San Diego Municipal Code. The design of the noise attenuation fence shall be subject to review through a Substantial Conformance Review prior to the issuance of any building permit(s) for the fence structure. The Owner/Permittee shall install the fence prior to the Development Services Department granting a certificate of occupancy for the project, and to the satisfaction of the Director, Development Services Department (DSD). At the request of the majority of the Board of Directors of the Bay at Point Loma Community Association, the Director of the Development Services Department may relieve the applicant of this condition.

LANDSCAPING REQUIREMENTS:

29. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents 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 show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

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

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

WATER/SEWER UTILITIES REQUIREMENTS:

32. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities in the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer.

33. The Owner/Permittee shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water and sewer easement, including but not limited to structures, enhanced paving, or landscaping.

34. No approved improvements or landscaping, including private water and sewer facilities, grading and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

35. 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.

36. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 Planning Commission of the City of San Diego on April 30, 2015, and Resolution No. PC-_____.

Conditional Use Permit 1373200 Date of Approval: April 30, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Patricia J. FitzGerald 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.

By_____

GREENTREE FAMILY, LLC Owner

Ву_____

EFEKTA CABRILLO, INC. Permittee

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



18.-



carrierjohnson + CULTUR3

Applicant Community Outreach

Midway/Pacific Highway and Peninsula Community Planning Groups:

- Introduced EF Language School proposal in July 2014
- Appeared at July, September and November mtgs
- Received approval from both groups in November 2014
- Regular updates to CPG Chairpersons Melanie Nickel and Julia Quinn

Bay at Point Loma Community Association:

- Introduced EF's project in September 2014
- Mailed all residents (500' of property) in October 2014
- Appeared at October, November, January, February and March meetings
- Mailed all residents in March 2015

Fitzgerald, PJ

From:	Shawna Sullivan [shawna.sullivan@EF.com]
Sent:	Wednesday, March 18, 2015 6:51 AM
To:	Fitzgerald, PJ
Cc:	Karen M. ZoBell; Jeff Barfield (JEFFB@mbakerintl.com); Malisos, Achilles;
	'mas@carrierjohnson.com'; 'Justin Schlaefli' (justin@urbansystems.net); Meghan Conway;
	Szymanski, Jeffrey
Subject:	FW: REVISED Condition
Attachments:	Proposed EF CUP Condition_03.18.15.pdf
Importance:	High

PJ,

Attached is the approved condition from the Bay at Point Loma Board of Directors. The President of the board of Director's email of approval/agreement is below.

If you could prep the hearing officer, that would be great.

Thank you, Shawna

From: Sandy Parry Kesser [mailto:sandyparry@yahoo.com]
Sent: Wednesday, March 18, 2015 6:46 AM
To: Shawna Sullivan
Cc: Alain Lescart (alain.lescart@gmail.com); Alma Galindo; Scott Molloy (scmolloy50@gmail.com); Jay Eggers (eggerssd@pacbell.net)
Subject: Re: REVISED Condition

Hi Shawna,

Thank you for the revised email! For some odd reason the original revision was not received until 1:42am.

Based on our conversation last night, the below email reads as we discussed.

Thank you for your email and I look forward to learning the results of this mornings hearing.

Thank you,

Sandy Kesser President, Board of Directors The Bay at Point Loma

Sent from my iPhone

On Mar 18, 2015, at 6:10 AM, Shawna Sullivan <<u>shawna.sullivan@EF.com</u>> wrote:

Hi Sandy,

I sent this email last night at 9:24 PM. Please see below. I had revised the condition to reflect our conversation. Please call me if you have any questions. I've attached the revised condition as a word document too.

Sorry for the email trouble, but if you could revise your response, that would be much appreciated.

Thanks, Shawna

From: Shawna Sullivan
Sent: Tuesday, March 17, 2015 9:24 PM
To: 'Alma Galindo'; Alain Lescart (<u>alain.lescart@gmail.com</u>); Sandy Kesser (<u>sandyparry@yahoo.com</u>); Scott Molloy (<u>scmolloy50@gmail.com</u>); Jay Eggers (<u>eggerssd@pacbell.net</u>)
Subject: RE: EF Agreements & Proposed Condition - Noise Attenuation Fence

Sandy,

Per our phone call, here is a revised proposed condition and agreed-upon bullets. As discussed, after the approval of the CUP, we will determine the best location for the fence, how much of the property line it covers, how tall it is, and the material of the fence. We want to ensure that not only the Board, but also the direct abutters are satisfied with it. Therefore, I have taken out the soccer field only clause and kept it more broad to allow us to work post-CUP approval on the finer details.

Upon receipt of your approval, I will share with the City.

Best, Shawna

- 1. Attached for your reference is the nighttime noise study, which as discussed, demonstrates that EF's recreational uses will not generate significant noise impacts during evening hours.
- 2. We will agree to the 9 PM limit on recreational activities written into the code of conduct (attached) which all EF students and staff will sign.
- 3. We have agreed to propose a special condition to the CUP that would require us to install an acoustifence or equivalent noise attenuation fence along the western property line. The language of the condition below is subject to City Staff approval.

REVISED PROPOSED NOISE CONDITION

3-17-15

In accordance with the San Diego Municipal Code Section 142.0310 (d) and (e), the applicant will install a noise attenuation fence along the western property boundary as requested by the Board of Directors of the Bay at Point Loma Community Association. The applicant shall install the fence prior to the certificate of occupancy and to the satisfaction of the Director, Development Services Department (DSD). If at the request of the majority of the Board of Directors of the Bay at Point Loma Community Association, the Director of the Development Services Department at Point Loma Community Association.

Shawna Sullivan Marino Director EF Properties

EF/50 Celebrating Fifty Years

EF Education First

NOTICE OF EXEMPTION

ATTACHMENT 10

Check one or both) FO: <u>X</u> RECORDER/COUNTY CLERK P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422

> 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 F []

Frnest J Dronenburg. Jr. Recorder County Clerk

MAR 18 2015 BY V. Orenda

PROJECT NO.: 392464

PROJECT TITLE: EF International Language CUP

<u>PROJECT LOCATION-SPECIFIC:</u> The site is located at 3475 Kenyon Street, San Diego, California within Pacific Highway Plan area.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

<u>DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT</u>: Conditional Use Permit (CUP) to convert an existing 178,885 square foot hospital facility to an approximately 183,000-square-foot International Language School to accommodate up to 1500 students and 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-square-foot building to a Student Activities Center, addition of outdoor recreational space (consisting of a swimming pool, a small soccer field and two volleyball courts) and to maintain an adjacent existing single family residence. The project would take place at an existing developed center where existing public utilities are in place to serve the proposed international language school.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Christoffer Abramson, 8 Education Street, Cambridge Massachusetts 02141. (857) 777-9469

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: 15301 (Existing Facilities) and 15303 (New Construction)
- () STATUTORY EXEMPTION:

<u>REASONS WHY PROJECT IS EXEMPT</u>: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction). 15301 allows for the minor alterations to existing public or private structures involving negligible expansion of use. 15303 allows for the construction of accessory structures such as swimming pools on a site not containing sensitive resources. Since the project is located on a site devoid of sensitive resources and vehicle trips associated with the school would be less than the hospital use the project qualifies to be categorical exempt from CEQA. Furthermore based upon the previously developed nature of the site the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 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 AB	OVE ACTIVITY TO BE EXEMPT FROM	л CEQA
IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS	-	2/27/2015	
STGNATWRE/TITLE		DATE	
CHECK ONE:			
(X) SIGNED BY LEAD AGENCY	DATE RECEIVED FOR	FILING WITH COUNTY CLERK OR	OPR:

() SIGNED BY APPLICANT



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	March 18, 2015	REPORT NO. HO 15-041
ATTENTION:	Hearing Officer	
SUBJECT:	EF INTERNATIONAL LANGUAGE CUP PTS PROJECT NUMBER: 392464	
LOCATION:	3425-3475 Kenyon Street	
APPLICANT:	EDUCATION FIRST (Attachment	9)

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve a change in use to allow the former Cabrillo Hospital facility to be redeveloped as an Educational Facility for international language students within the Midway-Pacific Highway Corridor and the Peninsula community plan areas?

Staff Recommendation(s) - APPROVE Conditional Use Permit 1373200.

<u>Community Planning Group Recommendation</u> – On November 19, 2014, the Midway Community Planning Group voted 7-0-0 to approve the project, with no conditions; on November 20, 2014, the Peninsula Community Planning Board voted 11-2-0 to recommend approval of the proposed project, with no conditions (Attachment 8).

<u>Environmental Review</u>: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 15303 (New Construction). This project was determined to be categorically exempt from the California Environmental Quality Act on February 27, 2015 and the opportunity to appeal that determination ends March 13, 2015 (Attachment 7).

BACKGROUND

The 6.35-acre project site is located at 3425-3475 Kenyon Street (Attachment 1) and is within both the Midway-Pacific Highway Corridor Community Plan area (the existing hospital facilities) and the Peninsula Community Plan (the existing single-family residence). The majority of the property is

designated for institutional land use by the Midway-Pacific Highway Corridor Community Plan (Attachment 2A) and zoned CO-1-2 (Commercial-Office), a zone intended to provide areas for employment uses with limited, complementary retail uses and medium to high density residential development. The CO zones are intended to apply in larger activity centers or in specialized areas where a full range of commercial activities is not desirable. Currently developed with a single-family home, a small area of the site along the southern property boundary fronting onto Shadowlawn Street is designated for single-family residential land use by the Peninsula Community Plan (Attachment 2B) and is zoned RS-1-7 (Residential-Single Family). The project site is located in a neighborhood comprised of commercial and institutional uses, single family homes and multi-family developments. Kaiser Permanente medical offices, as well as the West City Campus of the San Diego Community College District, are located to the north and run the length of Kenyon Street directly across from the project site. Multi-story, multi-family buildings abut the project to the west; to the south and east is a neighborhood of single family homes. The project site is approximately three blocks from various large and small scale commercial retail uses, supermarkets and eating establishments (Attachment 3).

The project site no longer operates as a hospital facility. Physical development currently on-site is comprised of existing hospital and medical office facilities and associated parking lot areas, including a 178,885 square-foot former hospital building containing 200 beds, a 5,070 square-foot office building, and an existing single-family home that once housed the hospital's resident physician. A 47,880 square-foot medical office building surrounded by the project site remains operational and shares a portion of the hospital facility's parking areas through a previously approved shared parking agreement. Though the existing hospital facility has not been operational over the last five years, it was originally permitted as Doctors Hospital (later known as Sharp-Cabrillo Hospital) and operated as a full-service hospital and/or skilled nursing facility from approximately 1975 through 2009. The previous hospital use was regulated under three previous conditional use permits:

- CUP No. 345: The original hospital facility, known as Doctors Hospital, was originally permitted on August 30, 1972, allowing for a 200-bed general hospital, an 8 bed obstetric facility, a 50 bed long term facility, a 25 bed observation facility and a 54 bed and board facility, a doctors' office building, off-street parking, incidental uses, and a single-family dwelling for the resident physician.
- CUP No. 88-0252: Approved by the Planning Commission on May 6, 1988, CUP No. 88-0252 allowed the construction of three (3) modular buildings and 1,215-square-feet of building additions.
- CUP No. 211334: The current CUP, approved by the City Council on June 21, 2005, reduced the property area comprising the hospital facility by eliminating a 7.02-acre portion of the site (Attachment 10). This portion of the property adjacent to the project site was subsequently developed with a 170 unit multi-family condominium development currently known as The Bay at Point Loma. CUP No. 211334 will be cancelled as part of the approval of the proposed project.

The San Diego Municipal Code (SDMC) categorizes educational facilities for colleges and universities as an institutional separately regulated use. The proposed change in use from a hospital facility to an educational facility may be permitted in the CO-1-2 zone with a Conditional Use Permit (CUP) decided in accordance with Process Three pursuant to SDMC Section 141.0404, with the Hearing Officer as decision maker. The decision of the Hearing Officer is appealable to the Planning Commission.

DISCUSSION

Project Description:

The project applicant, Education First (EF), proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-square-foot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. EF reports that they "operate 14 schools in North America and 400 offices and schools globally, offering international students from more than 70 countries the opportunity to learn English through a fully accredited academic program and a blended learning experience that occurs both inside and outside the classroom." For more than twenty years EF has operated an international language school in San Diego at the Alliant International University campus within the Scripps Miramar Ranch community. EF proposes to relocate this campus to the project site and expand their operations in San Diego.

Physical changes to the facility to accommodate the EF International Language School include interior renovations of the existing 178,885-square-foot hospital building to create approximately 40 classrooms, and single, double and triple occupancy dormitory rooms for 450-700 students. Approximately 1.5-acres of the existing paved parking area on the western portion of the site will be removed to accommodate the construction of outdoor community and recreational space, including a swimming pool, soccer field (smaller than regulation) and sand volleyball courts. The existing 5,000-square-foot office building fronting Kenyon Street will be renovated to accommodate a student activities center, and the property's frontage on Kenyon Street will be improved with landscaped green space and outdoor gathering areas. An existing single-family residence on Shadowlawn Street will be maintained and occupied by an EF Campus Director and his/her family.

Primary vehicular access to the facility will continue through the existing entry driveway at the termination of Wing Street; an existing secondary access driveway is located along Kenyon Street west of the future student center. Both vehicular entrances will be improved with enhanced entry paving, and a pedestrian circulation system with enhanced paving will be created to provide pedestrian linkages through the site, and between Kenyon Street and Shadowlawn Street. Parking lot areas will be reconfigured, and where necessary, parking areas will be improved with new trees and screening within the vehicular use areas. Extensive landscaping improvements are planned on site, especially along the eastern, southern and western perimeter of the property in order to provide visual screening from adjacent residential uses. Along the western edge of the recreational area fourteen (14) 24" box screening trees will be planted as a buffer between the site and the adjacent multi-family development. The Kenyon Street public right-of-way is currently improved with a non-contiguous sidewalk and nine (9) street trees which will remain in place with the project.

School Operations:

EF reports that their English language courses range from two (2) weeks to fifty-two (52) weeks, with a typical student enrollment lasting approximately six weeks. The student curriculum is structured so that study time is either mornings or afternoons, leaving alternating days and evening hours available for students to immerse themselves in the local culture. Maximum staffing levels are estimated at approximately 100 full-time staff and faculty, and the project proposes a student enrollment of up to 1,500 students. Due to EF's alternate scheduling system, it is anticipated that there will not be more than 600 students actively taking classes at the facility at one time. Approximately 450-700 students will reside on the campus in dorm style accommodations, and under the EF curriculum model many other students will choose to live with host families. The outdoor recreational use areas will close at 10PM, which is consistent with other city parks and recreation centers.

EF reports that their student vehicle ownership rate is very low (approximately 3 percent) due to restrictions on international driver's licenses and typically most of their students walk, bike or take public transportation. Three blocks from the project site the MTS Bus #35 service operates along Midway Drive and provides direct access to Ocean Beach and the Old Town Transit Center, where transportation connections can be made to/from downtown and other areas of San Diego through the MTS bus and trolley system, and to further regional destinations via options available through Amtrak and the Coaster train systems. On site, the project proposes to provide transportation demand management measures and will offer an extensive bike sharing program and bike storage areas. The project will provide 290 spaces (including 8 accessible spaces). As a condition of approval a new shared parking agreement will be required between the school facility and the adjacent medical office building to ensure adequate parking for both uses.

Community Plan Analysis:

The Midway Pacific Highway Corridor Community Plan (MPHCCP) designates the site for Institutional Use, recommending that "should the hospital relocate, the site should be used for commercial office or residential development at a maximum of 29 dwelling units per net acres." Although the residential uses are group quarters rather than dwelling units, the proposed project would be in conformance with the adopted community plan due to the project consisting of mixed use commercial office and classroom space with residential uses at a density comparable to 29 dwelling units per acre. The MPHCCP further recommends that "any future development of the portion of this site which abuts Shadowlawn Street should be compatible with the scale and character of the surrounding residential development." Other than perimeter landscaping and improvements for a pedestrian pathway between the site and Shadowlawn Street, no new construction will occur in this portion of the site and the project will maintain the current singlefamily use of the existing home fronting Shadowlawn Street.

Installation of new parking lot landscaping, and enhancement of the Kenyon Street frontage will support the MPHCCP recommendation that parking areas visible from the public right-of-way should be screened. The requirement for a new shared parking agreement between the school and existing medical office users will support the MPHCCP recommendation that "Institutional uses should provide adequate parking for current, as well as future needs."

The MPHCCP recommends that "Institutional uses should examine existing, as well as predicted
increases in, traffic and pedestrian circulation and should provide physical and operational improvements to the community circulation system and/or other transit programs which will reduce vehicular congestion and promote public and employee access." Additionally, the community plan recommends that "In an effort to reduce traffic congestion and automobile trips, institutional uses should incorporate bicycle storage facilities and an employee recreational area with amenities such as tables, cafeteria, jogging trail or pedestrian parkway concourse. Site and design buildings to invite access to public transportation." Provision of bike sharing and storage facilities, and installation of a pedestrian circulation system through the site to physically link Kenyon Street and Shadowlawn Street, will improve pedestrian and bicycle access from the abutting streets through the site, and will support linkages to public transportation and increased use of alternative forms of transportation. Providing new landscaped green space and outdoor gathering and sitting areas on the project site adjacent to the Kenyon Street public right-of-way, the project will provide urban space features envisioned in the MPHCCP recommendation that "In order to ensure future compatibility, provide needed public urban space, and help beautify the community, incorporate public open space such as urban plazas, benches, fountains, pedestrian concourses and parkways into the design of institutional facilities."

CONCLUSION

The proposed conversion of the existing hospital facility to an international language school facility will reactivate a 6.35-acre site which has been sitting unused for over five years. Adaptive reuse of an older vacant hospital building is a unique challenge, and the proposed reuse as an educational facility, under the terms of Conditional Use Permit 1373200, will not adversely affect the Midway-Pacific Highway Corridor Community Plan or the Peninsula Community Plan, and will provide many benefits to the community. The project complies with the applicable San Diego Municipal Code regulations and requirements, and no deviations are required. Staff recommends approval of the project as proposed.

ALTERNATIVE

- 1. Approve Conditional Use Permit 1373200, with modifications.
- 2. Deny Conditional Use Permit 1373200, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Patricia J. FitzGerald, Development Project Manager

ATTACHMENT 1



Aerial Photo Project NO. 392464





ATTACHMENT 2A

ATTACHMENT 2B



Peninsula Land Use Map PROJECT NO. 392464



Project Location Map PROJECT NO. 392464

PROJECT DATA SHEET			
PROJECT NAME:	EF International Language CUP		
PROJECT DESCRIPTION:	Change in use to allow the former Cabrillo Hospital facility to be redeveloped as an Educational Facility		
COMMUNITY PLAN AREA:	Midway-Pacific Highway Corridor Community Plan and Peninsula Community Plan		
DISCRETIONARY ACTIONS:	Conditional Use Permit (Process 3)		
COMMUNITY PLAN LAND USE DESIGNATION:	Institutional: Midway-Pacific Highway Corridor Community Plan Single-family: Peninsula Community Plan		

ZONING INFORMATION:

ZONE: CO-1-2

USE: The San Diego Municipal Code (SDMC) categorizes educational facilities for colleges and universities as an institutional separately regulated use. The proposed change in use from a hospital facility to an educational facility may be permitted in the CO-1-2 zone with a Conditional Use Permit (CUP) decided in accordance with Process Three pursuant to SDMC Section 141.0404, with the Hearing Officer as decision maker.

PARKING REQUIRED/PROPOSED: minimum of 288 parking spaces, including 7 accessible spaces (290 spaces proposed, including 8 accessible spaces).

ADJACENT PROPERTIES:	LAND US	SE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Institution	nal; CO-1-2	Medical office/ San Diego Community College
SOUTH:	Single Fai	mily Residential; RS-1-7	Single Family Residential
EAST:	Single Family Residential; RS-1-7		Single Family Residential
WEST:	Multi-Fan	nily Residential; CO-1-2	Multi-Family Residential
DEVIATIONS OR VARIANCES REQU	ESTED:		
COMMUNITY PLAN GROUP RECOMMENDATIO	NNING On November 19, 2014, the Mi voted 7-0-0 to approve the projection November 20, 2014, the Penins		dway Community Planning Group ect, with no conditions; on sula Community Planning Board proval of the proposed project, with

ATTACHMENT 5

HEARING OFFICER RESOLUTION NO. HO-____ CONDITIONAL USE PERMIT 1373200 EF INTERNATIONAL LANGUAGE CUP - PROJECT NO. 392464

WHEREAS, GREENTREE FAMILY, LLC, Owner, and EFEKTA CABRILLO, Permittee, filed an application with the City of San Diego for a permit to convert an existing vacant hospital facility to an international language school facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1373200), on portions of a 6.35-acre site; and

WHEREAS, the project site is located at 3425-3475 Kenyon Street in the CO-1-2 Zone within the Midway-Pacific Highway Corridor Community Plan area, and in the RS-1-7 Zone within the Peninsula Community Plan area; and

WHEREAS, the project site is legally described as Parcel No. 2 of Parcel Map No. 13248; and

WHEREAS, on March 18, 2015, the Hearing Officer of the City of San Diego considered Conditional Use Permit 1373200, pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on February 27, 2015, 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 Section 15332 (In-Fill Development) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 18, 2015.

FINDINGS:

CONDITIONAL USE PERMIT FINDINGS (SDMC Section 126.0305):

1. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms,

ATTACHMENT 5

including dormitory facilities for 450-700 students, conversion of an existing 5,000-sqaurefoot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The proposed development will not adversely affect the Midway-Pacific Highway Corridor Community Plan or the Peninsula Community Plan. The Midway Pacific Highway Corridor Community Plan (MPHCCP) designates the site for Institutional Use and specifically recommends that "should the hospital relocate, the site should be used for commercial office or residential development at a maximum of 29 dwelling units per net acres." Although the residential uses are group quarters rather than dwelling units, the proposed project would be in conformance with the adopted community plan since the project will consist of mixed use commercial office and classroom space with residential uses at a density comparable to 29 dwelling units per acre. Currently developed with a single-family home, a small area of the site along the southern property boundary fronting onto Shadowlawn Street is designated for single-family residential land use by the Peninsula Community Plan. The MPHCCP specifically recommends that "any future development of the portion of this site which abuts Shadowlawn Street should be compatible with the scale and character of the surrounding residential development." The project will maintain the current single-family use of the existing home fronting Shadowlawn Street.

Installation of new parking lot landscaping, and enhancement of the Kenyon Street frontage will support the MPHCCP recommendation that parking areas visible from the public right-ofway should be screened. The requirement for a new shared parking agreement between the school and existing medical office users will support the MPHCCP recommendation that "Institutional uses should provide adequate parking for current, as well as future needs."

The MPHCCP recommends that "Institutional uses should examine existing, as well as predicted increases in, traffic and pedestrian circulation and should provide physical and operational improvements to the community circulation system and/or other transit programs which will reduce vehicular congestion and promote public and employee access." Additionally, the community plan recommends that "In an effort to reduce traffic congestion and automobile trips, institutional uses should incorporate bicycle storage facilities and an employee recreational area with amenities such as tables, cafeteria, jogging trail or pedestrian parkway concourse. Site and design buildings to invite access to public transportation." Provision of bike sharing and storage facilities, and installation of a pedestrian circulation system through the site to physically link Kenyon Street and Shadowlawn Street, will improve pedestrian and bicycle access from the abutting streets through the site, and will support linkages to public transportation and increased use of alternative forms of transportation.

The community plan recommends "In order to ensure future compatibility, provide needed public urban space, and help beautify the community, incorporate public open space such as urban plazas, benches, fountains, pedestrian concourses and parkways into the design of institutional facilities." Providing new landscaped green space and outdoor gathering and sitting areas on the project site adjacent to the Kenyon Street public right-of-way, the project will provide urban space features envisioned in the MPHCCP.

2. THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-sqaure-foot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guideline Section 15301 (Existing Facilities) and Section 15303 (New Construction). The Project has been conditioned through Conditional Use Permit 1373200 to comply with the development regulations in effect for the subject property as set forth in the Land Development Code, and will be required to obtain building permits to show that construction will comply with all applicable Building and Fire Codes. The proposed development and associated improvements will meet all development standards and will not be detrimental to the public health, safety and welfare.

3. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE.

The project proposes to convert an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 students and approximately 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-sqaure-foot building to a Student Activities Center, addition of outdoor recreational space and continued use of an existing single family residence. The proposed development meets the purpose, intent and goals of the underlying CO-1-2 and RS-1-7 zones, and is consistent with the policies of the adopted Midway Pacific Highway Corridor Community Plan and Peninsula Community Plan. Pursuant to SDMC Section 141.0404, the proposed educational facility use may be permitted in the CO-1-2 zone with a Conditional Use Permit (CUP). The proposed adaptive reuse of an older vacant hospital building and the proposed reuse as an educational facility requires no deviations and complies with the applicable regulations of the Land Development Code.

4. THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION.

The project proposes to convert an existing vacant hospital facility to an international language school facility. Physical changes to the facility to accommodate the EF International Language School include interior renovations of the existing 178,885-square-foot vacant hospital building to create approximately 40 classrooms, and single, double and triple occupancy dormitory rooms for 450-700 students. Approximately 1.5-acres of the existing paved parking area on the western portion of the site will be removed to accommodate the construction of outdoor community and recreational space, including a swimming pool, soccer field (smaller than regulation) and sand volleyball courts. The existing 5,000-square-foot office building fronting Kenyon Street will be removated to accommodate a student activities center, and the

ATTACHMENT 5

property's frontage on Kenyon Street will be improved with new, landscaped green space and outdoor gathering areas. The project has adequate vehicular access from Kenyon Street and is located in close proximity to public transportation options. Three blocks from the project site the MTS Bus #35 operates along Midway Drive and provides direct access to Ocean Beach and the Old Town Transit Center, where transportation connections can be made to/from downtown and other areas of San Diego through the MTS bus and trolley system, and to further regional destinations via options available through Amtrak and the Coaster train systems. On site, the project proposes to provide transportation demand management measures and will offer an extensive bike sharing program and bike storage areas. The project will provide 290 spaces (including 8 accessible spaces). As a condition of approval a new shared parking agreement will be required between the school facility and the adjacent medical office building to ensure adequate parking for both uses. The proposed adaptive reuse of an older vacant hospital building will reactivate a 6.35-acre project site which has been sitting unused for over five years and will provide many benefits to the community and is an appropriate use at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit 1373200, 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. 1373200, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald Development Project Manager Development Services

Adopted on: March 18, 2015

Job Order No. 24004583

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: 24005193

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT 1373200 EF INTERNATIONAL LANGUAGE CUP - PROJECT NO. 392464 HEARING OFFICER

This Conditional Use Permit 1373200 is granted by the Hearing Officer of the City of San Diego to GREENTREE FAMILY, LLC, Owner, and EFEKTA CABRILLO, Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0305 and 141.0404. The 6.35-acre site is located at 3425-3475 Kenyon Street in the CO-1-2 Zone within the Midway-Pacific Highway Corridor Community Plan area, and in the RS-1-7 Zone within the Peninsula Community Plan area. The project site is legally described as Parcel No. 2 of Parcel Map No. 13248.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to convert an existing vacant hospital facility to an international language school facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 18, 2015, on file in the Development Services Department.

The project shall include:

- a. Conversion of an existing vacant hospital facility to an international language school facility to accommodate up to 1,500 adult students;
- b. Renovation of an existing 178,885-square-foot hospital building to create approximately 40 classrooms, including dormitory facilities for 450-700 students;
- c. Conversion of an existing 5,000-square-foot office building to a Student Activities Center;
- d. Demolition of an existing parking area and construction of outdoor community and recreational space, including a swimming pool, soccer field and sand volleyball courts;
- e. Continued use of an existing single family residence;
- f. Parking facilities to accommodate a minimum of 288 parking spaces, including 7 accessible spaces (290 spaces proposed, including 8 accessible spaces);

- b. Cancellation of Conditional Use Permit 211334;
- g. Landscaping (planting, irrigation and landscape related improvements);
- h. 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 March 26, 2018.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee sign and return the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

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

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

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

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

9. All of the conditions contained in this Permit have been considered and were determinednecessary 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.

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

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

AIRPORT REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall grant an avigation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement. The Owner/Permittee shall use the avigation easement form provided by the San Diego County Regional Airport Authority.

13. Prior to the issuance of any building permits, the Owner/Permittee shall provide evidence that the structures will achieve sound attenuation to 45dB CNEL interior noise level.

ENGINEERING REQUIREMENTS:

14. The project proposes to export 2,200 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized driveway with current City Standard curb, gutter and sidewalk, adjacent to the site on Shadowlawn Street, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing driveway with current City Standard 14 ft wide concrete driveway, adjacent to the site on Shadowlawn Street, satisfactory to the City Engineer.

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

20. 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.

21. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ and the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2007-001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-0009-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-0009-DWQ.

22. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

TRANSPORTATION REQUIREMENTS:

23. <u>Shared Parking Agreement</u>: Prior to the issuance of any occupancy permit the applicant shall execute a City standard shared parking agreement for allocation of 163 parking spaces (numbers 1 through 163) of the site's 290 total parking spaces for the 47,880-square-foot medical offices building located at 3405 Kenyon Street.

24. No fewer than 288 parking spaces, including 7 accessible spaces (290 spaces proposed, including 8 accessible spaces) shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

PLANNING/DESIGN REQUIREMENTS:

25. All signage shall be consistent with the SDMC City-wide Sign Code regulations.

26. 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.

27. Hours of operation of the outdoor recreational use areas (including swimming pool, soccer field and sand volleyball courts) shall be limited from 8AM to 10PM daily.

LANDSCAPING REQUIREMENTS:

28. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents 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 show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

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

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

WATER/SEWER UTILITIES REQUIREMENTS:

31. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities in the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer.

32. The Owner/Permittee shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water and sewer easement, including but not limited to structures, enhanced paving, or landscaping.

33. No approved improvements or landscaping, including private water and sewer facilities, grading and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

34. 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.

35. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

• The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 Hearing Officer of the City of San Diego on March 18, 2015, and Resolution No. HO-_____.

ATTACHMENT 6

Conditional Use Permit 1373200 Date of Approval: March 18, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Patricia J. FitzGerald 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.

By _____

GREENTREE FAMILY, LLC Owner

Ву_____

EFEKTA CABRILLO Permittee

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



THE CITY OF SAN DIEGO

Date of Notice: February 27, 2015

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24005193

PROJECT NAME/NUMBER: EF International Language CUP/392464

COMMUNITY PLAN AREA: Pacific Highway

COUNCIL DISTRICT: 2

LOCATION: The project is located at located at 3475 Kenyon Street, San Diego, California.

PROJECT DESCRIPTION: Conditional Use Permit (CUP) to convert an existing 178,885 square foot hospital facility to an approximately 183,000-square-foot International Language School to accommodate up to 1500 students and 40 classrooms, including dormitory facilities for 450-700 students, conversion of an existing 5,000-square-foot building to a Student Activities Center, addition of outdoor recreational space (consisting of a swimming pool, a small soccer field and two volleyball courts) and to maintain an adjacent existing single family residence. The project would take place at an existing developed center where existing public utilities are in place to serve the proposed international language school.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing officer

ENVIRONMENTAL DETERMINATION: This project is exempt pursuant to the California Environmental Quality Act Sections 15301 (Existing Facilities) and 15303 (New Construction)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction). 15301 allows for the minor alterations to existing public or private structures involving negligible expansion of use. 15303 allows for the construction of accessory structures such as swimming pools on a site not containing sensitive resources. Since the project is located on a site devoid of sensitive resources and vehicle trips associated with the school would be less than the hospital use the project qualifies to be categorical exempt from CEQA. Furthermore based upon the previously developed nature of the site the exceptions listed in CEQA Section 15300.2 would not apply.

PJ Fitzgerald 1222 1st Avenue, San Diego, CA 92101 (619) 446-5107

On February 27, 2015 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice and therefore the appeal would end on 3/13/2015. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

PENINSULA COMMUNITY PLANNING BOARD MINUTES

3701 Voltaire St., Point Loma Library

Nov. 20, 2014, Scheduled 6:30-9:15 p.m.

APPROVED MINUTES

Present: Nicole Burgess, Dominic Carnevale, Patricia Clark, Bruce Cook, Bruce Coons, David L. Dick, Jon Linney, Peter Nystrom, Julia Quinn, Jarvis Ross, Mike Ryan, Don Sevrens, Paul Webb

Absent: Mark Krencik, Jay Shumaker

Called to order at 6:35 p.m.

PARLIAMENTARY ITEMS

- Approval of Agenda. One item (Wabaska circle) delayed, one item (Seventh-day Church cell tower) inadvertently omitted from agenda heard as non-public information item with no vote taken. Motion by Ross, second by Coons. Vote 10-0. Abstaining: Paul Webb (Brown Act concerns). Not voting: Burgess (late) and Dick (late).
- 2. Approval of October 2014 minutes. Approved 10-0, Burgess, Carnevale and Webb abstaining because of absences
- 3. Secretary's Report Don Sevrens (None)
- 4. Treasurer's Report Patricia Clark

Reported \$1.58 in treasury, appealed for donations to cover arrearages on Website bill incurred prior to July 1, 2014 when city stipend kicked in Chair Report – Julia Quinn.

Briefed board on requirements for 2015 election. Terms expiring are Carnevale, Coons, Krencik, Quinn and Ryan.

NON-AGENDA PUBLIC COMMENTS

KORLA EAQUINTA – Expressed concerns that projects of four units or less are being approved through a ministerial process escaping board and public review, then being moved forward through map waivers.

MIKE STEVENS – Said enclosed parking spaces at units are being rented out to non-residents in a flagrant violation of Municipal Code. Said Code Enforcement will only respond if the complaint is from a neighbor.

ACTION ITEMS

Approval of letter to city regarding new permit application for 1676 Plum St .Presentation by Jon Linney, Jerry Lohla and Danna Nicholas, deputy city attorney.
Proposed letter asked Department of Development Services to halt processing or
review of any new permits for the site until seven counts of criminal charges have been
fully adjudicated. Lohla predicted the long-unfinished house will never be built but
neighborhood will continue to suffer. Nicholas said "In this case Mr. Mendiola earned
himself a criminal complaint." She said the only way he can finish is to get new permits
and that a plea agreement might result in a finish, demolition or sale. No trial date has
been set.

Motion by Sevrens, Second by Linney to send letter to city. Failed. Yes (5): Cook, Jarvis, Linney, Nystrom, Sevrens. No (7): Burgess, Carnevale, Clark, Coons, Dick, Ryan, Webb.

 EF International Language School at former Cabrillo Hospital site – Presentation by Shawna Sullivan

Only a single-family home is our district. The rest of the high-rise, parking lot and proposed recreation area is in the Midway district.

Motion by Burgess/second by Jarvis to approve project. Passed. Yes (10): Burgess, Clark, Cook, Coons, Dick, Linney, Nystrom, Ross, Sevrens, Webb. No (2): Carnevale, Ryan.

Pump Station No. 2 Power Reliability and Surge Protection Project, 4077 N. Harbor Dr.

 Presentation by Genene Lehotsky, City of San Diego Department of Public Works.
 Additional pumps and new housings to be installed at present site bordering North
 Harbor Drive. This was an action item at the request of the Coastal Commission.
 Motion to approve by Ryan, second by Webb. Approved by unanimous vote.

Carleton Street Map Waiver, Project No. 373548, 3015-3021 Carleton St. Map waiver to construct four residential condominiums at building currently under

construction. Applicant: David Parot

Discussion pointed out that the project received ministerial approval, escaping board and public review. It was pointed out that the third floor "lofts" or "dens" contain closets and bathrooms and are really third bedrooms and violate Municipal Code parking requirements. Also, testimony pointed out there has been extensive advertising of three-bedroom units although the applicant denied responsibility for the advertising. The applicant said it was identical to other 30-foot condos in Roseville which generated discussion from board and the public of unhappiness with loopholes leading to substandard buildings and destruction of comunity character.

Sevrens: Complained of obfuscation and seemingly misleading statements by the project manager and the applicant as to perceived violations of the Municipal Code.

Midway Community Planning Group Agenda

DATE: Wednesday, November 14, 2014

San Diego Community College – West City Campus PLACE: 3249 Fordham St., Room 208; San Diego CA 92110 3:00 PM

TIME:

- 1. Call to Order
- 2. Introductions
- 3. Approval of Minutes
- 4. Public Comment

5. City and Government Office Reports

- a. Council District 2 office Tracy Cambre
- b. Mayor's office -
- c. Planning Department Tait Galloway
- d. Police Department Officer David Surwilo
- e. Regional Airport Authority Peggy Cooper
- f. County Supervisor District 4 office Sterling McHale
- g. State Senator Marty Block office Roberto Alcantar
- h. Assemblymember Toni Atkins office Rachel Gregg
- i. Congressman Scott Peters office Sarah Czarnecki

6. Chair Report: Melanie Nickel (and any other member with information of interest)

7. Reports/Presentations:

a. Action item: Conditional use permit for EFF International Language School: Shawna Sullivan, EF Education First

b. Information item: North Bay Greening Plan: Melissa Garcia, city of San Diego

c. Possible action item: Tree recommendations in the Midway Community Plan and the North Bay Conceptual Plan

8. Community Planners Committee Report: Melanie Nickel

9. Airport Noise Committee Report: Victor Ravago

10. Business Improvement District Report: Victor Ravago

11. Old Business:

12. New Business:

13. Adjournment

Midway Community Planning Group Recommendation

From: Melanie Nickel [mailto:melanien@stanfordalumni.org]
Sent: Thursday, November 20, 2014 12:41 PM
To: Fitzgerald, PJ
Subject: Re: Project Assessment - EF-Education First Cabrillo Hospital (392464)

There were no issues and we approved it without conditions. In fact the planning group is quite enthusiastic about this project, we think it will be a net positive for the community. --Melanie

On Thu, Nov 20, 2014 at 12:33 PM, Fitzgerald, PJ <<u>PFitzgerald@sandiego.gov</u>> wrote:

Good afternoon Melanie-

Your email works perfectly - Thanks! May I ask if there were any issue areas the group was concerned about, or any conditions of approval (not necessary, but we need to note on the Hearing Officer Report if there are any). Also, I got your vmail about your phone # - I'll look into that and have your phone # changed if it's incorrect on our master list.

Thanks-

--PJ

From: Melanie Nickel <<u>melanien@stanfordalumni.org</u>> Sent: Thursday, November 20, 2014 12:27 PM To: Fitzgerald, PJ Subject: Re: Project Assessment - EF-Education First Cabrillo Hospital (392464)

Hi, PJ! I can't find the form I usually use to report the planning group's action. Can you email the form to me? Or can you just take my report by email? We heard the issue of the EF International School CUP application at our regular meeting yesterday, November 19, 2014, and we approved it unanimously, 7-0-0.

Thanks! -- Melanie Nickel, chair, Midway Community Planning Group

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g) ATTACHMENT 9

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Project Titla:	Project Vo. (For Oily User Only)
EE International Langu	age School
Part II. To be completed when property is held by a corporatio	n or partnership
Legal Status (please check):	
Corporation KLimited Liability -or- C: General) What State?	
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Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type cr print):
Greentree Family LLC.	Owner Tonant/Lessea
Street Address: 260 Landis Ave	Street Address:
CHURCHAZIN	City/State/Zip:
Chula Vista, CA 91915 PROJEKTO: (1019) 422-83324 (1019) 420-1888	Phone No: Fax No:
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ATTACHMENT 9

EFEKTA CABRILLO INC.

Action of Directors in Lieu of a First Meeting

September 12, 2014

The undersigned, being all of the members of the Board of Directors of Efekta Cabrillo Inc., a Delaware corporation (the "Corporation"), and acting in accordance with Section 141(f) of the Delaware General Corporation Law, consent to the adoption of the following resolutions:

RESOLVED: That the adoption of the By-Laws of the Corporation, the establishment of the number of directors that constitute the full Board and the appointment of the initial directors of the Corporation by the sole incorporator of the Corporation be, and they hereby are, ratified and confirmed.
 RESOLVED: That the following persons be, and each of them hereby is, elected to the offices of the Corporation set forth opposite their respective names, each to serve, subject to the By-Laws of the Corporation, until his or her successor is elected and qualified or until his or her earlier death, resignation or removal:

	PRESIDENT:	Christoffer Abramson
	TREASURER:	Bruce Strong
	SECRETARY;	Bruce Strong
RESOLVED:	That the fiscal year of the Co year.	prporation shall end on September 30 of each
RESOLVED:	That an office of the Corpora Education Street, Cambridge	ation be established and maintained at 8 e, MA 02141.
RESOLVED:		ock certificate is adopted and prescribed as the the common stock, \$0.01 par value, of the k'').
RESOLVED:	the "Proper Officers") hereb	and Treasurer of the Corporation (collectively, y are, and each of them acting singly hereby is, prate seal of the Corporation and to affix an e margin.
RESOLVED:	authorized to designate a dep that the banking and borrow	h any two of them acting jointly hereby are pository of the funds of the Corporation, and ing resolutions appearing on the certificate ons in the minute book and incorporated in this

vote by reference are adopted.

ActiveUS 133872382v.1

ATTACHMENT 10

RECORDING REQUESTED BY CITY OF SAN DIEGO CITY CLERK

WHEN RECORDED MAIL TO PERMIT INTAKE MAIL STATION 501

THE ORIGINAL OF THIS DOCUMENT WAS RECORDED ON SEP 29, 2005 DOCUMENT NUMBER 2005-0844489 GREGORY J. SMITH. COUNTY RECORDER SAN DIEGO COUNTY RECORDER'S OFFICE TIME: 3:58 PM

ORIGINAL

JOB ORDER NUMBER: 42-2234

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 211334 (AMENDMENT TO CONDITIONAL USE PERMIT NO. 88-0252) CABRILLO HOSPITAL - PROJECT NO. 23708 CITY COUNCIL

This Conditional Use Permit No. 211334 (amendment to Conditional Use Permit No. 88-0252) is granted by the City Council of the City of San Diego to Loma Cabrillo LLC., Owners/Permittees, pursuant to the San Diego Municipal Code. This permit shall amend and supercede Conditional Use Permit No. 88-0252. The subject property is located at 3425 Kenyon Street in the CO-1-2 zone within the Midway/Pacific Highway Corridor Community Plan. The project site is legally described as Parcel 2 of Vesting Tentative Map No. 211022 (previously known as Parcel 1 of PM No. 19321) and Parcel 1 of PM 1953.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/ Permittee to modify the project related property boundaries, demolish two existing medical buildings and otherwise maintain and operate an existing hospital facility, described and identified by size, dimension, quantity, type, and location on the approved Exhibit A dated June 21, 2005 on file in the Development Services Department.

The project or facility shall include:

- a. An existing 178,885 square-foot hospital building containing 200 beds;
- b. An existing 47,880 square-foot medical office building;
- c. An existing 5,070 square-foot office building;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking facilities;
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California

- Page 1 of 7 -

Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

Sec. 1

1. Recordation of project documents in the office of the County Recorder must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owners and Permittees sign and return the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.

4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

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

6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. Notwithstanding any other provision in this Conditional Use Permit, existing structures, improvements, landscaping, and fixtures (including lighting), that remain unaltered and are not a part of the new construction shown on Exhibit A, shall not be subject to any new requirements or to compliance with existing building, fire, mechanical and plumbing codes, since they would retain previously conforming rights in accordance with the San Diego Municipal Code Chapter 12, Article 7, Division 1. Conditions and requirements herein relating to the issuance of permits or certificates, or to grading or construction to be undertaken by Owner/Permittee, shall apply only to the new construction shown on Exhibit A.

- Page 2 of 7 -

ORIGINAL

8. Before issuance of any building permits, complete working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit A. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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.

WATER REQUIREMENTS:

A. Cara

10. For any future development on the hospital-to-remain site, the subdivider shall remove the existing water services and install new services and meters of appropriate size to serve the future development. These new services must be located within or adjacent to the Kenyon Street right-of-way frontage of Parcel 1 of Map 19321.

WASTEWATER REQUIREMENTS:

11. No structures or landscaping that would inhibit vehicular access shall be installed in or over any public sewer access easement.

12. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

LANDSCAPE REQUIREMENTS:

13. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

14. Prior to issuance of any construction permits for structures (including retrofitting of the existing hospital structure), complete landscape and irrigation construction documents consistent with the Landscape Standards (including planting and irrigation plans, details and specifications)

- Page 3 of 7 -

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ORIGINAL

shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A', Landscape Development Plan.

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15. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a forty 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.

16. Prior to any utility stub out, for wet and dry utilities, a plot plan shall be submitted to the Landscape Section of Development Services. The plot plans shall coordinate all utilities and driveways with the required Street Trees. The location of the Street Trees shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan.

17. Prior to issuance of any Certificate of Occupancy (including retrofitting of the existing hospital structure), it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A No Fee Street Tree Permit, if applicable, shall be obtained for the installation, establishment and on-going maintenance of all street trees.

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

19. Prior to any grading (building permit) the Permittee or subsequent Owner shall enter into a Landscape Maintenance Agreement for all landscape improvements. The Landscape Maintenance Agreement shall be approved by the Landscape Section of Development Services and the City Manager.

20. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.

21. <u>Non-contiguous sidewalks</u>: Prior to issuance of any engineering permits for right-of-way improvements, complete landscape and irrigation construction documents consistent with the Exhibit 'A' Landscape Development Plan shall be submitted to the City Manager for approval. The improvement plans shall reflect non-contiguous sidewalks and shall provide a forty square foot street tree growing area (for each tree) that is located within the parkway between the sidewalk and back of curb.

- Page 4 of 7 -

ORIGINAL

TRANSPORTATION REQUIREMENTS:

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22. No fewer than 483 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit A. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

23. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

24. <u>New Parking Lot Lighting</u>: Prior to the issuance of any engineering or building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

25. As required by Conditional Use Permit No. 88-0252, charging for on-site parking shall be subject to the following conditions:

- Employees will not be assessed a fee for parking on-site;
- Through a validation system, patients and visitors will not be charged for on-site parking;
- Adequate signs are to be placed informing the public of the validation system;
- The first hour will be free of charge. For every half-hour thereafter, the charge will be \$0.50. The maximum daily charge will be \$10.00.

26. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

- Page 5 of 7 -

ORIGINAL

27. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

28. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

ENGINEERING REQUIREMENTS:

12. The subdivider shall replace any damaged sidewalk with City standard sidewalk, along the project frontage on Kenyon Street, per Standard Drawings G-7 and G-9.

13. The subdivider shall obtain an Encroachment Maintenance and Removal Agreement for any approved structures or landscaping, including private utilities and/or facilities and enhanced paving, installed in or over any public easement or right-of-way.

14. This Conditional Use Permit shall comply with the conditions of the parcel map for Vesting Tentative Map No. 211022.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to <u>California Government Code section 66020</u>.
- For clarification purposes, Exhibit A includes letter from the Development Project Manager of the City of San Diego addressed to Loma Cabrillo, LLC, 3242 Columbia, LLC and 2419 29th Street, L.L.P. dated May 26, 2005.

APPROVED by the City Council of the City of San Diego on June 21, 2005.

- Page 6 of 7 -



AUTHENTICATED BY THE CITY MANAGER

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By Kelly Broughton, Deputy Director- Development Services

The undersigned Permitted, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

Loma Cabrillo LLC By Allan J. Klebler, Manager By_

NOTE: Notary acknowledgments Must be attached per Civil Code Section 1180 *et seq*.



On September 27, 2005 before me, Carolyn Rodriguez, Notary Public, personally appeared Alan J. Kuebler, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal. Notary/Public



ATTACHMENT 10

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N. 777-1.

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State of California)	
County of San	Diego			·	
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Project Description

EF Education First proposes an adaptive meaner redevelop for the Torner Cabrillo Hespital 6.35 acressite at 3475 Kenyon Street into a new EF International Language School, With 14 schools in North America and 400 offices and schools globally. CF offers international students from more than 70 countries the opportanity to learn English through a fully accredited academic program and a brended learning experience that occurs both inside and datside the classroom.

EF is seeking a conditional use permit (CUP) from the City of San Diego to allow for educational and domitory uses with a maximum student emolment of 1,500 students (predominantly between the ages of 18-26). If approved, IF would conduct interior resolutions of the existing 178,885-SF hospital building to create approximately 40 classrooms, single, double and triple domitory rooms for 400-700 students, as well as some extenior site work to allow for outdoor community and recreational space, juinclude a swimming pool, soccer field (smaller than regulation) and sand volkeyball courts. The existing 5,000 SP building would be home to a student activities center, and the single-family residence on Wing Street and Shadowawn Street would be occupied by an CF Campus Director and his/her family

O proamers to activate the kenyon Street side of the alloperty with new, landscaped green space and duildaor gathering and community areas. The proposal follows the Midway Packe Highway Commanity Plan, bringing to life the vision for the Kenner Neighborhood Village.

Civil Scope of Site Work

- 1. Removal of a portion (1.5 acres) of the existing AC parking area and appurtentint curbed planter. Sands. 2 Installation of new swimming pool (1), sand volleybal
- courts (2) and new randscaped prantees islands. 1. Installation of New ADA ramps
- 4. Installation of new modurar writiand system for water garity treatment

carrierjohnson + cultura

Site Data

Site Address MAY ARRIVERT STREET, SAME MORE CA. 9211

Legal Description PARCELING 2 OF PARCEL MAPLES 1324

APN Number ASSESSOR #ARCELINO 441 270 24

Construction Type type 18. V

Occupancy OCCUPANCY CLASSIFICATION & HOF NEW INSCRIPTION USE Zoning Designation тонно револики со 1 2 тоне очими тонко какоет внастоя, солона неоне цин тонко револялося в 17

Existing CUP

Existing Use

Construction

Proposed Use

AGE SCHOO

Geological Hazard Categories



Project Summary SITE GROSS 6.35 Ac BUILDINGS

EXISTING FUILDING A 178288554 5.00051 1.96654 BUILDING hun balas e TOTAL 18545151

EVERING A: CLASSROOM/DORM ROOM COUNT EVEL 1: CLASSROOMS(6) 300 - 3005F (5:500 + SF EVEL 2 CLASSROOMS: (27) 300-3003F (6) 500 + SF

DORM ROOMS: (73) 3 STUDENT DORM ROOM (2) 4 STUDEN* DORM RODMS LEVEL 3. GYM, GAMRIG AND LOUHGE

LEVEL # - 10 (TTP) DORM ROOMS: (24) 3 STUDENT DORM ROOMS (3) 4 STUGENT DORM KOOMS (3) 4 STUGENT DORM ROOMS TOTAL STUDENT THIS FLOOR: 84 FLOOR 4-10 (7) FLOORS X 84 = 588

BUILDING B: OFFICE AND STUDENT SERVICES BUILDING C: SINDLE FAMILY RESIDENCE PARKING

EXISTING SURFACE 461 STALLS PROPOSED 288514115

Parking is shared with adjacent M.O.B. A Stated Parking Analysis to be complete with Traffic Study by Urbar Systems

HANDICAP STALLS REQUIRED STANDARD VAN ACCESSIBLE ESTATES 15TATES

HANDICAP STALLS PROVIDED 6514115 2514115 VAN ACCESSIBIL

MOTORCYCLE FARKING STALLS PROVIDED MOTORCYCLE PARKING 15 STALLS

EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92106 SCALE:

Project Team

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Notes:

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EF EDUCATION

Conditional Use Permit ATTACHMENT 11

Sheet Index

- A1.00 Title Sheet
- A1.01 Site Plan A1.02 Floor Plans Level
- A1.03 Floor Plans Level 2
- A1.04 Floor Plans Level 3
- A1.05 Floor Plans Level 4-10
- A2.00 North Elevation
- A2.01 South Elevation
- A2.02 West Elevation
- A2.03 East Elevation
- A2.04 BLDG B + C Elevations
- E1.00 Photometric Plan
- L1.00 Landscape Site Plan
- L1.01 Existing Tree Plan
- C1.0 Existing Site and Topography Map
- C1.1 Civil Site, Improvements and Grading

EF EDUCATION FIRST VICINITY MAP



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March 6th, 2015





EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92106

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SITE PLAN SCALE: 1"=30' NTS AT 11"X17"

ATTACHMENT 11

LEGEND]
ACCESSIBLE PATH OF TRAVEL 22% MAX SLOPE/ CROSS SLOPE TYP.)	
26'WIDE FIRE TRUCK	_
FIRE HYDRANT	
PARKING: EXISTING W PROPOSED/NEW Z PARKING REMOVAL (R)	
PA PLANTER AREA	
PARKING SUMM	
ARKING REQUIRED (PER USA MEMO) 89 STALLS TOTAL	
83 STALLS TOTAL (MOB) 8 STALLS (EF STUDENTS) 5 STALLS (EF FACULTY/STAFF) STALLS (SINGLE FAMILY RESIDENCE)	
ADA (REQUIRED 201 - 300) MOTORCYCLE (2%) BICYCLE (2% AUTO)	
ARKING PROVIDED	
90 STALLS TOTAL 23 STALLS TOTAL (MOB) () 53 STALLS (EF STUDENTS) 5 STALLS (EF FACILLTY/STAFF) 5 STALLS (SINGLE FAMILY RESIDENCE) ADA ADA 50 DIORCYCLE (5%) 50 BIOYCLE	
5 BICYCLE INDOOR ON-SITE SECURED S	
PARKING CALCU	JLATIONS AND USA MEMO (2)
MEDICAL OFFICE BUILDING PEAK PARKI PARKING REQUIRED = GSF/1000 X PPD (3	3.4) - PER SDMCU TABLE 142-051
GSF/1000 PEAM MOB 47,880SF/1000 = 47.88 X	3.4 = 163
EF STUDENT PEAK PARKING CALCULATI	IONB
	X (REDUCTION RATE PER USA SURVEY) REDUCTION PARKING TOTAL RATE REOUIRED PER PARKING
A TRANSIT ZONE	STUDENT REQUIRED
1500 .85 X EF FACULTY/ STAFF PEAK PARKING CAL PARKING REQUIRED = [85% OF MINIMUM]	3% = .0255 X 1500 = 38 SPACES
EF FACULTY/ 85% OF MINIMUM STAFF AT PEAK IN TRANSIT AREA	TOTAL PARKING REQUIRED
100 X .85 =	85 SPACES
SINGLE FAMILY HOME PARKING CALCUL PARKING REQUIRED = 2 SPACES PER DW	
DWELLING UNITS 2 SPACES PER DWELLING UNIT	TOTAL PARKING REQUIRED
1 X 2 =	2
FOOTNOTES: SPACES 1 THROUGH 163 ARE ALLOCATED DFFICE BUILDING (MOB) USES THROUGH AGREEMENT.	D TO THE MEDICAL
JRBAN SYSTEMS ASSOCIATES, INC. (USA XABRILLO HOSPITAL SITE - TRIP GENERA PARKING MEMORANDUM (FEBRUARY 201	TION, TOM AND
Norre: Address: Phone:	CARRIER JOHNSON 1001 THIRD AVENUE SAN DEGO, CA 92/01 (19) 229-221
Project Addre	ess: 3455 KEHVON STREET SAN DIEGO, CA, 52106 A.P.N. 441-200-24 Revision 01: 12/12/14 10//78/14

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March 6th, 2015



carrierjohnson + cultuna

EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92106 NOT TO SCALE AT 11X17

ATTACHMENT 11

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March 6th, 2015



carrierjohnson + CULTUR3

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EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92106 SCALE 1/8-11

NOT TO SCALE AT 11X17

March 8th, 2015

ATTACHMENT 11

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March 8th, 2015



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ATTACHMENT 11

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carrierjohnson 🚸 CULTURA

ATTACHMENT 11

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carrierjohnson & CULTUR3

ATTACHMENT 11

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carrierjohnson + cultur3

EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92108 SCALE NTS

ATTACHMENT 11

NO EXTERIOR ALTERATIONS PROPOSED

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ATTACHMENT 11

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NORTH ELEVATION - BUILDING B



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March 6th, 2015

NO EXTERIOR ALTERATIONS PROPOSED



ATTACHMENT 11

Hame	CARISER JOHN SON	03/08/40
Address.	1301 THIRD AVENUE	Revision 03/08/15
	SAN DIEGO, CA 92101	02/20/48
Phone:	(519) 239-2353	
RopolAddes	MAN KENYON STREET	Perista or 01/20/15
	5AN DIEGO, CA. 92106 A.P.N. 441-250-24	Persidan 12/12/14
	P.P.R. 441-292-24	100000
Project Kame	EF EDUCATION FIRST CUP	original Date: 10/08/14
	AA A1	sheer 11 of 18
Shoot Tide	A2.04	D\$P4

EF International School LIGHTING CALCULATIONS: Site & Perimeter Spill Date:1/20/2015 Fileneme: 14231 EFUS - Site Perimeter Ughting Analysis-rey 20150120.AGI

Description GL18-2-255LA NW-IS GL18-2-255LA NW GL18-3-255LA NW

GL18-3-255LA-NW GL18-4-255LA-NW GL13-2-85LA-NW 1P52 36LED WHT30K MFL 525mA \$151000Hx-x6x-V2

CALCULATION BY: BB

Luminaire Scheduls

Tag 101A 101 102A 102 103 104 105 M01

Symbol

***Lighting calculation results are based on photometric data provided by manufacturers and endustry standards regarding reflectance of surfaces.

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ROOM CHARACTERISTICS CERING HEIGHT: N/A CEILING REFLECTANCE: N/A WALL REFLECTANCE: N/A FLOOR REFLECTANCE Ground = .2 FROM REFECTIVELY for units $T_{\rm eff}$ of Voleyball Courts at +3 ft AFG. All others at Z = 0.0 CALC, PLANE BEIGHT: Soccer and Voleyball Courts at +3 ft AFG. All others at Z = 0.0 OTHER IMPORTANT INFORMATION. This model was created with the ground being flat and level, except for east and south slopes

BUG Bating B1-00-G2 B3-00-G2 B3-00-G2 B3-00-G2 B3-00-G2 B2-00-G2 B2-00-G2 B2-00-G0

NA

SUMMARY.

ARE SPELING ACCPOSE ON THE MULTI-FAMILY RESIDENTIAL PROPERTY OF LAW WEST.

Numeric Summary				
Label	CalcType	Units	Ave	Max
Driveway	lituminance	Ĩ,	1.62	5.1
Parking Lot - East	Illuminance	fe	1.28	8.1
Parking Lot - North	Buminance	fe	1.07	4.0
Perim East - Vertical III Seg 1	Obtrusive Light - II	Fc	0.14	0.2
Perim East_Slope	Burninance	fe	0.36	4.6
Parim North - Vertical II Seg1	Obtrusive Light - II	fi.	0.61	3.5
Perim North - Vertical_III_Seg2	Obtrusive Light - II	Fc	0.21	0.3
Perim North - Vertical III Seg3	Obtrusive Light - II	fe	0.46	4.7
Perim South - Vertical #1 Seg1	Obtrusive Light - II	R	0.03	0.2
Perim South West_Slope	Runsinance	fc	0.00	0.0
Perim South Slope	liturninance	fc	0.29	6.8
Perim West - Vertical III Seg1	Obtrusive Light - II	h	1.25	4.4
Spill - Perim North - Horiz	Illuminance	fr	0.05	1.4
Spilt - Perim West - Horiz	Illuminance	fc	0.10	0.6

Numeric Summary



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	SAN DIEGO CA 32101	09/00/48
Phone	(616) 238-2383	Revision 0000010
Project Address	JUS KENVON STREET	Person 102 01/20/15
	SAN DEGO, CA - 82408 A.P.N. 441 292 24	Revision 61 12/12/14
813 3655 \$620 YR	EF ECHICATION MAST CUP	Cerprus Date 10/0/2014
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DESIGN INTENT:

THE FUTURE SITE OF THE EF INTERNATIONAL LANGUAGE SCHOOL WILL INCLUDE ANTERNOR RENOVATIONS TO THE EXISTING STRUCTURES TO CREATE APPROXIMITELY AS CLASSINGOUS, SINGE, DOUBLE, AND TRIFLE DONNINGRY, ROOMS FOR AND STUTUENTS AS YIELL AS EXTERIOR SITE AMPROVEMENTS TO ALLOW FOR OUTDOOR COMMUNITY AND REFERENCEMENTS TO ALLOW FOR OUTDOOR COMMUNITY AND RECREATIONAL SPACES

THE SITE DESIGN AT EF INTERNATIONAL LANGUAGE SCHOOL IS CENTERED ANCUND OUTDOOR ACTIVE AND PASSIVE RECREATION AREAS FOR BTUDENTS, STAFF, AND THE COMMANDITY TO INTERNOT. THE REQUEST WILL PROVIDE AN OUTDOOR NOTING PAACS STAFE WITH MOVABLE TABLES AND CHAIRS AND WILL ENCOURAGE & DIVERSITY OF ACTIVITIES ADJACENT TO THE PLAZA. ACTIVE SPACED WILL INCLUDE A SYNTHETIC TURE PEED BOCCERF MAULT PURPOSE HELD. TWO BAND VOLLEYBALL COURTS, AND AN OUTDOOR NOOL. THE PLAZES WILL INCLUDE TABLE TENNIS AND AN AUCHOR OF RELUS AND FIRE MIT FOR GATHERING INTERNATIONAL STUDENT ON TRELIS AND FIRE MIT FOR GATHERING INTERNATIONAL STUDENT WILL REALLE TO WALK, BME, CRIT TAKE PURIC TRANSPORTATION TO THE CAMPUS. THE WALKWAY SYSTENS WILL PHOVIDE PRESTIGN ACCESS IN MOUGHT IT TO BURK HOWIDE PRESTIGN ACCESS IN MOUGHT IT TO BURK OF THE WALK PHOVIDES FREE TO AUACENTING FIRE TO BURK OF THE STORAGE WALL ASSO EF PROVIDED TO ACCOMPODE AND WILL PHOVIDES FREE TO AUACENTING FIRE TO BURK OF THE STORAGE WALL ASSO EF PROVIDED TO ACCOMPODE AND WILL PHOVIDES FREE TO AUACENTING FIRE TO THE ACTIVITY. WILL ALSO BE PROVIDED TO ACCOMMODATE GYCLISTE

WAL ALSO BE PROVIDED TO ACCOMMODATE CYCLISTS. THE ENTRANCE AT WING STREET WILL BE ENHANCED WITH VEHICULAR ENTRY PANNOR AND ACCENT PLANTINGS AND THEES TO DEFINE THE SPACE AND VISTORS WITH A LARGE SPECIMEN TREE, ANT WORK, LANDSCAPE ERAIS AND BOULDERS FOR PEOPLE TO BIT AND GATHER. THE PARKING NOT VISTORS WITH A LARGE SPECIMEN TREE, ANT WORK, LANDSCAPE ERAIS AND BOULDERS FOR PEOPLE TO BIT AND GATHER. THE PARKING SPACES WITH ADDITIONAL PARKING LOT TREES FOR BADAC. THE EVISITING THEES WILL BE RESTRUCTURED TO ALLOW FOR AN INCREASE IN PAIKING THEES WILL BE ROTECTED IN PLACE AS FEASING THE EXISTING THEES WILL BE ROTECTED IN PLACE AS FEASING AND CHERANCED TO PROVIDE SCREENING FOR ADJACENT PROPERTIES A NEW ROW OF SCREEN PROVIDE SCREENING FOR ADJACENT PROPERTIES A NEW ROW OF SCREEN PROVIDE SCREENING FOR ADJACENT PROPERTIES A NEW ROW OF SCREEN PROVIDE SCREENING FOR ADJACENT PROPERTIES A NEW ROW OF SCREEN PROVIDE SCREENING FOR ADJACENT PROPERTIES AND GROUNDCOVER WILL BE NATIVE OR ADJACTIVE TO THE SAN DEGO REGION AND HAVE LOW WATER REQUIREMENTE. REQUIREMENTS.

ALL PLANTING AREAS WILL RECEIVE COMPLETE IRRIGATION COVERAGE BY MEANS OF AN AUTOMATICALLY CONTROLLED, ELECTRICALLY OPERATED, UNDERGROUND, STATE OF THE ART SPRINKLER SYSTEM IRRIGATION WITH RAIN SENSORS AND LOW PRECIPITATION TYPE HEADS WILL BE UTILIZED

ALL LANDSCAFE AND IRRIGATION BHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANAL FOR LANDSCAFE STANDARDS AND ALL ONTER LANDSCAPE REALFED CITY AND REGIONAL STANDARDS. ALL LONG-TERM MAINTERMANCE FOR THE REQUIRED LANDSCAPING SHALL BE BEDWIDED AN THE REDOED TO MUSE PROVIDED BY THE PROFERTY OWNER

ACCESSIBILITY:

ALL PEDESTRIAN FACILITIES SHALL COMPLY WITH ADA STANDARDS AND CALIFORNIA TITLE 24. PEDESTRIAN ROUTES AND SURFACES ARE ADA COMPLIENT

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STREET TREES:

EF EDUCATION FIRST 3455 KENYON ST, San Diego, CA 92106 SCALE: 1"=30-0"

LE: 1*=30-0* NOT TO SCALE AT 11X17

TREE PROTECTION NOTES:

I. PRIOR TO ANY DISTURBANCE TO THE GYMNER/PERMITTEE SHALL MAKE ARRANGEMENTS FOR A PRE-CONSTRUCTION MEETING WITH THE CITY OF BAN DIEGO WITGATION HONTONIA CORONINATION SECTION (MANG). THE RESIDENT ENGINEER (RE) AND/OR BUILDING INSPECTOR, CERTIFIED CONSULTING ARBORIST, CONSTRUCTION IMMINGER, AND LANDSCAPE PROFESSIONAL.

2 THE CONSTRUCTION MANAGER IS RESPONSIBLE FOR PREVENTING DAMAGE TO ALL EXISTING TREES.

A) CONSTRUCTION AND MAINTENANCE STAFF SHALL AVOID UNRECESSARY ACTIVITIES WITHIN THE DRIPLINE OF ALL TREES

B) FINES GHALL BE ASSESSED TO THOSE INDIVIDUALS FOUND TO BE RESPONSIBLE FOR THE ILLEGAL REMOVAL OR DAMAGE OF PROTECTED TREES

3 ANY DAMAGE OR INJURY TO TREES SHALL BE REPORTED WITHIN 24 HOURS TO MMC BY THE CERTIFIED CONSULTING ARBORIST.

4. The Cernffied Consulting Arborist Shall be responsible for Establishing, inplementing, and maintaining the tree protection Zone As shown on these plans during the entire construction period:

A) STAKE THE COMPLETE DRIP LINE.

B) ROOTS BHALL BE CLEANLY CUT BACK APPROX. 8" FROM THE LIMIT OF DISTURBANCE, UNLESS OTHERWISE ORECTED BY THE CERTIFIED CONSULTING ARBORIST.

C) INSTALLA TEMPORARY 6-FT HIGH CHAIN LINK FENCE AROUND THE IDENTIFIED DRIPLINE, UMLESS OTHERWISE DIRECTED BY THE CERTIFIED CONSULTING ARBORIST

U) ATTACH AN ORANGE OR YELLOW PROTECTIVE FENCE (MAN 3' HIGH) TO THE CHAIN LINK FENCE,

E) WHEN AREAS UNDER THE TREE CANORY CANNOT BE FENCED, ANOTHER METHOD SHALL BE REQUIRED. AS RECOMMENDED BY THE CERTIFIED CONSULTING ARBORIST AND APPROVED BY MMG

F) POST 'KEEP OUT' SIGNS IN BOTH SPANISH AND ENGLISH TO THE CHAIN LINK FEMOLE

G) PLACE STORY POLES WHERE PROPOSED BUILDING(S) AND TREE DRANGIES INTERFACE

H) SUBMIT TO MMCA TREE MAINTENANCE SCHEDULE PREPARED BY THE CERTIFIED CONSULTING ARBORIST

I) IF A TREE IS ADJACENT TO OR IN THE IMMEDIATE PROXIMITY TO A GRADE SLOPE OF 8% (23 DEGREES) OR MORE, PROVIDE ADEOUATE EROSION CONTROL (IE: JUTE NATTING OR EQ.)

5. THE CERTIFIED CONSULTING ARBORIST SHALL VERIFY IN WRITING TO THE OWNER/PERMITTEE THAT THE TREE PROTECTION ZONE HAS BEEN ESTABLISHED

6. THE OWNER/PERMITTEE SHALL SUBMIT THE CERTIFIED CONSULTING ARBORIST'S VERIFICATION LETTER TO MAC BEFORE SCHEDULING A SITE INSPECTION WITH AWAY. THE RE ANDOR BULLDING INSPECTOR, CERTIFIED CONSULTING ARBORIST, AND LANDSCAPE PROFESSIONAL

7. RESTRICTIONS WITHIN THE TREE PROTECTION ZONE TO BE MONITORED BY THE CERTIFIED CONSULTING ARBORIST AS FOLLOWS:

A) TREE PRUAING OR ROOT PRUAING WILL ONLY DECUR UNDER THE GUIDAICE OF THE CERTIFIED CONSULTING ARBORIST WITH WRITTEN APPRIOVAL FROM MINC

B) PRUNING FOR VERTICAL CLEARANCE OF BUILDINGS, TRAFFIC, AND CONSTRUCTION EQUIPMENT SHALL BE PERFORMED BY THE CERTIFIED CONSULTING ARBORIST DWLY.

C) CONSTRUCTION EQUIPMENT AND MATERIALS SUCH AS STOCKPILING OF SOIL, VEHICLE USE, FOOT TRAFFIC, UTILITY CONTAINERS, AND STORAGE OF ANY KIND, ARE PROHIBITED.

D) THE EXISTING GRADE SHALL NOT BE DISTURBED UNLESS OTHERWISE APPROVED BY MMC, THE RE, AND/OR BUILTING INSPECTOR

E) ROOT SYSTEMS BHALL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL BRILLS, AND EXCESSIVE VARIATIONS IN SOIL MOISTURE BY CONSTRUCTION ACTIVITY

B. ANY MODIFICATIONS AND/OR ADDITIONS TO THE APPROVED THEE PROTECTION ZONE SHALL BE SUBMITTED BY THE GERTIFIED CONSULTING ARBORIST WITH ADEQUATE INFORMATION TO MAC FOR APPROVAL

9. THE OWNERPERMITTEE SHALL BE RESPONSIBLE FOR A MINIMUM 3 YEAR MONITORING AND MAINTEININGE PERIOD, DESIGNED BY THE CERTIFIED CONSULTING ARBORIST AFTER CONSTRUCTION TO ENSURE THE BUCCESS OF PROTECTED AND/OR REFLACEMENT TREES

10 THE CERTIFIED CONSULTING ARBORIST SHALL PROVIDE ANNUAL REPORTS TO AND REQUEST INSPECTIONS FROM AMC DURING THE MONITORING AND NAINTENANCE PERIOD.

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EX. 4" UNDER SIDEWAX PROPOSED FINISH SUFFACE ELEVATION PROPOSED TOP OF CLAR





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