



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 12, 2015 **REPORT NO.** PC-15-126

ATTENTION: Planning Commission, Agenda of November 19, 2015

SUBJECT: THE GLEN AT SCRIPPS RANCH - PROJECT NO. 264823.
PROCESS FIVE.

REFERENCE: Planning Commission Report PC-13-048, dated April 4, 2013

**OWNER/
APPLICANT:** Alliant International University, a California non-profit corporation/
The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability
Company (Attachment 15).

SUMMARY

Issue(s) - Should the Planning Commission recommend the City Council approve the development of 450 assisted living units and 60 skilled nursing beds on a 53 acre site at 10455 Pomerado Road within the Scripps Miramar Ranch Community Plan area?

Staff Recommendations:

1. **Certify** Environmental Impact Report No. 264823, **Adopt** the Findings and Statement of Overriding Consideration, and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** General Plan and Scripps Miramar Ranch Community Plan Amendment No. 990531;
3. **Approve** Vesting Tentative Map No. 1451662, Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and MHPA Boundary Line Adjustment.

Community Planning Group Recommendation - The Scripps Miramar Ranch Community Planning Group discussed the proposed project at their November 5, 2015 meeting. Their recommendation was not available at the time this report was printed and will be provided in a separate memorandum.

Environmental Review - An Environmental Impact Report No. 264823 has been prepared for the Project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Findings and Statement of Overriding Consideration are required. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, some yet not all potential impacts identified in the environmental review process.

Fiscal Impact Statement - None. All costs associated with processing this application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None.

Housing Impact Statement - The project site is designated University in the Scripps Miramar Ranch community plan with no recommendation for residential use. The proposal for construction of a Continuing Care Retirement Communities consisting of 450 assisted living units and 60 skilled nursing beds would help implement City of San Diego Housing Element goals for persons with Disabilities and Special Needs. Because the assisted living units are not considered residential dwelling units, the proposal would not affect the City's housing supply.

BACKGROUND

The Scripps Miramar Ranch Community Plan designates the site for the United States International University campus (Attachment 1). The 53 acre site is located at 10455 Pomerado Road in the RM-1-8 Zone of the Scripps Miramar Ranch community (Attachment 2). With the exception of an existing ball field constructed by the United States International University, the existing site is vacant largely undeveloped land (Attachment 3).

The United States International University campus was approved March 15, 1967 through Conditional Use Permit No. 133 (Attachment 4). Subsequent to the 1967 action an Amendment was approved May 31, 1972 by the Planning Commission. Portions of the site were developed for the institutional use as a private university campus (Attachment 5). On June 15, 1978 the Planning Commission approved a second amendment to the original CUP No. 133 (Attachment 6).

On April 11, 2013 the Planning Commission considered a request for a classification of use from the applicant. City staff sought input from the Planning Commission and a determination that a Continuing Care Retirement Community is most like a residential care facility. City staff also requested the recommendation to the Development Services Director be applied City-wide with

the exception of Prop "A" Lands. The Planning Commission made such a recommendation on April 11, 2013.

California State Regulations

The state of California regulates the licensing of Continuing Care Retirement Communities through the Department of Social Services. Continuing Care Retirement Communities (CCRCs) are governed by California Health and Safety Code, §1770-1778 and offer persons 60 years of age and older a long term, continuing care contract, which promises that care would be provided to a person for life or for a term in excess of a year (§1771.C.9). The Department's Community Care Licensing Division has two branches. The Senior Care Program monitors continuing care providers for compliance with Community Care licensing laws and regulations regarding buildings and grounds, accommodations, care and supervision of residents, and quality of service. The Continuing Care Contracts Branch is responsible for reviewing and approving applications to operate a CCRC and monitors the ongoing financial condition of all providers and their ability to fulfill the long-term contractual obligations to residents. All components proposed on development plans are sited to provide and maintain a balanced CCRC that would provide all levels of care, including non-acute assisted living, acute assisted living, and skilled nursing while meeting all State licensing requirements, demonstrating a viable marketing plan and meeting its sales Projections to continue to demonstrate financial viability. A CCRC can provide independent living units, residential care/assisted living services, and skilled nursing care in one location for a resident's lifetime. Residents of CCRCs are given certain rights, including but not limited to living in an attractive, safe and well maintained environment, and living in an environment that enhances personal dignity, maintains independence, and encourages self-determination, (§1771.7.C.1-2). CCRCs provide a transition from standard residential housing where seniors can live in an age and occupancy restricted, service enriched community environment which includes in assisted-living units and/or nursing facilities. CCRCs are designed for older adults who have previously been living independently and desire advanced age services, maintenance-free living, and healthcare support.

DISCUSSION

Project Description

The Glen at Scripps Ranch project (Project) proposes the development of 450 assisted living units and 60 skilled nursing beds on a 53 acre site at 10455 Pomerado Road in the RM-1-8 Zone within the Scripps Miramar Ranch Community Plan area (Attachment 6). The Project would construct 400 age restricted, non-acute assisted living units, 50 acute assisted living units (16 of which are memory care units), and 60 skilled nursing beds. The 450 acute and non-acute assisted living units are differentiated from the skilled nursing beds as the two types of units are regulated separately by the Department of Social Services. The 400 non-acute assisted living units would include 64 villa units, 48 garden terrace units, and 288 apartment style independent living units. The 50 acute assisted living units and the 60 skilled nursing beds would be located within the health center building. The Project would also include a facilities building and a commons

building consisting of learning centers, a lecture hall, a library, an auditorium, fine dining, fine arts facilities, a tennis court, gardens, a fitness center, a pool and 9.88 acres dedicated to the Multi-Habitat Planning Area (Attachment 7).

Required Approvals

The application requires the approval of a General Plan Amendment and Scripps Miramar Ranch Community Plan Amendment, Vesting Tentative Map, Planned Development Permit, Site Development Permit, Conditional Use Permit, Neighborhood Development Permit and Multi-Habitat Planning Area Boundary Line Adjustment.

Sustainable Development features

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends the construction and operation of new development employ sustainable or "green" building techniques. The Project provides a variety of sustainable features and meets the General Plan's Conservation Element by implementation extensive green-building design measures, increased energy efficiency, increased lighting efficiency and would be designed and constructed to the equivalent of LEED certification. Further, the Project would implement sustainable landscape design and maintenance, reduce the heat island effect by minimizing dark hued reflective color in the roof design and minimizing the amount of pavement, including features to facilitate recycling of trash generated by building occupants, preserving on-site open space, implementation of water conservation measures to increase water use efficiency, developing a walk-able community using an integrated circulation system for pedestrians and bicycles on the site and a bus, car and van shuttles for shopping, doctor visits and other outings.

Deviations

While the Project complies with the majority of the development regulations of the applicable zone the Project requires four deviations, as allowed by the Planned Development Permit regulations. The Planned Development Permit process is the proper vehicle to request deviations where the topographic constraints and other existing conditions of the site dictate a design response which requires flexibility. The deviations requested are reasonable and would result in a better Project in keeping with the purpose and intent of the Planned Development Permit regulations. More specifically the deviations are as follows:

<u>Deviation</u>	<u>RS-1-8 Zone</u>	<u>Proposed</u>
• Minimum Street Frontage	100'	None (private driveway)
• Maximum building height	35'	Varies; 37-50'
• Monument signs in public right-of-way	None	2 signs
• Development encroachment into steep hillsides		100% encroachment

The purpose of the Planned Development Permit regulations is to provide flexibility in the application of development regulations for Projects where strict application of the base zone development regulations would restrict design options and result in a less desirable Project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, Project amenities, public improvements, and community and City benefits. Considered together the four deviations would create a more desirable Project that is clearly distinguishable from surrounding communities than would be achieved by strict conformance with the development regulations of the applicable zone.

In accordance with the purpose of the Planned Development Permit regulations, deviations from the applicable base zone development regulations may be requested in order to provide flexibility in achieving a zone-equivalent Project design that would be consistent with the intent of the base zone. The Project is consistent with the criteria for development design of the Land Development Code Section 143.0410(j) which states: (1) The overall development design should be comprehensive and should demonstrate the relationships of the proposed development on-site with existing development off-site, (2) The scale of the Project should be consistent with the neighborhood scale as represented by the dominant development pattern in the surrounding area or as otherwise specified in the applicable land use Plan, (3) Buildings, structures, and facilities on the premises should be well integrated into, oriented towards, and related to, the topographic and natural features of the site, (4) Proposed developments should avoid repetitious development patterns that are inconsistent with the goals of the applicable land use plan, (5) Buildings should avoid an overwhelming or dominating appearance as compared to adjacent structures and development patterns. Abrupt differences in scale between large commercial buildings and adjacent residential areas should be avoided. Instead, gradual transitions in building scale should be incorporated, (6) Larger structures should be designed to reduce actual or apparent bulk. This can be achieved by using pitched roof designs, separating large surface masses through changes in exterior treatment, or other architectural techniques, (7) To the greatest extent possible, landscaping should be used to soften the appearance of blank walls and building edges and enhance the pedestrian scale of the development, (8) Elements such as curbside landscaping, varied setbacks, and enhanced paving should be used to enhance the visual appearance of the development, (9) Roof forms should be consistent in material, design, and appearance with existing structures in the surrounding neighborhood. Plant materials and other design features should be used to define and enhance the appearance of roof spaces, especially flat roofs that are visible from higher elevations, and (10) Building material and color palettes should be consistent with applicable guidelines in the applicable land use plan, if provided. The Project is consistent with each of the ten criteria for development design of the Planned Development Permit regulations.

The first deviation is required where a development proposes a private driveway rather than a public street. On the Vesting Tentative Map, Parcel 1 and 2 do not have direct frontage or physical access to Pomerado Road. The requirement for direct frontage and physical access to all lots is proposed to be met by the Chabad Center Driveway, a private driveway. The requirement

for street frontage and physical access may be waived through the approval of a Planned Development Permit.

The topography of the site is variable and the Multi-Habitat Planning Area (MHPA) on the site is between Pomerado Road and the developable portions of the site making access to the site from Pomerado Road by means of a dedicated public road to all lots very difficult. Access from Pomerado Road into the site by means of a public road would disturb the most sensitive portion of the on-site habitat which is proposed to be preserved with a covenant of easement for the MHPA. An existing private driveway, Chabad Center Driveway, connects the existing Chabad development to Pomerado Road and the Project proposes to utilize this private driveway for access. As a Project feature, this deviation would protect sensitive habitat intended for preservation in the MHPA and reduce the amount of impervious surface for access purposes to the least amount practical. The deviation would result in a better project than without the deviation. Without direct access to a public street the proposed lots have no street frontage and do not meet the requirements of the Land Development Code.

The second deviation is to allow six of the 49 proposed buildings to exceed the maximum height of the RS-1-8 zone. Specifically, building 42 would be approximately 37'-0" high, buildings 44 and 45 would be approximately 40'-0" high, building 46 would be approximately 50'-0" high and building 47 would be approximately 49'-0" high. These buildings are located well behind the front yard setback adjacent to Pomerado Road. Their location from the Pomerado Road right-of-way varies from 650 to 1800 feet. The buildings would not be a visual impact or negative addition to the community when viewed from Pomerado Road due to the existing and planned landscaping, site topography and the distance of the buildings from the road.

The third deviation is to allow monument signs in the public right-of-way. The Project proposes two monument signs within the public right-of-way south of the improved Pomerado Road. The monument signs are located on both the east and west sides of the existing Chabad Center Driveway. The sign west side of Chabad Center Driveway abuts The Glen at Scripps Ranch property and the sign on the east side of the driveway abuts the adjacent property owner's site. Because the development of the site would be over 600 feet south of Pomerado Road, the signs are essential to the site's visibility in the community. The signs are proposed to be located in the public right-of-way due to several existing constraints in the area:

- Pomerado Road is currently constructed as a two-lane roadway within a right-of-way dedicated for a four-lane major road. Even as a four-lane major roadway, the right-of-way is exceptionally wide and extends down an existing slope. If located on private property the signs would not be visible as they would be fifteen to twenty feet below the road.
- The southerly right-of-way line for Pomerado Road abuts the Carroll Canyon Creek MHPA area to be dedicated by the Project as an open space covenant of easement. It is inconsistent with the purposes of dedicated open space to locate the monument signs within this area.

Due to these existing constraints, the only opportunity to locate monument signs is within the right-of-way of Pomerado Road. A survey of the existing conditions along Pomerado Road identified other monument signs located within the public right-of-way. In total, four existing signs: two monument signs at the entry to Pomerado Terrace on the southwest and southeast corners of the Scripps Ranch Boulevard and Pomerado Road intersection and two residential development directional signs along the south side of Pomerado Road between Avenue of Nations and Semillon Boulevard are also located within the public right-of-way.

The ability of the Project to provide identification of the services provided to the community through the construction of monument signs along a main thoroughfare is a reasonable and pragmatic Project feature. The site is setback more than 600 feet from Pomerado Road and existing trees and shrubs obstruct a clear view of the properties south of the roadway. There are several benefits to the community with the proposed signage for the Project. The signs would help direct patrons to the site, would provide identification for employees, visitors, residents, and deliveries, would be useful in identifying the Project to the community and would be consistent with in character with other signs in the community.

The fourth deviation is to allow the development to encroach into steep hillsides is supported by the fact that the area of the site which contains steep hillsides is a minor portion of the site. The site is 53 acres and the area of steep hillsides is 3.72 acres or approximately seven percent of the site. One hundred percent of the steep hillsides on the site would be developed by the Project. Of the 3.72 acres of steep hillsides, none of this area is visible from the public right-of-way or other public vantage points and the Project buildings would obscure visibility of the manufactured slopes which would be planted with trees, shrubs and groundcovers. The encroachment into steep hillsides would include only excavations and not embankments, the retaining walls proposed adjacent to steep hillsides would be lower than the ten foot maximum height and undulated slopes would be provided where feasible to create an appearance of landform grading. The Project design would create gradual transitions and no harsh angular lines are proposed, no increase in run-off is proposed, and no parking would be near the top of any steep hillsides. Because of these features, the Project is consistent with the goals of the City's adopted Steep Hillside Design Standard Guidelines of the Land Development Manual.

The Project's centralized and accessible location within San Diego County provides convenient access to medical care facilities, retail, and recreational amenities. Residents are offered a shuttle to these needs. The Project would also provide many benefits to Scripps Ranch, the surrounding communities and San Diego as a whole. It would create a boost to the local economy through job growth in the service and healthcare industry. The Project would also dedicate 9.88 acres into the Multiple Habitat Planning Area. The Project, as a CCRC, combines all of the elements necessary to care for seniors at all levels of activity and healthcare support. The relationship of amenities, care, and residential units/skilled nursing beds would be provided in order to provide the best balance of services and operability. The deviations requested maximize the developable area of the site and enhance the capability of the Project to meet these goals and ultimately ensure long-term success of the Project. Considering the proposed design, even with and because of the four deviations, the Project would create a more desirable development that is clearly distinguishable

from surrounding communities than would be achieved by strict conformance with the development regulations of the applicable zone and would be consistent with the purpose and intent of the Planned Development Permit regulations.

Water Supply Assessment

In accordance with Senate Bill 610, a Water Supply Assessment (WSA) report was prepared for the Project, dated June 5, 2014. The initial estimated water use at the proposed Continuing Care Retirement Community (CCRC) at full build out is approximately 92,350 gallons per day or 103 acre feet per year. The WSA noted that, per the City of San Diego 2010 Urban Water Management Plan (UWMP), the planned water demands of the project site are 13,800 gallons per day or 15 AFY. The remaining portion of the estimated 78,550 gallons per day or 88 AFY is accounted for through the Accelerated Forecasted Growth demand increment of the San Diego County Water Authority's (Water Authority) 2010 UWMP. This demand associated with accelerated forecasted residential development is intended to account for SANDAG's land-use development currently projected to occur between 2035 and 2050, but has the likely potential to occur on an accelerated schedule. As documented in the Water Authority's 2010 UWMP, the Water Authority is planning to meet future and existing demands which include the demand increment associated with the accelerated forecasted growth. Ultimately, the WSA concluded that there will be adequate water supplies to serve the proposed Project. The WSA is part of the EIR and would be approved with the certification of the EIR, a separate action or approval is not required.

Community Plan Analysis

The proposed Project includes a General Plan and Community Plan Amendment (CPA) to redesignate the 53 acre site within the Scripps Miramar Ranch Community Plan area from University to Institutional to facilitate the development of a continuing care residential community. The proposed community plan amendment would achieve objectives in the General Plan and Scripps Miramar Ranch Community Plan (SMRCP) to: promote a variety of housing types in support of balanced housing opportunities; preserve natural habitats pursuant to the Multiple Species Conservation Program (MSCP); design development adjacent to natural features in a sensitive manner; and employ sustainable building techniques.

The Scripps Miramar Ranch Community Plan (SMRCP) Land Use map designates the site for University with a seventeen-acre area fronting Pomerado Road designated for a Resource Based Park. A community plan amendment to redesignate the site from University to Institutional is required because the proposed use contains elements which are not ancillary to a University use, including assisted living and skilled nursing facilities. The community plan amendment would add a site-specific recommendation in the SMRCP to accommodate a CCRC at this specific site through the approval of a Planned Development Permit. A portion of the site, 9.88 acres, was part of a seventeen acre area designated as Resource Based Park. This area contains sensitive biological resources and would be designated as Open Space and conveyed to the City's Multi-

Habitat Planning Area (MHPA) through a covenant of easement or dedication to the City to conserve the MHPA land in perpetuity.

The proposed CCRC would complement the neighboring institutions, including the Alliant University and the Chabad Center. The Community Plan amendment would also implement the General Plan guidance for community plans to provide site-specific recommendations on land use by identifying this area for a CCRC.

The SMRCP has an overall community goal to: maintain and enhance the rural-residential characteristics of the existing Scripps Miramar Ranch, while promoting a variety of housing opportunities throughout the community. The Residential Element includes goals to: promote a variety of housing types and prices throughout the community in support of the city-wide concept of balanced housing opportunities. The proposed Project would implement these SMRCP goals through the provision of a private CCRC for seniors in a wooded setting adjacent to open space. The Scripps Ranch community does not have any existing residential care facilities. A continuing care retirement community is consistent with the community's goal of promoting balanced housing opportunities in the community.

The General Plan Urban Design Element has a goal of utilizing landscaping as an important aesthetic and unifying element throughout the City. The General Plan also has a policy to design development adjacent to natural features in a sensitive manner to highlight and complement the natural environment in areas designated for development. The SMRCP Design Element has a policy to preserve eucalyptus trees as important to the historical continuity and overall community design. The proposed Project implements these General Plan and SMRCP goals and policies through a landscape plan that respects the natural environment to the greatest extent possible by utilizing native species and non-invasive species. The proposed Project provides a pedestrian path and landscaping adjacent to the proposed MHPA open space to preserve views of the open space and would complement existing views from Pomerado Road. The proposed Project would preserve existing eucalyptus on the portion of the site that would be added to the MHPA, implementing the SMRCP goal of historical continuity. Additionally, the buildings would not negatively impact any views from Pomerado Road, as shown in the applicant's massing study.

The General Plan Conservation Element includes a goal of preserving healthy, biologically diverse regional ecosystems and conservation of endangered, threatened, and key sensitive species and their habitats. Specifically, policy CE-G-1 states, "preserve natural habitats pursuant to the MSCP, preserve rare plants and animals to the maximum extent practicable, and manage all City-owned native habitats to ensure their long-term biological viability." The proposed CPA would designate approximately 9.9 acres to open space. Also, a MHPA Boundary Line Adjustment would add 9.9 acres of the original seventeen acres to the MHPA through a covenant of easement, guaranteeing preservation as MHPA land in perpetuity. The General Plan Conservation Element has a goal to employ sustainable or "green" building techniques for the construction and operation of buildings (CE-A.5). The proposed Project implements these General Plan policy through implementation of CalGreen's "Build it Green" Green Building

Guidelines including: a design that provides for walking and bicycling paths; outdoor gathering places; and incorporates natural surveillance for safety and vandalism deterrence. In addition, the Project would utilize drought tolerant plantings; utilize reflective roof surfaces to reduce heat gain; use of Energy Star appliances for energy conservation; utilize water efficient plumbing fixtures; radiant barrier roof sheathing to reduce attic temperature; Dark Sky certified exterior lights.

The SMRCP Community Environment Element includes objectives to ensure a desirable, healthful and comfortable living and working environment while preserving the community's valuable natural resources and amenities. Design features to implement these objectives include: encourage types and patterns of development which, "minimize the problems of air and water pollution; natural fire hazards; soil erosion; slope instability; flooding and severe hillside cutting and scarring; minimize visual impacts associated with land uses in and around Carroll Canyon and Miramar Reservoir; preserve the habitats of sensitive and/or critical biological resources; encourage water and energy conservation, water and sewage reclamation and use of natural channels for drainage systems." The proposed Project would implement these objectives through dedication of 9.9 acres to MHPA through a covenant of easement or dedication in fee title to the City to be maintained as a sensitive biological resource, which would also buffer the visual impact of the Project adjacent to Carroll Canyon.

The SMRCP Parks, Recreation and Open Space Element include an objective to, "maximize the preservation of existing mature eucalyptus groves, natural slopes and major canyons through careful siting of roadways and structures." The proposal Project would implement this objective by preserving existing eucalyptus groves and natural slopes to the extent possible and through the careful alignment of roadways and siting of structures to minimize visual impacts.

Conclusion

Staff has reviewed the proposed Project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the Project (Attachments 8, 9, 10 and 11) and draft conditions of approval (Attachments 12 and 13). Staff recommends the Planning Commission recommend approval of the Project as proposed.

ALTERNATIVES

1. **Recommend approval** of the General Plan and Scripps Miramar Ranch Community Plan Amendment No. 990531, Vesting Tentative Map No. 1451662, Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and MHPA Boundary Line Adjustment, **with modifications.**
2. **Recommend denial** of the General Plan and Scripps Miramar Ranch Community Plan Amendment No. 990531, Vesting Tentative Map No. 1451662, Planned Development Permit

No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and MHPA Boundary Line Adjustment, **if the findings required to approve the Project cannot be affirmed.**

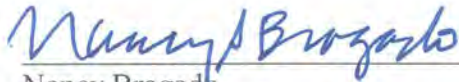
Respectfully submitted,



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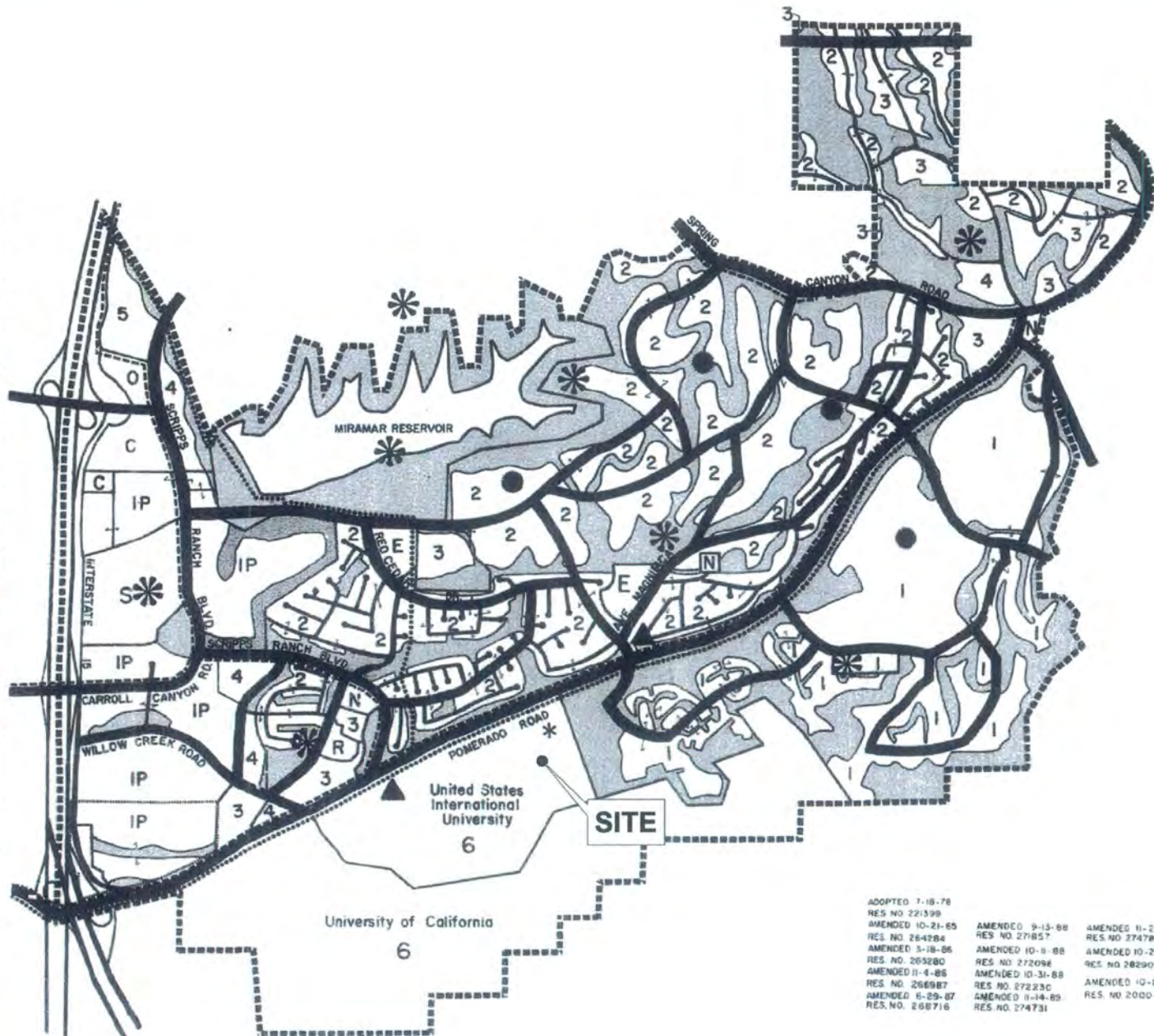
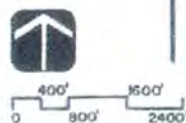
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Attachments:

1. Scripps Miramar Ranch Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Conditional Use Permit No. 133
5. Conditional Use Permit No. 133 Amendment #1
6. Conditional Use Permit No. 133 Amendment #2
7. Proposed Site Plan
8. Draft EIR Resolution with MMRP
9. Draft General Plan/Scripps Community Plan Amendment Resolution
10. Draft Vesting Tentative Map Resolution with conditions
11. Draft Development Permit Resolution with Findings
12. Draft VTM Conditions
13. Draft Development Permit with Condition
14. Remaining Project Plans (under separate cover)
15. Ownership Disclosure Statement
16. Project Data Sheet

LEGEND

Residential 0-3 DU/Net AC	1
Residential 3-5 DU/Net AC	2
Residential 5-10 DU/Net AC	3
Residential 10-15 DU/Net AC	4
Residential 15-29 DU/Net AC	5
Existing Commercial Recreation	R
Community Shopping	C
Neighborhood Shopping	N
Professional Offices	O
Industrial Park	IP
Park	*
Tot Lot	•
Resource Based Park	*
Open Space	
Elementary School	E
Secondary School	S
University	6
Major Hiking Trail	-----
Bikeway	- - - - -
County Boundary	-----
Possible Fire Station Site	▲



ADOPTED 7-18-78
RES. NO. 221599
AMENDED 10-21-85
RES. NO. 264784
AMENDED 3-18-86
RES. NO. 205280
AMENDED 11-4-86
RES. NO. 266987
AMENDED 6-29-87
RES. NO. 268716

AMENDED 9-15-88
RES. NO. 271957
AMENDED 10-1-88
RES. NO. 272098
AMENDED 10-31-88
RES. NO. 272230
AMENDED 11-14-89
RES. NO. 274731

AMENDED 11-21-89
RES. NO. 274780
AMENDED 10-26-93
RES. NO. 282903
AMENDED 10-19-99
RES. NO. 2000-410

Land Use Plan
Scripps Miramar Ranch Community Plan

19
FIGURE





latitude **33**
PLANNING & ENGINEERING
9968 Hibert Street 2nd Floor, San Diego, CA 92131
Tel 858.751.0633

AERIAL MAP
GLEN AT SCRIPPS RANCH

11.02.2015

RESOLUTION

CONDITIONAL USE PERMIT - CASE NO. 133-PC

WHEREAS, Conditional Use Permit No. 133-PC has been considered by the Planning Commission of the City of San Diego, California, and the Planning Commission has conducted a public hearing on this request of UNITED STATES INTERNATIONAL UNIVERSITY, Owner, to construct and operate a University with related incidental uses, located on the south side of Pomerado Road, approximately one mile east of U.S. Highway 395, being a portion of Sections 3 and 4, T1SS, R2W, S.B.B.M., in the Interim R-1-5 zones and

+ R-1-40 Interim

WHEREAS, the Planning Commission has made the following Findings of Fact in relation thereto:

1. That the proposed use at the particular location is desirable to provide a facility which will contribute to the general well-being of the community because it will satisfy a need for additional educational facilities.
2. That such use under the circumstances of this particular case will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity because the conditions imposed will insure the University will be compatible with the surrounding development.
3. That the proposed use will comply with all governmental regulations and conditions specified in the Municipal Code for such use because of the conditions imposed.
4. That the granting of this conditional use will not adversely affect the master plan of the City or the adopted plan of any governmental agency because of the conditions imposed.

NOW, THEREFORE, BE IT RESOLVED, By the City Planning Commission of San Diego, California, that permission is hereby granted to UNITED STATES INTERNATIONAL UNIVERSITY, Owner, to construct and operate a University with related incidental uses at the above-mentioned location, under the following conditions:

1. The University shall be used for one or more self-contained campuses, including housing for students and faculty. The number of full-time or equivalent students on the property shall not exceed approximately 6,000 in addition to faculty and staff.
2. Prior to issuance of any building permit a tentative subdivision map shall be filed on the entire property and a final subdivision map or maps be recorded.
3. Prior to issuance of any building permit on any phase of development as shown by number on approved Exhibit "A", a plot plan for the entire phase shall be submitted to the Planning Commission for approval.
4. Prior to the issuance of any building permits, complete building plans, (including signs) shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" on file in the office of the Planning Department and the plot plan required in 3 above. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require a deviation.

CONDITIONAL USE PERMIT NO. 133-PC

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5. Prior to occupancy of any building in any phase as noted by number on Exhibit "A", complete landscape plans including sprinkler systems for the entire phase shall be submitted to the Planning Director for approval.

6. Building Development Standards:

A. Buildings shall not cover more than 15 per cent of the total area of the property.

B. No building shall be closer than 50 feet to any property line.

C. No parking area, playfield or other facility or structure, except fences, access roads, drainage facilities, utilities, entrance gates and identification signs, shall be closer than 20 feet to any property line.

D. No fence along or within 20 feet of any property line shall exceed 6 feet in height.

E. Access roads into the property from Pomerado Road shall not exceed four in number, and their location and the design of the intersection with Pomerado Road shall be subject to approval by the City Engineer.

F. Entrance gates and identification signs shall not exceed one each at each approved entrance to Pomerado Road, and their size and design shall be subject to approval by the Planning Director.

G. A public sewer system and a public water system shall be installed at the applicant's expense at the direction of the Utilities Director.

7. Parking Development Standards:

A. Automobile parking on the property shall be provided at a minimum ratio of 4 spaces for each 9 resident students and 1 space for each 1 non-resident student. The minimum ratio for faculty and staff shall be 1 space for each faculty and staff. The basis for determining the number of parking spaces required at any time shall depend upon the number of students enrolled and faculty-staff employed at the time of start of construction of any particular phase. The ratio for parking requirements may be reviewed and modified by the Planning Commission prior to the construction of any particular phase.

B. Parking spaces and aisles shall conform to Planning Department standards except as may be modified by the City Engineer to allow for smaller parking spaces for compact cars.

C. Required parking areas shall be provided on the subject property in the approximate locations shown on Exhibit "A".

D. Parking areas and driveways shall be surfaced with not less than 2" L.A.C. or its equivalent, and each parking space shall be adequately marked including wheel stops within designated parking lots.

CONDITIONAL USE PERMIT NO. -PC

PAGE 3

8. Street Development Standards:

A. The improved paved width of the primary circulation streets with parking lanes shall be 40 feet; of secondary streets with parking lanes, 36 feet.

B. The improved paved width of primary and secondary circulation streets and service roads without parking lanes shall be as determined by the City Engineer.

C. The type of improvements shall be determined by the City Engineer.

D. A primary street from Pomerado Road shall be installed within three years of the effective date of this permit.

E. A primary or secondary street shall be installed to provide street frontage for each phase prior to occupancy of any building constructed in that phase.

9. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

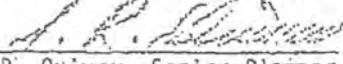
10. Construction and operation of the proposed use shall comply at all times with the regulations and requirements of this and other governmental agencies.

If any condition of this grant is violated, or if the same be not complied with in every respect, this conditional use permit shall be subject to revocation; provided, however, that within ten days after being notified in writing by the City that a condition has been violated and that subject conditional use permit is null and void, an appeal may be filed with the Planning Commission to show cause why subject permit should be reinstated.

That permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after it is filed in the Office of the City Clerk, unless a written appeal is filed within ten (10) days after such filing in the Office of the City Clerk.

Any Conditional Use Permit, or extension of time, granted by the City shall be null and void, and shall be revoked automatically one year after its effective date, unless the use and/or construction permitted is commenced before said time expires, in accordance with Municipal Code Section 101.0506.

CITY PLANNING COMMISSION
City of San Diego, California

By 
J. R. Quivey, Senior Planner

ATE: March 15, 1967

FILED IN OFFICE OF CITY CLERK

March 16, 1967

RIGHT OF APPEAL EXPIRES 10 DAYS AFTER ABOVE DATE.

CONDITIONAL USE PERMIT NO. 133-PC

PART 2 - EXHIBIT "A"

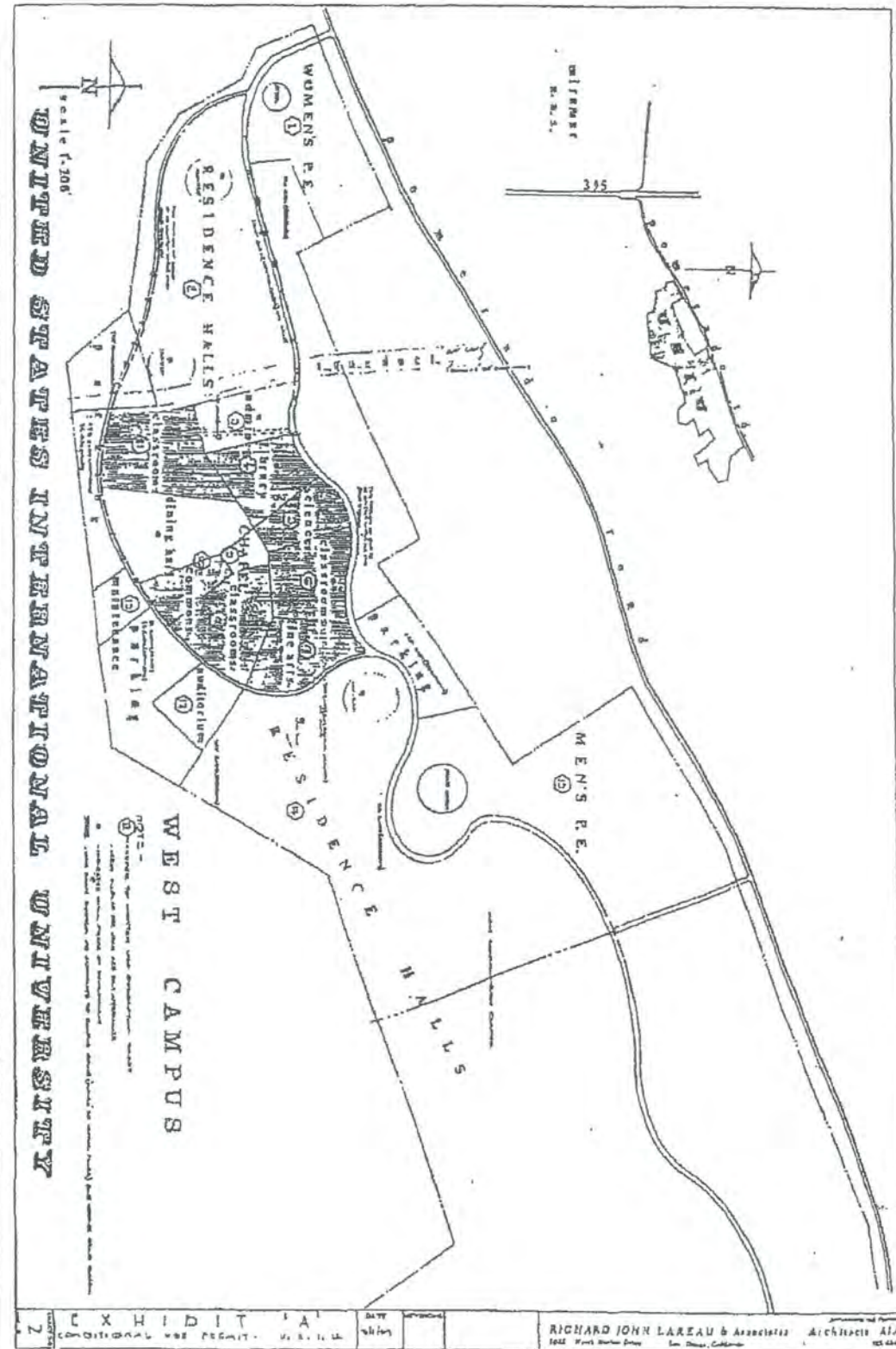
ESTIMATED CAPACITY OF PROJECTED FACILITIESUNITED STATES INTERNATIONAL UNIVERSITYCAMP ELLIOTT CAMPUSWest Portion of Campus

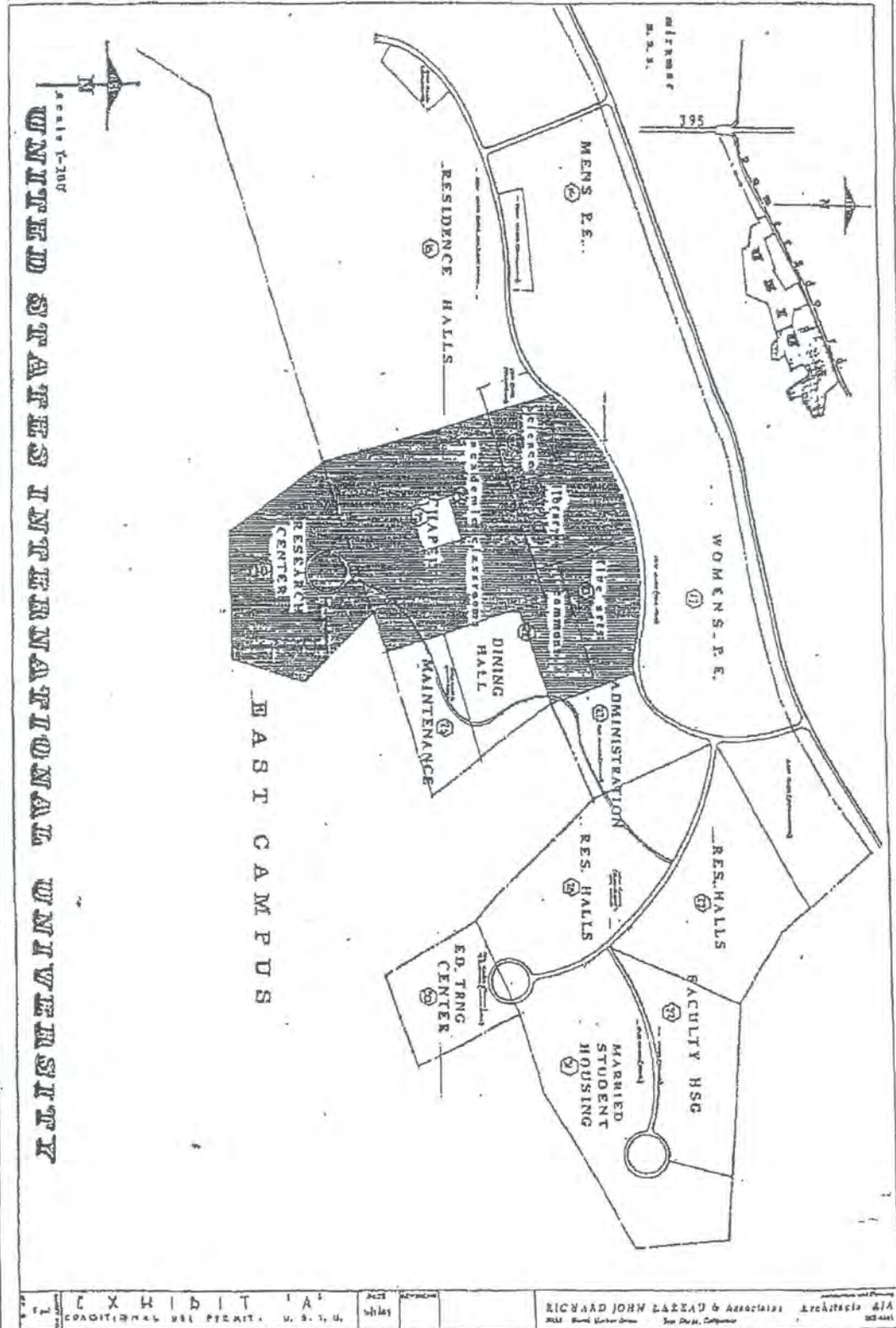
- Phase 1. Women's Physical Education facilities to accommodate from 1,000 to 1,500 students (gymnasium, playing fields, tennis courts).
2. Residence Halls to accommodate 1,250 persons with related facilities including lounges and pools, etc.
3. Administration facilities to accommodate a staff of 50 persons.
4. Library facilities to accommodate the needs of a student body enrollment of 3,000 students (450,000 volumes, audio-visual equipment, and related facilities.)
5. Science classroom, laboratory and lecture hall facilities to accommodate from 650 to 1,050 students and related faculty offices.
6. Classroom facilities to accommodate from 300 to 400 students with related faculty offices.
7. Fine Arts facilities to accommodate from 200 to 300 students (outdoor drama area, classroom and workshop building) and related faculty.
8. Classroom facilities to accommodate from 600 to 800 students with related faculty offices.
9. Chapel to accommodate 1,000 persons.
10. Dining Hall and Student Commons to accommodate the needs of a student body of 3,000.
11. Classroom facilities to accommodate from 600 to 800 students with related faculty offices.
12. Auditorium to accommodate 1,200 persons.
13. Maintenance and shop facilities to serve a campus of 3,000 students.
14. Residence Halls to accommodate 1,250 persons with related facilities including lounge and pool, etc.
15. Men's Physical Education field house to accommodate up to 3,000 students together with playing fields and related outdoor facilities for 1,500 students.

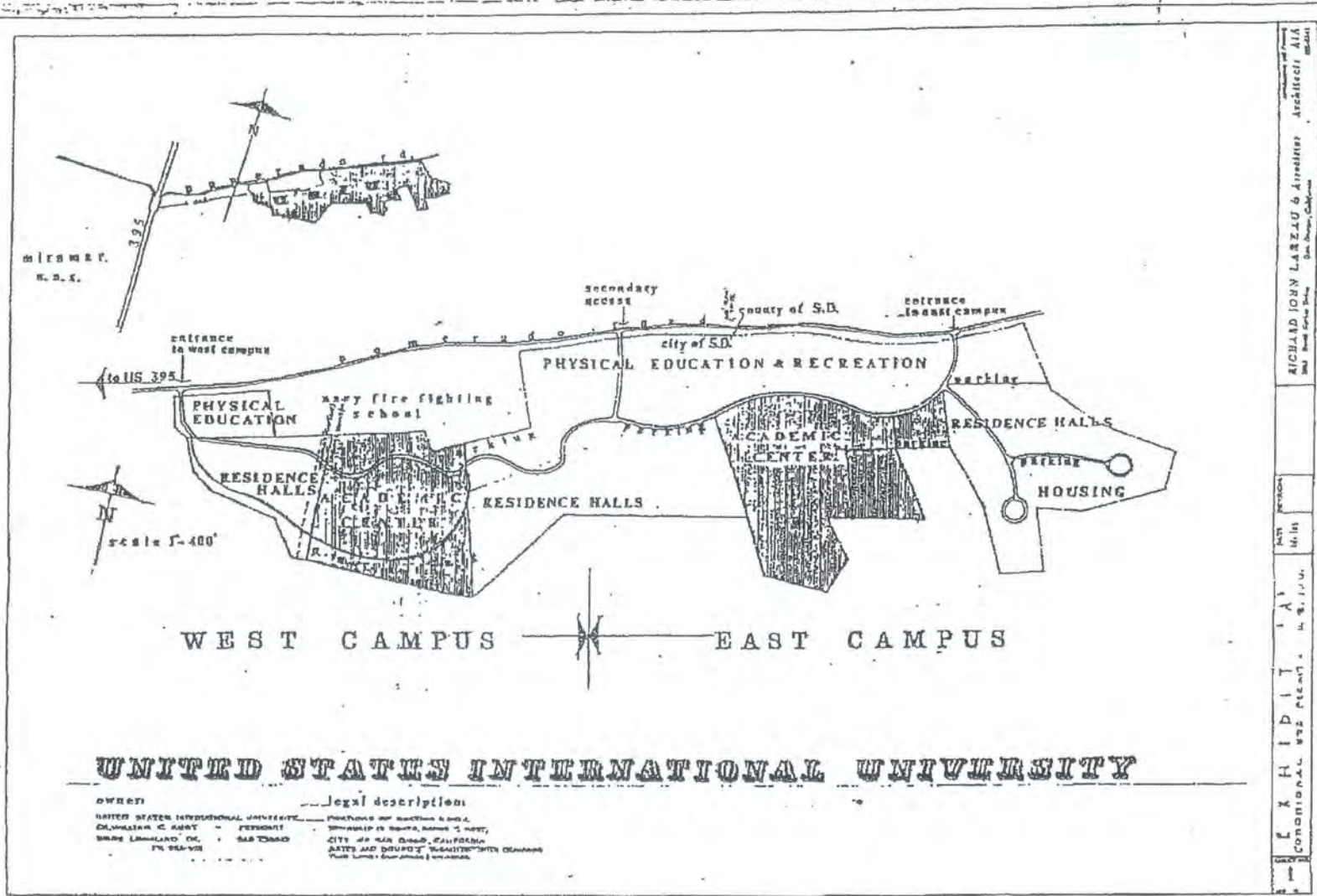
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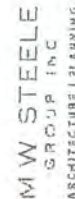
East Portion of Campus

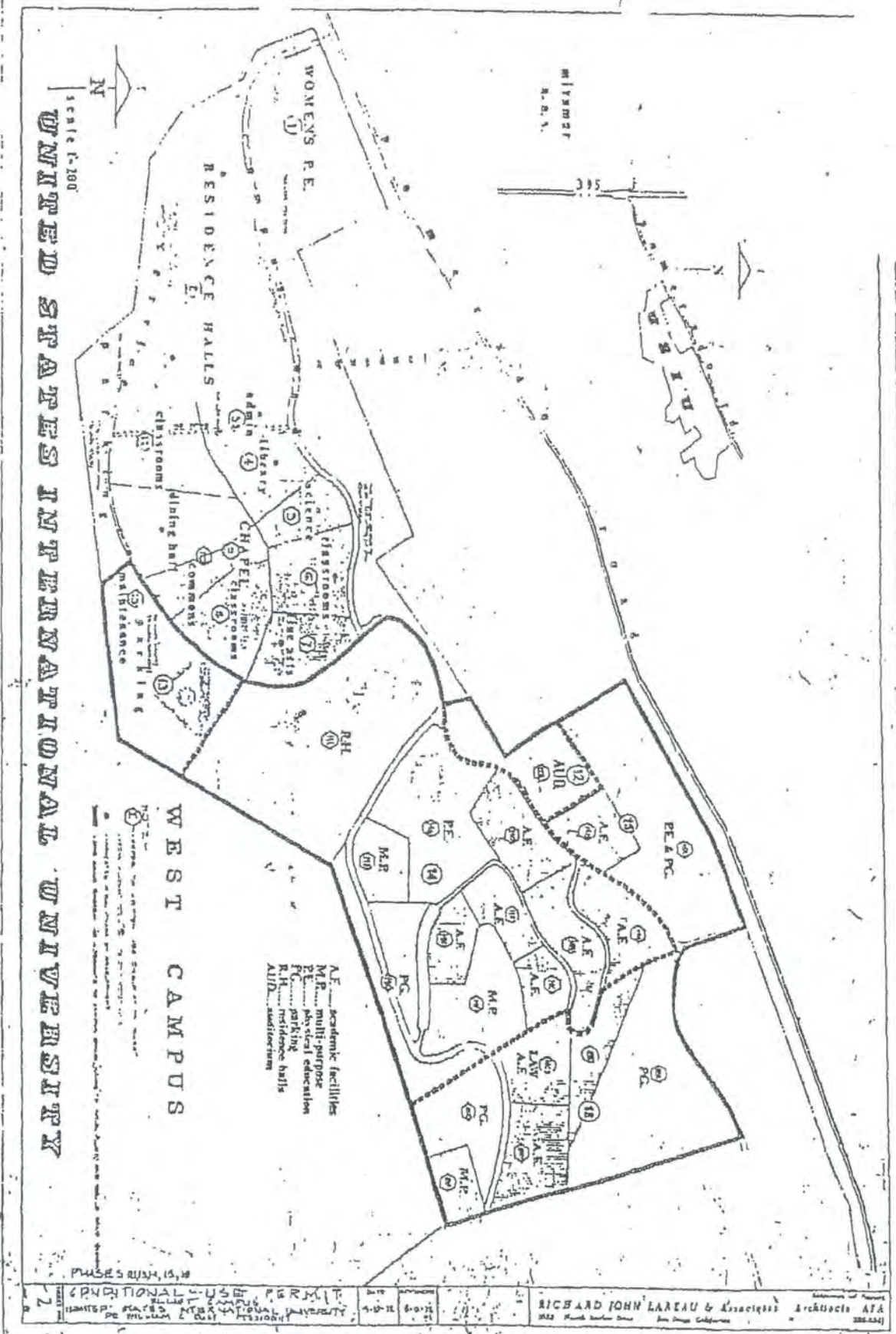
- Phase 16. Men's Physical Education playing field and related outdoor facilities for 1,500 students.
17. Women's Physical Education facilities to accommodate 1,500 students (gymnasium, playing field and related facilities).
18. Residence Halls to accommodate 1,250 persons with related facilities including lounges and pool, etc.
19. Science classroom, laboratory and lecture hall facilities to accommodate from 650 to 1,000 students and related faculty offices.
20. Library facilities to accommodate the needs of a student body enrollment of 3,000 students (450,000 volumes, audio-visual equipment, etc.)
21. Fine Arts facilities to accommodate from 200 to 300 students (outdoor drama area, classroom and workshop building) and related faculty.
22. Student Commons and Dining Hall facilities to accommodate 3,000 students.
23. Chapel to accommodate 800 persons.
24. Classroom facilities to accommodate from 1,500 to 2,000 students with related faculty offices.
25. Maintenance facilities and shop to serve campus of 3,000 students.
26. Research center with research laboratories, offices and library to accommodate a staff of 100 persons.
27. Administration facilities to accommodate a staff of 50 persons.
28. Residence Halls to accommodate 600 persons with related facilities including lounges and pool, etc.
29. Residence Halls to accommodate 650 persons with related facilities including lounges and pool, etc.
30. Educational training center with facilities to accommodate 300 students.
31. Married student housing to provide residences for 300 married students and their families.
32. Faculty housing to provide residential accommodations for 50 families.

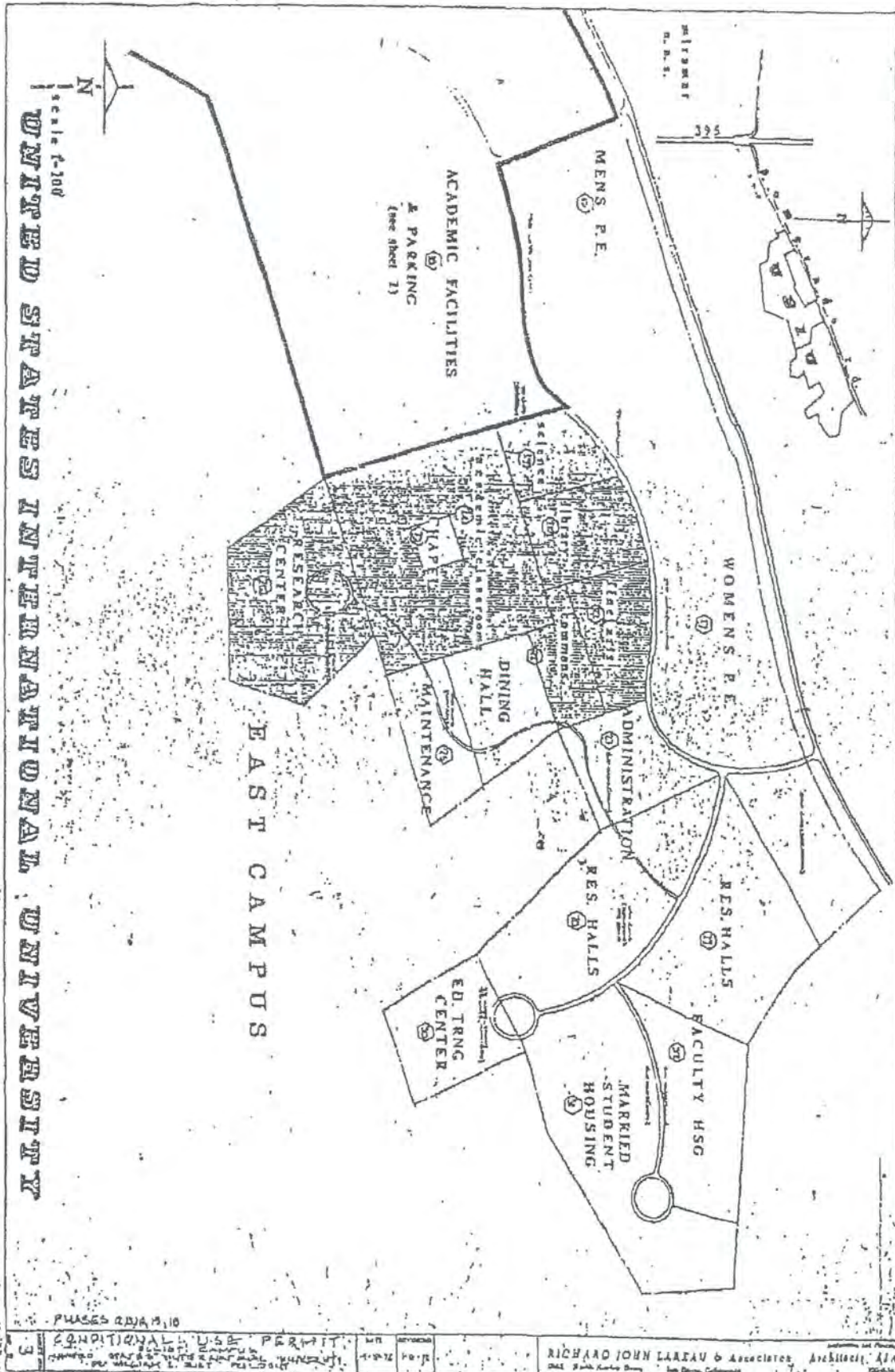


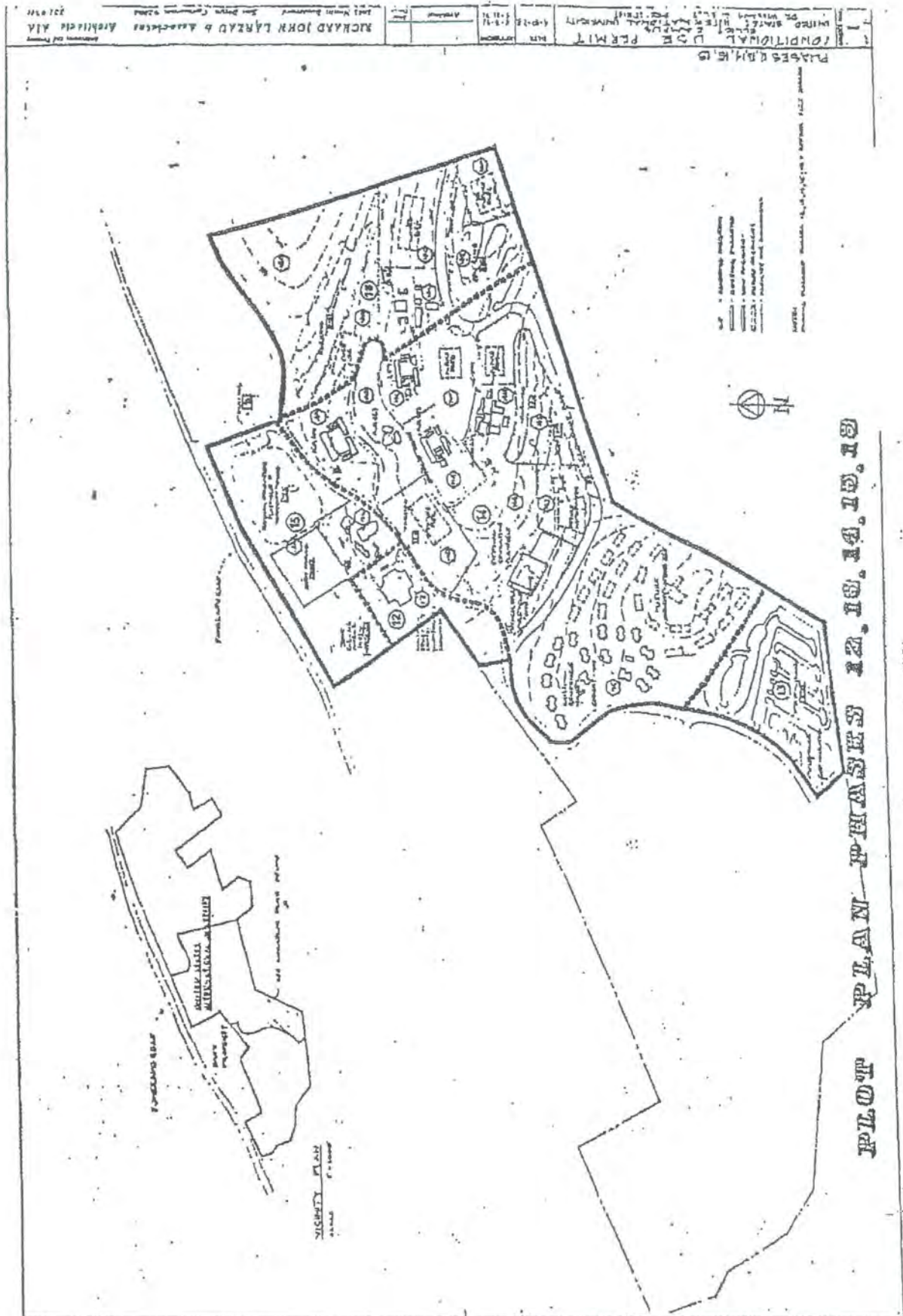


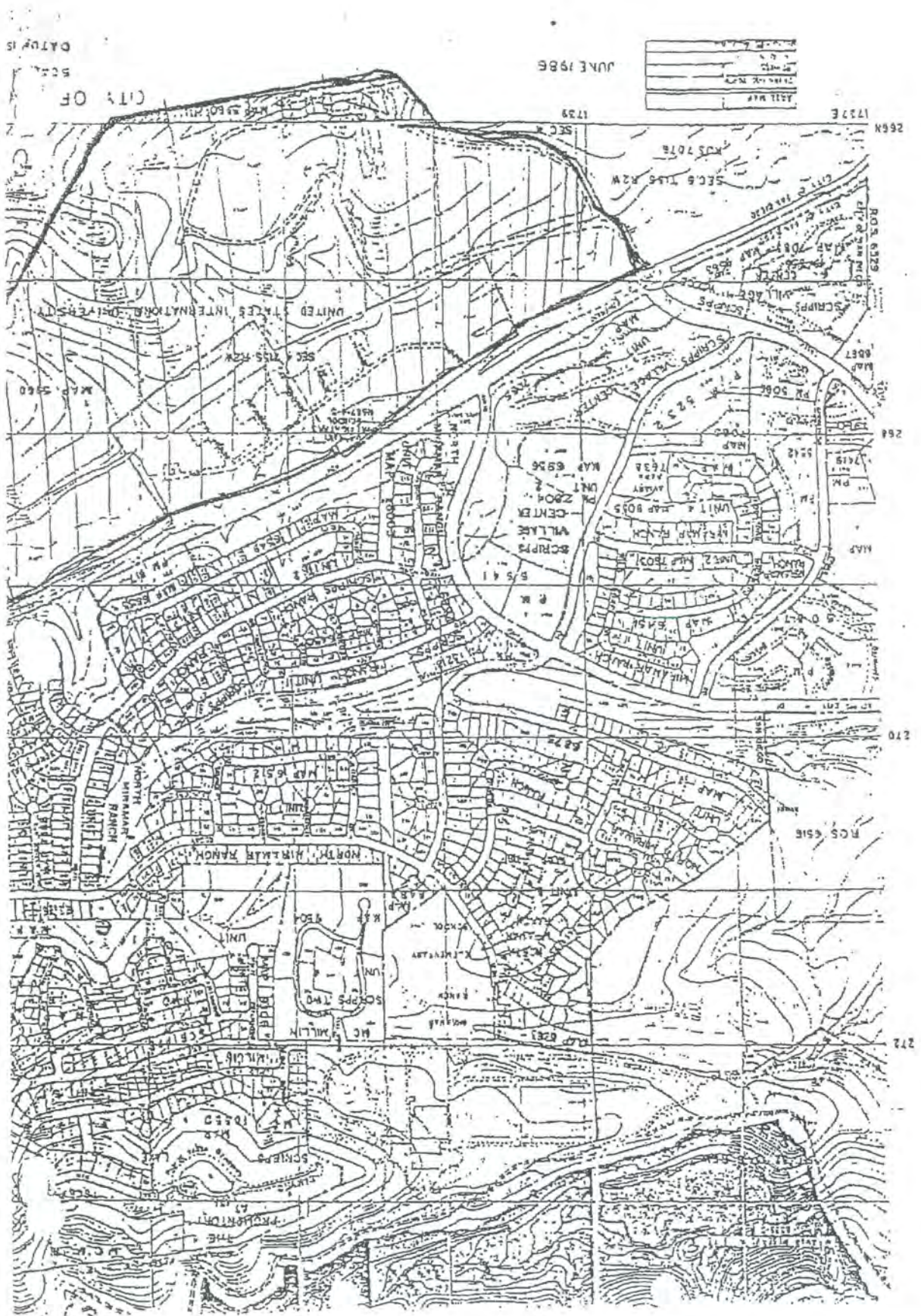


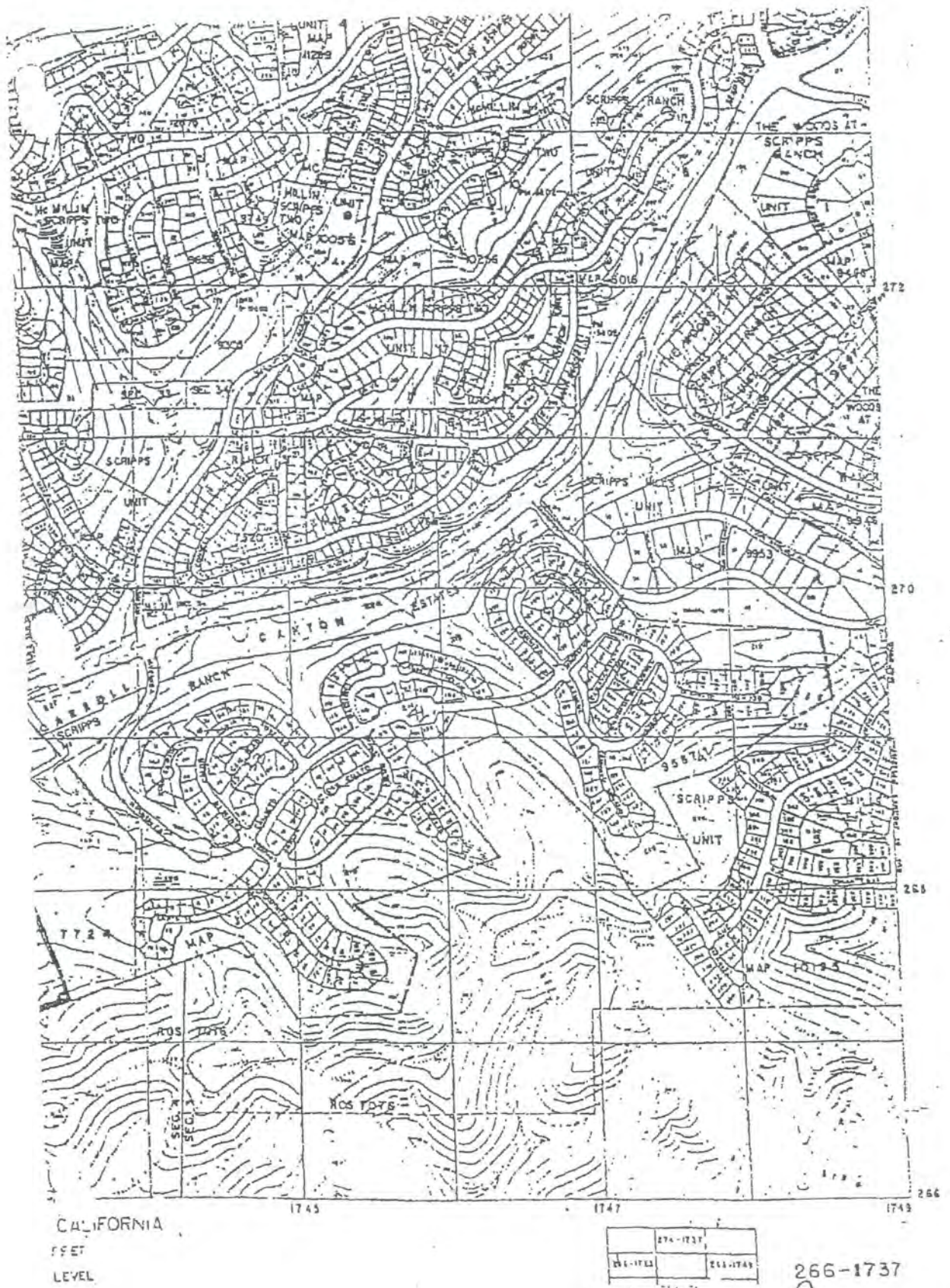












DOCUMENT NO. 17 1999

FILED OCT 1 1972 Page 1 of 12

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIAFINDINGS OF FACT
RESOLUTION NO. 133-PC/AMENDMENT

1972 OCT 17 PM 2:40

SAN DIEGO, CALIF.

City Planning Dept.
OCT 17 1972
RECEIVED

WHEREAS, UNITED STATES INTERNATIONAL UNIVERSITY, a California corporation, "Owner/Permittee", filed an application for a Conditional Use Permit Amendment to construct and operate a University with related incidental uses, located south of Pomerado Road, east of State Highway 163, more particularly described as U. S. International University, Map No. 5960, on file in the Office of the County Recorder, in the R-1-5 and R-1-40 Interim zones.

WHEREAS, the Planning Commission of The City of San Diego considered Case No. 133-PC/Amendment pursuant to Section 101.0506 et sequitur of the Municipal Code of The City of San Diego and granted a Conditional Use Permit Amendment under date of May 31, 1972, and filed the same in the Office of the City Clerk on June 16, 1972 to "Owner/Permittee" to construct and operate a University subject to terms and conditions as set out in said Conditional Use Permit Amendment; NOW, THEREFORE,

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

That all of the following facts exist with respect to the issuance of a Conditional Use Permit Amendment in favor of "Owner/Permittee":

1. That the proposed use at the particular location is necessary to provide a facility which will contribute to the general wellbeing of the community.
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
3. That the proposed use will comply with the regulations and conditions specified in the Code for such use.
4. That the granting of this Conditional Use Permit will not adversely affect the Master Plan of the City or the adopted plan of any governmental agency.

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

BE IT FURTHER RESOLVED, that the Planning Commission does hereby grant to "Owner/Permittee" a Conditional Use Permit Amendment in the form and with the terms and conditions as set forth in Conditional Use Permit No. 133-PC Amendment, attached hereto and made a part hereof.

Mary M. Bagaloff

Mary M. Bagaloff, Secretary of the
Planning Commission

Page 2 of 12

CONDITIONAL USE PERMIT - PLANNING COMMISSION

CASE NO. 133-PC/AMENDMENT

RECEIVED
CITY OF SAN DIEGO
1972 OCT 13 PM 2:10
SAN DIEGO, CALIF.

This Conditional Use Permit Amendment is granted by the City Planning Commission of The City of San Diego to UNITED STATES INTERNATIONAL UNIVERSITY, a California corporation, "Owner/Permittee", for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0506 et sequitur of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to "Owner/Permittee" to construct and operate a University with related incidental uses, located south of Pomerado Road, east of State Highway 163, more particularly described as U. S. International University, Map No. 5960, on file in the Office of the County Recorder in the R-1-5 and R-1-40 Interim zones.

2. The University shall include, and the term "Project" as used in this Conditional Use Permit Amendment shall mean, the total of the following facilities:

- a. Academic facilities for a 6000 student university.
- b. Housing for students and faculty.
- c. Offstreet parking.
- d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. The University shall be used for one or more self-contained campuses, including housing for students and faculty. The number of full-time or equivalent students on the property shall not exceed approximately 6000 in addition to faculty and staff.

4. Prior to issuance of any building permit on any phase of development as shown by number on approved Exhibit "A", a plot plan for the entire phase shall be submitted to the Planning Commission for approval.

5. Prior to the issuance of any building permits, complete building plans, including signs, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" on file in the Office of the Planning Department and the plot plan required in No. 4 above. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require a deviation.

6. Prior to occupancy of any building in any phase as noted by number on Exhibit "A", complete landscape plans, including sprinkler systems for the entire phase, shall be submitted to the Planning Director for approval.

7. Building Development Standards:

- A. Buildings shall not cover more than 15 per cent of the total area of the property.
- B. No building shall be closer than 50 feet to any property line, except that a 100-foot setback adjacent to Pomerado Road shall be maintained with no buildings or structures permitted within said setback.

CUP 133-PC/Amend.

- C. No parking area, playfield or other facility or structure, except fences, access roads, drainage facilities, utilities, entrance gates and identification signs, shall be closer than 20 feet to any property line.
 - D. No fence along or within 20 feet of any property line shall exceed six feet in height.
 - E. Access roads into the property from Pomerado Road shall not exceed four in number and their location and the design of the intersection with Pomerado Road shall be subject to approval by the Community Development Director.
 - F. Entrance gates and identification signs shall not exceed one each at each approved entrance to Pomerado Road, and their size and design shall be subject to approval by the Planning Director.
 - G. A public sewer system and a public water system shall be installed at the applicant's expense at the direction of the Utilities Director.
8. Parking Development Standards:
- A. Automobile parking on the property shall be provided at a minimum ratio of four spaces for each nine resident students and one space for each one non-resident student. The minimum ratio for faculty and staff shall be one space for each faculty and staff. The basis for determining the number of parking spaces required at any time shall depend upon the number of students enrolled and faculty-staff employed at the time of start of construction of any particular phase. The ratio for parking requirements may be reviewed and modified by the Planning Commission prior to the construction of any particular phase.
 - B. Parking spaces and aisles shall conform to Planning Department standards except as may be modified by the Community Development Director to allow for smaller parking spaces for compact cars.
 - C. Required parking areas shall be provided on the subject property in the approximate locations shown on Exhibit "A".
 - D. Parking areas and driveways shall be surfaced with not less than 2-inch A.C. or its equivalent, and each parking space shall be adequately marked, including wheel stops within designated parking lots.
 - E. No charge shall be made at any time for the use of these offstreet parking spaces.
9. Street Development Standards:
- A. The improved paved width of the primary circulation streets with parking lanes shall be 40 feet; of secondary streets with parking lanes, 36 feet.
 - B. The improved paved width of primary and secondary circulation streets and service roads without parking lanes shall be as determined by the

CUP 133-PC/Amend.

Community Development Director.

- C. The type of improvements shall be determined by the Community Development Director.
- D. A primary street from Pomerado Road shall be installed within three years of the effective date of this permit.
- E. A primary or secondary street shall be installed to provide street frontage for each phase prior to occupancy of any building constructed in that phase.
- 10. The phases of construction for the University are delineated in Appendix "A" hereto attached and made a part hereof.
- 11. The Permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the Planning Commission of The City of San Diego on May 31, 1972.



ACKNOWLEDGED:

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

UNITED STATES INTERNATIONAL UNIVERSITY, a
California corporation, "Owner/Permittee!"

By

William R. K. K.
Authorized Signator

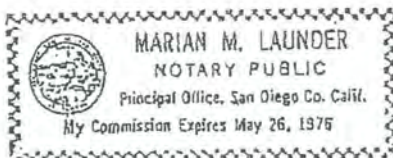
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this 25th day of June, 1977, before me, the undersigned,
Notary Public in and for said County and State, personally appeared
William R. K. K., of UNITED STATES INTERNATIONAL UNIVERSITY, a
California corporation, the corporation that executed the within Instrument and known
to me to be the person who executed the same on behalf of said corporation and
acknowledged to me that said corporation executed the same, pursuant to its bylaws
or a resolution of its Board of Directors.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the
day and year in this certificate first above written.

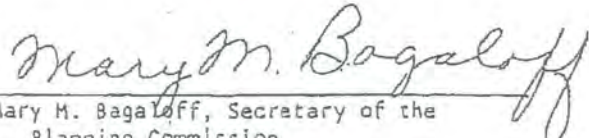
Marian M. Launder
Notary Public in and for said County and State

NOTARY STAMP



AUTHENTICATED BY:


 F. R. Knostman, Acting Senior Planner
 Planning Department

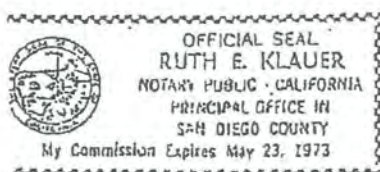

 Mary M. Bagaloff, Secretary of the
 Planning Commission

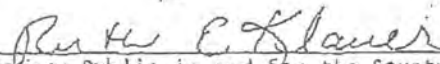
STATE OF CALIFORNIA)
) SS.
 COUNTY OF SAN DIEGO)

On this 16th day of October, 1977 before me the undersigned a Notary Public in and for said County and State, personally appeared F. R. KNOSTMAN, known to me to be an Acting Planner of The City of San Diego; and MARY M. BAGALOFF, known to me to be the Secretary of the Planning Commission of The City of San Diego and known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

(Notary Stamp)




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

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A" (dated May 31, 1972), on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.
2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" (dated May 31, 1972), on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.
3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.
4. This conditional use permit granted by the City shall be utilized within 18 months after the effective date thereof. Failure to utilize the conditional use permit within an 18-month period will automatically void the same. This conditional use permit shall be subject to all of the terms and conditions granted herein and pursuant to the terms set forth in Section 101.0506 or 101.0507 and 101.0508 of the Municipal Code. See the latter referenced sections as those terms and conditions apply hereto.
5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.
6. This conditional use permit shall not be final until the eleventh day following its filing in the office of the City Clerk and is subject to appeal to the City Council as provided for in Section 101.0506 of the Municipal Code of The City of San Diego.
7. The effectiveness of this conditional use permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:
 - a. Permittee shall have agreed to each and every condition hereof by having this conditional use permit signed within 90 days of the Commission's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the Planning Commission granted this conditional use permit.
 - b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.
8. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

9. The project included within this conditional use permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

10. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of the Permittee or its successors in interest, shall be deemed a material breach hereof and this conditional use permit may be cancelled or revoked. Cancellation or revocation of this conditional use permit may be instituted by the City or permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506. An appeal from the decision of the Planning Commission may be taken to the City Council within 10 days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0506.

11. This conditional use permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

CONDITIONAL USE PERMIT NO. 133-PC

APPENDIX "A"

ESTIMATED CAPACITY OF PROJECTED FACILITIESUNITED STATES INTERNATIONAL UNIVERSITYCAMP ELLIOTT CAMPUSWest Portion of Campus

- Phase 1. Women's Physical Education facilities to accommodate from 1,500 students (gymnasium, playing fields, tennis courts).
2. Residence Halls to accommodate 1,250 persons with related facilities including lounges and pools, etc.
3. Administration facilities to accommodate a staff of 50 persons.
4. Library facilities to accommodate the needs of a student body enrollment of 3,000 students (450,000 volumes, audio-visual equipment, and related facilities).
5. Science classroom, laboratory and lecture hall facilities to accommodate from 650 to 1,050 students and related faculty offices.
6. Classroom facilities to accommodate from 300 to 400 students with related faculty offices.
7. Fine Arts facilities to accommodate from 200 to 300 students (outdoor drama area, classroom and workshop building) and related faculty.
8. Classroom facilities to accommodate from 600 to 800 students with related faculty offices.
9. Chapel to accommodate 1,000 persons.
10. Dining Hall and Student Commons to accommodate the needs of a student body of 3,000.
11. Classroom facilities to accommodate from 600 to 800 students with related faculty offices.
12. Auditorium (cultural education center) to accommodate a maximum of 2,100 persons.



13. Parking and maintenance and shop facilities.
14.
 - A. Academic facility (D) consisting of classroom, faculty offices, student study areas and other related facilities.
 - B. Academic facility (C) consisting of lecture hall, classroom and related academic facilities.
 - C. Academic facility (B) consisting of classrooms, faculty offices, student study areas and other related facilities.
 - D. Academic facility consisting of classrooms, faculty offices, student study areas and other related facilities; parking.
 - E. Academic facility (E) consisting of classrooms, faculty offices and student study areas and other related facilities.
 - F. Multi-purpose building, including center functions; academic facility consisting of classroom, faculty offices, student study areas and other related facilities.
 - G. Physical education field house (gymnasium) and physical education playfield.
 - H. Academic facility (A) consisting of classroom, faculty offices, student study areas and other related facilities.
 - I. Residence halls, capacity approximately 1,000.
 - J. Amphitheatre.
 - K. Parking.
15.
 - A. Physical education playfield, permanent and temporary parking.
 - B. Academic facility consisting of extended learning facility, including lecture halls, classrooms, faculty offices and related academic facilities; parking.
18.
 - A. Parking
 - B. Academic facility consisting of classroom, faculty offices, student study areas and other related facilities.
 - C. Academic facility consisting of school of law.

- D. Academic facility consisting of classroom, faculty offices, student study areas and other related facilities.
- E. Parking facilities.
- F. Multi-purpose building including faculty and student center facilities.

East Portion of Campus

- 16. Men's Physical Education playing field and related outdoor facilities for 1,500 students.
- 17. Women's Physical Education facilities to accommodate 1,500 students (gymnasium, playing field and related facilities).
- 19. Science classroom, laboratory and lecture hall facilities to accommodate from 650 to 1,000 students and related faculty offices.
- 20. Library facilities to accommodate the needs of a student body enrollment of 3,000 students (450,000 volumes, audio-visual equipment, etc.)
- 21. Fine Arts facilities to accommodate from 200 to 300 students (outdoor drama area, classroom and workshop building) and related facility.
- 22. Student Commons and Dining Hall facilities to accommodate 3,000 students.
- 23. Chapel to accommodate 800 persons.
- 24. Classroom facilities to accommodate from 1,500 to 2,000 students with related faculty offices.
- 25. Maintenance facilities and shop to serve campus of 3,000 students.
- 26. Research center with research laboratories, offices and library to accommodate a staff of 100 persons.
- 27. Administration facilities to accommodate a staff of 50 persons.
- 28. Residence Halls to accommodate 600 persons with related facilities including lounges and pool, etc.
- 29. Residence Halls to accommodate 650 persons with related facilities including lounges and pool, etc.
- 30. Educational training center with facilities to accommodate 300 students.

31. Married student housing to provide residences for 300 married students and their families.
32. Faculty housing to provide residential accommodations for 50 families.

120

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CITY CLERK'S OFFICE

1278 AUG -2 PM 1:45

SAN DIEGO, CALIF.

15.02

PLANNING COMMISSION RESOLUTION NO. 1358

GRANTING CONDITIONAL USE PERMIT NO. 133-PC/AMENDMENT NO. 2

WHEREAS, UNITED STATES INTERNATIONAL UNIVERSITY, a California corporation, "Owner/Permittee," filed an application for a Conditional Use Permit Amendment to maintain and operate a university with related incidental uses, located south of Pomarado Road, east of State Highway 163, described as Lot 1 and a portion of Lot 2, U. S. International University, Map #5960, on file in the Office of the County Recorder, in the R-1-40 Zone; and

WHEREAS, on June 15, 1978, the Planning Commission of The City of San Diego considered Conditional Use Permit No. 133-PC/Amendment No. 2 pursuant to Section 101.0506 of the Municipal Code of The City of San Diego and received for its consideration documentary, written and oral testimony, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

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

1. That the Planning Commission adopts as the Findings of the Planning Commission those written Findings set forth in the Report of the Planning Department dated June 8, 1978, and found beginning at Page 1 of said report, a copy of which is attached hereto and by this reference incorporated herein.
2. That said Findings are supported by the Minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, the application for Conditional Use Permit No. 133-PC/Amendment No. 2 is hereby granted to Owner/Permittee in the form and with the terms and conditions as set forth in Conditional Use Permit No. 133-PC/Amendment No. 2, a copy of which is attached hereto and made a part hereof.

Charlotte L. Hunter
Charlotte L. Hunter, Secretary of the
Planning Commission

No 331073
9

121

PLANNING REPORTS

CITY PLANNING DEPARTMENT - SAN DIEGO, CALIF.
335-6480
 RECEIVED
CITY CLERK'S OFFICE
JUN 13 1978
JUN 13 2 05 - 2 PM 1:45
SAN DIEGO, CALIF.

June 8, 1978

SUBJECT: CONDITIONAL USE PERMIT NO. 133/AMENDMENT NO. 2.
A Conditional Use Permit Amendment to delete
approximately 200 acres from a 435 acre university
campus in the R-1-40 Zone. Located on the south
side of Pomerado Road, between Willow Creek Road
and Semillon Boulevard. It is a portion of Lot 2,
USIU, Map #5960. Applicant: Providence Realty
Incorporated. EQD #78-02-01 (ND)

BACKGROUND

This hearing was continued from the Planning Commission meeting of June 1, 1978, and concerns a request to amend a conditional use permit to delete approximately 200 acres of undeveloped land from the campus of the United States International University. The subject 435 acre campus is located on the south side of Pomerado Road, approximately 1/2 mile east of the Interstate 15 freeway. The Planning Commission, on March 15, 1967, approved Conditional Use Permit No. 133-PC authorizing the construction of the USIU campus at this location. The approved permit indicated that the initial development would take place on the west half of the 435 acre campus and that the east half would be reserved for future expansion. Subsequently, on May 31, 1972, the Planning Commission approved an amendment to the conditional use permit to revise the site plan, still leaving the eastern 200 acres of the campus for future development. The applicant, at this time, requests deletion of the eastern, undeveloped half of the campus from the permit boundaries.

The subject property is located on the south side of Pomerado Road, a two-lane road connecting Miramar with Poway. Development and zoning surrounding the property consists of the USIU campus, the U.S. Navy Fire Fighter School and vacant land to the west in the R-1-40 Zone; the Scripps Ranch residential community to the north, in the R-1-5 Zone; and vacant land to the east and south in the R-1-40 and A-1-10 Zones. The adopted General Plan designates the subject property for college usage.

THESE RECOMMENDATIONS ARE BASED ON INFORMATION AVAILABLE AT THE TIME OF THIS REPORT.

 No. 331073
9

122

CUP-133/Amendment No. 2

Page 2

RECOMMENDATION

The Planning Department recommends APPROVAL of the Conditional Use Permit Amendment based upon the belief that deletion of this land area from the conditional use permit boundary would not materially change the findings made for the approval of the conditional use permit.

ANALYSIS

The subject Conditional Use Permit Amendment proposes the deletion of a vacant, 200 acre tract of land from the USIU campus. The applicant indicates that the subject land area is no longer under the ownership of the university. Deletion of the subject area from the permit boundary should in no way precommit development of this land area contrary to the intent of the adopted General Plan. The General Plan, at this time, designates this property for development with a college campus. Any other form of development would be inconsistent with this designation and would require amending the General Plan. A General Plan amendment for this area is currently in process and is scheduled for a Planning Commission hearing on June 8, 1978.

The Environmental Quality Division has reviewed the available information concerning this Conditional Use Permit Amendment and has determined that the amendment would have no detrimental effects upon the environment. A Negative Declaration has been prepared and is on file in the Environmental Quality Division office for public review.

:YB

No 331073
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Page 1 of 5

CONDITIONAL USE PERMIT NO. 133-PC/AMENDMENT NO. 2

PLANNING COMMISSION

This Conditional Use Permit Amendment is granted by the Planning Commission of The City of San Diego to UNITED STATES INTERNATIONAL UNIVERSITY, a California corporation, "Owner/Permittee," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0506, et sequitur, of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to "Owner/Permittee" to maintain and operate a University with related incidental uses, located south of Pomarado Road, east of State Highway 163, more particularly described as Lot 1 and a portion of Lot 2, U. S. International University, Map No. 5960, on file in the Office of the County Recorder, in the R-1-40 Zone.

Condition No. 10 is hereby amended to delete all references to the east portion of the campus, described on Exhibit "A," dated June 15, 1978.

Passed and adopted by the Planning Commission of The City of San Diego on June 15, 1978.

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CITY CLERK'S OFFICE
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SAN DIEGO, CALIF.

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No. 331073

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A" dated June 15, 1978, on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.
2. Prior to the issuance of any building permits a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" dated June 15, 1978, the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.
3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.
4. This Conditional Use Permit granted by the City shall be utilized within 18 months after the effective date thereof. Failure to utilize the Conditional Use Permit within an 18-month period will automatically void the same. This Conditional Use Permit shall be subject to all of the terms and conditions granted herein and pursuant to the terms set forth in Section 101.0506 and 101.0507 of the Municipal Code. See the latter referenced sections as those terms and conditions apply hereto.
5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.
6. This Conditional Use Permit shall not be final until the eleventh day following its filing in the office of the City Clerk and is subject to appeal to the City Council as provided for in Section 101.0506 of the Municipal Code of The City of San Diego.
7. The effectiveness of this Conditional Use Permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:
 - a. Permittee shall have agreed to each and every condition hereof by having this Conditional Use Permit signed within 90 days of the Commission's decision. In no event shall this condition be construed to extend the time limitation set forth in Condition No. 4 above i.e., the time commences to run on the date that the Planning Commission granted this Conditional Use Permit.

No 331073
9

(Gen. Cond's CUP's)

Page 3 of 5

- b. This Conditional Use Permit executed as indicated shall have been recorded in the office of the County Recorder.

8. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

9. The project included within this Conditional Use Permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the Permit shall have been revoked by The City of San Diego.

10. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this Permit or any default on the part of the Permittee or its successors in interest, shall be deemed a material breach hereof and this Conditional Use Permit may be cancelled or revoked. Cancellation or revocation of this Conditional Use Permit may be instituted by the City or permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506 or 101.0507. An appeal from the decision of the Planning Commission may be taken to the City Council within 10 days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.1506 or 101.0507.

11. This Conditional Use Permit shall inure to the benefits of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto and the interests of any successor shall be subject to each and every condition herein set out.

May, 1974

9
Nº 331073

AUTHENTICATED BY:

F. R. Knostman
F. R. Knostman, Senior Planner
Planning Department

Charlotte L. Hunter
Charlotte L. Hunter, Secretary of the
Planning Commission

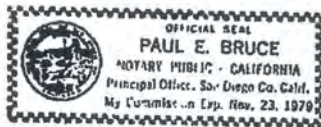
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this 22ND day of JUNE, 1978, before me, the undersigned, a Notary Public in and for said County and State, personally appeared F. R. KNOSTMAN, known to me to be Senior Planner of The City of San Diego Planning Department, and CHARLOTTE L. HUNTER, known to me to be the Secretary of the Planning Commission of The City of San Diego and known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

NOTARY STAMP

Paul E. Bruce
Notary Public in and for the County of
San Diego, State of California



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No 331073

ACKNOWLEDGED:

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 Permittee hereunder.

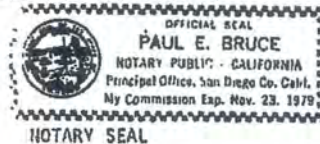
UNITED STATES INTERNATIONAL UNIVERSITY
A California Corporation, "Owner/Permittee"
By William C. Rust
Authorized Signator

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On AND DAY OF AUGUST 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM C. RUST, known to me to be the PRESIDENT of the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Signature Paul E. Bruce
PAUL E. BRUCE
Name (Typed or Printed)



STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the _____ of the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Signature _____

NOTARY SEAL

Name (Typed or Printed) _____

NO 331073

FILE/PAGE NO. **78-331073**
 BOOK 1978
 RECORDED REQUEST OF
 CITY CLERK
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 OFFICIAL RECORDS
 SAN DIEGO COUNTY, CALIF.
 HARLEY F. BLOOM
 RECORDER

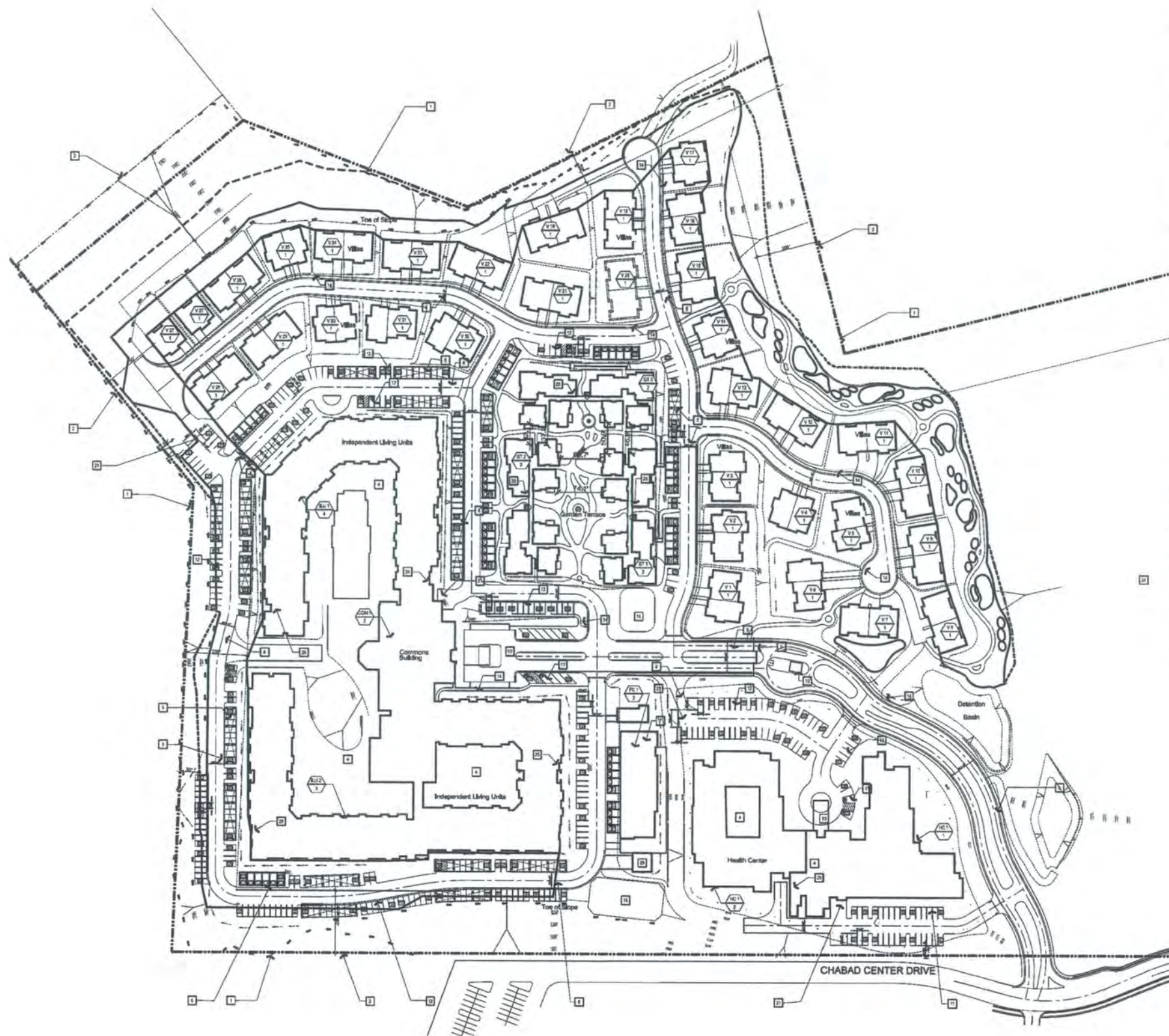
DOCUMENT NO. **764118**
 FILED **AUG 3 1978**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

Nº 331073

NO FEE (Zoning-CUP)

Conditional Use Permit No. 133-PG/Amend #2-
 United States International University, owner/
 permittee - maintain & operate university with
 related incidental uses- S of Pomerado Rd, E of
 State Hwy 163- U.S. International University,
 Map 5960, Lot 1 and Lot 2, por.

cc: Planning - 4A 8-3-78 *ff*



LEGEND

- ADA Path of Travel
- Building Number
- # of Stories
- Open/Carport Parking
- Garage Court
- GT- Garden Terrace
- HC- Health Center
- ILU- Independent Living Units
- FC- Facilities
- V- Villa

NOTES

- Address: 10455 Pomarado Road, San Diego, CA 92131
- Address Building per Policy P-006 (RFC 901.4.4)

KEYNOTES

- Property Line
- Approximate Building Setback
- Entry Gate
- Courtyard
- Carport
- Private Garage
- Facilities Building
- Proposed Street
- Pave Lane
- Drop-off
- Employee Parking
- Perpendicular Parking
- Guest House
- Proposed Stairwells
- Tennis Courts
- Rose Garden
- Accessible Parking
- Motorcycle
- Bicycle
- Accessible Parking
- Loading Area
- Trash Compactor
- To be marked to prohibit parking
- Lot 'A' MHPA open space
- Refuse Area

PARKING SUMMARY		
Parking Provider	spaces	Ratio
Villa private Garage Parking	64	1.0
GT Open Parking	24	
GT Carports	12	
GT Garages	36	
GT Total	72	1.0
ILU Open Parking	168	
ILU Carports	134	
ILU Garages	30	
ILU Total	332	1.2
Health Center Parking	81	
Total Parking Provided	530	
Gross area		
area	sf	
villas	130,765	
il	394,782	
common/ter	45,207	
garden terrace	90,989	
health center-off	50,202	
health center-on	35,610	
facilities building	20,000	
carport parking	31,100	
entry kiosk	362	
hobby shop	1,200	
misc	5,000	
garages	17,310	
Total	822,547	gsf

VILLAS (Assisted Living)				
Villa	Type	Area	# of Units	Percent
Villa 1	2 BR/2 BA	1,395	20	21.23%
Villa 2	3 BR/2 BA	1,644	44	68.75%
Total			64	100.00%

INDEPENDENT LIVING UNITS - (Assisted Living)				
Plan	Type	Area	# of Units	Percent
Plan 1 - Oak	1 BR/1 BA	563	17	5.90%
Plan 2 - Palm	1 BR/1 BA	813	88	30.90%
Plan 3 - Tanager	1 BR/1 BA	836	4	1.34%
Plan 4 - Data Park	1 BR/1 BA	800	28	9.12%
Plan 5 - Spruce	2 BR/2 BA	1,065	23	7.99%
Plan 6 - Wisteria	2 BR/2 BA	1,154	112	38.89%
Plan 10 - Magnolia	3 BR/2 BA	1,527	12	4.17%
Plan 11 - Penthouse	2 BR/2 BA	2,141	3	1.04%
Total			288	100.00%

Guest Suites				
Type	Area	# of Units	Percent	
1 BR		138	47.92%	
2 BR		136	47.92%	
3 BR		12	4.17%	

GARDEN TERRACE SUMMARY - (Assisted Living)				
Plan	Type	Area	# of Units	Percent
Plan 7 -	2 BR/2 BA	1,251	12	25.00%
Plan 8 - Cedar At	3 BR/2 BA	1,404	12	25.00%
Plan 9 - Magnolia	3 BR/2 BA	1,527	24	60.00%
Total			48	100.00%

HEALTH CENTER SUMMARY				
Plan	Type	Area	# of Units	Percent
Skilled Nursing Building				
Plan A	Private	300	8	13.33%
Plan B	Semi-Private	490	62	86.67%
Total			70	100.00%

Acute Assisted Living Building				
Plan	Type	Area	# of Units	Percent
Plan C	Studio	425	2	4.00%
Plan D	1 BR	800	31	82.00%
Plan E	2 BR (1 BED)	990	1	2.00%
Subtotal			34	88.00%
Plan F	Alt. Unit	360	16	32.00%
Total Acute Assisted Living Units			50	100.00%
Refuse/Recycle Area				
	SF	SF Req.	SF Provided	
villas	130,765	sf	960	
il	394,782	sf	674	
common/ter	45,207	sf	482	
garden terrace	90,989	sf	294	
health center	85,812	sf	166	
facilities / misc	20,000	sf	598	
Total	773,745	sf	2,976	3.54%

note: Square Footage Required is based on Section 142.0830. Total: 142,080

OWNER: ALLIANT INTERNATIONAL UNIVERSITY
10455 POMARADO ROAD
SAN DIEGO, CA 92131
(619) 592-0007 FAX (619) 592-0002

APPLICANT: THE GLEN AT SCRIPPS RANCH CCRC LLC
8002 BUSINESS PARK AVE. SUITE 804
SAN DIEGO, CA 92131
(619) 444-8800 FAX (619) 444-8807

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
3048 HENRY ST. 2ND FLOOR
SAN DIEGO, CA 92131
(619) 751-0833 FAX (619) 751-0834

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
3048 HENRY ST. 2ND FLOOR
SAN DIEGO, CA 92131
(619) 751-0833 FAX (619) 751-0834

ARCHITECT: KTY GROUP, INC.
17922 FISH
IRVINE, CA 92614
(949) 451-2133 FAX (949) 428-0114

LANDSCAPE ARCHITECT: STEHA PLANNING & LANDSCAPE ARCHITECTURE
3014 MARIAL STREET
SAN DIEGO, CA 92131
(619) 294-4477 FAX (619) 294-8882

Prepared By:

Name: LATITUDE 33 PLANNING & ENGINEERING

Address: 3048 HENRY ST. 2ND FLOOR

SAN DIEGO, CA 92131

Phone: (619) 751-0833

Fax: (619) 751-0834

Project Address:

10455 POMARADO ROAD, SOUTH OF POMARADO ROAD

AND WEST OF CHABAD CENTER DRIVE

Project Name:

THE GLEN AT

SCRIPPS RANCH CCRC

Sheet Title:

SITE PLAN

DEP# AMENDMENT

Revision 14:

Revision 13:

Revision 12:

Revision 11:

Revision 10:

Revision 9:

Revision 8:

Revision 7:

Revision 6:

Revision 5:

Revision 4:

Revision 3:

Revision 2:

Revision 1:

Original Date: 11-29-2001

Sheet 7 OF 47

CUP 133-PC

DEP# AMENDMENT

THE GLEN AT SCRIPPS RANCH CCRC
SAN DIEGO, CALIFORNIA

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Planning & Landscape Architecture
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IRVINE, CA 92614
(949) 451-2133
949-451-2133
kty.com

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PLANNING & ENGINEERING
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kty group
Architects & Planning
17922 FISH
IRVINE, CA 92614
(949) 451-2133
kty.com

Site Plan
7

RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on December 6, 2011, Alliant International University, a California not-for-profit corporation, Owner, and The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Applicant, submitted an application to Development Services Department for a General Plan and Community Plan Amendment, Vesting Tentative Map, Planned Development Permit with four deviations, Site Development Permit, Conditional Use Permit, Neighborhood Development Permit and MHPA Boundary Line Adjustment, which included a Water Supply Assessment, for The Glen at Scripps Ranch (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council of the City of San Diego on December 15, 2015 and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in Environmental Impact Report No. 264823 (Report) prepared for this Project; NOW
THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council of the City of San Diego in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council of the City of San Diego hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15093, the City Council of the City of San Diego hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council of the City of San Diego hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council of the City of San Diego in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit C.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: Jan Goldsmith, City Attorney

By:

Shannon Thomas
Deputy City Attorney

ATTACHMENT(S): Exhibit A, Findings
Exhibit B, Statement of Overriding Considerations
Exhibit C, Mitigation Monitoring and Reporting Program

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM

General Plan and Scripps Miramar Ranch Community Plan Amendment No. 990531,
Vesting Tentative Map No. 1451662, Planned Development Permit No. 1451656,
Site Development Permit No. 932619, Conditional Use Permit No. 932618,
Neighborhood Development Permit No. 1451657 and
MHPA Boundary Line Adjustment
PROJECT NO. 264823

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 264823 shall be made conditions of Vesting Tentative Map No. 1451662, Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and MHPA Boundary Line Adjustment as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the DSD Director's Environmental Designee shall review and approve all CDs (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II**Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT:** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: *Qualified Biologist, Archeologist, N.A Monitor, Paleontologist.*

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #264823 and/or Environmental Document #264823, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.
 3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.
 - **Section 404 permit authorization from ACOE**
 - **1600 Streambed Alteration Agreement from CDFW**
 - **401 State Water Quality Certification from RWQCB**
 4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17-inch reduction of the appropriate construction plan, such

as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Land Use	Land Use Adjacency Issues CVSRs	Land Use Adjacency Issue Site Observations
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Reports	Biology/Habitat Restoration Inspection
Landscape	Tree Protection Arborist Verification	Tree Protect Fence Inspection
Visual Quality	Contour Grading Verification Letter	Contour Grading/Staking Inspection
Visual Quality	Retaining Wall Verification Letter	Retaining Wall Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Waste Management	Waste Management Reports	Waste Management Inspections
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

LAND USE

LAND-1:

- a. Protection during Construction
- I. Prior to Construction
- A. Biologist Verification – The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program.

The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

B. Preconstruction Meeting – The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

C. Biological Documents – The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

D. BCME – The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

E. Avian Protection Requirements – To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

F. Resource Delineation – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

G. Education – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

I. During Construction

A. Monitoring – All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

B. Subsequent Resource Identification – The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact

the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

II. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

b. MHPA Adjacency

LAND-2: Prior to issuance of any construction permit or notice to proceed, DSD/ LDR, and/or MSCP staff shall verify the Applicant has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CD's of the following:

A. Grading/Land Development/MHPA Boundaries – MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.

B. Drainage – All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.

C. Toxics/Project Staging Areas/Equipment Storage – Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."

D. Lighting – Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.

E. Barriers – New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

F. Invasives – No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.

A. Brush Management – New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of a private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City ADD/MMC has documented the thinning would be consist with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.

B. Noise – Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for the following: California Gnatcatcher (March 1-August 15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/absence. If protocol surveys are not conducted in

suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

When applicable (i.e., habitat is occupied or if presence of the covered species is assumed), adequate noise reduction measures shall be incorporated as follows:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

Prior to the issuance of any grading permit the City Manager (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

a. A Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If coastal California gnatcatchers are present, then the following conditions must be met:

i. Between March 1 and August 15, no clearing, grubbing, or grading of occupied coastal California gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and

ii. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or

iii. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

b. If coastal California gnatcatchers are not detected during the protocol survey, the Qualified Biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

i. If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition a.iii shall be adhered to as specified above.

ii. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

BIOLOGY

BIO-1a: To avoid any direct impacts to Cooper's hawk and other sensitive raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City Development Services Department (DSD) for review and approval prior to initiating any construction activities.

If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. If present, a 300-foot impact avoidance area shall be established for Cooper's hawk and other species-specific perimeters shall be established around any active nests consistent with any requirements in the City's MSCP Subarea Plan and 2012 Biology Guidelines and Wildlife Agency requirements). Should an active nest be detected, appropriate species-specific construction setbacks shall be implemented until the fledglings are independent of the nest. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's Mitigation Monitoring Coordinator or Resident Engineer, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

Additionally, the City of San Diego requires general monitoring as part of the avian protection requirements during construction. This requirement states:

The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys.

BIO-1b: In order to be consistent with the MSCP Subarea Plan Conditions of Coverage, the following site-specific mitigation measures are required of The Glen at Scripps Ranch project:

Belding's orange-throated whiptail Mitigation: To address edge effects, all of the development footprint shall be located outside of the MHPA and a fence/barrier shall be installed along the project boundary to prohibit entry into the MHPA.

Coast horned lizard Mitigation: The project shall include specific measures to maintain native ant species, discourage the Argentine ant (*Linepithema humile*), and protect against detrimental edge effects to this species including inspection by the project biologist (preferably off-site prior to shipment to the site) of native container stock scheduled to be placed on-site MHPA adjacent slopes. The biologist shall inspect all specimens and reject any that show non-native ants or evidence of non-native ants. Additionally, all restoration/revegetation areas within BMZ abutting the MHPA and ESL shall avoid the use of chemicals which would impact or kill native ant species (i.e., herbicides/pesticides).

See also mitigation measures LAND-1 and LAND-2.
Sensitive Uplands

BIO-2: Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity, project upland impacts shall be mitigated in accordance with the San Diego LDC Biology Guidelines, as specified in Table 4.3-4 of the EIR based on mitigation occurring within the MHPA.

With approval of the MHPA boundary line adjustment, mitigation for some of the impacts to sensitive vegetation communities would be achieved through the on-site preservation of lands (2.31 acres of disturbed Diegan coastal sage scrub and 0.76 acre of disturbed southern mixed chaparral) outside the development footprint, located on the north end of parcel, and dedication of this acreage to the MHPA in a covenant of easement. Mitigation land shall be conveyed to the City, as described in BIO-3.

Once the 2.31 acres of disturbed Diegan coastal sage scrub and 0.76 acre of disturbed southern mixed chaparral are applied towards mitigation, the remaining upland mitigation required consists of 10.14 acres of southern mixed

chaparral and 1.61 acres of non-native grassland. The remaining 10.14 acres of chaparral mitigation will be satisfied either via a land acquisition and dedication to the MHPA of lands on Alliant International University, south of the project; and/or through purchasing off-site lands within the MHPA. The 1.61 acres of grassland mitigation will be satisfied through payment to the City's Habitat Acquisition Fund and/or through purchasing off-site lands within the MHPA. Mitigation for the 0.17 acre of impacts to non-wetland waters would occur on-site and is discussed in BIO-4.

On-Site Preservation

BIO-3: After all restoration efforts have been signed off and accepted by the City, the on-site MHPA shall be conveyed to the San Diego's MSCP preserve through one of the following:

- a) **Dedication.** The Owner/Permittee/Applicant shall convey the mitigation area in fee title to San Diego, or other conservation entities found acceptable by San Diego, USFWS, or CDFG through an irrevocable offer of dedication via the Final Maps. Conveyance of any land in fee shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other storm water control facilities and manufactured slopes (with the exception of those that might be associated with the potential landslide area; San Diego Biology Guidelines 2012).
- b) **Covenant of Easement.** To the extent consistent with MSCP Implementing Agreement, the Owner/Permittee/Applicant must agree to a covenant of easement for the management of the mitigation area in perpetuity, recorded against the title of the property with the USFWS and the CDFG named as third party beneficiaries. Identification of permissible passive activities and any other conditions of the permit must be incorporated into the covenant. (San Diego Biology Guidelines 2002)
- c) **Any other method of transfer permitted by the San Diego's MSCP Subarea Plan or Implementing Agreement.**

To the extent consistent with MSCP Implementing Agreement and to facilitate MHPA conveyance, any non-fee areas located in the MHPA shall be lotted separately, with a covenant of easement, and be maintained in perpetuity by the Owner/Permittee/ Applicant, unless otherwise agreed to by San Diego. All other on-site areas can be conveyed through any of the above methods.

- d) **Funding.** A secured funding source shall be identified to pay for land management in perpetuity in accordance with the City's Biology Guidelines (2012).

Wetlands

BIO-4: Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading, or Building, or beginning any construction related activity on-site, notification to the ACOE Section 404 Nationwide Permit Program, a Streambed Alteration Agreement from the CDFW, and a 401 Water Quality Certification from the RWQCB would be required. To reduce impacts to jurisdictional resources to less than significant, a minimum mitigation of 0.34 acre for impacts to ACOE and CDFW/RWQCB jurisdictional non-wetland waters/streambeds would be required (see Table 4.3-6 of the EIR).

BIO-5: Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the applicant shall obtain all appropriate ACOE permit, CDFW streambed alteration agreement, and RWQCB water quality certification. Mitigation shall proceed according to permitting requirements of the applicable Resource Agencies and shall consist of a 2:1 establishment/creation of riparian habitat to ensure no net loss of non-wetland waters; therefore, a minimum mitigation of 0.34 acre shall be required (see Table 4.3-6 of the EIR). This on-site establishment/creation of ephemeral drainage will occur by widening the existing channel within the northern section of the survey area to achieve a 2:1 ratio (i.e., 0.34 acre). The banks of the new channel would be stabilized with riparian scrub plant species that are tolerant of the drier floodplain conditions.

BIO-6: Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, a qualified biologist shall submit a final Wetland Mitigation Plan to the USACE, RWQCB, San Diego (Park and Recreation, EAS, and MSCP), and CDFG for review and approval. A conceptual mitigation plan has been provided which illustrates the chosen location of establishment/creation area, methods involved to implement the mitigation effort, and a maintenance and monitoring program which is required to ensure the success of the mitigation (RECON 2015b).

HISTORICAL RESOURCES

Due to the potential for buried cultural resources to be encountered below alluvial soils on-site, a qualified archaeological monitor and a Native American monitor shall be present during project-related grading activities in the area shown on Figure 4.5-1.

HIST-1

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the ADD Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to MMC identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (¼-mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼-mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the EAS of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are not most likely to be of Native American origin.
 - C. If Human Remains ARE determined to be Native American
 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
 - D. If Human Remains are NOT Native American
 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.
- V. Night and/or Weekend Work
 - A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 AM of the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV - Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact MMC, or by 8 A.M. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
 - B. If night and/or weekend work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.
- VI. Post Construction
 - A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms—DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
 - B. Handling of Artifacts
 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
 - C. Curation of artifacts: Accession Agreement and Acceptance Verification
 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
 - D. Final Monitoring Report(s)
 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL RESOURCES

PALEO-1

- I. Prior to Permit Issuance
 - A. Entitlements Plan Check
 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first

preconstruction meeting, whichever is applicable, the ADD Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to MMC identifying the PI for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.

3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.

a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.

c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.

a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

(R-2002-)

CITY COUNCIL RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION GRANTING GENERAL PLAN AND SCRIPPS MIRAMAR
RANCH COMMUNITY PLAN AMENDMENT NO. 990531
FOR THE GLEN AT SCRIPPS RANCH PROJECT – PROJECT
NO. 264823

WHEREAS, on _____, the City Council of the City of San Diego held
a public hearing for the purpose of considering an amendment to the General Plan and the
Scripps Miramar Ranch Community Plan; and

WHEREAS, The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability
Company, Applicant, requested an amendment to the General Plan and the Scripps Miramar
Ranch Community Plan to amend the Scripps Miramar Ranch Community Plan to allow a
continuing care retirement community as an Institutional use at the Alliant International
University site with the approval of a Planned Development Permit located at 10455 Pomerado
Road from the United State International University to Alliant International University, the site is
legally described as Parcel 2 of Parcel Map No. 21237, filed May 22, 2015 as
DOC# 2015-7000168, in the Office of the County Recorder, County of San Diego, California;
and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the
Mayor because this matter requires the City Council to act as a quasi-judicial body and where a
public hearing was required by law implicating due process rights of individuals affected by the
decision and where the Council was required by law to consider evidence at the hearing and to
make legal findings based on the evidence presented; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the Scripps Miramar Ranch Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the Council adopts an amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

APPROVED: JAN GOLDSMITH, City Attorney

By _____

Deputy City Attorney

MJL:pev
INSERT Date
Or.Dept:DSD
R-2002- INSERT
Form=r-t.frm(61203wct)

SCRIPPS MIRAMAR RANCH COMMUNITY PLAN

The following amendments have been incorporated into this April 2011 posting of this Plan:

Amendment	Date Approved by Planning Commission	Resolution Number	Date Adopted by City Council	Resolution Number
Scripps Miramar Ranch Community Plan adopted.	June 8, 1978	R-1355	July 18, 1978	R-221398
Scripps Westview II redesignated from medium-density residential to high-medium residential			October 21, 1985	R-264284
Industrial Element revised to allow for a self-storage facility			March 18, 1986	R-265280
Neighborhood Area B, a 101-acre parcel, redesignated from residential to industrial park			November 4, 1986	R-266987
Scripps County Island, 385 acres, incorporated into the Scripps planning area			June 29, 1987	R-268716
Parks, Recreation and Open Space Element update			September 13, 1988	R-271857
Scripps Lake Drive, reclassified between Scripps Ranch Boulevard and Red Cedar Drive from a four-lane collector to a two-lane collector roadway			October 11, 1988	R-272098
Incorporated two City Council resolutions to widen Pomerado Road and reopen upon completion of Alternative 8A			October 31, 1988	R-272230
Redesignated a 3.9-acre site in the northeastern portion of the planning area from industrial park to community commercial			November 14, 1989	R-274731
USUAIU campus, designated a 17-acre site as a resource-based park			November 21, 1989	R-274780
Pomerado Road reclassified from a contingency four-lane major street to a two-lane major street and Scripps Poway Parkway reclassified from a four-lane major street to a six-lane major street			October 26, 1993	R-282903
Fairbrook Elementary School site redesignated from elementary school/park to low-density residential and park			October 19, 1999	R-292322
Added MCAS Miramar ALUCP policy language	February 17, 2011		April 26, 2011	R-306737

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INTRODUCTION

The realization of the Scripps Miramar Ranch Community Plan (Plan) became possible with the City Council's recognition of the Scripps Miramar Ranch Planning Committee on June 1, 1977. This planning committee, which is composed of both private homeowners and prospective developers in Scripps Ranch, has held regular public meetings since its formation. Although the 15-member committee is responsible for the objectives and proposals contained in this Plan, public input has been actively solicited throughout the planning process. Monthly announcements have been published in the Scripps Ranch Newsletter, which is delivered to every home in the community. Two surveys were also distributed to residents regarding community needs and transportation planning.

The Plan and accompanying Environmental Impact Report were prepared by a private consultant working closely with City of San Diego (City) Planning Department staff and the Scripps Miramar Ranch Planning Committee. The consultant was largely responsible for conducting the necessary research—drafting the community plan elements and environmental impact report, and acting as a liaison between Planning Department staff and the planning committee. City Planning staff provided technical assistance when necessary and reviewed materials prepared by the consultant for consistency and compliance with established City policies and documents. Planning committee responsibilities included reviewing Plan alternatives, proposing goals and objectives, and selecting Plan proposals. In addition, the planning committee and the community-at-large will be instrumental in the implementation of the adopted Plan.

This Plan expands and revises the Scripps Miramar Ranch Master Plan, which was adopted on June 9, 1970, by the City Council. All development in Scripps Ranch since that time, with the exception of the institutional properties south of Pomerado Road, has been in accordance with the 1970 Master Plan. Development of United States Alliant International University and the University of California at San Diego is controlled by the Conditional Use Permit (CUP) process and/or a Planned Development Permit (PDP) process.

This Plan does not consider land use on a block-by-block basis. Therefore, reasonable interpretation of its objectives and proposals is expected for implementation of this Plan.

LOCATION

Scripps Miramar Ranch is located on the north central part of metropolitan San Diego. The planning area included within this study contains approximately 4,365 acres of land. The Scripps Miramar Ranch planning area is bordered on the north by the Miramar Ranch North and Sabre Springs planning areas and the city of Poway; on the northeast by the city of Poway; on the east by the currently unplanned future urbanizing area of the City of San Diego; on the south by Marine Corps Air Station (MCAS) Miramar (formerly Naval Air Station Miramar); and on the west by Interstate 15 (I-15). (See **Figures 1 and 2.**)

OVERALL COMMUNITY GOALS

The following goals have been identified as a means of determining the purpose and direction of the Scripps Miramar Ranch community's development.

- Preserve and enhance the valued natural resources of the Scripps Miramar Ranch community: hills, trees, water resources, Miramar Reservoir, Carroll Canyon and subsidiary canyons; maximize public benefit through public ownership and/or access, both visual and physical, to these resources.
- Provide a harmonious physical environment within the community by maximizing preservation of existing stands of trees and foresting appropriate open space areas as development occurs.
- Maintain and enhance usable open space networks throughout the community by providing continuous open space systems which link such community elements as parks, schools, residential, commercial and industrial areas.
- Encourage development of open space buffers, which will effectively screen disparate elements of the community.
- Maintain and enhance the rural-residential characteristics of the existing Scripps Miramar Ranch, while promoting a variety of housing opportunities throughout the community.
- Encourage development of estate-type and custom lots within the planning area to complete the spectrum of housing choices in Scripps Miramar Ranch.
- Encourage development of residential facilities that cater to seniors. This will allow the aging population to remain in the Scripps Ranch community.
- Provide for educational opportunities and facilities and park and recreation services concurrent with need.
- Encourage quality educational and cultural opportunities through greater community interaction with local institutions.
- Provide an efficient transportation system for vehicular, bicycle, equestrian and pedestrian traffic within the community, with multiple access routes to the greater metropolitan area.
- Guarantee that the financial costs of further development in the planning area shall not be borne by residents of the Scripps Ranch community existing prior to the adoption of this Plan.

PROPOSALS

Population

Based on the 1980 Special Census, household population sizes were projected through the year 2000 by the City Planning Department. Household size for the Pomerado Statistical Area, which includes Scripps Miramar Ranch, was projected to decline from 3.02 in 1980 to 2.6 by the year 2000. Assuming an ultimate community of 7,050 dwellings and a 95 percent occupancy rate, the year 2000 population is expected to be about 17,500.

Balanced Community

At the present time, the Scripps Ranch community offers a relatively limited spectrum of housing types and prices; the upper and lower ends of the current housing market are not found within the community. This is largely the result of the high land and site development costs in the area and the emphasis on family-oriented living.

Without substantial government subsidies, it is virtually impossible to provide housing for low- or even moderate-income persons. Because current residents of Scripps Miramar Ranch are committed to the support of balanced housing opportunities, this Plan supports requests for government subsidies which will make housing in the Scripps Miramar Ranch community available to lower- and limited-income families.

Until such time as subsidized housing in Scripps Ranch can be provided to the general public, dormitory housing on the United States Alliant International University campus can meet a demonstrated need for local students. Future housing on the campus should include both apartment and dormitory units. In addition, development of a residential care facility that caters to the aging population through a Planned Development Permit process is encouraged in order to contribute toward a diverse housing balance within the community.

Density Ranges

Although the community should maintain a low-density character, overall a variety of densities and housing types should be encouraged to develop. This Plan proposes the following residential densities to meet the specific goals and needs of the community. All densities are calculated for net residential acres (NRA). Net densities represent the number of units per acre remaining after subtraction of 15 percent of the gross acreage for streets and 25 percent of the gross acreage for open space.

1. Very low-density (0-3 dwelling units per net acre) is characterized by single-family detached development on lots of one-half acre or larger. In addition, very low-density could occur within a PRD, allowing utilization of large hillside and/or forested parcels that contain relatively small areas suitable for buildings. Design flexibility on these hillside parcels is necessary to integrate development with the natural environment, preserve and enhance views, and protect areas of unique topography or vegetation.

2. Area B. This area comprises approximately 100 acres and is located in the west central portion of the planning area. It is bounded on the north by Scripps Lake Drive, on the west by Scripps Ranch Boulevard, and on the south and east by existing development.

In November 1986, the City Council adopted an amendment to Scripps Miramar Ranch Community Plan by Resolution No. R-266987, which approved changing the land use designation for Area B from residential to industrial park use. For a discussion of development within Area B, see **Industrial Element** proposals.

3. Area C. This area comprises approximately 640 contiguous acres and is located in the north-central portion of the planning area. It is bounded on the north by the planning area boundary, on the west by Miramar Reservoir, and on the south and east by existing residential development.

Development in Area C should take place at a density of three to five dwelling units per net acre, except for a 20-acre parcel which bears a density of five to ten dwelling units per net acre. This will permit a maximum of 1,650 homes within the entire area. Planned Residential Developments are encouraged to provide diversity in design, housing types and amenities. At least 160 acres, or 25 percent of the area, should be left as open space. (See **Figure 6**.)

4. Area D. This area comprises approximately 800 acres and is located in the southeast portion of the planning area. It is bounded by Pomerado Road on the north, United StatesAlliant International University on the west, and federal property on the south and east.

Land in this area is generally characterized by slopes in excess of 13 percent and/or eucalyptus trees. The latter are found primarily in Carroll Canyon and subsidiary canyons. Because of these factors, which encourage maximum preservation of open space, density in this area has been limited to zero to three dwelling units per net acre with no more than 1.5 homes per gross acre in total. This very low-density, which will permit no more than 1,200 homes south of Pomerado Road, should encourage the development of estate and custom lots, providing housing opportunities desired by residents of the present community including senior housing. **Figure 7** identifies the probable open space systems and developable areas comprising the neighborhood concept plan. Preservation of mature eucalyptus trees should be a primary design consideration in this area. At least 200 acres, or 25 percent, of this neighborhood should be left as open space.

5. Area E. This area comprises approximately 385 acres located at the northeast portion of the planning area. It is bounded by Pomerado Road on the east, the city of Poway on the north and northeast, the Sabre Springs community on the north, the Miramar Ranch North community on the west, and the existing residential areas of Scripps Ranch on the southwest.

As is typical of many areas east of I-15, this portion of the Ranch is characterized by slopes in excess of 25 percent. About 165 acres, or 43 percent of the area, should be left as open space or park land, as shown on **Figure 7A**. These areas will not only provide for visual separation of urban uses, but will connect to major open space systems in Miramar

PARKS, RECREATION AND OPEN SPACE ELEMENT

OBJECTIVES

In order to PROVIDE A WELL BALANCED AND AESTHETICALLY PLEASING SYSTEM OF OPEN SPACE AND RECREATIONAL FACILITIES AND OPPORTUNITIES, the following objectives have been selected to meet this goal.

- Pursue new sources of revenue, such as bond issues and federal or state grant programs, for the acquisition and development of parks not financed by the General Fund or the Scripps Ranch Special Park Fee.
- Assure continuation of the open space network throughout the planning area to permit walking between various community facilities and areas, including schools, parks, and residential, commercial, industrial and institutional developments.
- Guarantee that open space areas are easily accessible to residents and include usable recreation areas which permit such uses as hiking and picnicking.
- Provide desirable topographic open space buffers as needed between disparate elements of the community.
- Require developers to set aside at least 25 percent of the total project area for designation as park and/or open space.
- Encourage finger-like projections of open space entrances into neighborhoods to create additional access and more interesting design within residential developments.
- Maximize preservation of existing mature eucalyptus groves, natural slopes and major canyons through careful siting of roadways and structures.
- Forest open space areas not adjoining Miramar Reservoir at a minimum of 100 eucalyptus trees per acre, thereby expanding the unique and valued eucalyptus environment of this community.
- Preserve and enhance the valued natural resources of the Scripps Miramar Ranch community: hills, trees, water resources, Miramar Reservoir, Carroll Canyon and subsidiary canyons. Designate the park site located adjacent to the eastern end of the Miramar Reservoir for passive neighborhood park use, and ~~use the 17-acre~~ preserve the site south of Pomerado Road in Carroll Canyon, on property adjacent to the United States Alliant International University, campus and owned by the university, for Resource Based Park use by including the land as part of the City's Multiple Habitat Planning Area.
- Support park designs which allow total visibility of facilities from police patrol vehicles

The following proposals are offered as a means of realizing the goal of a resource-based park on Miramar Reservoir.

- Land outside the planning area but within the horizon line viewed from the reservoir looking north should be acquired. This horizon line would form the northern boundary of the resource-based park. Terrain and vegetation should be left in its natural state.
- Primary access to the reservoir and park for non-Scripps Ranch residents should be through the main entrance at the southwest corner of the reservoir, and not through Scripps Ranch residential neighborhoods.
- The terrain and vegetation immediately adjoining the reservoir should be preserved insofar as possible.
- Development within the viewshed of Miramar Reservoir should conform to the standards and criteria outlined for this area in the **Design Element**.

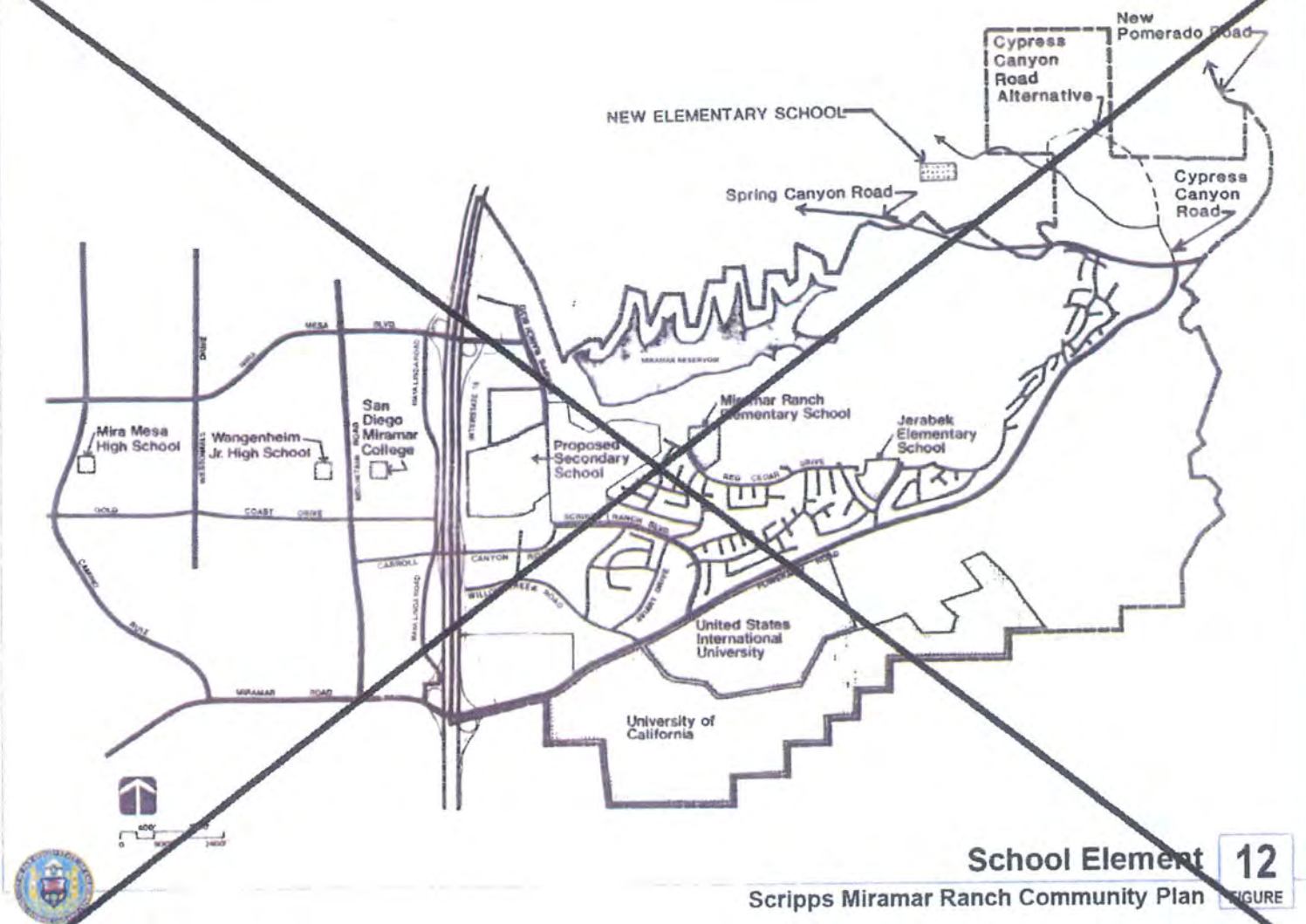
~~A smaller, natural resource-based park is recommended for a 17-acre~~ site south of Pomerado Road in Carroll Canyon on property adjacent to the United States Alliant International University Campus and owned by the university should be preserved by including the land as part of the City's Multiple Habitat Planning Area. This site adjacent to Pomerado Road is located in a creek bottom, ~~six or more feet below the adjacent street level,~~ and contains distinctive natural features and significant tree groupings. Several sensitive plant species may occur on or near this site, ~~two of which, *Manardell linoides bimineae* (Poway Rock Mint) and *Acanthamintha ilicifolia* (Thornmint) are on the state endangered species list.~~ It is probable that development of facilities, such as athletic fields, in this area would result in significant environmental impacts. Therefore, the construction of facilities or the disturbance of natural features is strongly discouraged. Improvements, if any, should not impair the resources that justify the establishment of this site as a resource-based park part of the City's Multiple Habitat Planning Area. Due to the constraints, the Olympic Golf Course may no longer be feasible.

Park Service District

In order to achieve maximum flexibility in park acquisition and development, this Plan supports the consolidation of all park service districts in Scripps Miramar Ranch into a single district serving the entire planning area.

Private Recreation Facilities

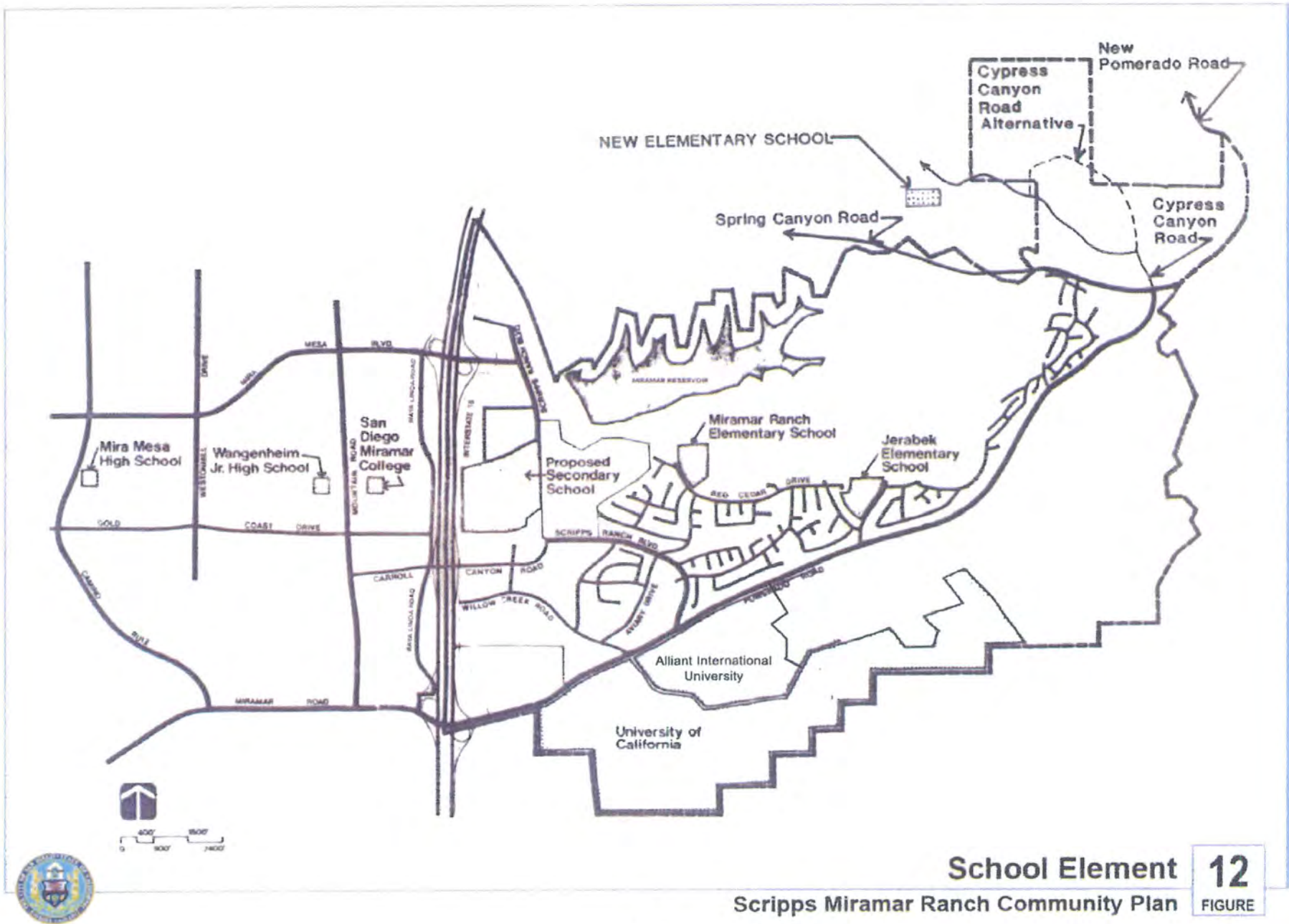
Private recreation facilities, which will complement the existing Scripps Ranch Swim and Racquet Club, are encouraged as a means of meeting some of the community's social and active recreation needs. Reciprocal membership agreements should be arranged with each facility.



School Element **12**
Scripps Miramar Ranch Community Plan **FIGURE**

- 42 -

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12
FIGURE

SOCIAL NEEDS ELEMENT

OBJECTIVES

- Maintain and amplify the special quality of life that exists in Scripps Miramar Ranch, with emphasis on both community and individual needs.
- Ensure the optimal and most efficient social and economic use of human and physical resources.
- Assist the family in obtaining assets needed to nurture all its members to a full and productive existence.

PROPOSALS

~~United States International University~~ Alliant International University (USIUAIU)

The presence of the San Diego campus of USIUAIU in the Scripps Miramar Ranch planning area is a unique asset to the community and more effort should be expended in expanding interaction between the university and the residential community. The university is strongly encouraged to provide monthly input to the Scripps Ranch Civic Association (SRCA) Newsletter publicizing the availability of facilities and events of public interest, such as the Friends of the Library program, athletic, musical, theatrical and art events, the student job placement office, classes, speakers and debates of public interest. USIUAIU should be encouraged to send student representatives to Scripps Ranch Civic Association meetings to improve communication between the school and community.

International students at the university should be invited to participate in geography, social studies and cultural programs at the elementary schools. Programs involving physical education and recreation management students in the backyard swim and school physical education programs, athletic leagues and recreational activities at Scripps Ranch schools and parks should be encouraged. Likewise, joint theatrical and musical programs with the elementary schools and USIUAIU School of Performing Arts students should be investigated for the benefit of both the university students and the Scripps Ranch youth.

A ten-acre Olympic-type golf course is proposed for location along Pomerado Road. It is recommended that the location and development of this course in or near Carroll Canyon conform to the overall community goal of preserving and enhancing the valued natural resources of the area. Community assistance should be solicited in the siting and development of this golf course. Public use of this facility would be highly desirable.

Social interaction between students, especially international, and the residents of the community should be expanded. This will serve to broaden the horizons of the individual residents and give the students a picture of one section of American life.

Community Government

As new developments are added, the feasibility of a Town Council should be evaluated. Such an organization would represent a natural expansion of the Scripps Ranch Civic Association, and should include representatives from various homeowners groups, youth, civic, and educational organizations, and the commercial and industrial interests in the community.

Private Recreation Facilities

This Plan strongly supports interaction between the various private recreation facilities in the form of reciprocal membership privileges. The possibility of limited teen memberships should also be investigated. Any recreational facility erected in the industrial park is encouraged to make provisions for joint use by employees and local residents to allow for full use of the facilities seven days a week.

Youth Programs

The increased availability of part-time jobs in the planning area for teenagers is strongly encouraged. The establishment of a youth employment bureau, run by teenagers, under the supervision of a youth counselor, teacher, church official, or other responsible adult or organization is highly recommended. Local businesses and industries are encouraged to set up part-time jobs and programs to develop employment skills of local youth.

The development of a recreation building in the neighborhood or community park is encouraged. This facility might include a stage, gym, arts and crafts rooms, meeting rooms, outdoor play facilities and facilities for childcare.

The establishment of teen sports leagues in the Scripps Miramar Ranch planning area is recommended.

More varied recreational, shopping and restaurant facilities are available in Mira Mesa and in the University Towne Center. The establishment of a shuttle bus service between Scripps Ranch and these areas should be pursued vigorously to allow for increased accessibility to these facilities by youth and others.

Community Activities

Expansion of the Concert-on-the-Green program and the establishment of art shows in parks are supported by the Plan to maintain and enlarge a sense of community identity and pride. Annual events such as the Fourth of July parade and picnic and the Halloween party and parade should be expanded to involve all residential areas within the community.

In the belief that better communication is the key to more effective personal and community relations, the erection of tastefully designed kiosks at prominent locations in the planning area, such as parks, recreation clubs, neighborhood shopping centers and the USIAIU cafeteria, should be pursued as soon as possible.

- Any residence adjoining the reservoir should be one-story only and should have special landscaping on the lake side of the building site. Exceptions to this one-story rule may be approved by the architectural review board. Landscaping along the fringe should be in clusters with a density of at least three trees per lot. Man-made slopes may be created to allow the construction of a loop road providing access to the community park and/or homes along this road. Homes along this loop road may be two stories to minimize the creation of man-made slopes and may not be located on the lake side of the loop road.
- Fencing along the perimeter should emphasize natural materials, such as stone and wood, and present a uniform design. Installation of a common fencing by a developer is suggested as the most effective means of implementation.
- Public viewpoints overlooking the reservoir should be provided at strategic points.
- Uniform roofing materials should be used adjoining this perimeter.

d. Carroll Canyon

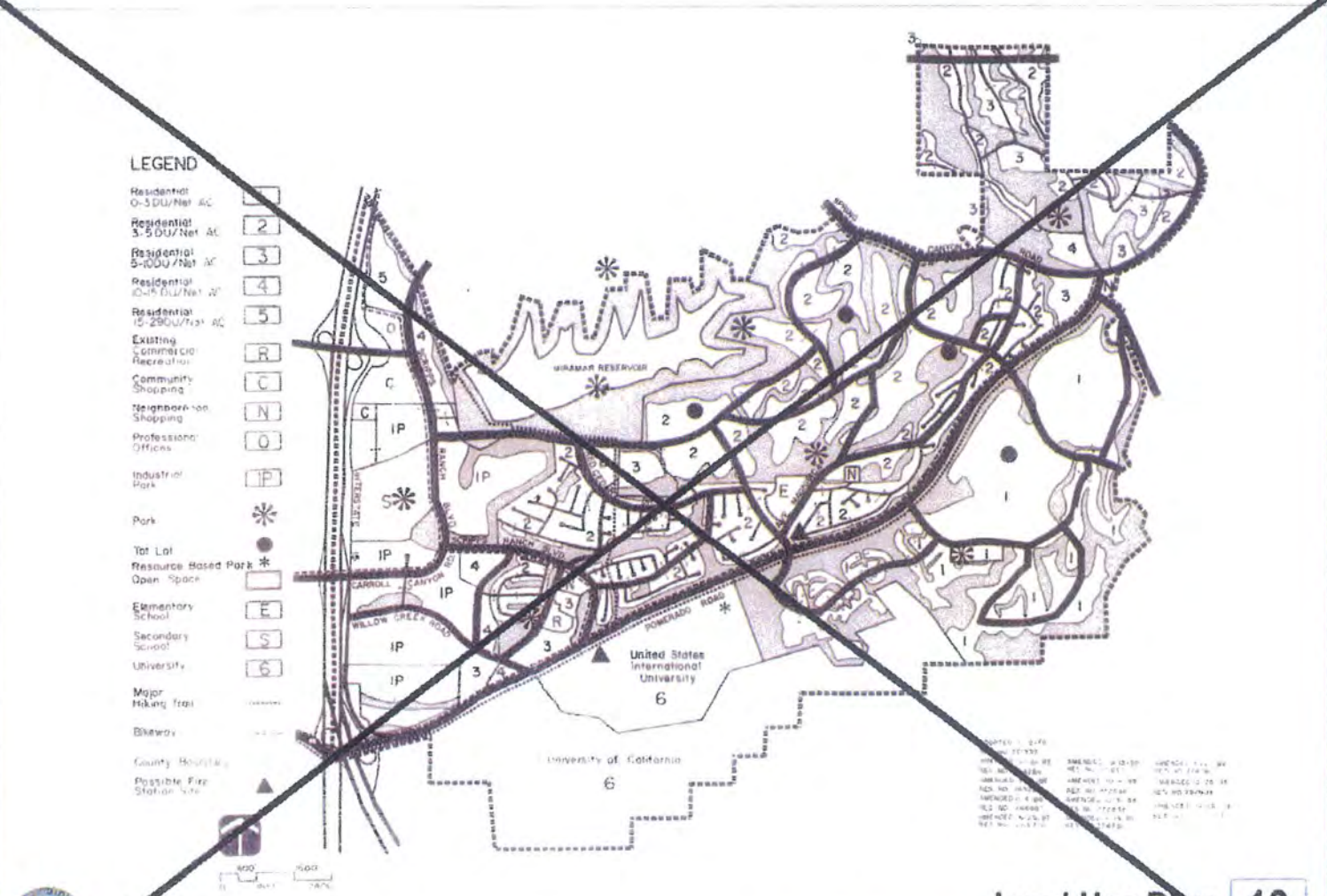
Disturbance of this important natural open space area should be limited to the absolute minimum required for public welfare and access. While an allowance for improvement of Pomerado Road is anticipated, design and these improvements should result in a "scenic roadway." Bridges rather than fills should be used for road crossings in the canyon bottom. Easements for equestrian trails should go along the canyon bottom. Passive recreation areas such as the proposed ~~Resource-Based Park~~Multiple Habitat Planning Area, may be located here, but even these uses should respect the presence of rare and/or endangered plant species. The proposed Olympic golf course at the ~~United States~~Alliant International University should be allowed.

e. Planned Residential Developments

These private open space areas shall be treated in accordance with Section 101.0900 of the City Code. Preference should be given to the preservation and planting of eucalyptus trees, of which about 30 varieties are known to grow in San Diego County. Design of open space in PRDs should consider the adjoining open spaces and neighborhood themes and should attempt to enhance these characteristics wherever possible.

f. Public Parks

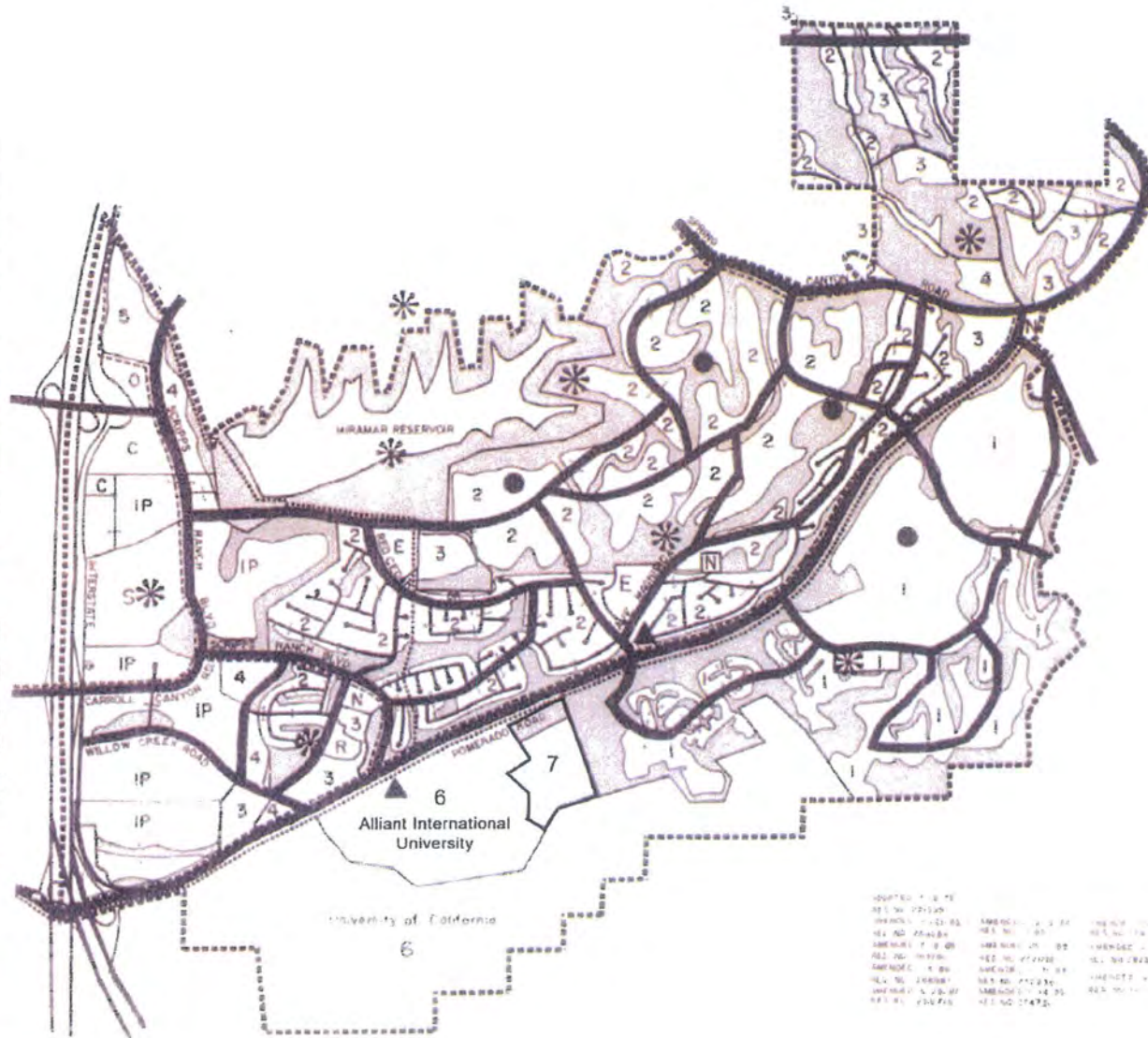
Public parks should be treated as this Plan suggests or as subsequent City Council actions require.



Land Use Plan 19
Scripps Miramar Ranch Community Plan **FIGURE**

LEGEND

- Residential 0-3 DU/Net AC [1]
- Residential 3-5 DU/Net AC [2]
- Residential 5-10 DU/Net AC [3]
- Residential 10-15 DU/Net AC [4]
- Residential 15-25 DU/Net AC [5]
- Existing Commercial Recreation [R]
- Community Shopping [C]
- Neighborhood Shopping [N]
- Professional Offices [O]
- Industrial Park [IP]
- Park [*]
- Tot Lot [•]
- Open Space []
- Elementary School [E]
- Secondary School [S]
- University [6]
- Institutional [7]
- Major Highway []
- Bikeway []
- County Boundary []
- Possible Fire Station Site [▲]



Land Use Plan
Scripps Miramar Ranch Community Plan

19
FIGURE

PLAN SUMMARY OF LAND USE ALLOCATIONS

TABLE 2

Land Use	Acres
Very Low Residential (0-3 DU/NRA*)	475+
Low Residential (3-5 DU/NRA*)	913+
Low-Medium Residential (5-10 DU/NRA*)	99+
Medium Residential (10-15 DU/NRA*)	55+
High-Medium Residential (15-29 DU/NRA*)	29+
Neighborhood Shopping	12+
Community Shopping	28+
Professional Offices	15+
Industrial Park	386+
Park and Recreation	54+ 91+**
Reservoir and Adjoining Property	365+
Schools and Other Institutional Uses	817812 - 828823+**
Fire Station	1+
Open Space	624629 +
Total Net Area	3,923+
Streets, Other Public Rights-of-Way	467+
Total Planning Area	4,365+

* Density is calculated as the number of dwelling units per net residential acre (DU/NRA). This assumes 25 percent open space and 15 percent for streets and other public rights-of-way. Residential use allocations include certain non-residential uses such as church sites, private recreation facilities and private daycare centers.

** The precise Park and Recreation and Schools/Institutional acreage will be dependent upon the future need for school facilities.

***A portion of the Alliant International University Campus includes a 53-acre portion designated as a Residential Care Facility through a Planned Development Permit of which 9.90 acres is dedicated MHPA land (a net increase of approximately 5.59 acres to Open Space).

CITY COUNCIL RESOLUTION NUMBER R-_____

VESTING TENTATIVE MAP NO. 1451662, THE GLEN AT
SCRIPPS RANCH - PROJECT NO. 264823 [MMRP].

WHEREAS, Alliant International University, a California not-for-profit corporation, Subdivider, and Brad Sager, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 1451662 for The Glen at Scripps Ranch. The project site is located south of Pomerado Road, west of Chabad Center Driveway in the RS-1-8 zone in the Scripps Ranch Community Plan area. The property is legally described as Parcel 2 of Parcel Map No. 21237; and

WHEREAS, the Map proposes the Subdivision of a 53.0 acre-site into two lots and one open space lot for the Multi-Habitat Planning Area for development of a continuing care retirement community; and

WHEREAS, after approval of the above referenced project by the City Council, Alliant International University, a California not-for-profit corporation, Subdivider, will transfer the property to The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Applicant, thereby making The Glen at Scripps Ranch CCRC, LLC, the new Subdivider of The Glen at Scripps Ranch project; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on _(to be filled in) _____, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1451662, and pursuant to Resolution No. PC-

15-(to be filled in), the Planning Commission voted to recommend City Council approval of the map; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on _(to be filled in) _____, the City Council of the City of San Diego considered Vesting Tentative Map No. 1451662 and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 1451662:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The Glen at Scripps Ranch project (Project) would create a subdivision of three lots. Two lots for development of a continuing care residential community and one lot for MHPA open space. The Project would construct 400 age restricted, non-acute assisted living units, 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds.

The proposed Project, located within "Area D" of the Scripps Miramar Ranch Community Plan, is designated as "Institutional" land use, along with the City of San Diego's General Plan. The Project is consistent with the City's General Plan Land Use Element designation of "Institution and Public and Semi-Public Facilities" and "Park, Open Space, and Recreation". The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. Area D in the Community Plan is comprised of 800 acres located in the southeast portion of the planning area. Land in this area is generally

characterized by slopes in excess of thirteen percent and/or eucalyptus trees. Because of these factors, density is limited in this area and the maximum preservation of open space is encouraged. The open space located south of Pomerado Road and north of the Project's grading footprint will be preserved consistent with the goals of the General Plan and Scripps Miramar Ranch Community Plan. In addition to the proposed subdivision, a proposed Multi-Habitat Planning Area boundary line adjustment will result with the approval of the Project. From the Multi-Habitat Planning Area 1.87 acres will be removed from the MHPA and 7.46 acres will be preserved through a Covenant of Easement. As a result of this on-site land exchange, the MHPA land on-site will total 9.88 acres and will achieve an important goal of the Scripps Miramar Ranch Community Plan.

The Project meets a goal of the Scripps Miramar Ranch Community Plan in that the Project will enhance the present living environment while accommodating residential growth which is complementary to the existing community. The Project will provide an opportunity to senior's transitioning from standard residential housing to assisted-living units. The use is designed to be consistent with existing surrounding land uses and will not adversely affect the land use plan. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The proposed Project has been designed to comply with the development regulations of the San Diego Municipal Code as it relates to the creation of lots and minimum lot standards in the RS-1-8 zone. Overall, the proposed Project has been designed to be in harmony with the immediately adjacent neighborhood as it relates to the relevant standards for the creation of lots in RS-1-8 zone. Implementation of the Project will not require deviations from the zoning regulations. While the Project complies with the majority of the development regulations of the applicable zone the Project requires four deviations, as allowed by the Planned Development Permit regulations. The Planned Development Permit process is the proper vehicle to request deviations where the topographic constraints and other existing conditions of the site dictate a design response which requires flexibility. The deviations requested are reasonable and will result in a better project in keeping with the purpose and intent of the Planned Development Permit regulations. More specifically the deviations are as follows:

<u>Deviation</u>	<u>RS-1-8 Zone</u>	<u>Proposed</u>
• Minimum Street Frontage	100'	None (private driveway)
• Maximum building height	35'	Varies; 37-50'
• Monument signs in public right-of-way	None	2 signs
• Development encroachment into steep hillsides		100% encroachment

The purpose of the Planned Development Permit regulations is to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations will restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project

amenities, public improvements, and community and City benefits. Considered together the deviations will create a more desirable project that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone. As a subdivision in the RS-1-8 zone, the Project complies with the applicable zoning and development regulations of the Land Development Code, as allowed with the approval of a Planned Development Permit.

3. The site is physically suitable for the type and density of development.

The Project site is located in an area of hills and drainages on the south side of Carroll Canyon. Land in the area is generally characterized by slopes in excess of thirteen percent slope, found primarily in Carroll Canyon and smaller subsidiary canyons. A large existing ridge runs diagonally across the center of the site from the southeast to northwest. A natural drainage originally ran from the southeast corner of the site diagonally across the property and emptied into Carroll Canyon. Elevation on the site range from approximately 550 to 790 feet above mean sea level. The southern end of the property consists of the north-facing slopes of an off-site westerly trending ridge, and is bisected by two drainages. An area measuring approximately 270 meters by 100 meters in the west-central portion of the site has been extensively excavated and filled in the past. This area was originally a narrow southeast to northwest trending canyon. The sides of the canyon were extensively excavated, and the resulting soil was used to fill the bottom of the canyon. The excavated slopes are up to 60 feet high. The northwestern half of this fill area is now being used as a baseball field, and the southeastern half is a vacant, abandoned softball field.

The Project required the submission of several technical reports prepared by individuals licensed by the state to practice in their technical specialty. These technical reports were reviewed by city staff also licensed by the state to practice in their technical specialty. The applicant submitted a Geotechnical Investigation prepared by Leighton and Associates, Inc., a Steep Slopes Analysis, prepared by Latitude 33 Planning and Engineering, a Conceptual Grading/Drainage Plan Report prepared by Latitude 33 Planning and Engineering, a Water Quality Technical Report prepared by Latitude 33 Planning and Engineering, a preliminary Drainage Study prepared by Latitude 33 Planning and Engineering, a Cultural and Paleontological Resources Survey Report prepared by RECON Environmental, Inc., an Archaeological Resources Report prepared by RECON Environmental, Inc., and a Biological Resources Technical Report prepared by RECON Environmental, Inc. Review of these technical reports when considered in total indicates the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Therefore, the site is physically suitable for the design and siting of the project and the project will result in minimum disturbance to environmentally sensitive lands.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

As a subdivision in the RS-1-8 zone, the Project complies with the applicable zoning and development regulations of the Land Development Code. The Project site is approximately 53 acres and contains environmentally sensitive lands in the form of biological resources and steep

hillsides. The Project is proposing to mitigate all biological impacts. A boundary line adjustment to the MHPA is included with the Project which will result in a no net loss of MHPA area. With the MHPA boundary line adjustment, 1.87 acres will be removed from the MHPA and 7.46 acres will be added to the MHPA through a conservation easement. As a result, the total MHPA land on-site will become 9.88 acres. All MHPA adjacency guidelines have been adhered to for the Project.

The design of the subdivision includes the creation of manufactured slopes all of which will be stabilized and planted with vegetation to prevent erosion through wind or rainfall. The plant species to be used in erosion control will be selected for their variation of rooting depth to provide additional stability to the manufactured slopes in addition to the engineering practices and standards in the excavation and embankment of earthen works. In light of the adherence to strict engineering construction standards, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The design of the subdivision, the Project and it's related site improvements will not be detrimental to public health, safety and welfare. The Project will comply with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area in relation to the subdivision of land. Conditions of approval require compliance with several regulations relevant to the subdivision of land. These requirements will assure the continued health, safety and general welfare of persons residing or working in the area in relation to the subdivision of land.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The design of the subdivision, the Project and it's related site improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision specifically due to the fact the site contains no easements acquired by the public at large for access through or use of property within the proposed subdivision. In that there are no easements acquired for the public at large, there can be no conflict with something which does not exist.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The design of the subdivision, the Project and related site improvements, will provide, to the extent feasible, for future passive or natural heating and cooling opportunities. The proposed subdivision of a 53 acre parcel into 3 lots for a continuing care retirement community will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading and

preserving environmentally sensitive lands. Design and construction of the proposed buildings will not impede or inhibit any future passive or natural heating and cooling opportunities. As a result of the design of the proposed subdivision, each structure to be constructed on the site will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The design of the subdivision, the Project and it's related site improvements will meet a specialized need in the community for a continuing care retirement community. The effects of the proposed subdivision on the housing needs of the region will be to improve the variety of housing types for the elderly population. All public utilities are available to the project site. The project will improve an unimproved property which in turn will increase the tax base in the community and the cost of any needed public services, such as fire and police protection, will be offset by the increase to the city's general fund. All environmental resources impacted by the project will be fully mitigated at the appropriate mitigation ratios of the city's Biology Guidelines.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 1451662 is hereby granted to the Subdivider, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

[Attorney]

Deputy City Attorney

[Initials]:[Initials]

[Month]/[Day]/[Year]

Or.Dept:[Dept]

ATTACHMENT: Vesting Tentative Map Conditions

Internal Order No. 24002348

CITY COUNCIL RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION GRANTING SITE DEVELOPMENT PERMIT NO. 932619, CONDITIONAL USE PERMIT NO. 932618, PLANNED DEVELOPMENT PERMIT NO. 1451656, NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1451657 and MULTI-HABITAT PLANNING AREA BOUNDARY LINE ADJUSTMENT FOR THE GLEN AT SCRIPPS RANCH PROJECT – PROJECT NO. 264823

WHEREAS, Alliant International University, a California not-for-profit corporation, Owner, and The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Permittee, filed an application with the City of San Diego for a Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618, Neighborhood Development Permit No. 1451657 and Multi-Habitat Planning Area Boundary Line Adjustment to construct 450 assisted living units and 60 skilled nursing beds and a MHPA Boundary Line Adjustment on a 53 acre site known as The Glen at Scripps Ranch project located at 10455 Pomerado Road, and legally described as Parcel 2 of Parcel Map No. 21237, filed May 22, 2015 as DOC# 2015-7000168, in the Office of the County Recorder, County of San Diego, California, in the Scripps Miramar Ranch Community Plan area, in the RM-1-8 Zone; and

WHEREAS, on November 19, 2015, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618 and Neighborhood Development Permit No. 1451657, and pursuant to Resolution No. XXXX-PC voted to recommend approval of the Permit; and

WHEREAS, after approval of the above referenced project by the City Council, Alliant International University, a California not-for-profit corporation, Owner, will transfer the property to The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Permittee, thereby making The Glen at Scripps Ranch CCRC, LLC, the new Owner of The Glen at Scripps Ranch project; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618 and Neighborhood Development Permit No. 1451657:

Planned Development Permit - Section 126.0604

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

The proposed Project, located within "Area D" of the Scripps Miramar Ranch Community Plan, is designated as "Institutional" land use, along with the City of San Diego's General Plan. The Project is consistent with the City's General Plan Land Use Element designation of "Institution and Public and Semi-Public Facilities" and "Park, Open Space, and Recreation". The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. Area D in the Community Plan is comprised of 800 acres located in the southeast portion of the planning area. Land in this area is generally characterized by slopes in excess of thirteen percent and/or eucalyptus trees. Because of these factors, density is limited in this area and the maximum preservation of open space is encouraged. The open space located south of Pomerado Road and north of the Project's grading footprint will be preserved consistent with the goals of the General Plan and Scripps Miramar Ranch Community Plan. In addition to the proposed Project, a proposed Multi-Habitat Planning Area boundary line adjustment will result with the approval of the Project. From the Multi-Habitat Planning Area 1.87 acres will be removed from the MHPA and 7.46 acres will be added to the MHPA and preserved through a Covenant of Easement or dedication in fee title to the City of San Diego. As a result of this on-site land exchange, the MHPA land on-site will total 9.88 acres and will achieve an important goal of the Scripps Miramar Ranch Community Plan.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends the construction and operation of new development employ sustainable or "green" building techniques. The Project provides a variety of sustainable features and meets the General Plan's Conservation Element by implementation extensive green-building design measures, increased energy efficiency, increased lighting efficiency and will be designed and constructed to the equivalent of LEED Bronze certified. Further, the Project will implement sustainable landscape design and maintenance, reduce the heat island effect by minimizing dark hued reflective color in the roof design and minimizing the amount of pavement, including features to facilitate recycling of trash generated by building occupants, preserving on-site open space, implementation of water conservation measures to increase water use efficiency, developing a walk-able community using an integrated system of pedestrian, bicycle, van pooling, and shuttle service.

The Project meets a goal of the Scripps Miramar Ranch Community Plan in that the Project will enhance the present living environment while accommodating residential growth which is complementary to the existing community. The Project will provide an opportunity to seniors transitioning from standard residential housing to assisted-living units. The use is designed to be consistent with existing surrounding land uses and will not adversely affect the land use plan. Therefore, the proposed Project, its design and

improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site.

The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans, and that the final construction will comply with all regulations. The proposed development will not be detrimental to the health, safety, or general welfare of persons residing or working in the area.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than will be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site.

While the Project complies with the majority of the development regulations of the applicable zone the Project requires four deviations, as allowed by the Planned Development Permit regulations. The Planned Development Permit process is the proper vehicle to request deviations where the topographic constraints and other existing conditions of the site dictate a design response which requires flexibility. The deviations requested are reasonable and will result in a better project in keeping with the purpose

and intent of the Planned Development Permit regulations. More specifically the deviations are as follows:

<u>Deviation</u>	<u>RS-1-8 Zone</u>	<u>Proposed</u>
• Minimum Street Frontage (driveway)	100'	None (private)
• Maximum building height	35'	Varies; 37-50'
• Monument signs in public right-of-way	None	2 signs
• Development encroachment into steep hillsides		100% encroachment

The purpose of the Planned Development Permit regulations is to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations will restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. Considered together the deviations will create a more desirable project that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone.

In accordance with the purpose of the Planned Development Permit regulations, deviations from the applicable base zone development regulations may be requested in order to provide flexibility in achieving a zone-equivalent project design that will be consistent with the intent of the base zone. The Project is consistent with the criteria for development design of the Land Development Code Section 143.0410(j) which states: (1) The overall development design should be comprehensive and should demonstrate the relationships of the proposed development on-site with existing development off-site, (2) The scale of the project should be consistent with the neighborhood scale as represented by the dominant development pattern in the surrounding area or as otherwise specified in the applicable land use Plan, (3) Buildings, structures, and facilities on the premises should be well integrated into, oriented towards, and related to, the topographic and natural features of the site, (4) Proposed developments should avoid repetitious development patterns that are inconsistent with the goals of the applicable land use plan, (5) Buildings should avoid an overwhelming or dominating appearance as compared to adjacent structures and development patterns. Abrupt differences in scale between large commercial buildings and adjacent residential areas should be avoided. Instead, gradual transitions in building scale should be incorporated, (6) Larger structures should be designed to reduce actual or apparent bulk. This can be achieved by using pitched roof designs, separating large surface masses through changes in exterior treatment, or other architectural techniques, (7) To the greatest extent possible, landscaping should be used to soften the appearance of blank walls and building edges and enhance the pedestrian scale of the development, (8) Elements such as curbside landscaping, varied setbacks, and enhanced paving should be used to enhance the visual appearance of the development, (9) Roof forms should be consistent in material, design, and appearance with existing structures in the surrounding neighborhood. Plant materials and other

design features should be used to define and enhance the appearance of roof spaces, especially flat roofs that are visible from higher elevations, and (10) Building material and color palettes should be consistent with applicable guidelines in the applicable land use plan, if provided. The Project is consistent with each of the ten criteria for development design of the Planned Development Permit regulations.

The first deviation is required where a development proposes a private driveway rather than a public street. The requirement for physical access to the proposed lots is met by the private driveway and the requirement for street frontage may be waived through the Planned Development Permit regulations with the approval of a Planned Development Permit.

The topography of the site is variable and the Multi-Habitat Planning Area (MHPA) on the site is between Pomerado Road and the developable portions of the site making access to the site from Pomerado Road by means of a dedicated public road to all lots very difficult. Access from Pomerado Road into the site by means of a public road will disturb the most sensitive portion of the on-site habitat which is proposed to be preserved with a covenant of easement for the MHPA. An existing private driveway, Chabad Center Driveway, connects the existing Chabad development to Pomerado Road and the Project proposes to utilize this private driveway for access. As a Project feature, this deviation will protect sensitive habitat intended for preservation in the MHPA and reduce the amount of impervious surface for access purposes to the least amount practical. In keeping with the purpose and intent of the Planned Development Permit regulations to provide flexibility in the application of development regulations for Projects where strict application of the base zone development regulations will restrict design options and result in a less desirable Project, the use of a private driveway to provide access into the site is preferred and requires the approval of a deviation from the Land Development Code Section §131.0431, Development Regulations Table of Residential Zones, Table 131-04D which requires each lot to have street frontage. The deviation will result in a better project than without the deviation. Without direct access to a public street the proposed lots have no street frontage and do not meet the requirements of the Land Development Code.

The second deviation is to allow six of the 49 proposed buildings to exceed the maximum height of the RS-1-8 zone. Specifically, building 42 will be approximately 37'-0" high, buildings 44 and 45 will be approximately 40'-0" high, building 46 will be approximately 50'-0" high and building 47 will be approximately 49'-0" high. These buildings are located well behind the front yard setback adjacent to Pomerado Road. Their location from the Pomerado Road right-of-way varies from 650 to 1800 feet. The buildings will not be a visual impact or negative addition to the community when viewed from Pomerado Road due to the existing and planned landscaping, site topography and the distance of the buildings from the road.

The third deviation is to allow monument signs in the public right-of-way. The Project proposes two monument signs within the public right-of-way south of the improved Pomerado Road. The monument signs are located on both the east and west sides of the

existing Chabad Center Driveway. The sign west side of Chabad Center Driveway abuts The Glen at Scripps Ranch property and the sign on the east side of the driveway abuts the adjacent property owner's site. Because the development of the site will be over 600 feet south of Pomerado Road, the signs are essential to the site's visibility in the community. The signs are proposed to be located in the public right-of-way due to several existing constraints in the area:

- Pomerado Road is currently constructed as a two-lane roadway within a right-of-way dedicated for a four-lane major road. Even as a four-lane major roadway, the right-of-way is exceptionally wide and extends down an existing slope. If located on private property the signs will not be visible as they will be fifteen to twenty feet below the road.
- The southerly right-of-way line for Pomerado Road abuts the Carroll Canyon Creek MHPA area to be dedicated by the Project as an open space covenant of easement. It is inconsistent with the purposes of dedicated open space to locate the monument signs within this area.

Due to these existing constraints, the only opportunity to locate monument signs is within the right-of-way of Pomerado Road, as allowed with the approval of a Site Development Permit and Neighborhood Development Permit. A survey of the existing conditions along Pomerado Road identified other monument signs located within the public right-of-way. In total, four existing signs: two monument signs at the entry to Pomerado Terrace on the southwest and southeast corners of the Scripps Ranch Boulevard and Pomerado Road intersection and two residential development directional signs along the south side of Pomerado Road between Avenue of Nations and Semillon Boulevard are also located within the public right-of-way.

The ability of the Project to provide identification of the services provided to the community through the construction of monument signs along a main thoroughfare is a reasonable and pragmatic project feature. The proposed monument signs will provide adequate directional signage for the public to locate the Project site. The site is setback more than 600 feet from Pomerado Road and existing trees and shrubs obstruct a clear view of the properties south of the roadway. The monument signs will be installed with lighting, themed planting, and paving surrounding the structure. Materials will consist of cobble plaster, stucco, terra cotta caps, and vinyl or painted wood. The main entry signs at Chabad Center Driveway will be no higher than 6'6" in height and no longer than 20' in length with a sign copy area of 20 square feet or less and will be set back between four and 12'6" from the face of the berm on Pomerado Road. Slopes behind the monuments will be reinforced and the existing guardrail along Chabad Center Driveway will be enhanced where required and complimented by planted vegetation behind the rail.

There are several benefits to the community with the proposed signage for the Project. The signs will help direct patrons of the Project to the site consistent with the Urban Design Element of the Community Plan in that a sign "should...provide directions and information." The signs will provide identification for employees, visitors, residents, and deliveries. Without the placement of the signs in their proposed locations, patrons and

others could pass Chabad Center Driveway and thus result in additional out-of-direction travel. The signs are also useful in identifying the Project to the community. A goal of the Community Plan is to preserve the existing sense of neighborhood identity and the design of these signs will aid to implementation of this goal. The sign design is consistent with the Urban Design Element of the Community Plan in that "signage should advertise a place of business and be aesthetically pleasing and in scale with surrounding buildings." The design of the signs will be consistent in character with other signs in the community, using cobblestone features at the base and side pillars, a natural earth-tone color scheme, enhanced lighting, themed planting around the signs, and reinforced slopes where necessary. These design features will reinforce the existing theme of neighborhood and community entry along Pomerado Road.

Consistent with SDMC 141.1101, the signs will be stationary ground-mounted, will not impede sight distance for drivers or pedestrians, and will require an Encroachment Maintenance and Removal Agreement in accordance with Section 129.0715 so that if Pomerado Road is to be widened to its ultimate classification at some future date, the Owner may be required to remove the signs.

The fourth deviation is to allow the development to encroach into steep hillsides is supported by the fact that the area of the site which contains steep hillsides is a minor portion of the site. The site is 53 acres and the area of steep hillsides is 3.72 acres or approximately seven percent of the site. One hundred percent of the steep hillsides on the site will be developed by the Project. Of the 3.72 acres of steep hillsides, none of this area is visible from the public right-of-way or other public vantage points and the Project buildings will obscure visibility of the manufactured slopes which will be planted with trees, shrubs and groundcovers. The encroachment into steep hillsides will include only excavations and not embankments, the retaining walls proposed adjacent to steep hillsides will be lower than the ten foot maximum height, undulated slopes will be provided where feasible to create an appearance of landform grading, the Project design will create gradual transitions and no harsh angular lines are proposed, no increase in run-off is proposed, and no parking will be near the top of any steep hillsides. Because of these features, the Project is consistent with many of the goals of the City's adopted Steep Hillside Design Standard Guidelines of the Land Development Manual.

The Project's centralized and accessible location within San Diego County provides convenient access to medical care facilities, retail, and recreational amenities. Residents are offered a shuttle to these needs. The Project will also provide many benefits to Scripps Ranch, the surrounding communities and San Diego as a whole. It will create a boost to the local economy through job growth in the service and healthcare industry. Also, the Project will dedicate as open space eighteen percent of the site, 9.88 acres, into the Multiple Habitat Planning Area. The Project, as a CCRC, combines all of the elements necessary to care for seniors at all levels of activity and healthcare support. The relationship of amenities, care, and residential units/skilled nursing beds are thoughtfully provided in order to provide the best balance of services and operability. The deviations requested maximize the developable area of the site and enhance the capability of the Project to meet these goals and ultimately ensure long-term success of the Project. Considering the proposed design, even with and because of the four deviations, the

Project will create a more desirable development that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone and will be consistent with the purpose and intent of the Planned Development Permit regulations.

Site Development Permits - Section 126.0504

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site. The proposed Project, located within "Area D" of the Scripps Miramar Ranch Community Plan, is designated as "Institutional" land use, along with the City of San Diego's General Plan. The Project is consistent with the City's General Plan Land Use Element designation of "Institution and Public and Semi-Public Facilities" and "Park, Open Space, and Recreation". The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. For additional information, see PDP Finding No. 1 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site. The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. For additional information, see PDP Finding No. 2 above.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds

for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site. While the Project complies with the majority of the development regulations of the applicable zone the Project requires four deviations, as allowed by the Planned Development Permit regulations. The Planned Development Permit process is the proper vehicle to request deviations where the topographic constraints and other existing conditions of the site dictate a design response which requires flexibility. For additional information, see PDP Finding No. 3 above.

B. Supplemental Findings--Environmentally Sensitive Lands

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

The Project site is located in an area of hills and drainages on the south side of Carroll Canyon. Land in the area is generally characterized by slopes in excess of thirteen percent slope, found primarily in Carroll Canyon and smaller subsidiary canyons. A large existing ridge runs diagonally across the center of the site from the southeast to northwest. A natural drainage originally ran from the southeast corner of the site diagonally across the property and emptied into Carroll Canyon. Elevation on the site range from approximately 550 to 790 feet above mean sea level. The southern end of the property consists of the north-facing slopes of an off-site westerly trending ridge, and is bisected by two drainages. An area measuring approximately 270 meters by 100 meters in the west-central portion of the site has been extensively excavated and filled in the past. This area was originally a narrow southeast to northwest trending canyon. The sides of the canyon were extensively excavated, and the resulting soil was used to fill the bottom of the canyon. The excavated slopes are up to 60 feet high. The northwestern half of this fill area is now being used as a baseball field, and the southeastern half is a vacant, abandoned softball field.

The Project required the submission of several technical reports prepared by individuals licensed by the state of California to practice in these technical fields. These technical reports were reviewed by city staff also licensed by the state of California to practice their technical specialties. The applicant submitted a Geotechnical Investigation prepared by Leighton and Associates, Inc., a Steep Slopes Analysis, prepared by Latitude 33 Planning and Engineering, a Conceptual Grading/Drainage Plan Report prepared by Latitude 33 Planning and Engineering, a Water Quality Technical Report prepared by Latitude 33 Planning and Engineering, a preliminary Drainage Study prepared by Latitude 33 Planning and Engineering, a Cultural and Paleontological Resources Survey Report prepared by RECON Environmental, Inc., an Archaeological Resources Report prepared by RECON Environmental, Inc., and a Biological Resources Technical Report prepared by RECON Environmental, Inc. Review of these technical reports when considered in total indicates the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Therefore, the site is physically suitable for the design and siting of the project and the project will result in minimum disturbance to environmentally sensitive lands.

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

The Project complies with the applicable zoning and development regulations of the Land Development Code. The Project site is approximately 53 acres and contains environmentally sensitive lands in the form of biological resources and steep hillsides. The Project is proposing to mitigate all biological impacts. A boundary line adjustment to the MHPA is included with the Project which will result in a no net loss of MHPA area. With the MHPA boundary line adjustment, 1.87 acres will be removed from the MHPA and 7.46 acres will be added to the MHPA through a conservation easement. As a result, the total MHPA land on-site will become 9.88 acres. All MHPA adjacency guidelines have been adhered to for the Project.

Portions of the site were previously graded and these areas do not contain natural land forms. The majority of the site does not meet the definition of the Land Development Code as "*steep hillsides*." The design of the Project includes the creation of manufactured slopes adjacent to natural slopes and in these areas the manufactured slopes will be contoured to blend into the natural slopes. All slopes will be stabilized and planted with vegetation to prevent erosion through wind or rainfall. The plant species to be used in erosion control will be selected for their variation of rooting depth to provide additional stability to the manufactured slopes in addition to the engineering practices and standards in the excavation and embankment of earthen works. In light of these features and requirements, the Project will not result in undue risks from erosion.

The Geotechnical Investigation prepared by Leighton and Associates, Inc., indicated that the potential for a surface fault-rupture, landslides or slope failures to affect the project is considered low. Alluvial soils and undocumented fills located within or adjacent to construction areas will be removed and replaced with properly engineered fill prior to project construction in accordance with the geotechnical investigation. To avoid potential groundwater accumulation issues, the project will include subdrains at the base of removals and at the base of cut and fill slopes in accordance with the geotechnical investigation. Potential impacts of earthquake shaking on the proposed structures will be reduced to an acceptable level by design and construction in accordance with prevailing building codes, as discussed in the geotechnical investigation. The project will comply with the recommendations contained in the geotechnical investigation as well as applicable building and grading regulations to ensure that no impacts from geologic conditions will result with project implementation. Analysis of the submitted Geotechnical Investigation, The Glen at Scripps Ranch Continuing Care Retirement Community, San Diego, California, prepared by Leighton and Associates, Inc., dated July 22, 2014, indicates the Project will not result in undue risks from geologic forces.

The 100-year floodplain of the Carroll Canyon drainage extends onto the northwestern portion of the project site. The Project proposes grading embankments and a detention basin within the existing 100-year floodplain. The Project will comply with compaction and development requirements contained in Section 143.0145, Development Regulations

for Special Flood Hazard Areas, of the City's Municipal Code. On-site peak flows will be reduced by the proposed detention basin such that there is no anticipated change in peak 100 year flows within the adjacent creek. The resultant 100-year water surface elevations of Carroll Canyon Creek will not exceed one foot when compared to the existing condition. All increases in water surface elevations will be within the Project site. Also, there will be no change in base flood elevations at both the upstream downstream limits of the HEC-RAS model. The floodplain analysis concludes the proposed detention basin will not be affected by the 100-year flooding in the creek. No structures will be inundated or affected by flood waters due to the Project.

The Water Quality Technical Report and the Drainage Study for the project indicate that with the implementation of the described Best Management Practices, the Project will not result in significant impacts to drainage, erosion, or water quality even though it will alter the drainage of the Site.

The brush management plan for the project will encompass 7.3 acres. There are two zones of vegetation in the brush management plan. Brush management Zone 1 equals 5.2 acres and will be designed to be the least flammable area around the proposed structures, with permanently irrigated ornamental planting consisting of turf and low-growing shrubs which will not exceed four feet in height. Brush management Zone 2 equals 2.1 acres and planting will be composed of native, non-permanently irrigated, low-fuel, and fire-resistive vegetation that will be irrigated only until establishment. All brush management zone areas will be located outside the MHPA and will be maintained on a regular basis.

Therefore the Project will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosion forces, flood hazards, or fire hazards.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

The Project site is located in an area of hills and drainages on the south side of Carroll Canyon. Land in the area is generally characterized by slopes in excess of thirteen percent slope, found primarily in Carroll Canyon and smaller subsidiary canyons. A large existing ridge runs diagonally across the center of the site from the southeast to northwest. A natural drainage originally ran from the southeast corner of the site diagonally across the property and emptied into Carroll Canyon. Elevation on the site range from approximately 550 to 790 feet above mean sea level. The southern end of the property consists of the north-facing slopes of an off-site westerly trending ridge, and is bisected by two drainages. An area measuring approximately 270 meters by 100 meters in the west-central portion of the site has been extensively excavated and filled in the

past. This area was originally a narrow southeast to northwest trending canyon. The sides of the canyon were extensively excavated, and the resulting soil was used to fill the bottom of the canyon. The excavated slopes are up to 60 feet high. The northwestern half of this fill area is now being used as a baseball field, and the southeastern half is a vacant, abandoned softball field.

The design of the Project has considered the adjacent properties so that the design, construction and continued use of the site as a continuing care retirement community will not have any adverse affect upon adjacent properties whether or not there are or are not environmentally sensitive lands present on those adjacent properties.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

A boundary line adjustment to the MHPA is included with the Project that results in a net loss of MHPA area. With the MHPA boundary line adjustment, 1.87 acres will be removed and 7.46 acres of land will be added via a conservation easement. As a result, the total MHPA land on-site will total 9.88 acres. All MHPA adjacency guidelines relating to drainage, toxins, lighting, noise, invasive species, barriers, grading, and brush management have been adhered to and are outlined with the Biological Resources Study. Mitigation is required for any impacts to biological resources.

The proposed development will be consistent with the Environmentally Sensitive Land Regulations and with the Multiple Species Conservation Program which specifically allows for such a boundary line adjustment to the MHPA and will result in equal or higher biological values. Therefore the development is consistent with the City of San Diego's MSCP Subarea Plan.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. The 53 acre site is located at 10455 Pomerado Road in the RM-1-8 Zone of the Scripps Miramar Ranch community. The site is more than nine miles from the Pacific Ocean. The drainage design of the Project, the Best Management Practices that address stormwater runoff and the practical, pragmatic

management of the site will assure the Project will not impact the local shoreline sand supply and will not contribute to the erosion of public beaches nine miles to the west.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site. All of the mitigation required as a condition of the permit has been determined to be appropriate for the Project after current best practices and scientific analysis as may be reasonably know or expected. All mitigation required of the Project is balanced and reasonably related to, and calculated to alleviate, negative impacts created by the proposed development so that negative impacts will not be the result of the proposed development. All mitigation required as a condition of the permit is supported by current best practices and scientific analysis and no mitigation required as a condition of the permit is arbitrary or capricious, without rational basis in fact or known science to the best standards of the day.

The Project conducted a site-specific impact analysis for the proposed development which identifies the project design features, a Mitigation Monitoring Reporting Program, and when combined with implementation of the federal, state, and local rules and regulations and the project's permit conditions, are reasonably related to and are calculated to alleviate negative impacts and reduce any negative impact to below a level of significance where feasible.

C. Supplemental Findings--Environmentally Sensitive Lands Deviations

1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

The Project requires a deviation to allow the development to encroach into steep hillsides. The site is 53 acres and the area of steep hillsides is 3.72 acres or approximately seven percent of the site. One hundred percent of the steep hillsides on the site will be developed by the Project. Of the 3.72 acres of steep hillsides, none of the steep hillsides are visible from the public right-of-way or other public vantage points and the Project buildings will obscure visibility of the manufactured slopes which will be planted with

trees, shrubs and groundcovers. The Project is consistent with many of the goals of the City's adopted Steep Hillside Design Standard Guidelines of the Land Development Manual. No other deviations environmentally sensitive lands deviations are required and all impacts to sensitive biology will be mitigated at the appropriate ratios of the City's Biology Guidelines. Every effort was made to maintain areas of existing topography; however, for use of the site as a continuing care retirement community, close attention to the Americans with Disabilities Act (Act) requirements was incorporated into the design to comply with the Act and with fire, life and safety concerns to create fire turnarounds where necessary; as a result the proposed encroachment into steep hillsides is necessary for the driveway adjacent to the steep hillsides.

The Project, as a continuing care retirement community, combines all of the elements necessary to care for seniors at all levels of activity and healthcare support. The amenities, care, and number of residential units/skilled nursing beds are related to each other in order to provide the best balance of service and operability. The site design incorporates the elimination of steep slopes while addressing the topographic constraints and maximizing the developable area to enhance the capacity of the Project to meet established goals and ultimately assure the long-term success of the continuing care retirement community. Any reduction to the components of the site plan due to topographic constraints will reduce the scope of the Project and the elements necessary to care for seniors at all levels of activity and healthcare support.

2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

The deviations requested are needed in order to create a balanced site plan supporting a campus setting with assisted-living units, a superior health center, and several common area amenities. The area of steep hillsides is a minor portion of the site, 3.72 acres or approximately seven percent of the site. One hundred percent of the steep hillsides on the site will be developed by the Project. Of the 3.72 acres of steep hillsides, none of this area is visible from the public right-of-way or other public vantage points and the Project buildings will obscure visibility of the manufactured slopes which will be planted with trees, shrubs and groundcovers. The remaining portion of the site does not contain steep hillsides as defined by the San Diego Municipal Code. Every effort was made to maintain areas of existing topography, however, close attention to the Americans with Disabilities Act (Act) requirements was incorporated into the design to comply with the Act and with fire, life and safety concerns to create fire turnarounds where necessary. In addition, the encroachment into steep hillsides includes only cut activities. Several consistencies with

the Steep Slopes Guidelines are proposed as part of the Project. The encroachment into steep hillsides will include only cut, the retaining walls proposed adjacent to steep hillsides will be lower than the 10-foot maximum, undulated slopes are provided where feasible to appear landform graded, the Project design complies with gradual transitions, no harsh angular lines are proposed, no increase in run-off is proposed for the Project, and no parking is proposed near the top of steep hillsides. The parking areas have been placed strategically throughout the site to comply with Americans with Disabilities Act requirements, the proposed Project will connect to existing utilities with the surrounding developments, development is not proposed directly on top of steep hillsides, and the Independent Living Units and Garden Terraces will include patios that maintain view corridors of the existing topography.

The Project will dedicate eighteen percent of the site, 9.88 acres, into the Multiple Habitat Planning Area as open space. Combined together the MHPA and landscaped areas, sixty-six percent of the site is designed to be pervious surfaces.

A continuing care retirement community is regulated by the California Department of Social Services. The Department's Community Care Licensing Division has two branches. The Senior Care Program monitors continuing care providers for compliance with Community Care licensing laws and regulations regarding buildings and grounds, accommodations, care and supervision of residents, and quality of service. The Continuing Care Contracts Branch is responsible for reviewing and approving applications to operate a continuing care retirement community and monitors the ongoing financial condition of all providers and their ability to fulfill the long-term contractual obligations to residents. All components proposed on the development plans are sited to provide and maintain a balanced continuing care retirement community that will provide all levels of care, including acute care and physician's and surgeon's services and care for the life of its residents while meeting all State licensing requirements, demonstrating a viable marketing plan and meeting its sales projections to continue to demonstrate financial viability.

Furthermore, the Project's centralized and accessible location within San Diego County provides convenient access to medical care facilities, retail, and recreational amenities. Residents will be offered a shuttle to meet these needs. The proposed continuing care retirement community will also provide many benefits to the Scripps Ranch community, surrounding communities and San Diego as a whole. The Project will create a boost to the local economy through job growth in the service and healthcare industry. The Project, as a continuing care retirement community, combines all of the elements necessary to care for seniors at all levels of activity and healthcare support. The amount of amenities, care, and residential units/skilled nursing beds are related to each other in order to provide the best balance of service and operability. The deviations requested maximize the developable area of the site and enhance the capability of the project to meet these goals and ultimately assure the long-term success of the continuing care retirement community. Therefore, the proposed deviation is the minimum necessary to afford relief from these special circumstances and conditions of the land and are not of the applicant's making.

Conditional Use Permit – Section 126.0305

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. The proposed Project, located within “Area D” of the Scripps Miramar Ranch Community Plan, is designated as “Institutional” land use, along with the City of San Diego’s General Plan. The Project is consistent with the City’s General Plan Land Use Element designation of “Institution and Public and Semi-Public Facilities” and “Park, Open Space, and Recreation”. The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. For additional information, see PDP Finding No. 1 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment, on a 53 acre site. The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City’s codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. For additional information, see PDP Finding No. 2 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. Considering the proposed design, even with and because of the four deviations, the Project will create a more desirable development

that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone and will be consistent with the purpose and intent of the Planned Development Permit regulations as allowed by a Planned Development Permit. For additional information, see PDP Finding No. 3 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site.

The Project site is located in an area of hills and drainages on the south side of Carroll Canyon. Land in the area is generally characterized by slopes in excess of thirteen percent slope, found primarily in Carroll Canyon and smaller subsidiary canyons. A large existing ridge runs diagonally across the center of the site from the southeast to northwest. A natural drainage originally ran from the southeast corner of the site diagonally across the property and emptied into Carroll Canyon. Elevation on the site range from approximately 550 to 790 feet above mean sea level. The southern end of the property consists of the north-facing slopes of an off-site westerly trending ridge, and is bisected by two drainages. An area measuring approximately 270 meters by 100 meters in the west-central portion of the site has been extensively excavated and filled in the past. This area was originally a narrow southeast to northwest trending canyon. The sides of the canyon were extensively excavated, and the resulting soil was used to fill the bottom of the canyon. The excavated slopes are up to 60 feet high. The northwestern half of this fill area is now being used as a baseball field, and the southeastern half is a vacant, abandoned softball field.

The Project required the submission of several technical reports prepared by individuals licensed by the state to practice in their technical specialty. These technical reports were reviewed by city staff also licensed by the state to practice in their technical specialty. The applicant submitted a Geotechnical Investigation prepared by Leighton and Associates, Inc., a Steep Slopes Analysis, prepared by Latitude 33 Planning and Engineering, a Conceptual Grading/Drainage Plan Report prepared by Latitude 33 Planning and Engineering, a Water Quality Technical Report prepared by Latitude 33 Planning and Engineering, a preliminary Drainage Study prepared by Latitude 33 Planning and Engineering, a Cultural and Paleontological Resources Survey Report prepared by RECON Environmental, Inc., an Archaeological Resources Report prepared by RECON Environmental, Inc., and a Biological Resources Technical Report prepared by RECON Environmental, Inc. Review of these technical reports when considered in total indicates the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Therefore, the Project is appropriate at the proposed location and the Project will result in minimum disturbance to environmentally sensitive lands.

Neighborhood Development Permit - Section 126.0404

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. The proposed Project, located within "Area D" of the Scripps Miramar Ranch Community Plan, is designated as "Institutional" land use, along with the City of San Diego's General Plan. The Project is consistent with the City's General Plan Land Use Element designation of "Institution and Public and Semi-Public Facilities" and "Park, Open Space, and Recreation". The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. For additional information, see PDP Finding No. 1 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. For additional information, see PDP Finding No. 2 above.

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

The Glen at Scripps Ranch project (Project) will construct a continuing care retirement community with 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, and a MHPA Boundary Line Adjustment on a 53 acre site. Considering the proposed design, even with

and because of the four deviations, the Project will create a more desirable development that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone and will be consistent with the purpose and intent of the Planned Development Permit regulations as allowed by a Planned Development Permit. For additional information, see PDP Finding No. 3 above.

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

BE IT FURTHER RESOLVED, that Planned Development Permit No. 1451656, Site Development Permit No. 932619, Conditional Use Permit No. 932618 and Neighborhood Development Permit No. 1451657 is granted to Alliant International University, a California not-for-profit corporation, Owner, and The Glen at Scripps Ranch CCRC, LLC, a Delaware Limited Liability Company, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

BE IT FURTHER RESOLVED, that the MHPA Boundary Line Adjustment as shown on the Exhibit "A" is approved.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Shannon Thomas
Deputy City Attorney

ST:hm
10/24/2011
Or.Dept:DSD

CITY COUNCIL RESOLUTION NUMBER R-_____
VESTING TENTATIVE MAP NO. 1451662
THE GLEN AT SCRIPPS RANCH - PROJECT NO. 264823 [MMRP].

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Vesting Tentative Map will expire (3 years from date of approval).
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Parcel Map shall conform to the provisions of Site Development Permit No. 932619, Conditional Use Permit No. 932618, Planned Development Permit No. 1451656 and Neighborhood Development Permit No. 1451657.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

6. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

MAPPING

7. Prior to the Tentative Map expiration date, a Parcel Map subdividing the property into 3 parcels shall be recorded in the office of the San Diego County Recorder.
8. Prior to the recordation of the Parcel Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
9. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6, pursuant to section 8801 through 8819 of the California Public Resources Code.
10. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

PUBLIC UTILITIES

11. The Subdivider shall grant a minimum 25-foot wide water easement, including vehicular access to each of the proposed public dual water services and water meter boxes, as shown on the Utilities plan.

PLANNING

12. Prior to the recordation of the Parcel Map, the Subdivider shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for [OPTIONAL], in accordance with San Diego Municipal Code section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands that will be preserved as shown on Exhibit "A."

MSCP

13. Prior to the recordation of the Parcel Map, the Subdivider shall grant the on-site Multiple Habitat Planning Area (MHPA) to the City's Multiple Species Conservation Program (MSCP) preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW), as shown on Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, landscape and brush management areas, active restoration/revegetation, and graded slopes. The Subdivider shall ensure all property approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreement and/or liens. Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City and USFWS and CDFW. The Subdivider shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.
14. Prior to the recordation of the Parcel Map, the Subdivider shall schedule an inspection with the Park & Recreation Department, Open Space Division for all property approved for conveyance in fee title to the City for MHPA purposes. All trash, invasive species, illegal use and associated structures on the lot(s) shall be removed prior to the City acceptance.

INFORMATION:

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).

- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24002348

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002348

SITE DEVELOPMENT PERMIT NO. 932619, CONDITIONAL USE PERMIT NO. 932618,
PLANNED DEVELOPMENT PERMIT NO. 1451656,
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1451657 and
AND MULTI-HABITAT PLANNING AREA BOUNDARY LINE ADJUSTMENT
THE GLEN AT SCRIPPS RANCH PROJECT NO. 264823 [MMRP]
Amending Conditional Use Permit No. 133-PC
CITY COUNCIL

This Site Development Permit No. 932619, Conditional Use Permit No. 932618, Planned Development Permit No. 1451656, Neighborhood Development Permit No. 1451657 and a Multi-Habitat Planning Area Boundary Line Adjustment, Amending Conditional Use Permit No. 133-PC, is granted by the City Council of the City of San Diego to ALLIANT INTERNATIONAL UNIVERSITY, a California not-for-profit corporation, Owner, and THE GLEN AT SCRIPPS RANCH CCRC, LLC, a Delaware limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504 and 126.0305. The 53 acre site is located at 10455 Pomerado Road in the RM-1-8 Zone of the Scripps Miramar Ranch community. The project site is legally described as Parcel 2 of Parcel Map No. 21237, filed May 22, 2015 as DOC# 2015-7000168, in the Office of the County Recorder, County of San Diego, California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a California licensed continuing care retirement community consisting of 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds and a Multi-Habitat Planning Area Boundary Line Adjustment, with deviations, on a 53 acre site at 10455 Pomerado Road in the RM-1-8 Zone within the Scripps Miramar Ranch Community Plan described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated **[INSERT Approval Date]**, on file in the Development Services Department.

The project shall include:

- a. 400 age restricted, non-acute assisted living units of various configurations (villas, garden terraces and apartment style accommodations), 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds for a total of 450 assisted living units and 60 skilled nursing beds, with deviations, on a 53 acre site; and
- b. A Multi-Habitat Planning Area Boundary Line Adjustment;
- c. Deviations specifically as follows:

<u>Deviation</u>	<u>RS-1-8 Zone</u>	<u>Proposed</u>
• Minimum Street Frontage	100'	None (private driveway)
• Maximum building height	35'	Varies; 37-50'
• Monument signs in public right-of-way	None	2 signs
• Development encroachment into steep hillsides		100% encroachment

- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking;
- f. 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. This permit expires on (to be completed by the City Clerk, 3 years after date of final approval). 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.

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

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

3. 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. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Wildlife [CDFW] pursuant to California Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

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

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

12. This Permit may be developed in phases.

ENVIRONMENTAL/MITIGATION REQUIREMENTS

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 264823 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 264823, to the satisfaction of the Development Services Department and the City

Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

**Land Use (MSCP),
Biological Resources,
Historical Resources, and
Paleontological Resources**

AIRPORT REQUIREMENTS

16. Prior to issuance of all building permits, the Owner/Permittee shall provide to the Development Services Department a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration.

ENGINEERING REQUIREMENTS

17. The Site Development Permit No. 932619, Conditional Use Permit No. 932618, Planned Development Permit No. 1451656 and Neighborhood Development Permit No. 1451657 shall comply with all conditions of the Vesting Tentative Map No. 1451662.

18. The project proposes to export no material from the project site. Any excavated material that is 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.

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

20. 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.

21. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the monument signs located in the public right of way along Pomerado Road.

22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing curb ramp at the southeast corner of Pomerado Road and Chabad Center Driveway, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.

23. 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.

23. 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.
24. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
25. 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.
26. 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.
27. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
28. A portion of this project has been identified as being within the floodway of a Special Flood Hazard Area. No increases to base-flood elevations are allowed. A Registered Professional Engineer shall submit a no rise certification along with a detailed engineering analysis to substantiate the certification, subject to the approval of the City Engineer.
29. If the engineering analysis shows the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the Owner/Permittee must obtain a Conditional Letter of Map Revision from the Federal Emergency Management Agency prior to issuance of any grading, engineering, or building permits. The Owner/Permittee must provide all documentation, engineering calculations, and fees which are required by FEMA.
30. If the engineering analysis shows the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, no certificates of occupancy will be granted or bonds released for development associated with this project until a Letter of Map Revision (LOMR) is obtained from FEMA. The LOMR is issued based upon as-built site conditions. Therefore, the applicant must allow time to complete this process. The Owner/Permittee must provide all documentation, engineering calculations, and fees which are required by FEMA.

31. Fill placed in the Special Flood Hazard Area for the purpose of creating a building pad must be compacted to 95% of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM Standard D-698). Granular fill slopes must have adequate protection for a minimum flood water velocity of five feet per second.
32. No structures except those allowed by Section 131.0222 (Use Regulations for Open Space Zones) of the Land Development Code shall be built within the floodway.

LANDSCAPE REQUIREMENTS

33. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."
34. Prior to issuance of any construction permits for grading, the Owner/Permittee shall submit complete landscape construction documents showing the brush management zones on the property in substantial conformance with Exhibit "A" in accordance with the Landscape Standards to the satisfaction of the Development Services Department.
35. In the event a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit "A." These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
36. 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." Construction plans shall show, label, and dimension a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).
37. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-04I, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.
38. 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. 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.

39. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, 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.

MULTIPLE SPECIES CONSERVATION PROGRAM REQUIREMENTS

40. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the on-site Multiple Habitat Planning Area [MHPA] to the City's Multiple Species Conservation Program [MSCP] preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service [USFWS] and the California Department of Fish and Wildlife [CDFW], as shown on Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. The Owner/Permittee shall ensure all property approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreements and/or liens. Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City, USFWS, and CDFW. The Owner/Permittee shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.

41. Prior to issuance of any building permits, the Owner/Permittee shall schedule an inspection with the Park and Recreation Department Open Space Division for all property approved for conveyance in fee title to the City for MHPA purposes. All trash, invasive species, illegal use and associated structures on the lot(s) shall be removed prior to the City's acceptance.

PLANNING/DESIGN REQUIREMENTS

42. Prior to the issuance of a construction permit for a monument sign in the public right-of-way adjacent to the property identified as belonging to the Chabad organization, the owner of the property shall sign the application for the construction permit, to the satisfaction of the Development Services Department.

43. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

44. All signs associated with this development shall be consistent with sign criteria established by the approved Exhibit "A."

45. 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.

TRANSPORTATION REQUIREMENTS

46. The Owner/Permittee shall provide bus, car and van shuttles for shopping, doctor visits and outings for residents. A 28-passenger bus and a 24-passenger bus, along with one van and two cars shall be used to provide this service, satisfactory to the City Engineer.

47. A minimum of 450 off-street parking spaces (with 554 off-street parking spaces provided) shall be permanently maintained on the property within the approximate location shown on the Exhibit "A." Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Municipal Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate decision maker.

PUBLIC UTILITY REQUIREMENTS

48. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

49. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

50. All public water and sewer facilities are to be in accordance with the established criteria in the most current City of San Diego Water and Sewer Design Guides.

51. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

52. 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.

53. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

GEOLOGY REQUIREMENTS

54. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

55. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

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 City Council of the City of San Diego on **[INSERT Approval Date]** and **[Approved Resolution Number]**.

Permit Type/PTS Approval No.: SDP No. 932619, CUP No. 932618,
PDP No. 1451656 & NDP No. 1451657
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

John S. Fisher
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.

Alliant International University,
a California not-for-profit corporation,
Owner

By _____

The Glen at Scripps Ranch CCRC, LLC,
a Delaware limited liability company
Permittee

By _____
Richard Aschenbrenner
Member Director

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

The Glen at Scripps Ranch

PTS#264823

Remaining Project Plans

(provided under separate cover)

Ownership Disclosure Supplement

Alliant Educational Foundation, a California non-profit public benefit corporation, Owner:

Chairman of the Board: Steve Schoger

Vice Chairman: Saul Rosenbaum

Secretary: Paul Ritvo

Treasurer: Ron Longinotti

Board of Trustees of the Foundation:

Dr. Sue Ammen, PhD

James T. Cois, JD

Summer Angevin

Joyce L. Berenstein, JD

Noah Bussell

Dr. Dave Diamond, PhD

Dr. Gonzalo Garretón, MD

Dr. Madeleine Richeport Haley, PhD

Andrea Krunnfusz

Dr. Marissa Pei, PhD

Natalie Porter, PhD

Dr. Jeff Tirengel, PsyD

The Glen at Scripps Ranch CCRC, LLC, Applicant/Permittee:

Warren E. Spieker, Jr.

Warren E. Spieker III

Richard D. Aschenbrenner

PROJECT DATA SHEET

PROJECT NAME:	The Glen at Scripps Ranch (Project No. 264823)	
PROJECT DESCRIPTION:	Continuing Care Retirement Community with 450 assisted living units and 60 skilled nursing beds	
COMMUNITY PLAN AREA:	Scripps Miramar Ranch	
DISCRETIONARY ACTIONS:	General Plan and Scripps Miramar Ranch Community Plan Amendment, Vesting Tentative Map, Planned Development Permit, Site Development Permit, Conditional Use Permit, Neighborhood Development Permit and MHPA Boundary Line Adjustment	
COMMUNITY PLAN LAND USE DESIGNATION:	University	
<u>ZONING INFORMATION:</u> ZONE: RS-1-8 HEIGHT LIMIT: 35 feet maximum permitted; Varies 37-50 feet maximum proposed LOT SIZE: 40,000 square-foot min lot size; Parcel 1 = 5.25 acres, Parcel 2 = 47.75 acres FLOOR AREA RATIO: 0.45 maximum permitted; 0.35 proposed FRONT SETBACK: 25 feet minimum; 580 feet proposed SIDE SETBACK: 10 feet minimum; 50 feet proposed STREETSIDE SETBACK: N/A REAR SETBACK: 10 feet minimum; 50 feet proposed PARKING: 554 spaces proposed		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential, RS-1-14	Residential
SOUTH:	University, RS-1-8	University
EAST:	Open Space, RS-1-8	Chabad Center
WEST:	University, RS-1-8	University
DEVIATIONS OR VARIANCES REQUESTED:	Four deviations: (1) Minimum Street Frontage, 2) Maximum building height, 3) Monument signs in public right-of-way and 4) Development encroachment into steep hillsides.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Scripps Miramar Ranch Community Planning Group discussed the proposed project at their November 9, 2015 meeting. Their recommendation was not available at the time this report was printed and will be provided in a separate memorandum from staff.	