



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: June 30, 2016 [REPORT NO. PC-16-050](#)

HEARING DATE: July 7, 2016

SUBJECT: C3 CHURCH CHILD CARE. Process Three Decision.
APPEAL OF HEARING OFFICER DECISION.

PROJECT NUMBER: [406268](#)

LOCATION: 7620 Balboa Avenue

OWNER/APPLICANT: Cameron Brothers Construction Company, L.P. and Balboa Office Building, LLC, Owners/Alicia Williams, Applicant

SUMMARY:

Issue: Should the Planning Commission approve or deny an appeal of the Hearing Officer decision approving the C3 Church Child Care project located at 7620 Balboa Avenue within the Kearny Mesa Community Plan area?

Staff Recommendation: Deny the appeal and Uphold the Hearing Officer's decision to approve Conditional Use Permit No. 1428905.

Community Planning Group Recommendation: The Applicant presented the project to the Kearny Mesa Community Planning Group (Group) on Oct. 21st and Nov. 18th, 2015. The Group did not vote or provide a recommendation at either of these two meetings. Minutes of those meetings are provided as Attachment 14. The Group's discussion focused primarily on whether or not the child care facility would impact current and future industrial uses in the area. On April 20, 2016 the Group's Chair filed an appeal (Attachment 5).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 3, 2016, and the opportunity to appeal that determination ended March 17, 2016.

Fiscal Impact Statement: None. All costs incurred to process the application are paid through a deposit account funded by the applicant.

Housing Impact Statement: None. The site is designated by the Kearny Mesa Community Plan Land Use map as General Commercial. The proposed project would have no impact on the availability of housing.

BACKGROUND

The Kearny Mesa Community Plan Land Use Map designates the site for General Commercial (Attachment 1). The approximate 5.6 acre site is located at [7620 Balboa Avenue](#) in the IL-3-1 (Industrial--Light) zone of the Kearny Mesa Community Plan area (Attachment 2). The surrounding neighborhood development pattern is industrial and commercial (Attachment 3). The existing office building, currently used as a church, was constructed in 1977 and is 30,965 square feet. Uses in the building include an auditorium office space, meeting rooms, lobby, and a cafe with parking for 196 vehicles. The site is within an urbanized area of the community and the San Diego Metropolitan Transit System Route 60 stops at Balboa Avenue and Convoy Street, approximately 1,200 feet east of the site.

DISCUSSION

Project Description

The C3 Church Child Care project (Project) proposes to convert approximately 3,652 square feet of church office space to a child day care facility within an existing 30,965 square foot building (Attachment 4).

The site is located within the Airport Land Use Compatibility Overlay Zone of Montgomery Field. The Project meets the exemption criteria of the overlay zone contained in [San Diego Municipal Code Section 132.1505\(c\)](#) :

"(1) Development that is limited to interior modifications or repairs, or any exterior repairs or maintenance, that does not increase the density, floor area ratio or height of an existing structure; and (2) Changes in non-residential occupancy within an existing building that would not require an increase in the number of parking spaces in accordance with Chapter 14, Article 2, Division 5" (Attachment 5).

The Project requires no exterior modifications to the site or the existing building and will not increase the density, floor area ratio or height of the existing structure. The Project is a change in non-residential occupancy within an existing building and the change does not require an increase in parking. The draft permit limits the hours of the child care operation to Monday thru Friday, 7:00 a.m. to 6:30 p.m. and the maximum number of children is limited to 100 pre-school children with 15 staff supporting the child care operation.

Community Plan Analysis

The Kearny Mesa Community Plan Land Use map designates the site for General Commercial (Attachment 1). One of the primary goals of the Kearny Mesa Community Plan, Commercial Element, is to provide commercial services to employees within industrially designated areas by encouraging

support uses to locate within these developments. The Project would be consistent with and support the Commercial Element goal by providing a children's day care facility in the area which could be used by parents employed in the vicinity. The children's day care would be available to serve the existing community. Consistent with the Commercial Element, the Project would be located and designed in a manner that minimizes disturbance to other existing industrial and office users.

Appeal

On April 20, 2016 the Kearny Mesa Community Planning Group (KMPG) Chair, Mr. Jeffrey Sallen, filed a letter stating the reasons for the Group's appeal (Attachment 5). On April 21, 2016 Mr. Sallen provided the appeal application Development Services Department (DSD) Form DS-3031 (Attachment 6). Development Services Department management examined the letter and determined it contained all the elements contained in Form DS-3031 and accepted the KMPG's appeal letter dated April 20, 2016. The Kearny Mesa Community Planning Group is the officially recognized Planning Committee.

The letter cites four main reasons for the appeal. Each is cited below from the Group's letter followed by a staff response.

Appeal Issue #1

1. The applicant did not return to the KMPG with the additional requested information which would allow for the KMPG to vote on recommending or not-recommending the C3 Childcare Center. Instead of following the typically protocol C3 went directly to the City for a Public Hearing.

Staff Response: Neither the San Diego Municipal Code nor the adopted [Council Policy 600-20](#) establish a requirement for an applicant to present their project to the officially recognized planning group. The KMPG was mailed a notice of public hearing as required by the [Municipal Code Section 112.0301\(c\)](#) for Process Three decisions.

Appeal Issue #2

2. The KMPG believes that the encroachment of sensitive receptors near industrial facilities could prevent future expansion to local industrial users and effect day to day operations. The KMPG supports the concern expressed in the letter written by MTS on April 5, 2016 (Attachment 7).

Staff Response: It is possible a child care facility could prevent the future expansion to local industrial users and affect day to day operations; however it would be inappropriate to deny, and the San Diego Municipal Code does not provide for the denial of, a CUP based on a supposition of facts which do not exist where the required findings can be supported based on existing facts in the record. All of the findings required to approve the Conditional Use Permit (CUP) No. 1428905 were presented to the Hearing Officer and the Hearing Officer adopted the resolution to approve the project.

Appeal Issue #3

3. The subject property is located in Zone 4 of the Airport Land Use Compatibility Plan (ALUCP) whose limitation:
 - a. 3.4.6 (2) "Day Care Centers (facilities with 15 or more children...) ...In Safety Zone 3 and 4 these land uses are "conditionally compatible" – buildings may be replaced and/or expanded at existing centers if required by state law: however, no new assembly facilities (spaces with capacities of 50 or more people) shall be created. In addition, no new day care center sites or acquisition of land for existing sites are acceptable in Safety Zone 3 & 4."

Staff Response: Although the ALUCP contains policies regarding children day care centers, the San Diego Municipal Code implements the policies of the ALUCP. The San Diego Municipal Code, [Section 132.1505\(c\)](#), contains provisions that make this Project exempt from the referenced ALUCP policy because the Project meets both of the following criteria:

"(1) Development that is limited to interior modifications or repairs, or any exterior repairs or maintenance, that does not increase the density, floor area ratio or height of an existing structure; and

(2) Changes in non-residential occupancy within an existing building that would not require an increase in the number of parking spaces in accordance with Chapter 14, Article 2, Division 5"

The Project requires no exterior modifications to the site or the existing building and will not increase the density, floor area ratio or height of the existing structure. The Project is a change in non-residential occupancy within an existing building and the change does not require an increase in parking. The draft permit limits the hours of the child care operation to Monday thru Friday, 7:00 a.m. to 6:30 p.m. and the maximum number of children is limited to 100 pre-school children with 15 staff supporting the child care operation.

- b. Noise Compatibility Matrix, children's schools (K-12), Day Care Centers (greater than 14 children) are prohibited in CNEL 65-70 db and this site appears to be in the greater than 65 CNEL, Exhibit III-1.

Staff Response: Although the ALUCP contains policies regarding children day care centers, the San Diego Municipal Code (SDMC) implements the policies of the ALUCP. The SDMC [Section 132.1505\(c\)](#) contains provisions that make this Project exempt from the referenced ALUCP policy, for the reasons stated in the response to Appeal Issue #3A, above.

Appeal Issue #4

4. San Diego Municipal City Code Chapter 14 Art 1 Dev. 6 (c)(4) was not followed:
 - a. "Deviation from the hazardous materials separation requirements may be permitted with a CUP decided in accordance with Process Three. Issuance of the permit will be based in part on a "Health Risk Assessment Study" to be submitted by the applicant."

Staff Response: [San Diego Municipal Code Section 141.0606\(c\)\(1\)](#) through (10) was followed. Child care centers are permitted as a limited use in the zones indicated with an "L" and may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the [Use Regulations Tables in Chapter 13, Article 1](#) (Base Zones) subject to the regulations. San Diego Municipal Code section 141.0601(c)(1) prohibits child care centers within 1,000 feet of certain facilities that handle hazardous materials, but a deviation to that regulation is allowed if the an applicant obtains a Conditional Use Permit decided in accordance with Process Three after having submitted a Health Risk Assessment Study. The applicant provided a Health Risk Assessment Study, which was reviewed and accepted by City staff, and the draft findings provided by staff contain information to support the findings required for approval of a Conditional Use Permit.

Conclusion

Staff has reviewed the Project and all of the 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 (Attachment 9) and draft conditions of approval (Attachment 10). Staff recommends the Planning Commission deny the appeal and uphold the Hearing Officer's decision to approve the Project as proposed.

ALTERNATIVES

1. Approve the appeal and deny Conditional Use Permit No. 1428905.

Respectfully submitted,



Elyse W. Lowe
Deputy Director
Development Services Department



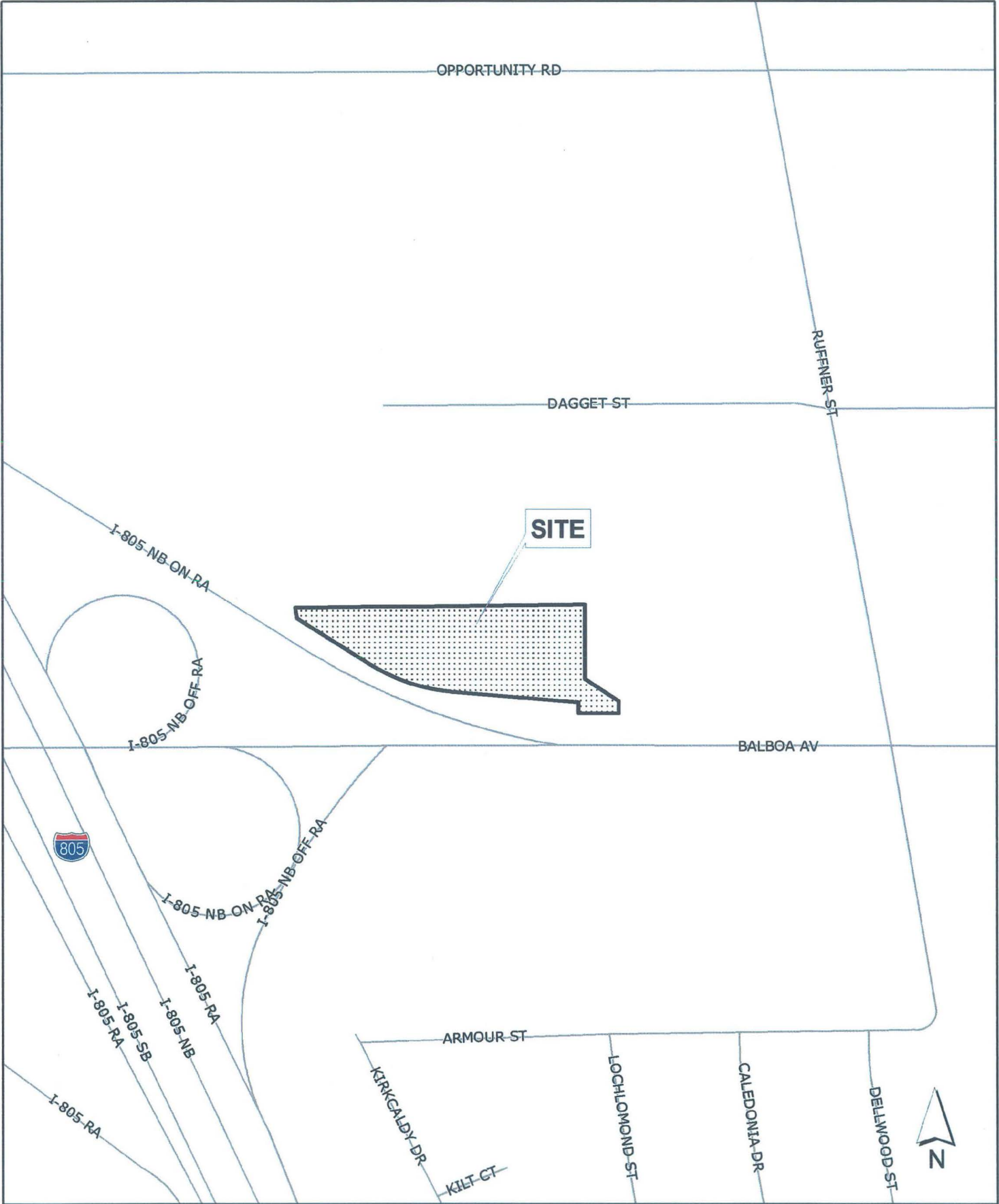
John S. Fisher
Development Project Manager
Development Services Department

VACCHI:JSF

Attachments:

1. Kearny Mesa Community Plan land use map
2. Project Location Map
3. Aerial Photograph
4. Project Site Plan
5. Appeal filed by Kearny Mesa Community Planning Group
6. DSD Form DS-3031 filed by Kearny Mesa Community Planning Group
7. MTS letter dated April 5, 2016

8. Draft Permit Resolution with Findings
9. Draft Permit with Conditions
10. Environmental Exemption
11. Project Data Sheet
12. Ownership Disclosure Statement
13. Remaining Project plans
14. Kearny Mesa Community Planning Group meeting minutes, Oct. 21 and Nov. 18, 2015



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Site Map

DEVELOPMENT SERVICES DEPARTMENT





2012 San Diego Imagery Acquisition Partnership (Flight Dates: May 20 - June 6, 2012)

Document Path: L:\GIS\Community Planning\La Jolla\CPA_PROJECTS\LaJolla_306110_1_AerialMap.mxd



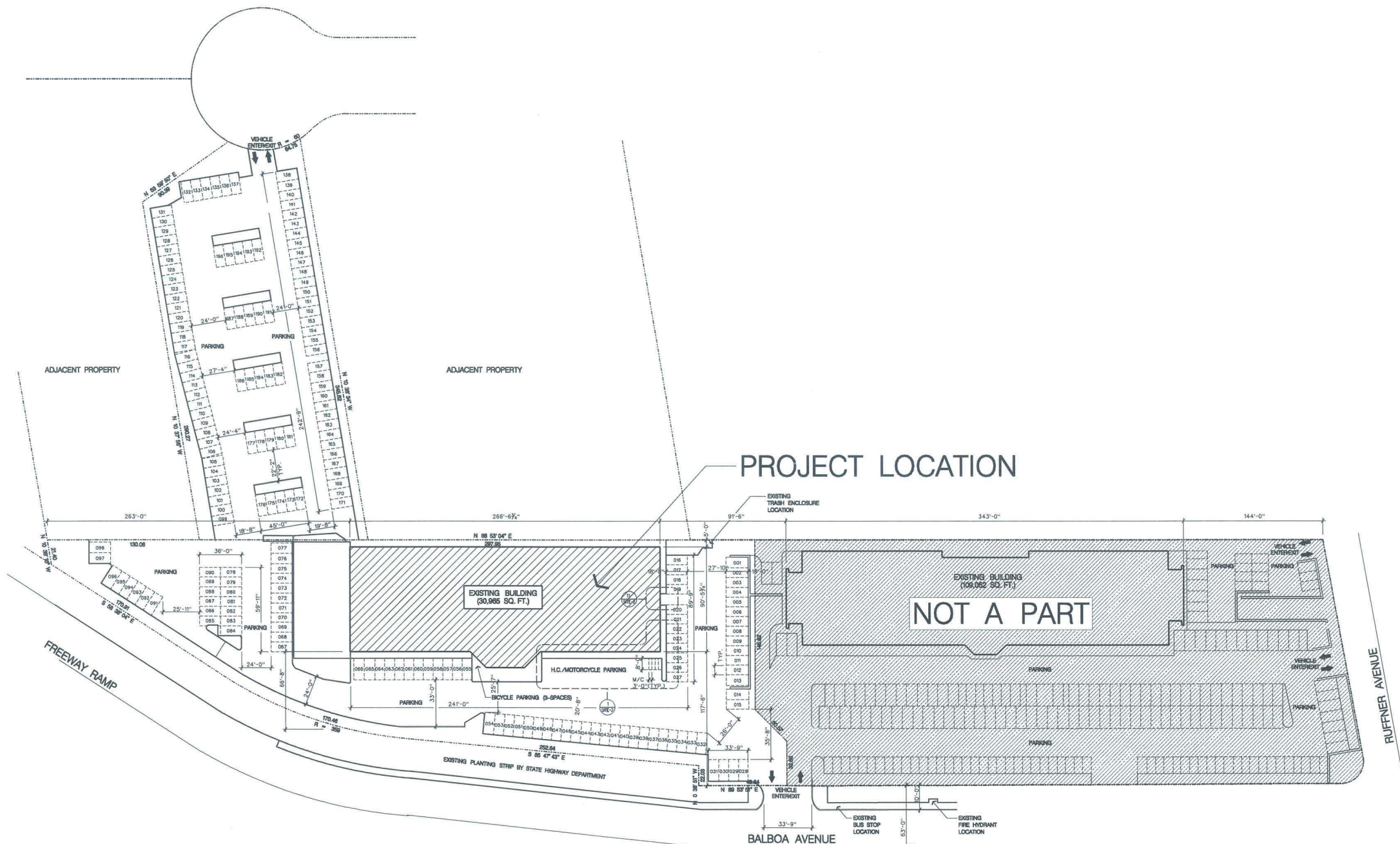
Aerial Map
 DEVELOPMENT SERVICES DEPARTMENT

SanGIS
 SanGIS is a web-based GIS application that provides a user-friendly interface for viewing and analyzing spatial data. It is designed to be accessible from any web browser and is available 24/7. For more information, please contact the GIS Department at (619) 594-6000 or visit our website at www.sandagis.com.



J. Marzich Design
 Commercial Interior Planning
 23141 Whitespring, Mission Viejo, CA 92692
 Tel: (949) 982-8566 Fax: (949) 716-9364

SITE PLAN



NOTE:
 PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-02-8 (LFC 101.4.4)

| Issues and Revisions | | | | |
|----------------------|----------|------------------------------|-----|-------|
| No. | Date | Issues and Revisions | By | Check |
| 1 | 12/1/14 | Issued for Consultant Review | JSM | |
| 2 | 03/06/15 | Dev. Serv. Dept. Corrections | JSM | |
| 3 | 09/25/15 | Dev. Serv. Dept. Corrections | JSM | |

Project Name: C3 CHURCH
 7620 BALBOA AVENUE, SAN DIEGO, CA
 Project Number: 13.02.03
 Description: CONDITIONAL USE PERMIT PACKAGE
 Existing Site Plan
 Computer File: c3_sif1.dgn
 Scale: 1/8" = 1'-0" (I.N.O.)

All drawings and written material appearing herein constitute original and unpublished work of J. Marzich Design, Inc. and may not be duplicated, used or disclosed without written consent from J. Marzich Design, Inc.



Kearny Mesa Planning Group

April 20, 2016

Attn: City of San Diego / Hearing Officer

RE: APPEAL OF PROJECT NUMBER 406268 | C3 CHILDCARE CENTER

The Kearny Mesa Planning Group (KMPG) is filing an appeal for the decision made on April 6, 2016 to approve the CUP for Project No. 406268 C3 Childcare Center.

The reasons for this appeal are:

- The applicant did not return to the KMPG with the additional requested information which would allow for the KMPG to vote on recommending or not-recommending the C3 Childcare Center. Instead of following the typically protocol C3 went directly to the city for a Public Hearing.
- The KMPG believes that the encroachment of sensitive receptors near industrial facilities could prevent future expansion to local industrial users and effect day to day operations. The KMPG supports the concern expressed in the letter written by MTS on April 5, 2016
- The subject property is located in Zone 4 of the Airport Land Use Compatibility Plan (ALUCP) whose limitation:
 - a. 3.4.6 (2) "Day Care Centers (facilities with 15 or more children...) ...In Safety Zone 3 & 4 these land uses are "conditionally compatible" -- buildings may be replaced and/or expanded at existing centers if required by state law: however, no new assembly facilities (spaces with capacities of 50 or more people) shall be created. In addition, no new day care center sites or acquisition of land for existing sites are acceptable in Safety Zone 3 & 4."
 - b. Noise Compatibility Matrix, children's schools (K-12), Day Care Centers (>14 children) are prohibited in CNEL 65-70 db and this site appears to be in the >65 CNEL, Exhibit III-1.
- San Diego Municipal City Code Chapter 14 Art 1 Dev. 6 (c) (4) was not followed:
 - a. "Deviation from the hazardous materials separation requirements may be permitted with a CUP decided in accordance with Process Three. Issuance of the permit will be based in part on a "Health Risk Assessment Study" to be submitted by the applicant. "

The KMPG would like the opportunity to vote on this and all CUP applications prior to the applicant appearing before the hearing board and planning commission.

The process of not returning to the KMPG for a vote undermines what we do as a planning group. The members of the KMPG volunteer their time to review CUP's on behalf of the Kearny Mesa community; however, if the recommendations are not reviewed or the applicants do not complete the process, the purpose of the planning group is seriously compromised.

I would strongly recommend that the C3 applicant provide the Health Risk Assessment and return to the KMPG for further review and vote.

Should you have any questions, comments or concerns, please do not hesitate to contact me directly.

Sincerely,



Jeffrey R. Sallen
 Kearny Mesa Planning Group, Chair
 858.546.5443
Jeffrey.sallen@cushwake.com



City of San Diego
 Development Services
 1222 First Ave. 3rd Floor
 San Diego, CA 92101

THE CITY OF SAN DIEGO

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
 AUGUST 2015

In order to assure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure".

1. Type of Appeal:

- Appeal of the Project
- Appeal of the Environmental Determination

2. Appellant: Please check one

- Applicant
- Officially recognized Planning Committee
- "Interested Person" (Per M.C. Sec. 113.0103)

| | | | |
|---|--------------------|--|--|
| Name: Jeffrey Sallen (Kearny Mesa Planning Group, Chair) | | E-mail Address: jeffrey.sallen@cushwake.com | |
| Address: 4747 Executive Drive, Suite 900 | City: San Diego | State: CA | Zip Code: Telephone: 92121 (858) 546-5443 |

3. Project Name:

C3 Church Childcare Center

4. Project Information

| | | |
|---|---------------------------------|-----------------------|
| Permit/Environmental Determination & Permit/Document No.: | Date of Decision/Determination: | City Project Manager: |
| Project # 406268 | 04/16/16 | John S. Fisher |

Decision: *(Describe the permit/approval decision)*
 See Attached Letter from the KMPG and MTS.

5. Grounds for Appeal: (Please check all that apply)

- Factual Error
- Conflict with other matters
- Findings Not Supported
- New Information
- City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal *(Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)*

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:

Date: 4-21-16

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490

April 5, 2016

Mr. John S. Fisher
Development Project Manager
Development Services Department
City of San Diego
202 C Street
San Diego, CA 92101

Dear Mr. Fisher:

SUBJECT: C3 CHURCH CHILD DAY CARE (PROJECT #406268)

MTS has reviewed the Report to the Hearing Officer in reference to the C3 Church Child Care Project. Approximately one block away from the subject project site, we own and operate a fully functioning bus division for 150 transit buses. Functions conducted at the Kearny Mesa Division (KMD) include:

- Preventative maintenance
- Heavy-duty maintenance and overhauls
- Auto-body and paint shop (for buses)
- Natural gas and diesel fueling (including gas compression equipment)
- Daily vehicle inspection and dispatch of up to 150 full-size transit buses
- Parking for buses and auxiliary trucks and cars necessary for operations
- Bus driver training

KMD is open and operating 24-hours/day, seven days/week, and is essential to the efficient operation of public transportation services to the northern half of our service area, including many communities within the City of San Diego. The industrial zoning of the area allows MTS to effectively utilize KMD without impacts to residential neighbors or other sensitive uses.

The materials in the Report to the Hearing Officer included the following record in the minutes of the Kearny Mesa Community Planning Group meeting from November 18, 2015:

"Brenna Weatherby presented on behalf of C3 church to provide further information on the Conditional Use Permit submitted for the conversion of 3,652 square feet of office space to a child care facility within the existing 30,965 square foot C3 Church building. C3 received approval from the County to deviate from the 1000 foot radius hazardous materials separation requirement. Some members of the group raised concerns about how this use, as proposed, could affect the ability of future industrial uses to locate to the area. Kate Phin in of Kyocera was specifically concerned about the potential of this use impeding Kyocera's ability to obtain future permits (APCD and others) for their operations. The question was raised as to whether the applicant had performed a Health Risk Assessment as required per recent updates in the City Code. Brenna decided to hold on asking for a vote."



Mr. John S. Fisher
City of San Diego
April 5, 2016
Page Two

There does not appear to be any information indicating follow-up consideration by the Kearny Mesa Community Planning Group or whether or not the mentioned Health Risk Assessment was completed.

MTS shares in the concerns voiced by other nearby industrial users at the planning group regarding the potential reach of this Conditional Use Permit. The encroachment of non-industrial uses closer to our facility could challenge the full utilization and any potential expansion of our property. Ultimately this could affect our ability to provide the most cost-effective and efficient public transit services to the City of San Diego. MTS appreciates the consideration of our concern in this matter prior to the final approval of the permit.

Sincerely,



Denis Desmond
Manager of Planning

LMARQUIS-L
L-JFISHER.CITYOFSD.C3CHURCH.DDESMOND.040516

cc: City of San Diego - Steve Celniker
MTS - Sharon Cooney, Bill Spraul, Denis Desmond

**PLANNING COMMISSION RESOLUTION NO. PC-
CONDITIONAL USE PERMIT NO. 1428905
C3 CHURCH CHILD CARE PROJECT NO. 406268**

WHEREAS, CAMERON BROTHERS CONSTRUCTION COMPANY, L.P., a California limited partnership, and BALBOA OFFICE BUILDING, LLC, a California limited liability company, Owners, and C3 CHURCH, a California non-profit corporation, Permittee, filed an application with the City of San Diego for a permit to convert approximately 3,652 square feet of church office space to a children's day care facility within an existing 30,965 square foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1428905), on portions of an approximately 5.6 acre site;

WHEREAS, the project site is located at 7620 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 21162, filed August 27, 2014;

WHEREAS, on April 6, 2016, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 1428905 and on April 20, 2016 Jeffery Sallen filed an appeal of the Hearing Officer's decision;

WHEREAS, on July 7, 2016, the Planning Commission of the City of San Diego considered an appeal of the Hearing Officer's approval of Conditional Use Permit No. 1428905 pursuant to the Land Development Code of the City of San Diego and denied the appeal and upheld the approval of the Conditional Use Permit No. 1428905;

WHEREAS, on March 3, 2016, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Section 15301 (Existing facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Planning Commission adopts the following written Findings, dated July 7, 2016.

FINDINGS:

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

The C3 Church Child Care project (Project) will convert approximately 3,652 square feet of church office space to a children's day care facility within an existing 30,965 square foot building. The Kearny Mesa Community Plan Land Use Map designates the site for General Commercial land use. The approximate 5.6 acre site is located at 7620 Balboa Avenue in the IL-3-1 (Industrial--Light) zone of the Kearny Mesa Community Plan area. The surrounding neighborhood development pattern is industrial and commercial. The existing office building, currently used as a church, was constructed in 1977. The site is within an urbanized area of the community.

One of the primary goals of the Kearny Mesa Community Plan, Commercial Element, is to provide commercial services to employees within industrially designated areas by encouraging support commercial uses to locate within these developments. The Project will be consistent with and support the Commercial Element goal by providing a children's day care facility in the area which could be used by parents living or employed in the vicinity. Further, consistent with the Commercial Element, the Project will be located and designed in a manner that minimizes disturbance to other existing industrial and office users. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The Project will not be detrimental to public health, safety and welfare in that the permit controlling the 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 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. In conformance with the requirements of the San Diego Municipal Code Section 141.0606(c)(4), the Permittee provided a Health Risk Assessment Study which concludes the occupants of the Child Care Center will not be at risk from hazardous materials within 1,000 feet of the Child Care Center and the operator will have a state of California-approved evacuation plan prior to issuance of the child care center license by the state of California. Therefore, the proposed development will not be detrimental to the health, safety, or general welfare of persons residing or working in the area.

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

The proposed Project has been designed to comply with the regulations of the Land Development Code and all development criteria for the IL-3-1 (Industrial-Light) zone. The Project will be established within an existing building constructed in 1977. The existing building met all the required regulations of the Land Development Code at the time the construction permit was issued in 1977. No deviations are requested or required to grant the approval of the proposed Project. Therefore; the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

The Project will occupy a portion of a commercial building currently used as a church on a site developed for commercial office use. The Project is consistent with all relevant regulations of the San Diego Municipal Code that apply to the proposed use. All necessary utilities are available and are provided to the site, including water, sanitary sewer, electricity, telephone, and other common utilities. The site has the necessary parking to serve the Project. The Project is consistent with the General Commercial designation and Commercial Element of the Kearny Mesa Community Plan and no adverse affects will result from granting the Conditional Use Permit at this location. Therefore, the proposed use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1428905 is hereby GRANTED by the Planning Commission to the referenced

Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1428905, a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: July 7, 2016

SAP Number: 24005536

DRAFT

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005536

CONDITIONAL USE PERMIT NO. 1428905
C3 CHURCH CHILD CARE PROJECT NO. 406268
PLANNING COMMISSION

This Conditional Use Permit No. 1428905 is granted by the Planning Commission of the City of San Diego to CAMERON BROTHERS CONSTRUCTION COMPANY, L.P., a California limited partnership, and BALBOA OFFICE BUILDING, LLC, a California limited liability company, Owners, and C3 CHURCH, a California non-profit corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The approximately 5.6 acre site is located at 7620 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan. The project site is legally described as Parcel 1 of Parcel Map No. 21162, filed August 27, 2014.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittee to convert approximately 3,652 square feet of office space to a children's day care facility within an existing 30,965 square foot building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 7, 2016, on file in the Development Services Department.

The project shall include:

- a. Conversion of approximately 3,652 square feet of office space to a children's day care facility within an existing 30,965 square foot building;
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by July 7, 2019.
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. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were 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.

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

TRANSPORTATION REQUIREMENTS:

11. Owner/Permittee shall maintain no fewer than 15 off-street parking spaces for the children's day care facility. Parking spaces 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 San Diego Municipal Code (SDMC), and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

12. No more than 100 pre-school children shall be allowed at any one time on the premises with 15 staff supporting the children's day care operation.

13. The operation of the children's day care use permitted by this Conditional Use Permit shall not occur simultaneously with church services.

14. The hours of operation for the children's day care facility shall be Monday thru Friday, 7:00 a.m. to 6:30 p.m.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on July 7, 2016 by Resolution No. PC-XXXX.

DRAFT

Permit Type/PTS Approval No.: CUP No. 1428905
Date of Approval: July 7, 2016

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.

CAMERON BROTHERS CONSTRUCTION COMPANY, L.P.,
a California limited partnership
Owner

By _____
Waneta Lee
Vice President
William Cameron Family Management Co.,
Inc., General Partner

BALBOA OFFICE BUILDING, LLC,
a California limited liability company
Owner

By _____
Waneta Lee
Vice President

**NOTE: Notary acknowledgments
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.

C3 CHURCH,
a California non-profit corporation
Permittee

By _____
Alicia Williams
Corporate Secretary

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

DRAFT

NOTICE OF EXEMPTION

(Check one or both)

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 406268

PROJECT TITLE: C3 Church Child Care

PROJECT LOCATION-SPECIFIC: The site is located at 7620 Balboa Ave, San Diego, CA 92111 within the Kearny Mesa Community Plan area.

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Conditional Use Permit to convert 3,652 square feet of office space to a child care facility within an existing 30,965 square foot church building. The project would not require any site modifications or exterior improvements and all of the renovation would be in the interior of the building. The 5.59 acre project site is located at 7620 Balboa Avenue in the IL-2-1 and IL-3-1 zone of the Kearny Mesa Community Plan Area in the Airport Land Use Compatibility Overlay (ALUCP), the ALUCP Noise Contours and the Safety Zone for Montgomery Field. In addition the site is located in the Part 77 Noticing Area and Airport Influence Area for Montgomery Field and MCAS Miramar. The proposed project complies with all height and bulk regulations and is located on a site that is currently developed with all public utilities in place to serve the facility.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: C3 Church, 7620 Balboa Ave, San Diego, CA 9211: Contact Alicia Williams (858) 300-2581.

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL (SEC. 21080(b)(1); 15268);
() DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
() EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c)..
(X) CATEGORICAL EXEMPTION: 15301 (Existing Facilities)
() STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) which allows for the interior or exterior alterations of existing structures consisting of interior partitions, plumbing and electrical conveyances. A traffic access analysis for the project was reviewed and accepted by Transportation Development Staff and determined that the project would not result in any traffic impacts. Since the project would only be modifying the interior of the building and would not result in traffic impacts the exemption is appropriate and the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

[Handwritten Signature] SENIOR PLANNER
SIGNATURE/TITLE

2/19/2016
DATE

CHECK ONE:
(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

| PROJECT DATA SHEET | | |
|---|---|--------------------------|
| PROJECT NAME: | C3 Church Child Care | |
| PROJECT DESCRIPTION: | Convert 3,652 square feet of office space to a child day care facility within an existing 30,965-square-foot building | |
| COMMUNITY PLAN AREA: | Kearny Mesa | |
| DISCRETIONARY ACTIONS: | Conditional Use Permit (Process 3) | |
| COMMUNITY PLAN LAND USE DESIGNATION: | General commercial. | |
| <u>ZONING INFORMATION:</u> | | |
| ZONE: IL-3-1 (Industrial--Light) | | |
| HEIGHT LIMIT: No maximum height limit | | |
| LOT SIZE: 15,000 square-foot minimum lot size | | |
| FLOOR AREA RATIO: 0.5 standard | | |
| FRONT SETBACK: 20 foot minimum/25 foot standard | | |
| SIDE SETBACK: 10 foot minimum | | |
| STREETSIDE SETBACK: 15 foot minimum/20 foot standard | | |
| REAR SETBACK: 25 feet | | |
| PARKING: 15 spaces required | | |
| <u>ADJACENT PROPERTIES:</u> | LAND USE DESIGNATION & ZONE | EXISTING LAND USE |
| NORTH: | Industrial & Business Park/IL-2-1 | Industrial |
| SOUTH: | General Commercial/CC-1-3 | Commercial |
| EAST: | General Commercial/IL-3-1 | Commercial |
| WEST: | Interstate 805 | Public right-of-way |
| DEVIATIONS OR VARIANCES REQUESTED: | None | |
| COMMUNITY PLANNING GROUP RECOMMENDATION: | No recommendation provided. See Attachment 11. | |

Ownership Disclosure

Balboa Office Building LLC:

sole Member is Cameron Brothers Construction Co., L.P.

Cameron Brothers Construction Co., L.P.

General Partners are:

William Cameron Family Management Co., Inc.

Waneta Cameron, Chairman of the Board

Wanda Cameron, President

Waneta Lee, Vice President, CFO

Christopher Cook, Secretary

A. James Moxham, Assistant Secretary

SJT Cameron, LLC

Terry W. Cameron, Manager

Conditional Use Permit Application for:

C3 Church-San Diego

7620 Balboa Avenue, 1st & 2nd Floor

San Diego, CA

Property Owned by
Cameron Brothers Construction, LP
7710 Balboa Avenue
San Diego, California 92111
Attn: Jim Maxham
Phone: (619) 582-3050

Planning Consultant
Howes Weiler & Associates
2888 Loker Avenue, Suite 217
Carlsbad, California 92010
Attn: Brenna Weatherly
Phone: (760) 929-2288, Ext. 406

Interior Planner
J. Marzich Design, Inc.
25141 Whitespring
Mission Viejo, California 92692
Attn: John Marzich
Phone: (949) 903-0566



J. Marzich Design
Commercial Interior Planning
25141 Whitespring, Mission Viejo, CA 92692
Tel: (949) 903-0566 Fax: (949) 716-9364

PROJECT INFORMATION

PROJECT INFORMATION - EXISTING, 7620 BALBOA AVENUE (ZONE: IL-3-1)
GROSS SITE AREA (C3 CHURCH): 129,808.8 S.F. (2.98 ACRES)
APN: 356-240-54 AND 356-240-55
GROSS SITE AREA (ADJACENT PROPERTY): 113,691.6 S.F. (2.61 ACRES)
APN: 356-240-53
TOTAL: 243,500.4 S.F. (5.59 ACRES)

| PROPOSED USE | SQ. FOOTAGE | CODE | PARKING REQUIRED |
|------------------------|-------------|----------------|------------------|
| PRIMARY USE (WORSHIP): | | | |
| FIXED SEATING: | 251 SEATS | 1/3 | 84 SPACES |
| NON-FIXED AREA: | 1,277.8 | 30/1,000 | 83 SPACES |
| CHILDCARE AREA: | 3,652 | 1/STAFF MEMBER | 15 SPACES |

NOTE: PER CITY OF SAN DIEGO MUNICIPAL CODE, CHAPTER 14 (14.2.5.23): GENERAL REGULATIONS, TABLE 142-05G.
PARKING RATE-MIXED USE (OUTSIDE A TRANSIT AREA):
TOTAL PARKING REQUIRED: 182 SPACES

PARKING PROVIDED ON SITE:
STANDARD: 189 SPACES
HANDICAP: 7 SPACES

TOTAL: 196 SPACES
MOTORCYCLE: 4 SPACES
BICYCLE: 3 SPACES

BUILDING AREA (GROSS):
FIRST FLOOR: 25,001 SF
MEZZANINE: 5,964 SF

TOTAL: 30,965 SF (GROSS)

NOTE:
A MINIMUM OF 1 FOOTCANDLE OF LIGHT EXISTS THROUGHOUT PARKING AREA.

THE PROPOSED PROJECT SHALL BE ACCESSIBLE TO THE DISABLED.
REFERENCE CALIFORNIA BUILDING CODE, CHAPTER 18, AND FEDERAL ACCESSIBILITY LAWS.

GEOLOGIC HAZARD CATEGORY 52.

LEGAL DESCRIPTION

ZONE: IL-3-1
ACCESSORS: PARCEL NUMBER 356-240-54, AND 55.
LEGAL DESCRIPTION: PARCEL 1 AS SHOWN ON PARCEL MAP 2182, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, AUGUST 27, 2014.

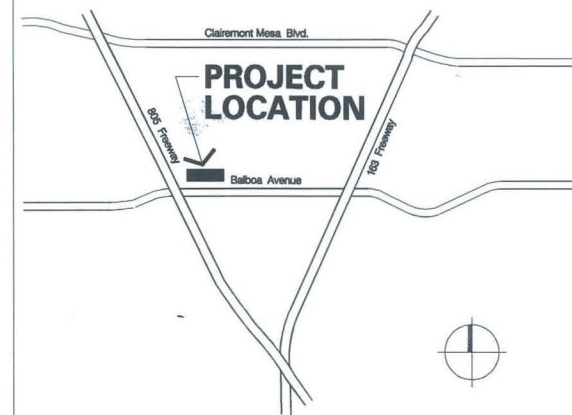
SCOPE OF WORK

CONDITIONAL USE PERMIT FOR A CHILDCARE FACILITY TO BE LOCATED WITHIN AN EXISTING CHURCH IN THE KEARNEY MESA NEIGHBORHOOD.

THE CURRENT USE OF THE BUILDING IS A-3 AND B OCCUPANCY.
THE EXISTING AND PROPOSED USE OF THE BUILDING REMAINS UNCHANGED.
THERE IS NO INCREASE IN SQUARE FOOTAGE.
A ONE-HOUR SEPARATION BETWEEN OCCUPANCY CLASSIFICATIONS IS EXISTING AND COMPLES WITH CBC SECTIONS 506 AND 508.

PROPOSED TENANT IMPROVEMENT REMODEL TO CONVERT APPROXIMATELY 3,652 SF OF EXISTING MEETING AND OFFICE USE SPACES TO PRE-SCHOOL USE.
NO CHANGE IN TENANT OCCUPANCY.
NO INCREASE IN BUILDING SQUARE FOOTAGE.
NEW INTERIOR PARTITIONS, NEW MILLWORK, NEW POWER AND TELEPHONE, NEW CEILING GRID AND TILES, NEW LIGHTING, NEW FINISHES.

VICINITY MAP



CODE DATA

BUILDING TYPE: VA, FULLY SPRINKLERED
YEAR CONSTRUCTED: 1977
OCCUPANCY: B (OFFICE), A-3 (ASSEMBLY)
NUMBER OF STORIES: 1-STORY, WITH MEZZANINE
EXISTING TENANT BUILDING AREA: 30,965 USF
AREA OF REMODEL SQUARE FOOTAGE: 6,273 USF

GENERAL NOTES

1. THIS BUILDING CONFORMS WITH THE CALIFORNIA ADMINISTRATIVE CODE 24 AND TO 2013 CBC.

INDEX OF DRAWINGS

- A-1 COVER SHEET
- A-2 AIRPORT INFLUENCE OVERLAYS
- A-3 EXISTING SITE PLAN
- A-4 EXISTING SITE PLAN DETAILS
- A-5 PROPOSED FIRST FLOOR PLAN
- A-6 EXISTING MEZZANINE LEVEL FLOOR PLAN
- A-7 BUILDING ELEVATIONS

COVER SHEET

Issues and Revisions

| No. | Date | Issues and Revisions | By | Check |
|----------|------|------------------------------|-----|-------|
| 12/1/14 | | Issued for Consultant Review | JSM | |
| 03/06/15 | | Dev. Serv. Dept. Corrections | JSM | |
| 09/25/15 | | Dev. Serv. Dept. Corrections | JSM | |

Project Name: C3 CHURCH
7620 BALBOA AVENUE, SAN DIEGO, CA
Project Number: 13.02.03
Description: CONDITIONAL USE PERMIT PACKAGE
Computer File: c3_cover1.dgn

Scale: 1/8" = 1'-0" (J.N.O.)

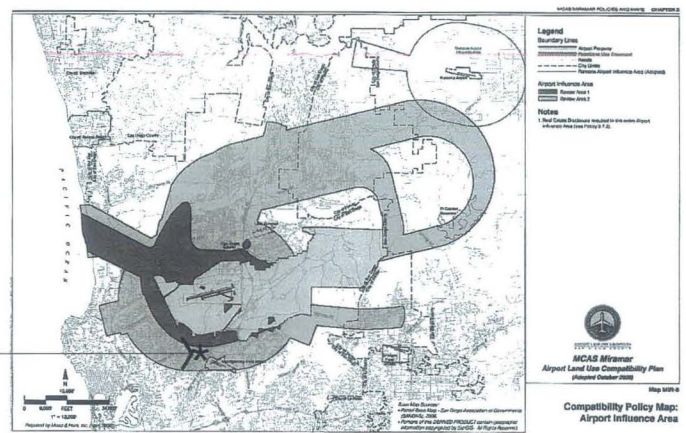
All drawings and written material appearing herein constitute original and unpublished work of J. Marzich Design, Inc. and may not be duplicated, used or disclosed without written consent from J. Marzich Design, Inc.

A-1

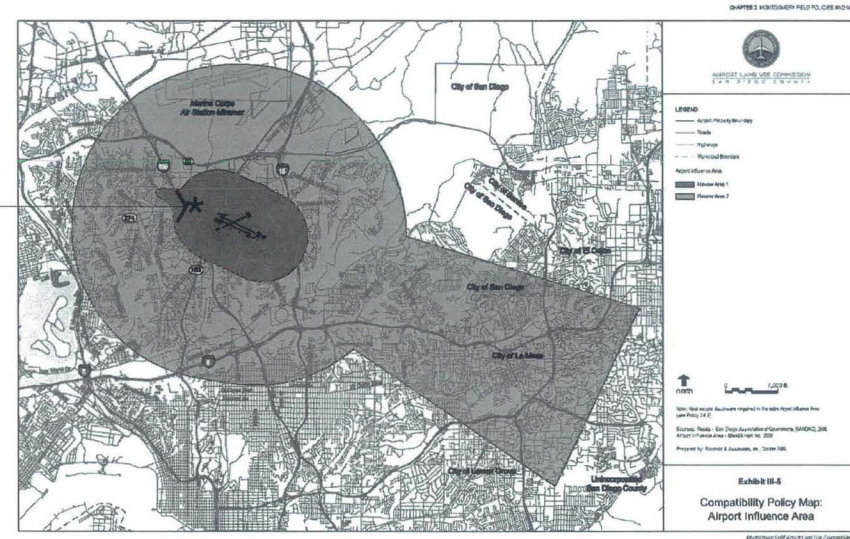


J. Marzich Design
 Commercial Interior Planning
 25141 Whitewing, Mission Viejo, CA 92692
 Tel: (949) 983-8566 Fax: (949) 716-9364

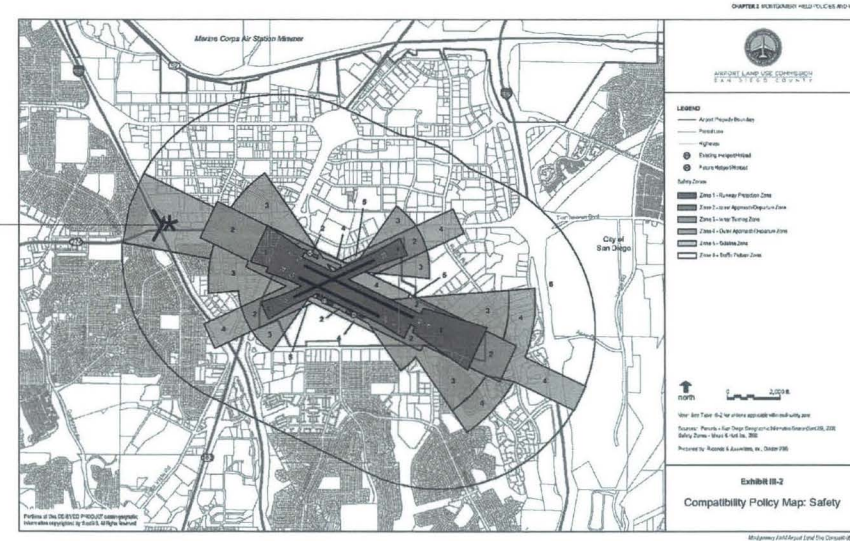
PROJECT LOCATION



PROJECT LOCATION



PROJECT LOCATION



AIRPORT INFLUENCE OVERLAYS

| Issues and Revisions | | | | |
|----------------------|------|------------------------------|-----|-------|
| No. | Date | Issues and Revisions | By | Check |
| 12/1/14 | | Issued for Consultant Review | JSM | |
| 03/06/15 | | Dev. Serv. Dept. Corrections | JSM | |

Project Name C3 CHURCH
 7820 BALBOA AVENUE, SAN DIEGO, CA
 Project Number 13.02.03
 Description CONDITIONAL USE PERMIT PACKAGE
 Airport Influence Overlays
 Computer File c3_airport.dgn

Scale 1" = 1'-0" (J.N.O.)

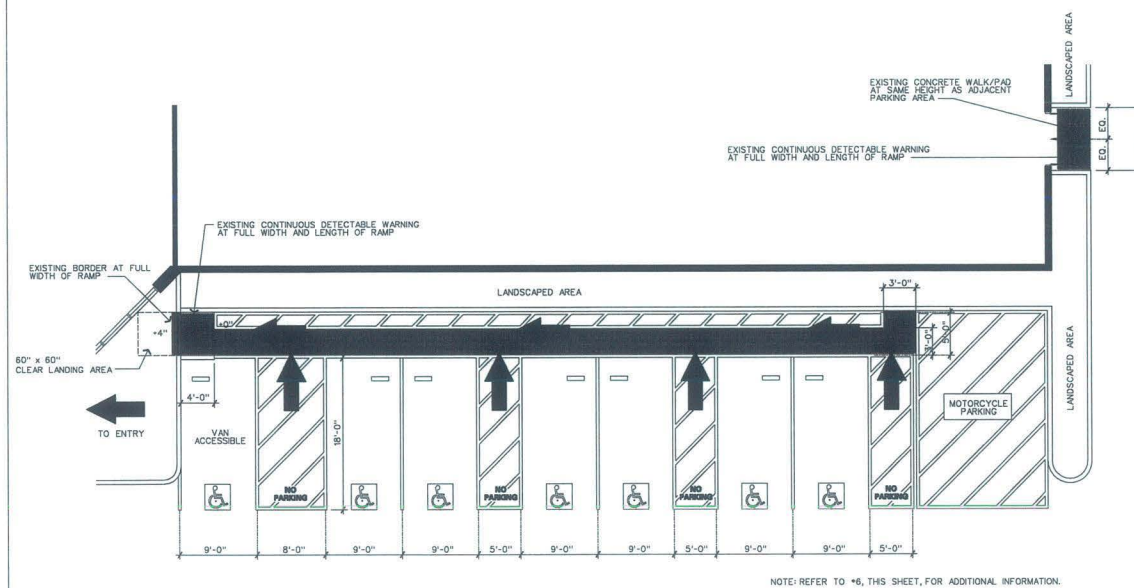
All drawings and written material appearing herein constitute original and unpublished work of J. Marzich Design, Inc. and may not be duplicated, used or disclosed without written consent from J. Marzich Design, Inc.

A-2



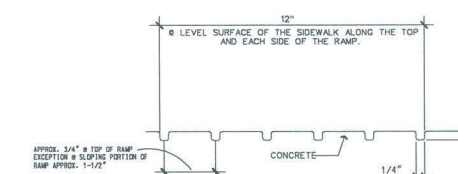
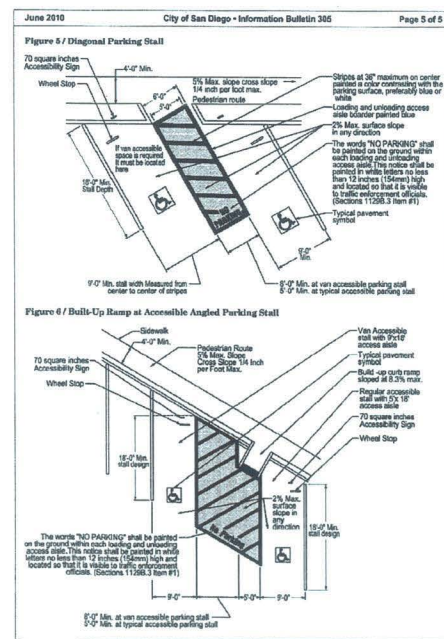
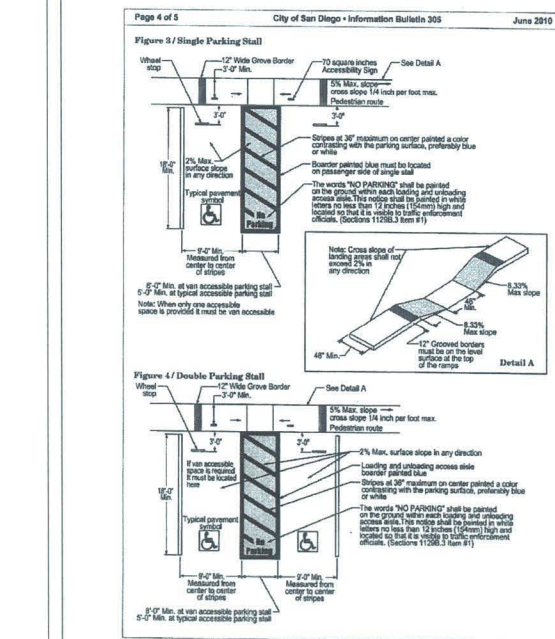
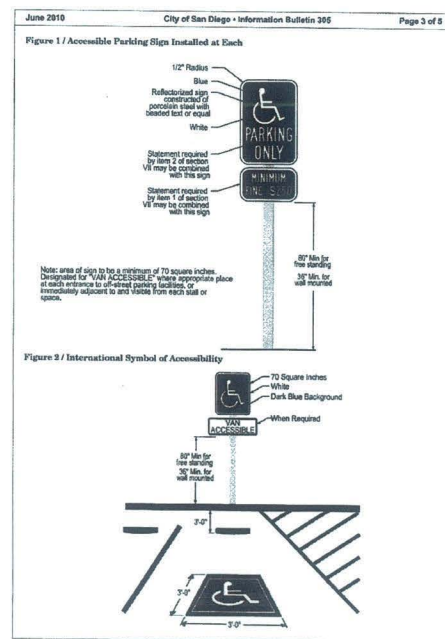
J. Marzich Design
 Commercial Interior Planning
 25141 Whitewing, Mission Viejo, CA 92692
 Tel: (949) 983-8266 Fax: (949) 716-9264

EXISTING SITE ACCESSIBILITY DETAILS



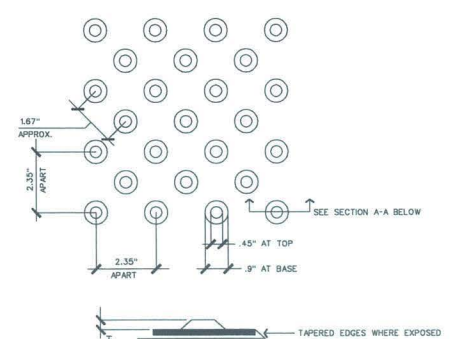
EXISTING H.C. PARKING PLAN

SCALE: 1/4" = 1'-0" 1



EXISTING SURFACE GROOVING

SCALE: N.T.S. 2



EXISTING TRUNCATED DOME DETAIL

SCALE: N.T.S. 3

TYPICAL (EXISTING) H.C. PARKING NOTES AND DETAILS

SCALE: N.T.S. 6

| Issues and Revisions | | |
|----------------------|------|------------------------------|
| No. | Date | Issues and Revisions |
| 12/1/14 | | Issued for Consultant Review |
| 03/06/15 | | Dev. Serv. Dept. Corrections |

Project Name: C3 CHURCH
 7820 BALBOA AVENUE, SAN DIEGO, CA
 Project Number: 13.02.03
 Description: CONDITIONAL USE PERMIT PACKAGE
 Existing Site Plan Accessibility Details
 Computer File: c3_site2.dgn

Scale: 16" = 1'-0" (J.N.O.)

All drawings and written material appearing herein constitute original and unpublished work of J. Marzich Design, Inc. and may not be duplicated, used or disclosed without written consent from J. Marzich Design, Inc.

A-4

Minutes of the Monthly Meeting of the
Kearny Mesa Planning Group
October 21, 2015
Serra Mesa/Kearny Mesa Library
9005 Aero Drive, San Diego, CA 92123

Elected planning group Members Present: Ed Quinn, Kate Phin, Mark Olson, Mark Stevens, Todd Majcher, Jim McCollum, Greg Locke, John Turpit, Brian Gates, Ray Richmand

Community Members Wesley Quach, Robert Ito, Howard Ou, Steve Slater, Tim Nguyen, Tracy Nguyen, Paul Yang, Michael Wong, Anthony George, Alicia Wiliano, Joe Skrysak, Randy LaChance, Michael Merrill, Joe Gabaldon, Doug Holman, Mike Howes and Robert McDowell were present in the audience.

The Meeting was brought to order at 12:05 PM by Jeffrey Sallen, Chair of the Kearny Mesa Planning Group. Copies of the Minutes of the September 16th meeting were distributed and discussed. After the members reviewed the minutes, Jeff asked for any changes or corrections. There were none and the minutes were approved 10-0-0.

Following approval of the September meeting minutes, Allen Young (Council Representative) gave a brief update to the Kearny Mesa Community Plan update and Chris Cate. Following Allen's brief recap, Howard Ou (Field Representative) also brought the group up to speed on community activity.

Following public comment, Steve Slater with Blue Croix spoke for the second month in a row on the request for approval of a Conditional Use Permit to demolish a commercial structure and construct a 6,600 square foot communications switching station at 4020 Convoy Street. The Kearny Mesa Planning Group requested Steve and his team to redesign the overall appearance of the structure to blend in more with the surrounding buildings. Blue Croix worked with Merrill Engineering and altered the final plan. The group voted in favor of the project 9-1-0.

Alicia Williams and Mike House from the C3 Church presented and requested from the group approval of a Conditional use Permit to convert 3,652 square feet of office space to a child care facility within an existing 30,965 square foot building. The members of the Kearny Mesa Planning Group requested additional information to see how this might affect other industrial businesses in the area from being able to operate.

Jeff concluded the meeting at 1:15pm.

Minutes of the Monthly Meeting of the
Kearny Mesa Planning Group
November 18, 2015
Serra Mesa/Kearny Mesa Library
9005 Aero Drive, San Diego, CA 92123

The Meeting was brought to order at 12:10 PM by Brian Gates, acting Chair in the absence of Jeffrey Sallen, Chair of the Kearny Mesa Planning Group. Copies of the Minutes of the October 21st meeting were distributed and discussed. After the members reviewed the minutes, Brian asked for any changes or corrections. There were none and the minutes were approved 8-0-1.

Following approval of the October meeting minutes, Tim with the Convoy District Association expressed interest in educating the KMPG on the Convoy area and the goals of the Convoy District Association. He suggested either one-on-one tours or group tours. He will follow up with the group. Allen Young (Councilman Cate's Representative) gave a brief update to the Kearny Mesa Community Plan update and asked for continued input of what should be priorities for the city in the Kearny Mesa community. Increased walkability and improved roads were mentioned by the group. Following Allen's brief recap, Richard Vernon gave an update on the Kearny Mesa monument sign and stated that the median in question has been determined by Kaiser's contractor to be wide enough to house the proposed sign. More to come.

Following public comment, John Turpit gave a brief update on the Kearny Mesa Stakeholders' efforts to move the Kearny Mesa Plan Update forward and encouraged employers, land owners and business owners to get involved in the process.

Alex Landau with Quicksolar was not present so that agenda item was skipped.

Brenna Weatherby presented on behalf of C3 church to provide further information on the Conditional Use Permit submitted for the conversion of 3,652 square feet of office space to a child care facility within the existing 30,965 square foot C3 Church building. C3 received approval from the County to deviate from the 1000 foot radius hazardous materials separation requirement. Some members of the group raised concerns about how this use, as proposed, could affect the ability of future industrial uses to locate to the area. Kate Phin of Kyocera was specifically concerned about the potential of this use impeding Kyocera's ability to obtain future permits (APCD and others) for their operations. The question was raised as to whether the applicant had performed a Health Risk Assessment as required per recent updates in the City Code. Brenna decided to hold on asking for a vote.

Steve Laub from Land Solutions, Inc., representing the Kearny Mesa 76 Station located at 3860 Kearny Mesa Road, provided the group a preliminary look at plans they have to potentially

process a conditional use permit to allow for the sale of beer and wine at their location. The group encouraged the applicant to work with the Convoy District Association as they are the boots on the ground in that area.

Brian concluded the meeting at 1:20pm.