

The project is located on a 1.70 acre site at 10174 Old Grove Road in the IP-2-1 Zone within the Scripps Miramar Ranch Community Plan (Attachment 2). The project site is designated as Industrial Park and is surrounded by properties zoned IP-2-1 and designated as Industrial within the Scripps Miramar Ranch Community Plan. The surrounding properties are developed with industrial buildings with associated parking and landscaping.

The site is currently developed with a two-story, 24,090 square-foot building with associated parking and landscaping. The Conditional Use Permit is required within the IP-2-1 Zone for an educational facility within the existing Industrial Park.

DISCUSSION

Project Description

The project proposes to amend CUP No. 332655 to extend the expiration date to October 4, 2014. The existing university offers a Bachelor of Science degree in Business, Theology, and Communication fields and offers a Masters of Business Administration (MBA) in film producing. Enrollment includes 160 students who live off-site. Conditional Use Permit No. 223655 required interior improvements on the second floor of the existing building and to retain the existing exterior of the building. The tenant improvements were completed in 2006. The proposed project site is designated as Industrial Park in the Scripps Miramar Ranch Community Plan (Plan). The Plan envisioned an Industrial park which would accommodate light industrial uses including research, development, and manufacturing. The general Industrial goal of the Plan is to encourage the development of a prestigious industrial park which minimizes pollution and provides desirable employment opportunities.

The proposed Conditional Use Permit amendment application will not adversely impact the Plan because of the temporary two year time limit request and regulated by the permit. The proposed facility will provide a community service while also serving an extended area of the Scripps Miramar Ranch Community.

Conclusion

Staff has reviewed and has determined that the requested Conditional Use Permit extended expiration date complies with all the applicable sections of the Municipal Code and that the required findings can be made to support the project for a term of two additional years for a total of eight years. The Scripps Miramar Ranch Community Planning Group voted to approve the project with no conditions. Staff has reviewed the project and determined the project is exempt from State of California Environmental Quality Act (CEQA) Guidelines, Section 15301(k), Existing Facilities.

ALTERNATIVES

1. APPROVE Conditional Use Permit No. 1061152 with modifications.
2. DENY Conditional Use Permit No. 1061152, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



William Zounes, Development Project Manager

WJZ

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit with Conditions
6. Draft Resolution with Findings
7. Ownership Disclosure Statement
8. Scripps Ranch Community Planning Group Recommendation
9. Project Chronology
10. Project Plans
11. Conditional Use Permit No. 332655

ATTACHMENT 1- AERIAL PHOTOGRAPH



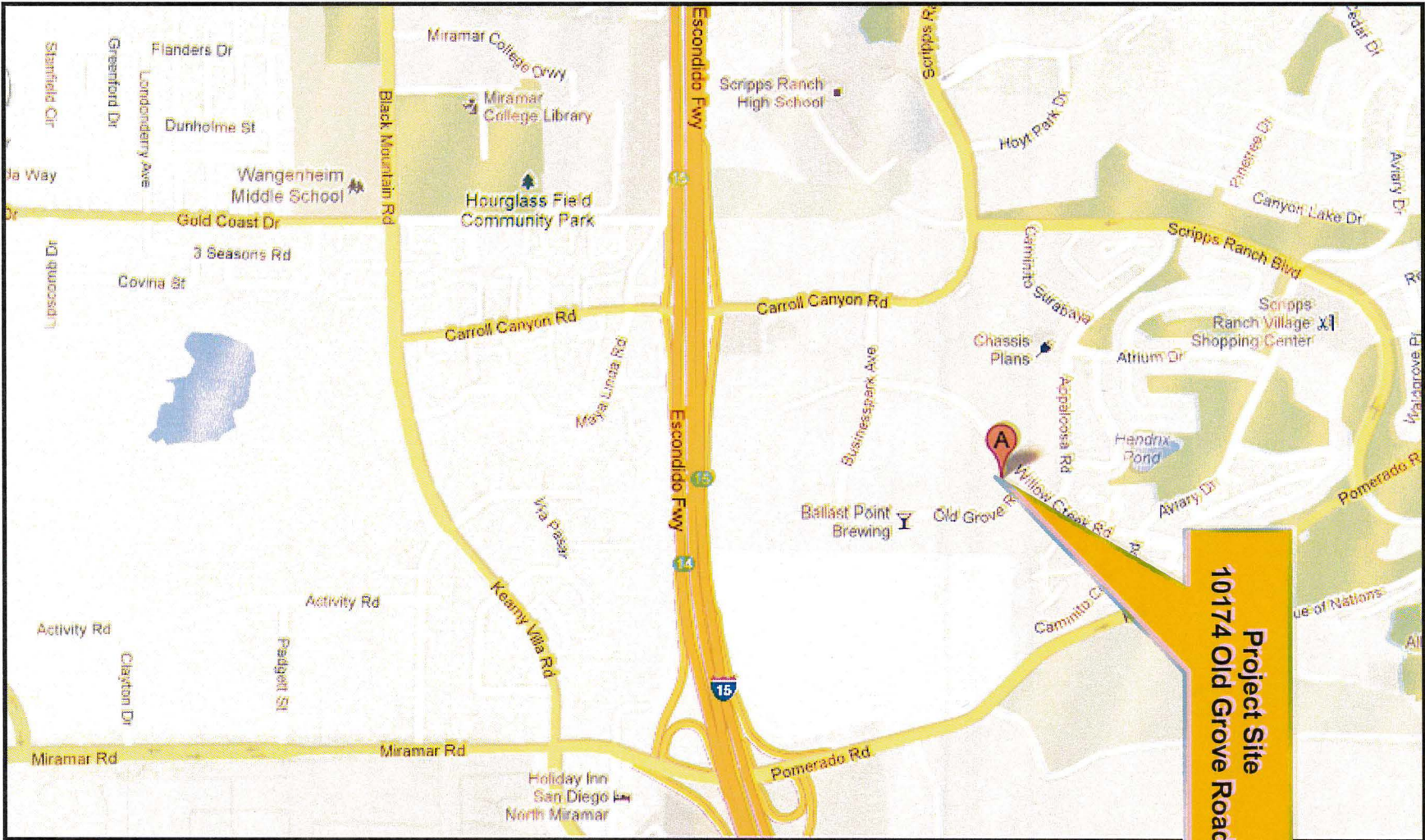
Project Site
10174 Old Grove Road

Aerial Photo

JOHN PAUL THE GREAT – PROJECT NUMBER 294998

10174 Old Grove Road





Project Site
10174 Old Grove Road



Project Location Map

JOHN PAUL THE GREAT – PROJECT NUMBER 294998

10174 Old Grove Road



PROJECT DATA SHEET		
PROJECT NAME:	John Paul the Great	
PROJECT DESCRIPTION:	Conditional Use Permit to allow the continued use of 4,328 square-foot educational facility within an existing 24,090 square-foot office building on an existing 1.70 acre site.	
COMMUNITY PLAN AREA:	Scripps Miramar Ranch	
DISCRETIONARY ACTIONS:	Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Industrial Park	
<u>ZONING INFORMATION:</u>		
<p>ZONES: IP-2-1 (Industrial-Park Zone)</p> <p>HEIGHT LIMIT: NA</p> <p>LOT SIZE: 40,000 sq. ft</p> <p>FLOOR AREA RATIO: 2.0 maximum</p> <p>FRONT SETBACK: 20 feet minimum</p> <p>SIDE SETBACK: 15 feet minimum</p> <p>STREETSIDE SETBACK: 20 feet minimum</p> <p>REAR SETBACK: 25 feet minimum</p> <p>PARKING: 118 parking spaces are required for the use / 113 parking spaces provided for entire site.</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Industrial; IP-2-1	Industrial Park
SOUTH:	Industrial; IP-2-1	Industrial Park
EAST:	Industrial; IP-2-1	Industrial Park
WEST:	Industrial; IP-2-1	Industrial Park
DEVIATIONS OR VARIANCES REQUESTED:	No deviations or variances requested	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Scripps Ranch Community Planning Group voted to recommend approval of the project by a vote of 13-0-0 with no conditions at their meeting of October 4, 2012	

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: 24003232

CONDITIONAL USE PERMIT NO. 1061152
JOHN PAUL THE GREAT PROJECT NO. 294998
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 332655)
HEARING OFFICER

This Conditional Use Permit No. 1061152, amendment to Conditional Use Permit No. 332665 is granted by the Hearing Officer of the City of San Diego to LONDON PLAZA, LLC., EDWARD J. MAUCERE, Owner, and JOHN PAUL THE GREAT CATHOLIC UNIVERSITY, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 1.70 acre site is located at 10174 Old Grove Road in the IP-2-1 Zone within the Scripps Miramar Ranch Community Plan. The project site is legally described as Portions of Lot 2 and 3, Scripps Ranch Business Park, Map No. 14005.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow the continued operation of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot industrial complex described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated December 12, 2012, on file in the Development Services Department.

The project or facility shall include:

- a. A 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building;
- b. Off-street parking facilities;
- c. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private

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

STANDARD REQUIREMENTS:

1. 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 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
2. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
3. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on October 4, 2014. Upon expiration of this Permit, the facilities and improvements described herein shall be restored to its original condition preceding approval of this Permit
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

9. 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:

10. The Owner/Permittee shall provide 100 percent housing for all students at 9320 Hillery Dr, San Diego, CA 92126 as well as a transit pass for all students, as part of enrollment fees for each and every student, and shall schedule classes to allow the use of transit by students for all classes offered, to the satisfaction of the City Engineer.

11. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require, but not be limited to, installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

PLANNING/DESIGN REQUIREMENTS:

12. No fewer than 113 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development

Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

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

14. The height of the building or structure shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

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

16. 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.

17. Classroom uses shall to limited to the hours between 8AM and 6PM, Monday through Friday.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on December 12, 2012, Resolution Number xxxxxx.

**Attachment 5
Draft Permit with Conditions**

Permit Type/PTS Approval No.:
Date of Approval: December 12, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

William Zounes
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.

London Plaza, LLC
Owner

By _____
Edward J. Maucere

John Paul The Great Catholic University
Permittee

By _____

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

**HEARING OFFICER
RESOLUTION NO. XXXXXX
CONDITIONAL USE PERMIT NO. 1061152
JOHN PAUL THE GREAT PROJECT NO. 294998
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 332655)**

WHEREAS, EDWARD J. MAUCERE, Owner, and JOHN PAUL THE GREAT CATHOLIC UNIVERSITY, Permittee, filed an application with the City of San Diego to allow the continued operation of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot industrial complex (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1061152), on portions of a 1.70 acre site;

WHEREAS, the project site is located at 10174 Old Grove Road in the IP-2-1 Zone within the Scripps Miramar Ranch Community Plan;

WHEREAS, the project site is legally described as Portions of Lot 2 and 3, Scripps Ranch Business Park, Map No. 14005;

WHEREAS, on December 12, 2012, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1061152 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on October 23, 2012 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 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Hearing Officer adopts the following written Findings, dated December 12, 2012.

FINDINGS:

Conditional Use Permit – Section 126.0305

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

The project proposes the continued use of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site within the IP-2-1 Zone. The original Conditional Use Permit approved by the Hearing Officer permitted a six-year duration of the educational facility use. The current request is for an additional two-year extension to allow additional time to relocate to a permanent facility.

The site is designated as Industrial Park in the Scripps Miramar Ranch Community Plan (Plan). The Plan envisioned an Industrial park would accommodate light industrial uses including research, development and manufacturing. The general Industrial goal of the Plan is to encourage the development of a prestigious industrial park which minimizes pollution and provides desirable employment opportunities.

There have been an increasing number of new Conditional Use Permit requests in the North City for non-industrial use in Industrial designations, such as religious assembly and/or educational facilities. To incorporate the proposed educational facility use in prime industrially designated lands, the use must be strictly regulated, located within existing buildings, and have a term limit in which the Conditional Use Permit would expire. Due to the requirements of the Conditional Use Permit, future industrial uses on the site as envisioned by the Plan would not be precluded for an extended period of time. The term limit would ensure the use is temporary, and thus would not adversely affect General Plan policies and the applicable land use plan.

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

The project proposes the continued use of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site within the IP-2-1 Zone. The original Conditional Use Permit approved by the Hearing Officer permitted a six-year duration of the educational facility use. The current request is for an additional two-year extension to allow additional time to relocate to a permanent facility.

The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Municipal Code. These conditions include the requirement to reconstruct the existing driveway, repair cracked or uplifted sidewalks, and reconstruct a curb ramp. Additionally, the proposed use must meet all Building, Fire, Plumbing, Electrical and Mechanical Code regulations. The project was determined to be exempt from the California Environmental Quality Act (CEQA) 15301 (existing Facilities). Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

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

The project proposes the continued use of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site within the IP-2-1 Zone. The original Conditional Use Permit approved by the Hearing Officer permitted a six-year duration of the educational facility use. The current request is for an additional two-year extension to allow additional time to relocate to a permanent facility.

The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Municipal Code. These conditions include the requirement to reconstruct the existing driveway, repair cracked or uplifted sidewalks, and reconstruct a curb ramp. Additionally, the proposed use must meet all Building, Fire, Plumbing, Electrical and Mechanical Code regulations when submitting for construction permits. No deviations from the Land Development Code are requested as part of the proposed development. Therefore, the proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

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

The project proposes the continued use of a 4,328 square-foot office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site within the IP-2-1 Zone. The original Conditional Use Permit approved by the Hearing Officer permitted a six-year duration of the educational facility use. The current request is for an additional two-year extension to allow additional time to relocate to a permanent facility.

The educational facility has been in existence since 2006. The office and classroom use would continue to be located within an existing building with no increase to square footage. The existing use will not add any additional square footage to the existing building. The educational facility is allowed within the IP-2-1 Zone with a Conditional Use Permit. Additionally the project is consistent with the separately regulated use requirements for educational facilities which include an analysis of student capacity, pedestrian and traffic circulation, and on-site parking requirements. The Plan discourages educational uses within Industrial designated lands. However, to incorporate educational facilities in industrially designated lands, the use must be strictly regulated, located within existing buildings, and have a term limit within which the Conditional Use Permit must expire. Due to the requirements of the Conditional Use Permit, future industrial uses on the site for manufacturing and other light industrial uses would not be precluded for future utilization. The term limit would ensure the use is temporary, and thus would not adversely affect General Plan policies. Therefore, the proposed use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1061152 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1061152, a copy of which is attached hereto and made a part hereof.

William Zounes
Development Project Manager
Development Services

Adopted on: December 12, 2012

Job Order No. 24003232

cc: Legislative Recorder, Development Services Department

Project Title:
John Paul the Great

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? CA Corporate Identification No. 200623810500
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
London Plaza, LLC

Owner Tenant/Lessee

Street Address:
290 Landis Avenue, Suite C

City/State/Zip:
Chula Vista, CA 91910

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):
Edward J. Maurero Joseph Pospichal

Title (type or print):
Manager

Signature: [Signature] Date: 9/1/12

Corporate/Partnership Name (type or print):
John Paul the Great Catholic University

Owner Tenant/Lessee

Street Address:
10174 Old Grove Road

City/State/Zip:
San Diego, CA 92131

Phone No: _____ Fax No: _____
(858) 653-6740 (858) 653-3791

Name of Corporate Officer/Partner (type or print):
Dr. Derry Connolly

Title (type or print):

Signature: [Signature] Date: 9/1/12

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Scripps Ranch Planning Group

<http://www.scrippsranchplanning.blogspot.com>

DRAFT MEETING MINUTES

Thursday, October 4, 2012 at 7:00 p.m.

Scripps Ranch Community Library - Community Room
10301 Scripps Lake Drive, San Diego, CA 92131
(858) 538-8158

I. Welcome!

- Call to order: 7:05pm
Roll Call: Julie Ellis, Scott Hilberg, Wally Wulfbeck, Paul Vaughan, Todd Philips, Bob Petering, Tamar Silverstein, Marc Sorensen, Elizabeth Hansen, Dan Buell, Gordon Boerner, Jennifer Wilson, Michael Butcher, Marvin Miles, Karen Ringel,
Absent: John Lyons, Mike Asaro, John Lowe

- Modifications to Agenda: move Action Item 5C to Informational Section

II. Non-Agenda Public Comment:

III. Announcements

- Councilman Carl DeMaio (T. Vinson)
 - Public Facilities Financing Plan: Adopted Sept 26, 1st review by City Council Oct 23rd and 2nd review Nov 27th for adoption by City Council.
 - Scripps Ranch Rec Ctgr is the very first station of command for disasters as part of City-wide new energy grid system to make buildings disaster self-sufficient.
- Assemblymember Nathan Fletcher (S. Benton) Not present
- Miramar Ranch North Planning Committee (D. Steiner) Not present
- MCAS Miramar Update (J. Lias)
Next week is the airshow, practice begins Thursday for Fri/Sat/Sun show.
- CalTrans Update (G. Fong) Not present

IV. Information Reports, Presentations & Discussion

- Chairperson's Report (T. Philips)
 1. Horizon Church Scoping Letter Update (T. Philips)
 - Letter sent to the city with request from last meeting
 2. SANDAG Public Participation Plan Survey (T. Philips)
 - Fill out the survey included in packets
 - Walk San Diego meeting this weekend at the Civic Center Plaza
 - Mayoral Candidates Forum sponsored by AIA Oct 15 at Museum of Photo Arts
- Scripps Ranch Brush Management (G. Boerner)
 - One new setback at "Ground Zero" area on Scripps Ranch Blvd between Pomerado/Ironwood.
 - City Fire's Eddie Villencio has deemed Derenbaker Grove Olive Trees invasive and removable.
 - Updates: See on back table: Recycling events and Update on the Sunrise Powerlink.

V. Action Items

- John Paul the Great Catholic University Conditional Use Permit Extension (J. Lemmo)
 - 6 yrs in SR; looking for 2yr extension of existing CUP on Old Grove Rd facility with no changes. Non-profit University with 160 students enrolled. "Dorms" proxy is 90 units leased in the Legacy Apt Complex across the freeway in Mira Mesa.
Motion/2nd: Hansen/Wilson to Approve as requested: **PASSED 13-0-0**
- Road Humps for Forestview Lane Between Arbor Lake Drive and Lake Rim Drive (T. Philips)
 - City Traffic opined that both 2 humps at Tot Lot and V-Calm sign would be effective, while Stop Sign(s) would not.

**DEVELOPMENT SERVICES
Project Chronology
JOHN PAUL THE GREAT - PROJECT NO. 294998**

Date	Action	Description	City Review Time	Applicant Response
9/12/12	First Submittal	Project Deemed Complete		
10/22/12	First Assessment Letter		40 days	
12/12/12	Public Hearing – Hearing Officer		51 days	
TOTAL STAFF TIME**			months and days	
TOTAL APPLICANT TIME**				months and days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to Hearing Officer	3 months and 1day	

**Based on 30 days equals to one month.

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

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON OCT 19, 2006
DOCUMENT NUMBER 2006-0741752
GREGORY J. SMITH, COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 9:42 AM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6373

CONDITIONAL USE PERMIT NO. 332655
JOHN PAUL THE GREAT
HEARING OFFICER

This Conditional Use Permit No. 332655 is granted by the Hearing Officer of the City of San Diego to LONDON PLAZA, LLC., EDWARD J. MAUCERE, Owner, JOHN PAUL THE GREAT CATHOLIC UNIVERSITY, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 1.70 acre site is located at 10174 Old Grove Road in the IP-2-1 Zone within the Scripps Miramar Ranch Community Plan. The project site is legally described as Portions of Lot 2 and 3, Scripps Ranch Business Park, Map No. 14005.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated October 4, 2006, on file in the Development Services Department.

The project or facility shall include:

- a. A 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building;
- b. Off-street parking facilities;
- c. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Operation and utilization of the 4,328 square-feet of office and classroom use must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The 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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

9. This Conditional Use Permit and corresponding use of this site shall expire on October 4, 2012.

ENGINEERING REQUIREMENTS:

10. Prior to occupancy, the Owner/Permittee shall reconstruct the existing driveway, to provide sidewalk across the driveway span, adjacent to site on Old Grove Road. All work shall be completed and accepted by the City Engineer.

11. Prior to occupancy, the Owner/Permittee shall replace the cracked and/or uplifted portions of sidewalk, adjacent to the site on Old Grove Road and Willow Creek Road. All work shall be completed and accepted by the City Engineer.

12. Prior to occupancy, the Owner/Permittee shall reconstruct the curb ramp to current City Standards, adjacent to the site at the Old Grove Road and Willow Creek Road intersection. All work shall be completed and accepted by the City Engineer.

13. 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.

14. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

15. The Owner/Permittee shall provide 100 percent housing for all students at 9320 Hillery Dr, San Diego, CA 92126 as well as a transit pass for all students, as part of enrollment fees for each and every student, and shall schedule classes to allow the use of transit by students for all classes offered, to the satisfaction of the City Engineer.

16. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require, but not be limited to, installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

PLANNING/DESIGN REQUIREMENTS:

17. No fewer than 113 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.
18. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
19. The height of the building or structure shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.
20. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
21. 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.
22. Classroom uses shall be limited to the hours between 8AM and 6PM, Monday through Friday.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on October 4, 2006, Resolution Number HO-5525.

ORIGINAL

ALL-PURPOSE CERTIFICATE

Conditional Use Permit No.332655
Date of Approval: October 4, 2006

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO


Laura C. Black, Development Project Manager

On OCTOBER 19, 2006 before me, Joanna Patricia Santillan, (Notary Public), personally appeared Laura C. Black, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


Signature 
Joanna Patricia Santillan



ALL-PURPOSE CERTIFICATE

OWNER/PERMITTEE SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER/PERMITTEE, BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER/PERMITTEE THEREUNDER.

Signed 
London Plaza LLC, Edward J. Maucere

STATE OF California
COUNTY OF San Diego



On October 10, 2006 before me, Joseph Jeffrey Pospichal (Notary Public) personally appeared Edward J. Maucere, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 



ORIGINAL

HEARING OFFICER
RESOLUTION NO. HO-5525
CONDITIONAL USE PERMIT NO. 332655
JOHN PAUL THE GREAT

WHEREAS, EDWARD J. MAUCERE, Owner, JOHN PAUL THE GREAT CATHOLIC UNIVERSITY, Permittee, filed an application with the City of San Diego for a permit to allow 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 332655), on portions of a 1.70-acre site;

WHEREAS, the project site is located at 10174 Old Grove Road in the IP-2-1 Zone within the Scripps Miramar Ranch Community Plan;

WHEREAS, the project site is legally described as Portions of Lot 2 and 3, Scripps Ranch Business Park, Map No. 14005;

WHEREAS, on October 4, 2006, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 332655 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated October 4, 2006.

FINDINGS:

Conditional Use Permit – Section 126.0305

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

The project proposes 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building on a 1.70-acre site within the IP-2-1 Zone. The proposed project site is designated as Industrial Park in the Scripps Miramar Ranch Community Plan (Plan). The Plan envisioned an Industrial park which would accommodate light industrial uses including research, development and manufacturing. The general Industrial goal of the Plan is to encourage the development of a prestigious industrial park which minimizes pollution and provides desirable employment opportunities.

Given the identified concerns of the Plan regarding industrial park areas, a Conditional Use Permit with a limited term not to exceed six years could be supported. As the office and classroom use would occupy an existing industrial building for a limited term, the use would be temporary and would therefore not adversely affect the community plan.

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

The project proposes 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building on a 1.70-acre site within the IP-2-1 Zone. The proposed use would fulfill a need in the surrounding community for office and classroom facilities. The proposed use will meet all Building,

Fire, Plumbing, Electrical and Mechanical Code regulations. As such, the proposed development will not be detrimental to the public health, safety and welfare.

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

The project proposes 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site. The proposed use complies with the San Diego Municipal Code, specifically the IP-2-1 Zone. The proposed use does not comply with the Industrial Park land use designation within the Plan; however with the proposed time limit of six years for the permit, City staff is able to support the proposed use at this time. The proposed use will meet all Building, Fire, Plumbing, Electrical and Mechanical Code regulations. No deviations from the Land Development Code are requested as part of the proposed development.

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

The project proposes 4,328 square-feet of office and classroom use within an existing 24,090 square-foot building on a 1.70 acre site within the IP-2-1 Zone. The office and classroom use would be located within an existing building. The proposed use will not add any additional square footage to the existing building. The office and classroom uses are allowed within the IP-2-1 Zone. The Plan does not allow the proposed use within Industrial designated lands; however, prior Conditional Use Permits have been issued within this Plan area for religious assembly and/or education. As such, the proposed use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 332655 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 332655, a copy of which is attached hereto and made a part hereof.



Laura C Black
Development Project Manager
Development Services

Adopted on: October 4, 2006

Job Order No. 426373

cc: Legislative Recorder, Development Services Department

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