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OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.,
SAN DIEGO COUNTY RECORDER
FEES: $83.00 (SB2 Atkins: $0.00)

PAGES: 24

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

INTERNAL ORDER NUMBER: 24007373 SPACE ABOVE THIS LINE FOR RECORDER'S USE

NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2230653
MONTEZUMA HOTEL -PROJECT NO. 574562
CITY COUNCIL

This Neighborhood Development Permit No. 2230653 is granted by the City Council of the City of San Diego to 52 BLUE FALCON, LLC, a California Limited Liability Company, Owner and Permittee, pursuant to San Diego Municipal Code (SDMC) Section 126.0404. The 1.86-acre vacant site is located at 6650 Montezuma Road within the College Area Community Plan area, the Parking Impact Overlay zone (Campus Impact), the Airport Land Use Compatibility Overlay zone for Montgomery Field Airport, the Airport Influence Area (Review Area 2) for Montgomery Field Airport. The site is zoned RM-1-1 (Residential-Multiple Unit). The project site is also located within the boundaries of the Central Urbanized Planned District. The project includes a rezone that would change the existing zone, RM-1-1 (Residential Multiple-Unit) to CV-1-1 (Commercial—Visitor)/Community Plan Implementation Overlay Zone (CPIOZ) Type A. The project site is legally described as: Portion of Lot 1 of College Vista, in the City of San Diego, County of San Diego, State of California, according to Map No. 3226, filed in the Office of the County Recorder of San Diego County on May 4, 1955. Together with a portion of Lot 33 of the La Mesa Colony, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 346, filed in the Office of the Recorder of said San Diego County, March 8, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the construction of a four-story, 67,990 square foot hotel comprised of 125 rooms, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 24, 2019, on file in the Development Services Department.

The project shall include:

a. Construction of a four-story, 67,990 square foot hotel comprised of 125 rooms; and

b. Allows for 25 shared parking spaces and access for the College-Rolando Library; and

c. Landscaping (planting, irrigation and landscape related improvements); and

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d. Off-street parking; and

e. Hotel amenities such as a pool, breakfast area, conference room, and gym; and

f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. 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 JUN 24 2022.

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

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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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

NOISE REQUIREMENTS:

11. Prior to issuance of any construction permits and prior to the first preconstruction meeting, whichever is applicable, the Owner/ Permittee shall submit an exterior to interior noise analysis to identify the appropriate sound transmission reduction measures necessary to achieve an interior noise level that would not exceed 45dBA as discussed in the Acoustical Analysis (October 2018) prepared by BirdsEye Planning Group. The following design features shall include, but are not limited to:

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- Dual Glazed Windows; and
- Mechanical Ventilation

CLIMATE ACTION PLAN REQUIREMENTS:

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

AIRPORT REQUIREMENTS:

13. Prior to the issuance of any construction permit, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

ENGINEERING REQUIREMENTS:

14. The project proposes to export 1,000 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. The drainage system proposed for this development is private and subject to approval by the City Engineer.

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

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private storm drain pipe and connection to the public storm drain system in the Mohawk Street Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the walkway, landscape, and irrigation system in the Montezuma Road Right-of-Way.

19. Prior to issuance of any building permit, the Owner/Permittee shall assure by permit and bond the improvement of the project frontage along Montezuma Road, with curb, gutter, sidewalk, extension of the existing five-foot wide bike lane across the site, and the construction of two 25-foot wide driveways consistent with City standards, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

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20. Prior to issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of all non-utilized driveways along the project's frontage on Montezuma Road with current City Standard curb and gutter, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices (BMP) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

22. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

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

24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

25. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

26. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

27. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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28. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

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

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

PLANNING/DESIGN REQUIREMENTS:

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

32. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

33. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

34. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

35. The Owner/Permittee shall work with the City of San Diego's Real Estate Assets Department to provide access and allocate 25 parking spaces as available to College-Rolando Library patrons at 6600 Montezuma Road during Library operational hours and Library community events.

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PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

36. Prior to the submittal of Construction Plans, the Owner/Permittee shall provide a copy of the agreement(s)/ document(s) which establish for the property under review the right to utilize and maintain the private sewer pipeline which crosses the adjacent private property.

a. If no such document exists, the Owner/Permittee is required to create it or abandon their existing connection and develop a new connection to the public sewer system.

b. A copy of that agreement/document is required as part of the first submittal of any Construction Plans.

37. Prior to the submittal of Construction Plans, the Owner/Permittee shall provide a copy of the approved ('AS-BUILT') construction plan which identifies the private sewer main within Reservoir Drive as "PRIVATE".

a. If no such document exists, the Owner/Permittee is required to develop As-Built construction plans.

b. A copy of that document is required as part of the first submittal of any Construction Plans.

38. Prior to the submittal of Construction Plans, the Owner/Permittee shall provide a copy of the County recorded EMRA associated with the private sewer main encroachment into Reservoir Drive.

a. If no such document exists, the Owner/Permittee is required to prepare EMRA associated with the private sewer main encroachment into Reservoir Drive.

b. A copy of that agreement/document is required as part of the first submittal of any Construction Plans.

39. Prior to any Certificate of Occupancy being issued, any existing private sewer main or lateral in the right-of way (ROW) to be reused must be inspected by a licensed plumbing contractor using closed-circuit television. The Owner/Permittee shall provide verification from the licensed plumbing contractor attesting to (via a signed statement on company letterhead) all of the following: "The lateral has an appropriate cleanout, is in good condition, is free of all debris, is properly connected to a public sewer main, and is in all other ways suitable for reuse." If the lateral is not suitable for reuse it must be repaired, removed, replaced, or abandoned and capped. The documentation shall be provided to the City verifying the lateral was repaired, removed, replaced, or abandoned and capped.

40. Prior to any Certificate of Occupancy being issued, all water lines serving this development (including domestic, irrigation, and fire) must pass through a permitted, private, above ground, backflow prevention device (BFPD).

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INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

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

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on June 24, 2019, and by Resolution No. R-312535.

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Permit Type/PTS Approval No.: NDP No. 2230653
Date of Approval: JUN 24 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson
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.

52 BLUE FALCON, LLC,
a California Limited Liability Company
Owner/Permittee

By _____
Print Name: Shahin Edalatdju
Tile: Managing Member

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

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CALIFORNIA ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego }

On September 5, 2019 before me, Stacie L. Maxwell, Notary Public
Date *Here Insert Name and Title of the Officer*

personally appeared Jeffrey A. Peterson and Shahin Edalatdju
Name(s) of Signer(s)

who 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.

STACIE L. MAXWELL
Notary Public - California
San Diego County
Commission # 2165260
My Comm. Expires Sep 22, 2020

Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Montezuma Hotel
Document Date: June 24, 2019 Number of Pages: 9
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: _____	Signer is Representing: _____

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#202
6/24/19

(R-2019-688)

RESOLUTION NUMBER R- 312535

DATE OF FINAL PASSAGE JUN 24 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2230653 FOR THE MONTEZUMA HOTEL - PROJECT NO. 574562.

WHEREAS, S52 BLUE FALCON, LLC, a California Limited Liability Company, Owner and Permittee, filed an application with the City of San Diego for a Neighborhood Development Permit for the construction of a four-story, 67,990-square-foot hotel comprised of 125 rooms known as the Montezuma Hotel project; and

WHEREAS, the 1.86-acre vacant site is located at 6650 Montezuma Road within the College Area Community Plan area, the Parking Impact Overlay zone (Campus Impact), the Airport Land Use Compatibility Overlay zone for Montgomery Field Airport, the Airport Influence Area (Review Area 2) for Montgomery Field Airport. The site is zoned RM-1-1 (Residential-Multiple Unit) and is proposed to be rezoned to CV-1-1 (Commercial—Visitor)/ Community Plan Implementation Overlay Zone (CPIOZ) Type A. The project site is also located within the boundaries of the Central Urbanized Planned District. The project site is legally described as: Portion of Lot 1 of College Vista, in the City of San Diego, County of San Diego, State of California, according to Map No. 3226, filed in the Office of the County Recorder of San Diego County on May 4, 1955. Together with a portion of Lot 33 of the La Mesa Colony, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 346, filed in the Office of the Recorder of said San Diego County, March 8, 1887; and

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WHEREAS, on March 14, 2019, the Planning Commission of the City of San Diego considered Neighborhood Development Permit No. 2230653, and pursuant to Resolution No. 4994-PC voted to recommend City Council approval of the Permit; and

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

WHEREAS, the matter was set for public hearing on June 24, 2019, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Neighborhood Development Permit No. 2230653:

NEIGHBORHOOD DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0404

Findings for all Neighborhood Development Permits SDMC Section 126.0404(a):

1. **The proposed development will not adversely affect the applicable land use plan.** The 1.86-acre vacant site is located at 6650 Montezuma Road, on the northern side of Montezuma Road, between Reservoir Drive and El Cajon Boulevard, within the College Area Community Plan area. The project proposes the construction of a four-story, 67,990-square-foot hotel comprised of 125 rooms. The hotel amenities include a pool, breakfast area, conference room, and gym located on the first level. The first level would have a gross area of 16,900 square feet, and the three levels above would each have areas of 17,030 square feet.

The project includes a rezone that would change the existing RM-1-1 Zone to the CV-1-1 Zone/Community Plan Implementation Overlay Zone (CPIOZ) Type A. The project includes a Community Plan amendment that would change the land use designation from Low-Medium Density Residential and General Commercial to Visitor Commercial. The project includes a General Plan amendment that would change the land use designation from Residential to Commercial Employment, Retail, and Services.

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The proposed amendments are consistent with the City of San Diego's General Plan and the College Area Community Plan. The CPIOZ Type A would limit development within the project site boundaries to Visitor Accommodations uses, not to exceed 125 hotel rooms and 125 parking spaces. The project includes a Community Plan amendment that would change the land use designation from Low-Medium Density Residential and General Commercial to Visitor Commercial. The project includes a General Plan amendment that would change the land use designation from Residential to Commercial Employment, Retail, and Services.

The proposed amendments are consistent with the City of San Diego's General Plan and the College Area Community Plan. The Commercial Employment, Retail, & Services General Plan land use designation allows for Visitor Commercial Residential Permitted Community Plan land use designation (see Table LU-4). The project is consistent with General Plan policy guidance (see General Plan LU-C.2) which directs community plans to apply land use designations at the parcel level to guide development within a community.

The proposed land use designation and hotel commercial use are consistent with the Community Plan policies to permit a wide range of general commercial uses that provide full commercial service to the community. Therefore, for these reasons, the development would not adversely affect the applicable land use plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes the construction of a four-story, 67,990-square-foot hotel comprised of 125 rooms. Negative Declaration (ND) No. 574562 has been prepared for the project in accordance with California Environmental Quality Act (CEQA) guidelines. Based on the Initial Study, it was determined that the proposed project will not have a significant effect on the environment.

The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code (SDMC) in effect for this project. Such conditions within the permit have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in Neighborhood Development Permit (NDP) No. 2230653, and other regulations and guidelines pertaining to the subject property per the SDMC for the project site. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the owner/ permittee will be required to obtain a grading and public improvement permit. Therefore, the proposed development would not be detrimental to the public health, safety and welfare.

3. **The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The project proposes the construction of a four-story, 67,990-square-foot hotel comprised of 125 rooms. The project would provide 125 surface parking spaces around the perimeter of the project site. The Neighborhood Development Permit (NDP) is required for development providing shared parking for uses not specified in SDMC Section 142.0545(c) and

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Table 142-05I. The project includes allowance for 25 shared parking spaces for the College-Rolando Library. The hotel parking demand would peak at night while the Library parking demand peaks earlier in the day and evening. Therefore, the shared parking is appropriate for the proposed mix of hotel and Library uses on the site, and with the approval of the NDP, any future shared parking could be accommodated. Other than shared parking, the project, with the rezone and General Plan and the College Area Community Plan amendments, meets all applicable regulations and policy documents, and is consistent with the design guidelines, and development standards in effect for this site per the Land Development Code (LDC).

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

BE IT FURTHER RESOLVED, that Neighborhood Development Permit No. 2230653 is granted to S52 BLUE FALCON, LLC, a California Limited Liability Company, Owner and Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution, contingent upon final passage of R-312534 approving amendments to the General Plan and the College Area Community Plan, and O-21096 (New Series) rezoning the project site to the CV-1-1 Zone/Community Plan Implementation Overlay Zone (CPIOZ) Type A.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Corrine L. Neuffer
Senior Deputy City Attorney

CLN:als
06/05/2019
Or.Dept:DSD
Doc. No.: 2016932

Attachment: Neighborhood Development Permit No. 2230653

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Passed by the Council of The City of San Diego on JUN 24 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage JUN 24 2019.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312535

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Passed by the Council of The City of San Diego on June 24, 2019, by the following vote:

YEAS:	**CAMPBELL, WARD, MONTGOMERY, KERSEY, CATE, SHERMAN.**
NAYS:	**BRY, MORENO, GÓMEZ.**
NOT PRESENT:	**NONE.**
RECUSED:	**NONE.**

AUTHENTICATED BY:

KEVIN L. FAULCONER

Mayor of The City of San Diego, California

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California

(Seal)

By: Linda Drew, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true, and correct copy of RESOLUTION NO. **R-312535**, approved on **June 24, 2019**. The date of final passage is **June 26, 2019**.

ELIZABETH S. MALAND

City Clerk of the City of San Diego, California

(Seal)

By: Linda Drew, Deputy

ORIGINAL

#202 B
6/24/19

(R-2019-686)

RESOLUTION NUMBER R- 312534

DATE OF FINAL PASSAGE JUN 24 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE COLLEGE AREA COMMUNITY PLAN TO REDESIGNATE LAND LOCATED AT 6650 MONTEZUMA ROAD FROM LOW/MEDIUM DENSITY RESIDENTIAL AND GENERAL COMMERCIAL RESIDENTIAL TO VISITOR COMMERCIAL / COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE - TYPE A, AND TO AMEND THE GENERAL PLAN TO REDESIGNATE LAND FROM RESIDENTIAL TO COMMERCIAL EMPLOYMENT, RETAIL, AND SERVICES DESIGNATION.

WHEREAS, S52 BLUE FALCON, LLC, a California Limited Liability Company, requested an amendment to the General Plan to change the designated land uses for the property located at 6650 Montezuma Road on Figure LU-2 (*General Plan Land Use and Street System*) from Residential to Commercial Employment, Retail, and Services designation; and requested an amendment to the College Area Community Plan to change the designated land use for the property from Low-Medium Density Residential and General Commercial to Visitor Commercial/Community Plan Implementation Overlay Zone (CPIOZ) Type A; and

WHEREAS, the site is legally described as Portion of Lot 1 of College Vista, in the City of San Diego, County of San Diego, State of California, according to Map No. 3226, filed in the Office of the County Recorder of San Diego County on May 4, 1955. Together with a portion of Lot 33 of the La Mesa Colony, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 346, filed in the Office of the Recorder of said San Diego County, March 8, 1887; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a

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public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan and the College Area Community Plan; and

WHEREAS, on June 24, 2019, the City Council of the City of San Diego held a public hearing for the purpose of considering amendments to the General Plan and the College Area Community Plan; and

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

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the General Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-312534-1.

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the College Area Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-312534-2.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Corrine L. Neuffer
Senior Deputy City Attorney

CLN:als
06/05/2019
Or.Dept:DSD
Doc. No.: 2016894

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Passed by the Council of The City of San Diego on JUN 24 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage JUN 24 2019.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312534

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#202A
6/24/19

(R-2019-687)

RESOLUTION NUMBER R- 312533

DATE OF FINAL PASSAGE JUN 24 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING OF NEGATIVE DECLARATION NO. 574562 FOR THE MONTEZUMA HOTEL - PROJECT NO. 574562.

WHEREAS, on October 11, 2017, 52 Blue Falcon, LLC submitted an application to Development Services Department for a General Plan Amendment and Community Plan Amendment, Rezone, and Neighborhood Development Permit for the Montezuma Hotel Project; and

WHEREAS, on May 2, 2019, 52 Blue Falcon, LLC submitted a revised application to Development Services Department to include a revised General Plan Amendment and Community Plan Amendment, revised Rezone, and an amendment the Land Development Code and Local Coastal Program regarding Chapter 13, Article 2, Division 14 Sections 132.1402 and 132.1403 for the Montezuma Hotel Project; and

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

WHEREAS, the issue was heard by the City Council on June 24, 2019; and

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

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WHEREAS, the City Council considered the issues discussed in Negative Declaration No. 574562 (Declaration) prepared for the Montezuma Hotel Project; NOW, THEREFORE,

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

BE IT FURTHER RESOLVED, that the City Council finds on the basis of the entire record, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, California 92101.

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

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Corrine L. Neuffer
Senior Deputy City Attorney

CLN:als
06/05/2019
Or.Dept:DSD
Doc. No.: 2016907

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Passed by the Council of The City of San Diego on JUN 24 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage JUN 24 2019.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irvin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312533

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TRUE COPY CERTIFICATION

(Government Code 27361.7)

San Diego, California
Place of Execution

I certify under penalty of perjury that this material is a true copy of the original material contained in this document.

#202 E
6/24/19

#202 B
6/24/19

#202 A
6/24/19

312533

09/06/19
Date

Signature of Declarant

Carmen Silva
Type or Print Name