



THE CITY OF SAN DIEGO

August 10, 2017

Mr. Vatche Chorbajian  
Law Offices of Vatche Chorbajian, APC  
P.O. Box 661  
Rancho Santa Fe, CA 92067

Mr. Christopher Chase  
Ocean Industries, Inc.  
2716 Ocean Park Boulevard, Ste 2025  
Santa Monica, CA 90405

Mr. Christopher Gannon  
Law Offices of Vatche Chorbajian, APC  
P.O. Box 661  
Rancho Santa Fe, CA 92067

Subject: Fairbanks Polo Club Homeowner's Association

Dear Mr. Chorbajian, Mr. Chase and Mr. Gannon:

Thank you for attending the meeting on June 28, 2017, to discuss with Patti Phillips, Heide Farst, Hilda Mendoza, Jenny Goodman and me (collectively "City Staff") your concerns regarding the operations of Surf cup Sports, LLC ("Surf Cup"), as lessee, at the City property commonly known as "The San Diego Polo Fields," located at 14555 El Camino Real, Del Mar, California 92014 ("Polo Fields"), pursuant to the Percentage Ground Lease ("Lease"), on file with the San Diego City Clerk's Office as Document No. RR-310619. City staff met with Surf Cup to discuss your concerns and we have the following responses regarding each of the following items which you raised during our meeting on June 28, 2017:

- **Dust from the dirt roadways** – Surf Cup intends to install a ground base on the roadways of the Polo Fields to mitigate the dust issue. In the meantime, water trucks are utilized each day the Polo Fields are open to minimize dust.
- **Traffic** – Surf Cup provides traffic control during events to mitigate traffic congestion. Surf Cup installs signs in the area surrounding the Property of upcoming events well in advance of the day of the event to notify the community of upcoming events. You requested that no more than 200 cars at a time be allowed to park on the site, however, there is no such limit required in the Corporation Grant Deed ("Deed"), on file with the San Diego County Recorder's Office as Document Number 83-382964, or in the Lease.
- **Lighting from nighttime events** – There is no prohibition in the Deed or in the Lease to the use of lighting on the Polo Fields, however, Surf Cup assured City Staff that every effort is made to have lighting face south or southwest and away from adjacent residential properties.

**Real Estate Assets Department**

1200 Third Avenue, Suite 1700, MS 51A • San Diego, CA 92101-4199  
Tel (619) 236-6020 Fax (619) 236-6706

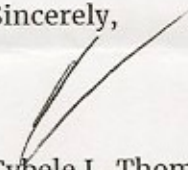


- **Amplified music** – There is no prohibition in the Deed or in the Lease to the use of music, whether amplified or not, however, Surf Cup assured City Staff that every effort is made to have music face south or southwest and away from adjacent residential properties.
- **Weddings and fundraisers** – There is no prohibition in the Deed or in the Lease to such weddings and fundraisers taking place on the Polo Fields and, in fact, this same use has been in place for many decades by the prior lessee of the Polo Fields. Regarding your specific complaint as to a wedding held in December 2016, Surf Cup stated that the music was held within a tent and the event was located on the far west portion of the Polo Fields. Regarding your specific complaint as to a casino-night fundraiser known as “Starry Starry Night,” Surf Cup explained that this event was held to honor the reservation that had been approved by the prior lessee of the Polo Fields.
- **Hours of Operation** – There is no prohibition in the Deed or in the Lease to use of the Polo Fields during certain hours of the day. Pursuant to the Lease, the general public has access to the Polo Fields during daylight hours, subject to certain conditions.
- **Noise** – There is no prohibition in the Deed or in the Lease regarding certain levels of noise on the Polo Fields. Surf Cup stated that the earliest a game is held is at 7:45 am (only a few games each year begin at this earliest time), and that whistles are only used during games and not during warm-up of the players.
- **Days of operation each year** – There is no prohibition in the Deed or in the Lease to use of the Polo Fields for a certain number of days each year.

Surf Cup expressed its desire to be a good neighbor and minimize any impacts from its use and operations at the Polo Fields. As we expressed in our meeting, the City is committed to enforcing the terms of the Lease.

If you have any questions, please contact Heide Farst at [hfarst@sandiego.gov](mailto:hfarst@sandiego.gov) or at (619) 236-6727.

Sincerely,



Cybele L. Thompson, RPA, FMA, CCIM, LEED AP  
Director, Real Estate Assets Department

cc: Patti Phillips, Asset Manager  
Heide Farst, Property Agent