

 <p>City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 446-5210</p> <p>THE CITY OF SAN DIEGO</p>	<h1>Development Permit/ Environmental Determination Appeal Application</h1>	FORM
		DS-3031

MARCH 2007

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission Environmental Determination - Appeal to City Council
 Process Three Decision - Appeal to Planning Commission Appeal of a Hearing Officer Decision to revoke a permit
 Process Four Decision - Appeal to City Council

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name

La Jolla Community Planning Association

Address

P. O. Box 889	City	State	Zip Code	Telephone
	La Jolla	CA	92037	858.488.0160 (direct)

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Doug Patterson

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
Bishop School Library/Variance/PN197212/MND6162	October 20, 2010	Glenn Gargas

Decision (describe the permit/approval decision):

Hearing Officer approved the Variance

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

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

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

1. The findings can not be made for a Variance under §126.0805:

a. No special conditions or circumstances: Existing conditions are the result of the applicant's development of the property.

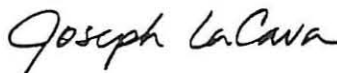
b. No circumstances or conditions that would deprive reasonable use: Variance is requested to support a particular architectural design. Alternate designs are available that would allow reasonable use and conform to the zoning.

c. Not in harmony with the general purpose and intent of the regulation: The 30-foot height limit is the cornerstone of the coastal zone as well as the planned district.

2. Other issues that may be raised at the hearing

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

Signature:


Date: 2 November 2010

Joe LaCava, President, La Jolla CPA

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



City of San Diego
 Development Services
 1222 First Ave. 3rd Floor
 San Diego, CA 92101
 (619) 446-5210

**Development Permit/
 Environmental Determination
 Appeal Application**

FORM
DS-3031
 MAY 2010

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1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission
- Process Three Decision - Appeal to Planning Commission
- Process Four Decision - Appeal to City Council
- Environmental Determination - Appeal to City Council
- Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name: DAVID LITTLE / MIKE COSTELLO E-mail Address: DAVE105PLAYR@ATTN.CC
 Address: 5511 LINDA ROAD AV LA JOLLA City: LA JOLLA State: CA Zip Code: 92037 Telephone: 619 454 0203 358 349 147

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
<u>BISHOP SCHOOL LIBRARY VARIANCE PN 197212</u>	<u>11/06/02</u>	<u>GLEN GARZA</u>
Decision (describe the permit/approval decision):		

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

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

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

See ATTACHED SHEETS
See SUBMITTAL ON OCT 30 HEARING OFFICER

RECEIVED

NOV 03 2010

DEVELOPMENT SERVICES

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

Signature: David Little / Mike Costello Date: Nov 3 2010

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

Support for LJCPA's Appeal Relative to Bishop School Library
Variance/PN 197212/MND6162

Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate;

1) The applicant stated that the project passed the 30-foot height under the LJPDO. This is simply not true.

2. The applicant states that the project "passes" under Proposition D, the height limit initiative passed by the people and upheld by the US Supreme Court- 1972 provided that the SDMC is set aside. SD City Attorney MEMORANDUM OF LAW, August 12, 2004 clearly states that the SDMC measurement section 113.0270 (a), (b) is a supplement to Proposition D, cannot be set aside and is, in fact, inseparable from the people's referendum of 1970.

Findings Not Supported. The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker.

1) Contrary to #1 of the variances findings requirements Section 126.0805, each of the "special circumstances" cited by the applicant have resulted from the applicant's own acts. Furthermore the applicant currently possesses a valid building permit approved by the community and the City. The changes made to this plan/permit by the applicant do not constitute "Special Circumstances".

2) Findings that there is drainage and special topological grade problems at this building site and justify a variance are not valid. See hand written memo by Bob Collins after a site visit.

3) The six (6) year old NMD is invalid due to the unknown effects on the Coastal Zone stated goal of preserving San Diego's coastline. Variance finding this weak would set a 36-year precedent to allow buildings in the entire coastal zone to be of an unknown height amount greater than 30 feet. This is contrary to the intent of people's referendum known as Proposition D of 1972.

4) Other drainage problems encountered since the NMD for the "master plan" of six (6) years ago indicate a faulty NMD that needs to be upgraded.

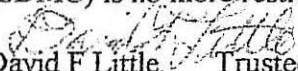
Additional arguments and facts were presented to the hearing officer and should already constitute details to support this appeal.

Conflicts. The decision to approve, conditionally approve, or deny the

permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

1.) A variance in this case is a direct contradiction of the SDMC according to the SD City Attorney *MEMORANDUM OF LAW*, August 12, 2004 as discussed above.

2.) The City has every right to clarify Proposition D as long as the clarification, (SDMC) is no more restrictive than the intent of Proposition D.


David F Little, Trustee LJCPA

TO

DAVE Little,
Re: Bishop's School

During my tour of the property at Bishop's school with Bishop's Architect in regard to the proposed library, it quickly became clear that they were trying to infer that they had slope and underground water problems that they said caused them to seek a variance for height.

The so-called unusual topography doesn't exist. Its top is very normal and usual for this area of La Jolla and for the campus as a whole. The slope is very mild, so much so that it is hard to even refer to it as a slope as it is very walkable.

The so-called underground water issue which they say would affect the library foundation is easily curable, they just haven't gotten around to doing it. In one small corner of the library building site is an underground natural collection basin which remains full of water from rain runoff most of the time. The architect was unable to show me this basin. However as we talked

it was clear that due to the slope from that point westerly towards their parking lot, that there was enough Fall to drain the basin described by the Architect. Any because its source is Jam Fall it could be directed into the 5' diameter drain pipe which runs from east to west very close to the library site. The pipe is a collection for heavy rain fall and goes right through Bishops parking lot and then to end across La Volla Blvd. There is a curb inlet on La Volla Blvd directly opposite Bishops parking lot which collects rain water from Bishops campus and elsewhere and takes it to the Ocean on the north side of 100 Coast Blvd. So all they have to do is tap into that basin and drain the water, and keep that drain open and they can obviate the foundation problem. Its all a big red herring.

Dale Callahan

You may quote me I have an engineering background.

P.S.

We have camered the 5' pipe into the School property from West of La Jolla Blvd and there are no obstructions that not permit this basin runoff to go into it. In fact almost 100% of Bishops School Runoff now goes into the curb inlet on N. J. Blvd.

RAC

CIVIL DIVISION

1200 THIRD AVENUE, SUITE 1620

SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 236-6220

FAX (619) 236-7215

OFFICE OF

THE CITY ATTORNEY

CITY OF SAN DIEGO

Casey Gwinn

CITY ATTORNEY

LESLIE E. DEVANEY
WITA M. NOONE
LESLIE J. GIRARD
SUSAN M. HEATH
GAEL B. STRACK
ASSISTANT CITY ATTORNEYS

WILLIAM W. WITT
DEPUTY CITY ATTORNEY

MEMORANDUM OF LAW

DATE: August 12, 2004

TO: Kelly Broughton, Deputy Director, Development Services Department

FROM: City Attorney

SUBJECT: Method of Height Measurement Under Proposition D

BACKGROUND

You were recently contacted by the owner of property located at 1715 and 1723 Malden Street in Pacific Beach [Property], where two single family residences are currently under construction. The owner claims that the City is using an incorrect method of measurement to determine the height of the structures being built. In addition to using the measurement method listed in the coastal height limit overlay zone, known as Proposition D, the City is also using the city-wide measurement method in Municipal Code section 113.0270 for structures in residential zones. The owner claims that use of this latter method, which results in a slightly lower structure than could be built under Proposition D, is an improper amendment of a voter approved initiative. As a result, the owner asserts that the general zoning height limits do not apply in the coastal height limit overlay zone, and that the City may only use the Proposition D method of measurement on the Property.

QUESTIONS PRESENTED

1. Does the City's general height measurement method amend Proposition D?
2. Do the City's general zoning height limits apply to property also governed by Proposition D?

SHORT ANSWERS

1. No. The City's use of its general height measurement method does not result in a change in the intended scope or effect of Proposition D. Therefore, it does not amend the initiative.

Kelly Broughton, Deputy
Director, Development
Services Department

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August 12, 2004

2. Yes. Because the City's general zoning height limits supplement rather than amend Proposition D, they apply in the coastal height limit overlay zone.

ANALYSIS

Proposition D was approved by City of San Diego voters on November 7, 1972, and became effective on December 7, 1972. As the Municipal Code codifies it, Proposition D places a 30 foot height limit on all buildings in the coastal height limit overlay zone. SDMC § 132.0501 et seq. With some exceptions, this zone roughly covers those portions of the City of San Diego lying between Interstate 5 and the coast, including the Property. SDMC § 132.0502. When measuring building height under Proposition D, "the base of measurement shall be in accordance with the Uniform Building Code of 1970." SDMC § 132.0505(c). In other words, height under Proposition D, with a few exceptions not applicable here, is always measured from the finished grade of a site rather than the preexisting grade.

In addition to the Proposition D height limit, the Municipal Code also has height restrictions which apply to the Property. The residential zone in which the Property lies prohibits structures higher than thirty feet. SDMC § 131.0444. When measuring structural height, the zoning height limit uses "the existing grade or proposed grade, whichever is lower." SDMC § 113.0270. This difference from Proposition D creates a more restrictive height limit for the Property. As a result, the measurement method under the general zoning height limit prevents the Property owner from building a structure as tall as Proposition D allows.

In response, the Property owner claims that the City's use of the more restrictive zoning height limit amends Proposition D in violation of California Elections Code section 9217. This section prevents a legislative amendment to a voter approved initiative, such as Proposition D. However, an amendment must change the scope or effect of the initiative, "whether by addition, omission or substitution of provisions." *Franchise Tax Board v. Cory*, 80 Cal. App. 3d 772, 776-77 (1978) (quoting Sutherland, *Statutory Construction* (4th ed. 1972) § 22.01, p. 105). An amendment is a "legislative act designed to change some prior and existing law by adding or taking from it some particular provision." *Id.* at 777 (quoting *Assets Reconstruction Corp. v. Munson*, 81 Cal. App. 2d 363, 368 (1947)). When comparing a new law to existing law, if the aim of the new law is to "clarify or correct uncertainties which arose from enforcement of existing law, or to reach situations which were not covered by the original statute, the act is amendatory." *Id.* (quoting *Balian Ice Cream Co. v. Arden Farms Co.*, 94 F. Supp. 796, 798-799 (S.D. Cal. 1950)).

Here, both height limits that apply to the Property are thirty feet. Although the two methods of measurement result in an actual height difference of several feet between them, nothing in Proposition D prevents the City from further restricting the height of structures in coastal areas. Proposition D simply states that no structure "be constructed with a height *in excess* of thirty feet." SDMC § 132.0505(a) (emphasis added). It does not grant an absolute right to build structures up to the height limit it creates. Instead, Proposition D provides a ceiling over

Kelly Broughton, Deputy
 Director, Development
 Services Department

August 12, 2004

which structures cannot be built in coastal areas. Even if the zoning height limit allowed a taller structure than Proposition D in this case, the Property owner would still need to comply with Proposition D. Not only is this consistent with the Municipal Code's preference for the more restrictive regulation, it recognizes the ability of the City to create further zoning restrictions as long as they reasonably relate to the public welfare. SDMC § 11.0206; *Arnel Dev. Co. v. City of Costa Mesa*, 126 Cal. App. 3d 330 (1981). Because the zoning height limit supplements Proposition D rather than changing its intended scope or effect, it does not improperly amend a voter approved initiative.

In claiming that the City's use of the zoning method of measurement illegally amends Proposition D, the Property owner relies on *Mobilepark West Homeowners Assn. v. Escondido Mobilepark West*, 35 Cal. App. 4th 32 (1995). However, that case addressed a city ordinance that specifically stated it was intended to clarify a voter approved initiative. *Id.* at 37. In this case, there is no mention of Proposition D in either the general zoning ordinance that first used existing grade as the base of height measurement in 1974, or in the current Municipal Code section that sets the zoning height limit for residential zones. SDMC § 131.0444. (Attachment 1). As a result, *Mobilepark West Homeowners Assn.* does not affect the City's use of the zoning method of measurement.

Even if the City's zoning method of measurement amends Proposition D, it falls under an exception to California Elections Code section 9217. Where a voter approved initiative establishes a basic policy, legislative amendments may implement this policy consistent with the voters' intent. *Mobilepark West Homeowners Assn.*, 35 Cal. App. 4th at 42 (quoting *Creighton v. City of Santa Monica*, 160 Cal. App. 3d 1011, 1021-1022 (1984)). The best evidence for determining the voters' intent is the ballot argument in favor of the proposition. *C-Y Development Co. v. City of Redlands*, 137 Cal. App. 3d 926, 933 (1982).

The ballot argument in favor of Proposition D states it intends to preserve the "unique and beautiful character of the coastal zone of San Diego," by preventing high rise buildings from "fencing off private property" and "obstructing needed ocean breezes, sky and sunshine." (Attachment 2). Nowhere does the argument state that the City may not impose more restrictive height limits, or provide for methods of measurement that could potentially result in slightly shorter structures. Once again, Proposition D shows an intent to establish a ceiling over which structures may not go, not an absolute right to build to a certain height. Consequently, even if this method of height measurement somehow results in an amendment to Proposition D, it still implements the policy and intent of the initiative because it does not allow buildings to exceed the ceiling established by Proposition D.

CONCLUSION

The Property owner's argument that the City can only use the method of measurement listed in Proposition D is incorrect. Two separate height limits apply to the Property. The fact that the method of height measurement used in the general zoning regulations results in a lower

Kelly Broughton, Deputy
Director, Development
Services Department

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August 12, 2004

structure than Proposition D would allow, does not result in an improper amendment of the initiative. Proposition D provides a ceiling and not an absolute minimum. Use of the general zoning regulations here does not result in a violation of this ceiling. Consequently, you are correct to apply both height limits to the Property, as well as to other similarly situated properties in the coastal height limit overlay zone.

CASEY GWINN, City Attorney

By



William W. Witt
Deputy City Attorney

WWW:w:pev
Attachments
ML-2004-13

Doc # 2004-0434947

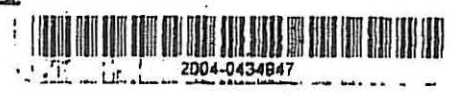
MAY 13, 2004 ATTACHMENT 11

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

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 76.00

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

9231



98
248

Job Order No. 42-0725

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 10728
SITE DEVELOPMENT PERMIT NO. 10727
SPECIAL USE PERMIT NO. 10729
PLANNED DEVELOPMENT PERMIT NO. 80680
AMENDMENT TO SITE DEVELOPMENT PERMIT AND
COASTAL DEVELOPMENT PERMIT NO. 41- 0217
THE BISHOP'S SCHOOL - PROJECT NO. 6162[MMRP]

CITY COUNCIL

This coastal development permit, site development permit, special use permit, planned development permit, and amendment to Site Development Permit and Coastal Development Permit No. 41-0217 is granted by the City Council of the City of San Diego to the Bishop's School, a California Corporation, Owner/Permittee, and pursuant to San Diego Municipal Code [SDMC] sections 126.0702, 126.0502, 103.1208, 126.0602, 129.0702, 62.0205, 125.1001 and 126.0113. The 9.96 acre site is located at 7607 La Jolla Boulevard in Zones 5 and 6 of the La Jolla Planned District, Coastal Overlay Zone, Coastal Height Limitation Overlay Zone, Beach Parking Impact Overlay Zone and within the La Jolla Community Planning Area. The project site is legally described as Lots 1-10, 12, 13, 36, 37, and 41-46, Block 12, La Jolla Park, Map No. 352, Lots 1, 25-37, Block 13, La Jolla Park, Map No. 352, Lots 1-24, Block 18, La Jolla Park, Map No. 352, Lots 1 - 20, Block 19, La Jolla Park, Map No. 352.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow removal or demolition of nine existing building and expansion and construction of new school facilities throughout the campus site, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated March 23, 2004, on file in the Development Services Department. The exhibits, referred to as Exhibit "A," are identified as follows:

- T-1 0, Sheet 1 of 21: Development Summary
- C-1, Sheet 2 of 21: Civil Site Plan

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71-73

ORIGINAL

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- C-2, Sheet 3 of 21: Grading and Drainage Plan
- C-3, Sheet 4 of 21: Encumbrance Exhibit
- C-4, Sheet 5 of 21: Existing Topography
- A-1.0, Sheet 6 of 21: Existing Site Plan
- A-1.1, Sheet 7 of 21: Proposed Master Site Plan
- A-1.3, Sheet 8 of 21: Parking Garage Plan
- A-1.4, Sheet 9 of 21: (intentionally blank)
- A-1.5, Sheet 10 of 21: Site Sections & Entry Elev. At Prospect Street
- A-2.0, Sheet 11 of 21: Master Plan
- A-2.1, Sheet 12 of 21: Library Floor & Roof Plan
- A-2.2, Sheet 13 of 21: Master Plan
- A-3.0, Sheet 14 of 21: Exterior Elevations
- A-3.1, Sheet 15 of 21: Library Elevations & Sections
- A-3.2, Sheet 16 of 21: Arts & Athletics exterior Elevations
- A-3.3, Sheet 17 of 21: Miscellaneous architectural Details
- L1.0, Sheet 18 of 21: Landscape Plan
- L2.0, Sheet 19 of 21: Landscape Details and Calculations
- E 1.0, Sheet 20 of 21: Master Lighting Plan
- E 1.1, Sheet 21 of 21: Lighting Plan Details

The project or facility shall include:

- a. Proposed construction of a two-story Science Building to total approximately 19,807 square-feet of of gross floor area, a two-story Arts & Athletics Building to total approximately 20,000 square-feet, a two-story Library Building to total approximately 20,000 square-feet, subterranean parking garage with artificial turf field over the garage, expansion of the existing swimming pool, and relocation of the existing tennis courts, on a 9.96 acre property;

ORIGINAL

- b. Existing facilities – Classrooms, childcare facility, performing arts department and theatre, and other related school accessory uses, contained with Scripps Hall, Bentham Hall, Gillman Hall, St. Mary's Chapel, Chapel Bell Tower, Wheeler Bailey Library, Cummins Hall, Ellen Brown Scripps Hall, Athletic Center and Performing Arts Center Addition consisting of approximate total of 177,650 square feet; and
- c. A total enrollment not exceeding 725 students; and
- d. Playgrounds, tennis courts, swimming pool, gymnasium, and other recreational facilities, and
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking facilities;
- g. 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. Construction, grading or demolition 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

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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 building permits. The applicant 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.

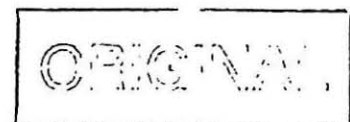
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," all plans, sheets 1 through 21. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and 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.

10. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action following all appeals.

11. This Permit may be developed in phases. Each phase shall be constructed to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved exhibits, dated March 23, 2004.



12. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act [ADA] requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.

14. As conditions of Coastal Development Permit, Site Development Permit, Special Use Permit, Planned Development Permit, and Amendment to Site Development Permit and Coastal Development No.41-0217, the mitigation measures specified in the MMRP, and outlined in the Project No. 6162, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in the Mitigated Negative Declaration Project No. 6162, satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Historical Resources (Archaeology)
Paleontological Resources

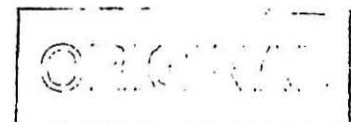
16. The Mitigation, Monitoring, and Reporting Program [MMRP] shall require a deposit of \$1,100.00 to be collected prior to the issuance of Coastal Development Permit, Site Development Permit, Special Use Permit, Planned Development Permit, and Amendment to Site Development Permit and Coastal Development No.41-0217 to cover the City's costs associated with implementation of the MMRP.

17. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

ENGINEERING REQUIREMENTS:

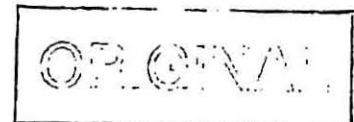
18. Prior to building occupancy, the Owner/Permittee shall conform to SDMC section 62.0203, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.

19. Prior to the issuance of building permits the Owner/Permittee shall obtain Encroachment Maintenance Removal Agreements for the two curb outlets on Prospect St.



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20. Prior to issuance of building permits, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of conveying storm water runoff through the project site.
21. Prior to the issuance of any construction permit, the Owner/Permittee shall demonstrate that there will be no structural impacts to the existing box culvert due to the expansion of the swimming pool. If there are no impacts, the applicant shall obtain an Encroachment Maintenance Removal Agreement [EMRA]. The applicant will be required to obtain an EMRA for all other existing and proposed structures within the drain easement.
22. Prior to the issuance of building permits the Owner/Permittee shall permit and bond for the replacement of the existing curb with City standard curb and gutter adjacent to the proposed expansion areas on La Jolla Blvd. and Draper Ave. and replace any damaged sidewalk adjacent to the project boundary on La Jolla Blvd., Prospect St., Cuvier St. and Draper Ave. satisfactory to the City Engineer. Said improvements may be phased with the concurrent on site construction.
23. Prior to the issuance of building permits the Owner/Permittee shall permit and bond for the construction of a pedestrian ramp, adjacent to the site on Draper Ave, for the closure of all non-utilized driveways and for the construction of the new driveways, satisfactory to the City Engineer.
24. This project proposes to export 59,000 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the processing and sale of the export material. All such activities require a separate Conditional Use Permit.
25. The drainage systems proposed for this development, as shown on the site plan, is subject to approval by the City Engineer. Drainage systems not located within a public right-of-way shall be private
26. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08-DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRCB.
27. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB



Order No. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99-08-DWQ.

28. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance, satisfactory to the City Engineer.

29. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction BMP's necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

30. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, consistent with the approved Water Quality Technical Report

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

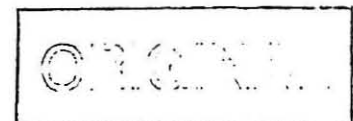
32. All new buildings shall be a minimum of 0.75 foot above the 100 year base flood elevation.

33. 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.

34. Prior to the issuance of the first building permit, applicant shall assure by permit and bond the restriping of angled parking spaces along project frontage on Draper Avenue as shown on Exhibit "A," Proposed Master Site Plan, Sheet 7 of 21, satisfactory to the City Engineer.

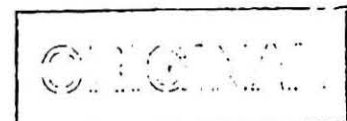
35. Prior to the issuance of the first building permit, Owner/Permittee shall assure by permit and bond the dedication and full-width improvement of 25' wide alley with appropriate triangular area as shown on Exhibit "A," Proposed Master Site Plan, Sheet 7 of 21, along the southern propertyline connecting to the two existing alleys located east and west of Cuvier Street off of Pearl Street, satisfactory to the City Engineer.

36. Prior to the issuance of the first building permit, Applicant shall assure by permit and bond the installation of stop signs and legends on the proposed new alley as shown on Exhibit "A," Proposed Master Site Plan, Sheet 7 of 21, satisfactory to the City Engineer.



LANDSCAPE REQUIREMENTS:

37. Prior to issuance of any grading or building permits, complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Proposed Master Site Plan, Sheet 7 of 21. No change, modification, or alteration shall be made unless appropriate application or amendment of this Permit shall have been granted.
38. Prior to issuance of grading permits, interim landscape and erosion control measures, including hydro seeding of all disturbed land (all slopes and pads), shall be submitted to the satisfaction of the City Manager (including the City's Environmental Analysis Section) and City Engineer. All plans shall be in substantial conformance to Exhibit "A," Proposed Master Site Plan, Sheet 7 of 21, and all other applicable conditions of related permits.
39. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections and to obtain a No Fee Street Tree Permit for the installation, establishment, and on-going maintenance of all street trees. Copies of these approved documents must be submitted to the City Manager.
40. All required landscape shall be maintained in a disease, weed, and litter free condition at all times and shall not be modified or altered unless this Permit has been amended. Modifications such as severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The Owner/Permittee shall be responsible to maintain all street trees and landscape improvements consistent with the standards of the Land Development Manual.
41. If any required landscape (including, but not limited to, existing or new plantings, hardscape, landscape features) indicated on the approved plans is damaged or removed during demolition, it shall be repaired or replaced in kind and equivalent size per the approved plans within thirty days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available or an increased number) to the satisfaction of the City Manager.
42. No change, modification, or alteration shall be made to the project unless appropriate application or amendment of this Permit has been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with the La Jolla Planned District, the Land Development Code, and the Landscape Standards, Exhibit "A," Landscape Development Plan, Sheets 18 and 19 of 21. Details and Notes on file in the Office of the Development Services Department.
43. All landscape plant materials shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees



shall be maintained in a safe manner to allow each tree to grow to it's mature height and spread.

44. The Permittee or subsequent Owner shall be responsible for the maintenance of all street trees and landscape improvements (right-of-way and median landscaping) consistent with the Landscape Standards.

45. If any landscape improvements (including existing or new planting, hardscape, landscape features, etc.) are damaged or removed during demolition or construction, they shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager, within thirty days of damage and prior to any Certificate of Occupancy.

46. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape and irrigation plans on duplicates of improvement plans shall be submitted to the City Manager for approval. All tree locations shall have an adequate growing area around each tree's root zone, which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of any tree.

47. Prior to issuance of any engineering permits for grading, or any construction permits for structures (including shell), complete landscape and irrigation plans, details and specifications (including maintenance specifications), shall be submitted to the City Manager for approval.

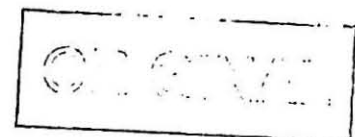
48. In the event that a Foundation Only permit is requested by the Permittee or subsequent Owner, a staking layout plan identifying all landscape areas shall be submitted to the City Manager for approval. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "Planting Area (PA)."

49. Prior to issuance of any Certificate of Occupancy or final inspection, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape improvements and obtain all required landscape inspections. A No Fee Street Tree Permit, shall be obtained for the installation, establishment and on-going maintenance of all street trees.

PLANNING/DESIGN REQUIREMENTS:

50. No fewer than 193 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," Master Site Plan and Parking Garage Plan, (257 spaces provided). 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.

51. 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.

52. The height(s) of the building(s) or structure(s) 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.

53. 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 Permittee.

54. 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.

55. No building additions, including patio covers, shall be permitted unless approved by the homeowners association and the City Manager. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

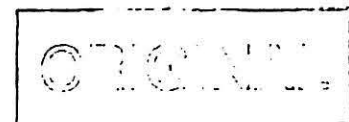
56. No more than 725 students shall be enrolled at any time.

57. All gates proposed on La Jolla Boulevard shall remain open at all times during school hours of operation.

58. All signs associated with this development shall be consistent with sign criteria established by the Citywide sign regulations.

59. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

60. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be



measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

61. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

62. The subject property shall be maintained in a neat and orderly fashion at all times.

63. All uses, except storage, outdoor activity (e.g. athletic facilities) and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences, or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

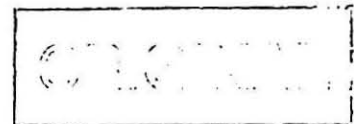
64. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers, and latticework.

65. No merchandise, material, or equipment shall be stored on the roof of any building.

66. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A." Master Site Plan, Civil Site Plan, Sheets 2 and 7 of 21.

67. The hours of use of the athletic field shall be limited to 7:00 a.m. to 8:00 p.m. daily. Only security lighting is permitted for the athletic field.

68. Use of the tennis courts shall only be under the control and direction of the applicant, and be limited to use by the applicant's school students and scheduled opponents only. They may also be used for exhibitions up to a maximum of four times a year. The hours of use of the tennis courts shall be limited to 7:30 a.m. to 10:00 p.m., Monday through Saturday, and 8:00 a.m. to 9:00 p.m. on Sunday. Lights are permitted for the use of the tennis courts.



69. The hours of use of the swimming pool shall be limited to 6:00 a.m. to 8:00 p.m.. Lights are permitted for the use of the swimming pool.

70. This permit allows for chain link fencing surrounding the athletic field and tennis courts only. Chain link fences are prohibited in all other locations. All permitted chain link fencing must be coated with either green or black plastic or an alternative material as determined by the City Manager. In addition, a green or black cloth cover is required on portions of chain link fence, as illustrated on the Exhibit "A," Proposed Site Master Plan, Sheet 7 of 21.

71. This permit allows for new fences and walls along La Jolla Boulevard and Draper Street in excess of three feet. The walls and fences must be of the size, shape, and materials shown on the Exhibit "A," Site Sections & Entry Elev. At Prospect Street, Sheet 10 of 21.

72. This permit allows for the athletic field/parking garage structure and tennis courts to be located within required setbacks as shown on the Exhibit "A" - drawings.

73. This permit allows for the construction of new 5-foot wide sidewalks to match the existing sidewalk width.

74. The parking structure must be open and functioning prior to the issuance of any Certificate of Occupancy for any new school building.

75. Permanent loud speakers and/or permanent amplified sound systems are not permitted for any outdoor activity areas. Temporary loud speakers and/or temporary amplified sound systems are permitted on an occasional basis for special events, such as commencement, annual field days, and division, regional, and state competitions. Temporary loud speakers and temporary amplified sound systems shall be in compliance with sound level limits of SDMC section 59.5.0401, "Noise Abatement and Control," to the satisfaction of the City Manager.

76. The childcare facility shall provide services for only the children of school faculty and employees.

77. The scalloped wall along Draper Street shall be constructed to the height and style shown in the approved Exhibit "A," Site Sections & Entry Elev. At Prospect Street, Sheet 10 of 21. Each scalloped portion of the wall shall undulate to a maximum of three feet in height at the midpoint between each set of pilasters.

78. Prior to building permit issuance the Owner/Permittee conduct the following:

- Erect a plaque or standing monument commemorating this minority community, which can be seen from the campus and the neighborhood.
- Place historical markers on those campus buildings now designated historic or a historical district.



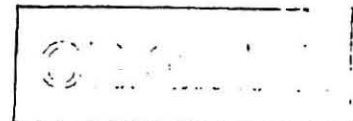
- Document with photographs, history, ect., the buildings to be demolished, Providing copies to the La Jolla Historical Society.

WASTEWATER REQUIREMENTS:

79. All on-site sewer will be private.
80. Prior to the issuance of any certificate of occupancy, the Owner/Permittee shall abandon on- site public sewer mains or they will be converted to private, satisfactory to the Metropolitan Wastewater Department Director. Any associated public easements shall be vacated, satisfactory to the Director of the Metropolitan Wastewater.
81. No private sewer facilities shall be in or over any public right of way prior to the Owner/Permittee obtaining an Encroachment Maintenance and Removal Agreement.
82. Prior to the issuance of any certificate of occupancy, the Owner/Permittee shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Director of the Metropolitan Wastewater.
83. The Owner/Permittee shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide.
84. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
85. For public on-site sewer facilities and easements located within a gated community, the Owner/Permittee shall provide the Wastewater Collection Divisions with keyed access satisfactory to the Director of the Metropolitan Wastewater The City will not be held responsible for any issues that may arise relative to possession of the keys.

WATER REQUIREMENTS:

86. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the cut, plug and abandonment of existing public water facilities within the Cuvier Street right-of-way, at a point approximately 200 feet (maximum) north of the northerly right-of-way line of Pearl Street, in a manner satisfactory to the Director of the Water Department and the City Engineer.
87. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) and the removal of all existing unused services, as needed, within the rights-of-way adjacent to the project site, in a manner satisfactory to the Director of the Water Department and the City Engineer. All on-site water facilities shall be private including domestic, fire, and irrigation systems.



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88. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service, existing and proposed, in a manner satisfactory to the Director of the Water Department and the City Engineer.

89. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall design and construct new public water facilities, into acceptable alignments and right-of-way, in the event any public water facility adjacent to the project site loses integrity due to the construction and grading activities associated with this development, in a manner satisfactory to the Director of the Water Department and the City Engineer.

90. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Marshal, the Director of the Water Department and the City Engineer.

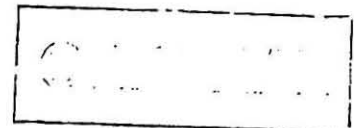
91. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Director of the Water Department and the City Engineer.

92. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities as shown on the approved Exhibit "A" shall be modified at final engineering to comply with standards.

GEOLOGY REQUIREMENTS:

93. The following notes must be added to the grading plans as "Special Geotechnical Notes." Do not include these under the "Grading and Geotechnical Specifications" certificate.

- The Geotechnical Consultant shall provide an observation program during excavation to verify the lack of faulting on the site.
- Faults discovered during grading of the site shall be evaluated and analyzed for activity level by the geotechnical consultant with detailed reports submitted subject to review and approval by City Geology staff prior to issuance of building permits.
- A "Notice of Geologic and Geotechnical Conditions" shall be recorded prior to issuance of building permits for buildings sited over any potentially active fault(s) discovered on-site unless a setback from the fault is recommended by the geotechnical consultant. No structure for human occupancy shall be permitted over the trace of an active fault.
- The precise as-graded location of fault(s) shall be shown on the Final As-Graded Plans subject to review and approval by City Geology staff.



- The geotechnical consultant shall provide onsite evaluation during grading and installation of the shoring system to verify geotechnical conditions affecting the proposed construction. If conditions differ from those anticipated, the geotechnical consultant must revise their recommendations as deemed necessary to ensure safe and stable excavations.

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 City Council of the City of San Diego on March 23, 2004 by Resolution No. R-298993



AUTHENTICATED BY THE CITY MANAGER

By *Gary Halbert*

Gary Halbert
Assistant Director
Development Services
for the City Manager

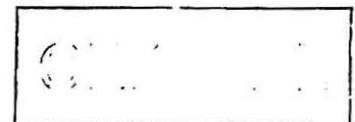
The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

THE BISHOP'S SCHOOL
Owner/Permittee

By *Paula M. Crowley, ASSOCIATE HEAD MASTER*

By _____

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq.





LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900
<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 2 September 2010

Attention: Glenn Gargas, DSD, City of San Diego

Project: Bishop Library & Learning Center
7607 La Jolla Boulevard
PN 197212

Action: Recommend denial of the Project because the findings for a PDP and/or a variance cannot be made **Vote: 8-5-1**

Submitted by: *Joseph LaCava*
Joe LaCava, President
La Jolla CPA

2 September 2010
Date



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other Variance

Project Title Project No. For City Use Only
 The Bishop's School Manchester Library and Learning Center

Project Address:
 7607 La Jolla Boulevard, La Jolla, CA 92037

Part I - To be completed when property is held by Individual(s)

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 owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names 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 individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Project Title: The Bishop's School, Manchester Library and Learning Center	Project No. (For City Use Only)
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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? _____ Corporate Identification No. _____
 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):
The Bishop's School

Owner Tenant/Lessee

Street Address:
7607 La Jolla Blvd

City/State/Zip:
La Jolla, CA 92037

Phone No: (858) 459-4021 Fax No: (858) 459-3914

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

Title (type or print):
PRESIDENT

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:
7607 LA JOLLA BLVD

City/State/Zip:
LA JOLLA, CA 92037

Phone No: (858) 459-4021 Fax No: (858) 459-3914

Name of Corporate Officer/Partner (type or print):
LENORE L. FRAGA

Title (type or print):
CHIEF OPERATING AND FINANCIAL OFFICER

Signature : _____ Date: 11/13/09

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:
7607 LA JOLLA BLVD

City/State/Zip:
LA JOLLA, CA 92037

Phone No: (858) 459-4021 Fax No: (858) 459-3914

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

Title (type or print):
VICE PRESIDENT

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:
7607 LA JOLLA BLVD

City/State/Zip:
LA JOLLA, CA 92037

Phone No: (858) 459-4021 Fax No: (858) 459-3914

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

Title (type or print):
TREASURER

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: _____

THE BISHOP'S SCHOOL LIBRARY
Project No. 197212
Project Chronology

Date	Action	Description	City Review Time	Applicant Response
12/1/09	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
3/29/10	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	3 Months 21 Days	
9/02/10	Applicant meets with the Community Planning Group	The end of a series of meetings with the Sub-Committees and the Group at large.		5 Months 3 Days
10/06/10	All issues resolved.	All remaining/outstanding issues were resolved – set for hearing.	1 month 4 Days	
10/20/10	Hearing Officer Hearing	Public Hearing.	14 Days	
11/02/10	Appeal	Appeal of Hearing Officer's decision	9 Days	
12/16/10	Planning Commission Hearing	Appeal Hearing	1 Month 14 Days	
TOTAL STAFF TIME		Averaged at 30 days per month	7 Months 4 Days	
TOTAL APPLICANT TIME		Averaged at 30 days per month		5 Months 3 Days
TOTAL PROJECT RUNNING TIME			12 Months, 15 Days	