

to Lot 1 will be provided by Sydney Court – an existing private driveway that will serve the proposed development. Sydney Court will continue to serve the existing 1,500 unit development on the west side of Sydney Court. Additionally, Sydney Court has the capacity to serve the proposed development 309 unit project.

A deviation is being requested for the street side setback for Lot 1 to allow 69 percent of the proposed building to encroach between 12 feet to 27 feet into the 33 foot required street side setback. The street side for Lot 1 was determined to be Sydney Court. The property line for Lot 1 runs down the centerline of Sydney Court, for setback measurement purposes, it has been determined that the setback to be measured from the back of the existing and/or proposed sidewalk on the east side of Sydney Court. As such, the proposed building on Lot 1 will encroach as much as 12 feet to 27 feet into the required 33 foot street side setback. However, even with the proposed encroachment into the street side setback, the proposed building is still located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

A deviation is being requested for the front yard setback for Lot 2. The project proposes to allow 89 percent of the building to encroach 8 feet to 15 feet into the required 20 foot front yard setback and 18 percent of the building to encroach 15 feet into the 20 foot front yard setback. The front yard for Lot 2 has been determined as Sydney Court for setback calculation purposes. The property line for Lot 2 runs down the centerline of Sydney Court, for setback measurement purposes, it has been determined that the setback to be measured from the back of the existing and/or proposed sidewalk on the east side of Sydney Court. As much as 89 percent of the proposed building on Lot 2 will encroach 8 feet to 15 feet into the required 20 foot front yard setback. An additional 18 percent of the proposed building will encroach 15 feet into the required 20 foot front yard setback. However, even with the proposed encroachment into the street side setback, the proposed building is still located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

A deviation is being requested for the front yard setback for Lot 3 to allow 58 percent of the building to encroach 8 feet into the required 20 foot front yard setback and 42 percent of the building to encroach 15 feet into the required 20 foot front yard setback. The front yard for Lot 3 has been determined as Sydney Court for setback calculation purposes. The property line for Lot 3 runs down the centerline of Sydney Court, for setback measurement purposes, it has been determined that the setback to be measured from the back of the existing and/or proposed sidewalk on the east side of Sydney Court. As much as 58 percent of the proposed building on Lot 3 will encroach as much as 8 feet into the required 20 foot front yard setback. An additional 42 percent of the proposed building will encroach as much as 15 feet into the required 20 foot front yard setback. However, even with the proposed encroachment into the front yard setback, the proposed building is still located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

A deviation is being requested for the front yard setback for the proposed above grade parking structure on Lot 3 to allow the structure to encroach 8 feet into the required 20 foot front yard setback. This proposed encroachment into the front yard setback will provide that the proposed parking structure is located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

As a result, the proposed project conforms with the overall policies and regulations of the City of San Diego and represents a more desirable project for the site and the University community than if designed in strict conformance with the development regulations of the applicable zone.

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 Site Development Permit No. 919768 and Planned Development Permit No. 909766 are granted to La Jolla Crossroads 1, LLC, Owner/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 Ordinance No. O-_____ rezoning the site from the existing RS-1-14 and IP-1-1 zones into the RM-3-9 zone.

CITY COUNCIL RESOLUTION NUMBER R-_____

VESTING TENTATIVE MAP NO. 909715, INCLUDING AN
EMERGENCY ACCESS EASEMENT VACATION
LA JOLLA CROSSROADS - PROJECT NO. 258190 [MMRP]

WHEREAS, Garden Communities, Subdivider, and Leppert Engineering Corporation, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 909715) and access easement vacation for the La Jolla Crossroads Project, which consists of the construction of 309 residential condominium units within 3 buildings, and two parking garages, totaling approximately 767,329 square feet . The project site is located at 9015 Judicial Drive, in the RS-1-14 and IP-1-1 zones, the Airport Environs (AEOZ-65-CNEL) Overlay, the Airport Influence (Review Area 1) Overlay, Airport Land Use Compatibility Plan (ALUCP) Noise Contours (60-65 db CNEL) Overlay, the FAA Part 77 Noticing Area Overlay, the Community Plan Implementation (CPIOZ - Type A) Overlay Zone, and the North University City Facilities Benefit Assessment (FBA) within the University Community Plan. The property is legally described as Lots 3, 4, 5 and 12 of La Jolla Crossroads, in the City of San Diego, County of San Diego, According to Map No. 14475, files in the office of the County Recorder of San Diego County October 9, 2002; excepting therefrom those portions of Lots 3 and 12 conveyed to the City of San Diego by deed recorded August 27, 2009, as Instrument No. 2009-0482447; and

WHEREAS, the Map proposes the Subdivision of a 7.93 acre-site into four lots for 309 unit residential condominium development; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, this subdivision is a condominium project as defined in Section 1350 et. seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. Lot 1 has 92 units, Lot 2 has 114 units, Lot 3 has 103 units and Lot 4 has 0 units for a total of 309 residential condominium units; and

WHEREAS, on _____, 2012, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 909715 and Access Easement Vacation, and pursuant to Resolution No. PC-_____, the Planning Commission voted to recommend City Council [approval or denial] of the map; 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, on _____, the City Council of the City of San Diego considered Vesting Tentative Map No. 909715 and Access Easement Vacation pursuant to San Diego Municipal Code sections 125.0440 and 125.0140, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and

the City Council having fully considered the matter and being fully advised concerning the same;

NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 909715:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

The property is located within the University Community Plan with a land use designation of Industrial – Scientific Research and Development and Prime Industrial Lands (PIL) within the 2008 adopted General Plan. This land use designation allows for Industrial type uses consistent with Scientific Research. The project proposes a redesignation from Industrial to High Density Residential (45-75 dwelling units per acre).

The original La Jolla Crossroads project could not provide residential uses within this portion of the site as residential uses were incompatible with the 65-decibel (dB) Community Noise Equivalent Level (CNEL) contour for Marine Corps Air Station (MCAS) Miramar and Lot 12 was located in the Accident Potential Zone (APZ) – Zone B. The current project is proposing a Community Plan Amendment from Industrial - Scientific Research and Development (SR) to High Density Residential (45-75 dwelling units per acre). The project's proposed 309 residential units are consistent in density and intensity with the original La Jolla Crossroads project, which is immediately west of the project site.

The project will increase the supply of housing in the community that will be located within walking distance of transit, shopping and employment opportunities. With the adoption of the proposed redesignation of the site, the proposed project will provide a multi-family development consistent with the policies and guidelines of the General Plan and University Community Plan. Further, the design and implementation of the proposed project will achieve the goals, policies and objectives of the University Community Plan. Therefore, the proposed project will not adversely affect the adopted General Plan and University Community Plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The proposed project complies with the relevant regulations of the Land Development Code. Conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and incorporated into Site Development Permit No. 919768, Planned Development Permit No. 909766 and Vesting Tentative Map No. 909715. The project proposes a total of seven (7) deviations from the Land Development Code. These deviations provide for a more desirable project.

A deviation is being requested for the maximum height of the proposed structures. The maximum height proposed within the project varies at several locations at 89 feet above finished grade, where 60 feet is otherwise allowed. The project is being proposed as an extension of the existing 1,500 unit La Jolla Crossroads project, located across Sydney Court and west of the project site. The existing 1,500 unit project was approved per the pre-2000 Land Development Code Update and was not subject to a similar height restriction. This deviation will allow for the proposed buildings to blend in with the existing structures and allow for greater flexibility for the roofline design, allow for more articulation of the parapets and turrets above the roofline and provide an opportunity to maximize the amount of open space being provided on the project site. The proposed buildings will not exceed the height of the existing units of the original La Jolla Crossroads project.

A deviation is being requested regarding street frontage for Lots 2 and 3. The required street frontage within the RM-3-9 zone is 70 feet for each lot. In lieu of providing the required street frontage for Lots 2 and 3, all lots within the proposed development will obtain their access by way of Sydney Court – an existing private driveway that will serve the proposed development. Sydney Court will continue to serve the existing 1,500 unit development on the west side of Sydney Court.

A deviation is being requested for Lot 1 not providing the required 70 feet street frontage for vehicular access. Lot 1 does have physical street frontage on La Jolla Village Drive in excess of the minimum 70 foot requirement; however, access rights to La Jolla Village Drive have been relinquished. Physical vehicular access to Lot 1 will be provided by Sydney Court – an existing private driveway that will serve the proposed development. Sydney Court will continue to serve the existing 1,500 unit development on the west side of Sydney Court. Additionally, Sydney Court has the capacity to serve the proposed development 309 unit project.

A deviation is being requested for the street side setback for Lot 1 to allow 69 percent of the proposed building to encroach between 12 feet to 27 feet into the 33 foot required street side setback. The street side for Lot 1 was determined to be Sydney Court. The property line for Lot 1 runs down the centerline of Sydney Court, for setback measurement purposes, it has been determined that the setback to be measured from the back of the existing and/or proposed sidewalk on the east side of Sydney Court. As such, the proposed building on Lot 1 will encroach as much as 12 feet to 27 feet into the required 33 foot street side setback. However, even with the proposed encroachment into the street side setback, the proposed building is still located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

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and/or proposed sidewalk on the east side of Sydney Court. As much as 89 percent of the proposed building on Lot 2 will encroach 8 feet to 15 feet into the required 20 foot front yard setback. An additional 18 percent of the proposed building will encroach 15 feet into the required 20 foot front yard setback. However, even with the proposed encroachment into the street side setback, the proposed building is still located 2 feet to 3 feet further away from Sydney Court than the existing units located along the west side of Sydney Court.

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3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The proposed development is consistent with the RM-3-9 Zone and the High Density Residential (45-75 dwelling units per acre) land use designation within the University Community Plan. The proposed density is consistent with the original La Jolla Crossroads project which is immediately west of the project site, across from Sydney Court. The original La Jolla Crossroads project is 33.8-acres, which included this 7.93-acre site, and consisted of 1,500 multi-family units, approved by City Council on November 21, 2000. Although developed as a separate project, this project would be considered the final phase of the overall La Jolla Crossroads development and would provide a total of 1,972 multi-family units once the final phase is completed. The conclusions of several technical studies specifically concerned with determining the suitability of the site for the proposed type and density of the proposed development concluded that the site is suitable for both the proposed type and density of the proposed project.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The proposed development is consistent with the RM-3-9 Zone and the High Density Residential (45-75 dwelling units per acre) land use designation within the University Community Plan. The proposed density is consistent with the original La Jolla Crossroads project which is adjacent to the project site to the west, across Sydney Court, and the land use designation is consistent with the surrounding area. The conclusions of several technical studies specifically concerned with determining the suitability of the site for the proposed type and density of the proposed development concluded that the site is suitable for both the proposed type and density of the proposed project. The property has been previously graded and is currently a vacant site providing surface parking within the northern portion of the site. Findings for Environmental Impact Report (EIR) No. 258190 include mitigation for potential impacts resulting from the implementation of the proposed project. The potential impacts associated with the proposed development are reduced to a level of insignificance via required mitigation identified within EIR No. 258190. Environmentally sensitive lands are not located within the project site; therefore the project would not cause damage to environmentally sensitive lands for fish and wildlife or their habitat nor would the project cause damage to fish, wildlife or their habitat.

5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The proposed development is currently served by the necessary sewer and water facilities to serve the occupants of the development. The project will incorporate construction Best Management Practices (BMP) necessary to comply with Chapter 14, Article 2, Division 1 of the San Diego Municipal Code. The project will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards. The project will enter into a Maintenance Agreement for ongoing permanent BMP maintenance. Additionally, the project will comply with all the requirements of the State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ and Amended by Order No. 2010-0014-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001 (NPDES General Permit No. CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity. All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code requirements will be met with the proposed development. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The entire La Jolla Crossroads project includes the adjacent 13.5 acres to the immediate west and the current La Jolla Crossroads project. The original La Jolla Crossroads project is the 13.5 acres to the immediate west and was approved for 1,500 multi-family units, 162,000 square foot of scientific research (SR) space, and total open space area of 10.5 acres approved by City Council on November 21, 2000. Although developed as a separate project, this project would be considered the final phase of the overall La Jolla Crossroads development. The Vesting Tentative Map proposed for the project identifies existing easements located within the project

boundaries. The only easement to be vacated as part of this Vesting Tentative Map is the Emergency Access Easement. All other easements on the property will remain and the proposed development will not conflict with any remaining existing easements.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The proposed subdivision of a 7.93 acre site from four existing lots into four new lots, for development of 309 residential units, will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the project has taken into account the best use of the land to provide for future passive or natural heating and cooling opportunities. The design of the proposed development will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The proposed project is the subdivision of a 7.93 acre site from four existing lots into four new lots for residential development. The applicant has chosen to provide 31 affordable residential units on site. Balanced needs for public facilities were taken into consideration with the development of the University Community Plan and the projected build-out with the applied zone designations. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the four residential lots for private development of 309 residential units is consistent with the housing needs anticipated for the University Community Planning area.

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

BE IT FURTHER RESOLVED, that portions of the emergency access easement granted to the City of San Diego within Map No. 14475, located within the project boundaries as shown in Vesting Tentative Map No. 909715, shall be vacated, contingent upon the recordation of the

approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a))

The emergency access easement proposed to be vacated is located entirely within the project site with no future public use. This easement is located approximately in the center of the overall project site and is proposed to be developed as the main access street into the proposed residential development. Therefore, when the development is completed, there will be no further public use of this easement.

10. The public will benefit from the action through improved utilization of the land made available by the vacation. (San Diego Municipal Code § 125.1040(b))

The emergency access easement proposed to be vacated will benefit the public by allowing for the proposed development consisting of 309 residential units, with 31 affordable housing units constructed on site. The proposed development site is vacant and does not provide for any public benefit as it currently is unimproved. This easement is located approximately in the center of the overall project site and is proposed to be developed as the main access street into the proposed residential development.

11. The vacation is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c))

The emergency access easement proposed to be vacated allows for the proposed development to occur on the site. The proposed development, including the proposed vacation, is consistent with the RM-3-9 Zone and the High Density Residential (45-75 dwelling units per acre) land use designation within the University Community Plan. The proposed density is consistent with original La Jolla Crossroads project which is to the immediate west and the land use designation is consistent with the surrounding area. The entire La Jolla Crossroads project includes the adjacent 13.5 acres to the immediate west and the current La Jolla Crossroads project. The original La Jolla Crossroads project is the 13.5 acres to the immediate west and was approved for 1,500 multi-family units, 162,000 square foot of scientific research (SR) space, and total open space area of 10.5 acres approved by City Council on November 21, 2000. Although developed as a separate project, this project would be considered the final phase of the overall La Jolla Crossroads development.

12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d))

The purpose for the original emergency access easement will no longer be required once the development is complete because the proposed roadway into the proposed development will

serve as emergency access to the adjacent site and the proposed development. Additionally, the emergency access easement vacation allows for the proposed development on the project site which is consistent with the underlying zone and University Community Plan.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 909715 and Emergency Access Easement Vacation are hereby granted to Garden Communities, contingent upon final passage of Ordinance No. O-_____ rezoning the site from the existing RS-1-14 and IP-1-1 zones into the RM-3-9 zone, and subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
[Attorney]
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]
Or.Dept:[Dept]
R-R-[Reso Code]

ATTACHMENT: Vesting Tentative Map Conditions

Internal Order No. 24002184

CITY COUNCIL CONDITIONS FOR VESTING TENTATIVE MAP NO. 909715,
LA JOLLA CROSSROADS - PROJECT NO. 258190 [MMRP]

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Vesting Tentative Map will expire on _____.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Vesting Tentative Map shall conform to the provisions of Site Development Permit No. 919768 and Planned Development Permit No. 909766.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AIRPORT

6. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

Project No. 258190
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AFFORDABLE HOUSING

7. This project is required to set aside 31 units of affordable to families earning 65% of Area Median Income (AMI) for a period of 55 years. The Owner/Permittee has elected to process the project through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program, which program is available to an Owner/Permittee only on a voluntary basis. Accordingly, prior to recordation of the Final Map, Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by providing evidence to the San Diego Housing Commission, in the form of executed Exemption Agreements and Public Entity Agreements, as referenced with Part IV of the Inclusionary Affordable Housing Implementation & Monitoring Procedures Manual ["Procedures Manual"] previously approved by the City Council of the City of San Diego, demonstrating that the Owner/Permittee is exempt from the payment of the Inclusionary Affordable Housing Fee based upon San Diego Municipal Code Section 142.0303(f) because the Owner/Permittee is receiving specific regulatory incentives and/or concessions from a public agency that result in identifiable, financially sufficient, and actual project cost reductions, including but not limited to expedited permit processing provided through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program and/or the approval of a deviation, waiver or reduction of development standards or regulations [collectively referred to as "development incentives"] and because the Owner/Permittee has voluntarily restricted the 31 rental units at 65% of AMI for a period of 55 years in exchange for such development incentives, as provided for within Part IV of the Procedures Manual.

ENGINEERING

8. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has

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taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

11. Conformance with the “General Conditions for Tentative Subdivision Maps,” filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

12. “Basis of Bearings” means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
13. “California Coordinate System” means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is “Zone 6,” and the official datum is the “North American Datum of 1983.”
14. The Final Map shall:
 - a. Use the California Coordinate System for its “Basis of Bearing” and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
15. On the Final Map, Sydney Court (private driveway) shall be a delineated. The Final Map shall show ties to the proposed lots and to the project boundary.

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GEOLOGY

16. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

INFORMATION:

- The approval of this Tentative Map by the City Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24002184

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RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on November 7, 2011, La Jolla Crossroads 1, LLC submitted an application to Development Services Department for a Community Plan Amendment, Rezone, Site Development Permit, Planned Development Permit and Vesting Tentative Map for the La Jolla Crossroads Project (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 _____ 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

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 258190 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report 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 Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, 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 pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the 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 after final passage of O-_____ rezoning the site from the existing IP-1-1 and RS-1-14 Zones into the RM-3-9 Zone.

APPROVED: Jan Goldsmith, City Attorney

By: _____
[NAME], [DEPUTY CITY ATTORNEY]

ATTACHMENTS: Exhibit A, Findings
Exhibit B, Mitigation Monitoring and Reporting Program

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

**La Jolla Crossroads,
Community Plan Amendment, Rezone, Site Development Permit, Planned Development
Permit, and Vesting Tentative Map**

PROJECT NO. 258190

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 258190 shall be made conditions of General/Community Plan Amendment, Rezone, Site Development Permit, Planned Development Permit and Vesting Tentative Map as may be further described below.

General**Part I – Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, the Development Services Department Director's Environmental Designee shall review and approve all Construction Documents (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply **ONLY** to the construction phases of this project are included **VERBATIM**, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City of San Diego's website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation

measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

PART II – Post-Plan Check (after permit issuance/prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants: **Paleontological Monitor**.

NOTE: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC** at **858.627.3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 258190 and /or Environmental Document [SCH No. 2011111067 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the Development Services Department's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

NOTE: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency:

- a. Community Plan Amendment
 - b. Rezone
 - c. Plan Development Permit Amendment
 - d. Site Development Permit
 - e. Vesting Tentative Map
4. **MONITORING EXHIBITS** All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL RESOURCES

Potential impacts to paleontological resources would be reduced to below a level of significance through implementation of the following mitigation measure.

Mitigation Measure: The following shall be implemented:

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the Paleontological Monitoring Program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the applicant shall arrange a precon meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if

appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation-related precon meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the CM and/or Grading Contractor.

- a. If the PI is unable to attend the precon meeting, the applicant shall schedule a focused precon meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration (OSHA) safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of any discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery will be allowed to resume.
 - c. If the resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If Night and/or Weekend Work is Included in the Contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVN and submit to MMC via fax by 8:00 a.m. on the next business day.

- b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section III, During Construction.

- c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, shall be followed.

- d. The PI shall immediately contact MMC, or by 8:00 a.m. on the next business day, to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If Night Work Becomes Necessary During the Course of Construction

1. The CM shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All Other Procedures Described above Shall Apply, as Appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision, or for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative) within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

NOISE

Potential impacts to noise would be reduced to below a level of significance through implementation of the following mitigation measures.

Mitigation Measure: In order to avoid potential direct exterior and interior noise impacts, the following mitigation measures shall be implemented by the project applicant:

I. Prior to Permit Issuance – Plan Check

- A. Prior to issuance of the building permit, the Permit Holder shall incorporate the requirements for environmental noise mitigation on the appropriate construction documents as described in the approved technical study (*Environmental Noise Assessment for the La Jolla Crossroads (PN 258150), San Diego, CA, prepared by DUDEK, dated February 2012*).
- B. Prior to issuance of the building permit, the Assistant Deputy Director (ADD) Environmental designee shall verify the placement of 5-foot-high solid sound barriers around balconies for select multi-dwelling units located on third through fifth floors at Building 10, as depicted in Figure 3, Noise Measurement and Modeling Locations, of approved technical study and Figure 5.4-1, On-site Exterior Noise Modeling of final Environmental Impact Report No. 258190 to ensure that exterior noise levels do not exceed 70 dBA CNEL. The 5-foot-high solid sound barriers shall extend along the perimeter of each of the balconies. The materials used in the construction of noise barriers may consist of tempered glass or acrylic plastic and would have a minimum surface density of 1.5 pounds per square foot. The barrier would be designed so there are no openings or cracks or gaps.

- C. Prior to issuance of occupancy the building permit, the ADD Environmental designee shall verify the following sound attenuation measures for select multi-dwelling units located on third through fifth floors at Building 10, as depicted in Figure 3, Noise Measurement and Modeling Locations, of approved technical study and Figure 5.4-1, On-site Exterior Noise Modeling of final Environmental Impact Report No. 258190 have been incorporated into the design of the development to ensure that exterior noise levels do not exceed 70 dBA CNEL.

II. Post Construction – Prior to Final Inspection

- A. The Permit Holder shall submit one copy of the final Acoustical Analysis with construction documents to the BI, and one copy to MMC. MMC to verify the sound attenuation barrier has been constructed in accordance with the Construction documents.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

Rezone Ordinance

DRAFT

(O-INSERT~)

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONE OF 8.08 ACRES LOCATED AT 9015 JUDICAL DRIVE, WITHIN THE UNIVERSITY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE EXISTING RS-1-14 AND IP-1-1 ZONES INTO THE RM-3-9 ZONE AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406 (REZONE NO. 909815); AND REPEALING ORDINANCE No. O-13455 ADOPTED FEBRUARY 15, 1932, AND ORDINACNE NO.0-18904 ADOPTED DECEMBER 5, 2000, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, Garden Communities, Applicant, requested a rezone for the purpose of changing 8.08 acres located at 9015 Judicial Drive and legally described as Lots 3, 4, 5 and 12 of La Jolla Crossroads, in the City of San Diego, County of San Diego, According to Map No. 14475, files in the office of the County Recorder of San Diego County October 9, 2002; except therefrom those portions of Lots 3 and 12 conveyed to the City of San Diego by deed recorded August 27, 2009, as Instrument No. 2009-0482447, in the University Community Plan area, in the City of San Diego, California, from the RS-1-14 and IP-1-1 zones to the RM-3-9 zone, as shown on Zone Map Drawing No. B-4293, on file in the Office of the City Clerk, as Document No. OO- _____, (Rezone); and

WHEREAS, on November 15, 2012, the Planning Commission of the City of San Diego considered Rezone No. 909814 and voted XX-XX-XX to recommend approval/denial of Rezone No. 909814; and

WHEREAS, the matter was set for public hearing on December 4, 2012, 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 ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 8.08 acres located at 9015 Judicial Drive and legally described as Lots 3, 4, 5 and 12 of La Jolla Crossroads, in the City of San Diego, County of San Diego, According to Map No. 14475, files in the office of the County Recorder of San Diego County October 9, 2002; except therefrom those portions of Lots 3 and 12 conveyed to the City of San Diego by deed recorded August 27, 2009, as Instrument No. 2009-0482447, in the University Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4293, on file in the Office of the City Clerk, as Document No. OO- _____, are rezoned from the RS-1-14 and IP-1-1 zones to the RM-3-9 zone, as the zone is described and defined by Chapter 13, Article 1, Division 4 of the San Diego Municipal Code. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-13455 adopted February 15, 1932, and Ordinance No. O-18904 adopted December 5, 2000, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued.

APPROVED: JAN GOLDSMITH, City Attorney

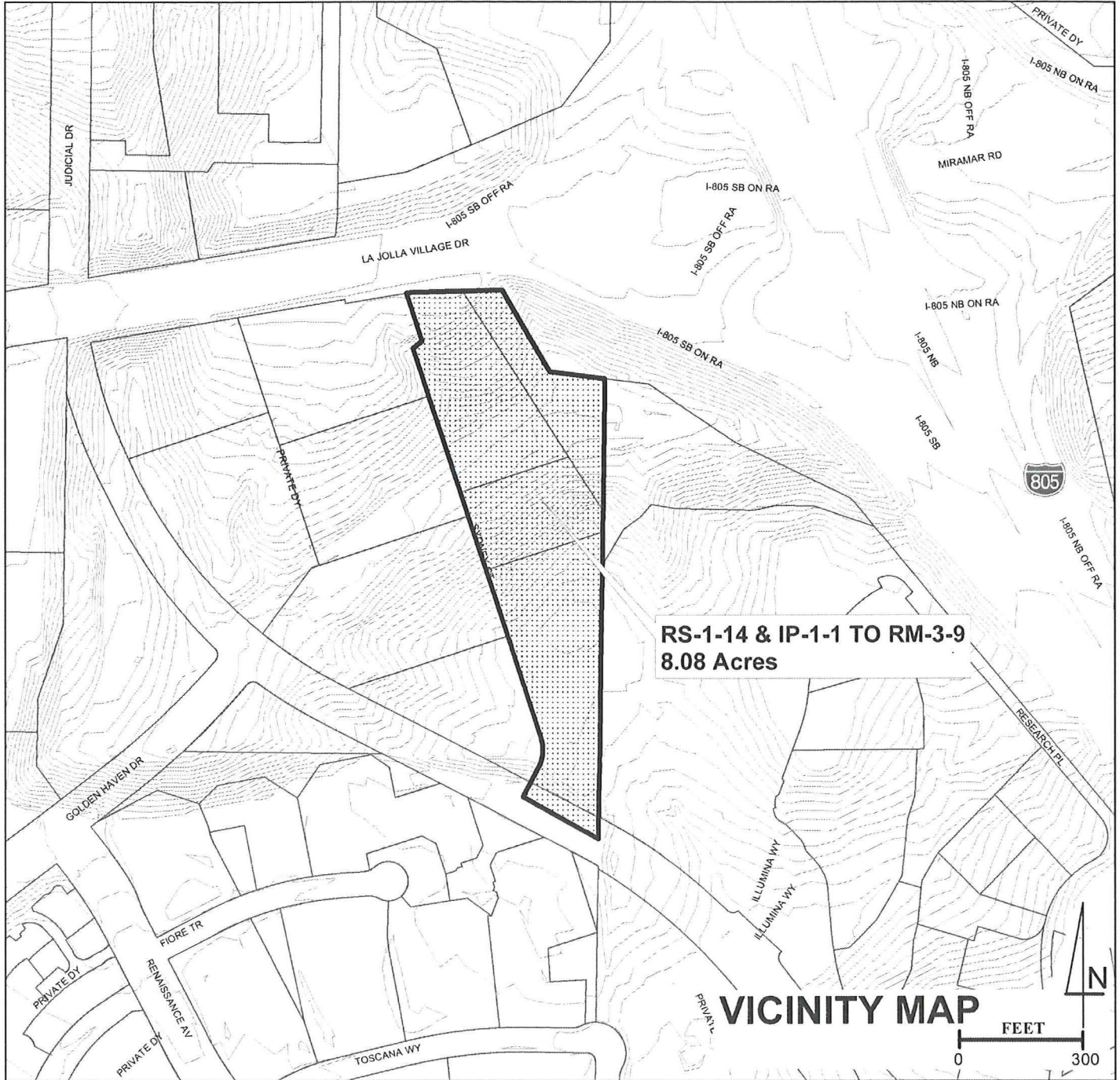
By _____
NAME
Deputy City Attorney

Initials~
Date~
Or.Dept: INSERT~
Case No.INSERT PROJECT NUMBER~
O-INSERT~
Form=inloto.frm(61203wct)



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



RS-1-14 & IP-1-1 TO RM-3-9
8.08 Acres

VICINITY MAP

Lots 3,4,5 & 12 of SUBMAP 014475 LaJolla Crossroads

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST **RM-3-9**
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. 24002184

DEVELOPMENT SERVICES MANAGER

B- 4293

APN: 345-240-03, 345-240-04,
 345-240-05 & 345-240-12

(256-1707, 258-1707) 7-17-12 ldj

RESOLUTION NUMBER R-_____

ADOPTED ON _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN TO REDESIGNATE A PROJECT SITE LOCATED AT 9015 JUDICIAL DRIVE FROM INDUSTRIAL-SCIENTIFIC RESEARCH AND DEVELOPMENT TO RESIDENTIAL (45-75 DWELLING UNITS PER ACRE).

WHEREAS, Garden Communities, Applicant, requested an amendment to the University Community Plan adopted on July 7, 1987, Resolution Nos. R-268789, and including its subsequent amendments, to redesignate a 7.93-acre site located at 9015 Judicial Drive, from Industrial-Scientific Research and Development to Residential (45-75 dwelling units per acre) (Community Plan Amendment); and

WHEREAS, on July 14, 2011, the Planning Commission initiated an amendment to the University Community Plan to consider redesignation of the 7.93-acre site from Industrial-Scientific Research and Development to High Density Residential (45-75 dwelling units per acre); 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,

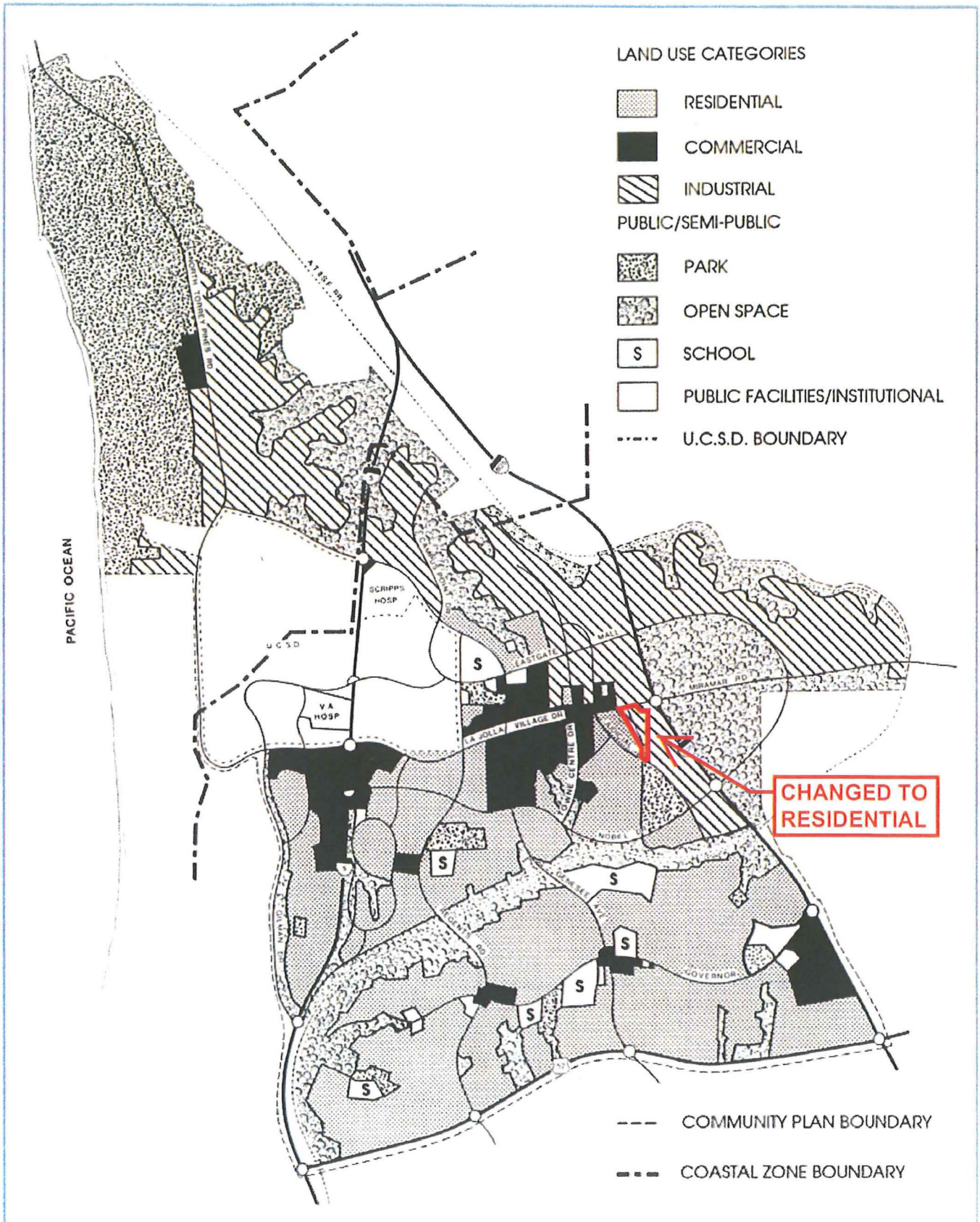
BE IT RESOLVED, by the Council of the City of San Diego that it has considered the following factors with respect to the amendments to the University Community Plan, a copy of which is on file in the Office of the City Clerk as Document No. RR-_____ (Proposed Amendments): 1) consistency with the goals and policies of the General Plan and the University Community Plan; 2) additional public benefits to the community as compared to the plans; 3) availability of public facilities to serve the proposed increase in density/intensity, or their provision is addressed as part of the Proposed Amendments; 4) the level and diversity of community support; 5) appropriateness of the size and boundary for the amendment site; 6) the provision of additional benefit to the community; 7) implementation of major General Plan and University Community Plan goals; 8) and the provision of public facilities.

BE IT FURTHER RESOLVED, that the Council adopts the Proposed Amendments, contingent upon final passage of Ordinance No. O-_____ rezoning the site from the existing RS-1-14 and IP-1-1 zones into the RM-3-9 zone.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
NAME
Deputy City Attorney

MJL:pev
INSERT Date
Or.Dept:DSD
R-2002- INSERT
Form=r-t.frm(61203wct)



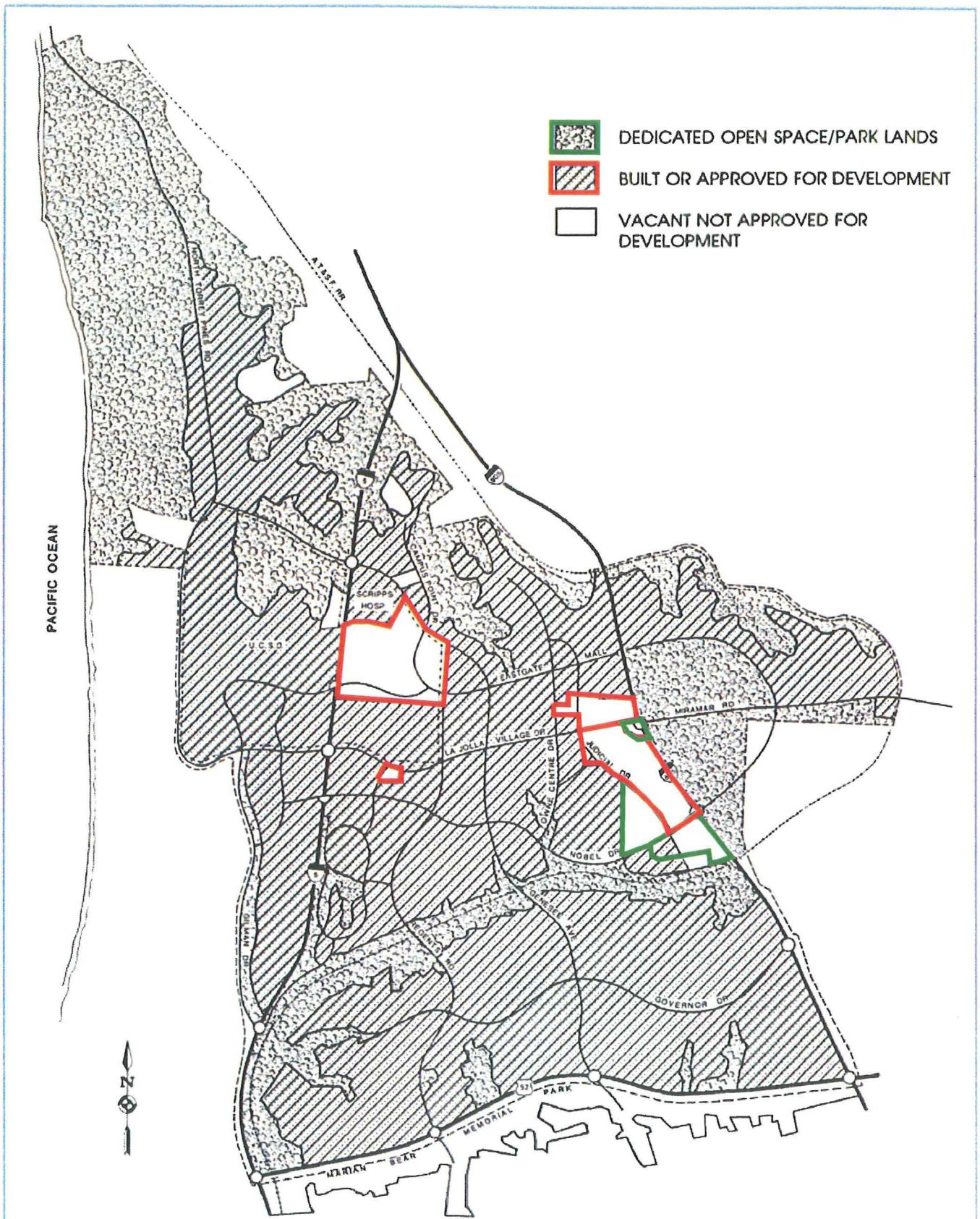
Generalized Land Use Plan
University Community Plan

4
 FIGURE

**TABLE 1
UNIVERSITY COMMUNITY PLAN LAND USE SUMMARY**

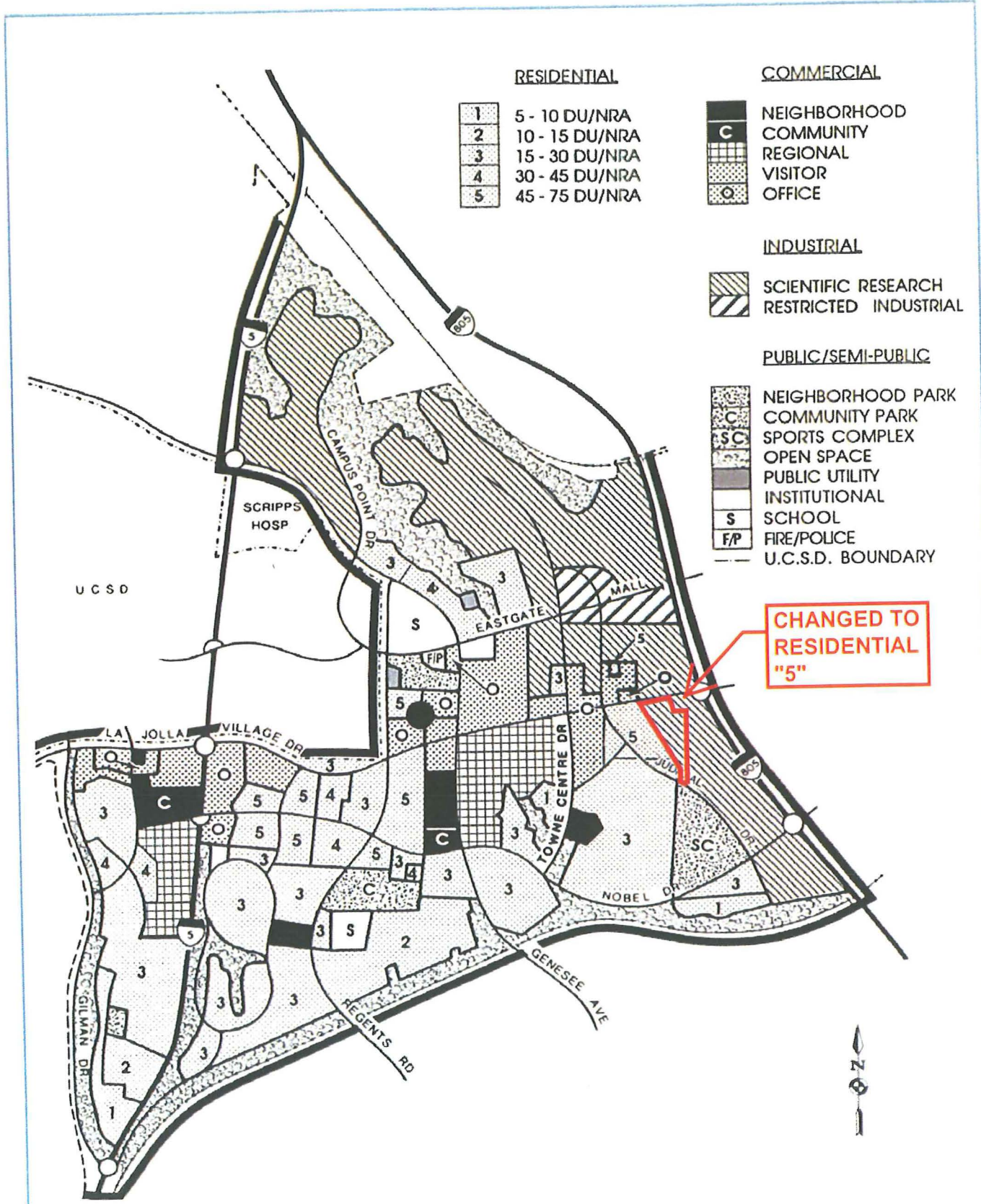
Category	Use Description	Acreage	Dwelling Units
Residential		(1,563)(1,555)	
	5-10 Units/Acre	718	6,018
	10-15 Units/Acre	100	1,446
	15-30 Units/Acre	547	12,245
	30-45 Units/Acre	99	4,284
	45-75 Units/Acre	99	6,230
Commercial		(391)	
	Neighborhood	36	
	Community	30	
	Regional	103	
	Visitor	46	
	Office	176	
Life Sciences/Research		(700)(708)	
	Scientific Research	633	641
	Hospitals	67	
Industrial		(580)	
	Restricted	347	
	Business/Industrial Park	233	
Parks/Open Space		(2,808)	
	Neighborhood	34 usable	
	Community	29 usable	
	Sports Complex	21 usable	
	Joint Use	18 usable	
	Golf	359	
	Resource-Based	394	
	Open Space	1,116	
	State Park	837	
Schools		(1,233)	
	Elementary	61	
	Junior High	28	
	Senior High	40	
	UCSD	1,104	
Public Facilities		(36)	
Other	Freeway Rights-of-Way, etc.	(1,201)	
	Total Community	8,512	
	Total Community Dwelling Units		30,532
			30,223

Note: The acreages in this table were derived from a digitization of the 800 scale community plan map prepared by SANDAG.



Extent of Urbanization
University Community Plan

5
FIGURE



Central Subarea #2
University Community Plan **14**
FIGURE

**TABLE 3
LAND USE AND DEVELOPMENT INTENSITY**

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program

Subarea/Name	Gross Acres	Land Use and Development Intensity
1. Salk Institute	26.88	500,000 SF - Scientific Research
2. UCSD	915.00	UCSD Long Range Development Plan (110,000 ADT)
3. VA Hospital	29.95	725 Beds
4. Scripps Memorial Hospital Medical Offices Medical Offices (private)	41.38	682 Beds 31,500 SF - Scientific Research 315,900 SF - Medical Office 16,628 SF - Medical Office
5. Scripps Clinic	25.17	320 Beds 567,000 SF - Scientific Research 404,000 SF - Medical Office 52,000 SF - Aerobics Center
6. Torrey Pines Golf Course/ City Park/State Reserve	728.05 ⁽¹⁾	
7. Sheraton Hotel Lodge at Torrey Pines	11.38 6.00 ⁽¹⁾	400 Rooms - Hotel 175 Rooms - Hotel
8. Torrey Pines State Reserve	233.92	
9. Chevron Scallop Nuclear (Gentry) Torrey Pines Science Park Signal/Hutton Torrey Pines Business and Research Park La Jolla Cancer Research State Park	303.60 56.41 145.74 25.79 15.89 4.87 14.25	20,000 SF/AC - Scientific Research ⁽²⁾ Existing or approved development, Exceptions: Spin Physics - 550,000 SF Lot 10B (2.7 AC) - 15,500 SF/AC 23,000 SF/AC ⁽²⁾ Scientific Research Open Space
10. Campus Point	158.78	Existing or approved development, Exceptions: IVAC and SAIC – 30,000 SF/AC ⁽³⁾ and Lot 7 (3.6 AC) -18,000 SF/AC - Scientific Research 25.00 Open Space
11. Private Ownership City Ownership	55.93 47.48	18,000 SF/AC - Scientific Research ⁽⁴⁾ (Development intensity transferred from Subarea 37 for all of Subarea 11)

(1) A minimum of 187 public parking spaces is to be retained on public land for golf course uses; in addition, at the adjacent Lodge at Torrey Pines, there are 40 parking spaces reserved daily for golfers and 94 parking spaces reserved during tournaments.

(2) Chevron, Scallop Nuclear, and La Jolla Cancer Research Foundation shall be required to mitigate their peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Mitigation shall be achieved through a Transportation System Management (TSM) program to be approved by the City Council and the California Coastal Commission as a Local Coastal Program amendment. The proposed TSM program must specify the maximum development intensity of the project site and include supported findings. This Plan encourages the development of these parcels through a master plan.

(3) SAIC and IVAC shall be required to mitigate their peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Mitigation shall be achieved through a Transportation System management (TSM) program to be approved by the City Council.

(4) This Plan encourages the development of this subarea through a master plan.

TABLE 3 (continued)
LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program.

Subarea/Name	Gross Acres	Land Use and Development Intensity
12. Eastgate Technology Park (PID) ^(4a)	218.50	2,356,990 SF - Scientific Research
13. Open Space Easement	26.00	
14. Utility/SDG&E	2.89	
15. Condominiums	25.26	365 DU
16. Apartments/Condominiums	17.95	481 DU (PRD required)
17. La Jolla Country Day School	23.98	School ⁽⁵⁾
18. Churches	6.16	2 Institutions ⁽⁵⁾
19. Pacific Telephone	1.66	22,480 SF
20. Fire/Police	3.20	23,400 SF
21. La Jolla Eastgate Office Park	1.97	46,000 SF
22. Neighborhood Park Jewish Community Center (CUP)	10.49	92,700 SF
23. La Jolla Village Tennis Club Condominiums	7.64	120 DU
24. Regents Park (PCD)	27.46	360 Rooms - Hotel 574 DU 30,200 SF - Neighborhood Commercial 754,000 SF - Office
25. La Jolla Bank and Trust	3.63	156,000 SF - Office
26. Park Plaza (PCD)	3.07	69,764 SF - Office
27. The Plaza (PCD)	16.85	841,300 SF - Office 8,700 SF - Restaurant
28. Chancellor Park	16.61	542,000 SF - Office
29. La Jolla Commons (PCD) ^(6,7)	11.85	327 Room Hotel - Visitor Commercial 450,000 SF Office - 115 DU
La Jolla Centre III (PDP) ^(7a)	5.00	340,000 SF - Business Park
30. Nexus Specific Plan	22.50	Specific Plan
31. Private Ownership	30.86	20,000 SF/AC - Scientific Research
32. Devonshire Woods (PRD)	3.98	95 DU

(4a) ADTs from Irvine Company owned parcels 343-122-40-43, 45-52, & 60-64 Subarea 12 (PID 90-0892) have been shifted to La Jolla Centre III Subarea 29 APN 345-012-10.

(5) Expansion of these uses is permitted, subject to discretionary review.

(6) This Plan encourages the development of Subareas 29 and 40 through a master plan.

(7) ADT was transferred from Regents Park to La Jolla Commons (Goodwin/Smith PCD).

(7a) ADTs from Irvine Company owned parcels 343-122-40-43, 45-52, & 60-64, Subarea 12 (PID 90-0892); 345-012-09, Subarea 35 (PCD 83-0131); 345-011-15, 16, & 23, Subarea 42 (PCD 82-0707); and 345-120-17, Subarea 67 (PRD 96-0638) have been shifted to La Jolla Centre III Subarea 29, APN 345-012-10.

TABLE 3 (continued)
LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program.

Subarea/Name	Gross Acres	Land Use and Development Intensity
33. La Jolla Centre II (PCD)	4.67	133,750 SF - Office 4,500 SF - Retail 3,500 SF - Athletic Facility
34. Embassy Suites (PCD)	4.90	335 Suites - Hotel 4,400 SF - Restaurant
35. La Jolla Centre I (PCD) ^(7b)	3.17	143,400 SF - Office
36. Neighborhood Park	30.00	
37. City Ownership	87.40 14.45	18,000 SF/AC - Scientific Research (Development approval not to be granted until 1995 for Subareas 36 and 37. Development intensity for this area is reduced by transfer to Subarea 11 of 18,000 SF/AC)
38. Towne Centre Apartments (PRD)	23.79	256 DU
39. City Ownership	7 – 8	30 DU/AC
40. Smith La Jolla Crossroads ⁽⁸⁾	33.80	25.7 AC Residential; 1,500 DU 33.8 AC Residential 8.1 AC 162,000 SF Scientific Research
41. Renaissance La Jolla (PDR & PCD)	112.96	2,500 DU 50,000 SF - Neighborhood Commercial
Open Space Easement	15.06	
42. La Jolla Gateway (PCD) ^(7c)	14.17	396,305 SF – Office
Congregation Beth Israel ^(7c)		2,165 SF – Chapel 62,931 SF – Sanctuary/Temple School
43. University Towne Centre (PCD) ⁽⁹⁾	75.35	1,811,409 SF - Regional Commercial GLA 300 DU
44. Vista La Jolla/University Pines	12.26	257 DU
45. Vista La Jolla	14.84	56 DU
46. Nobel Terrace (PRD)	41.05	716 DU
47. Costa Verde Specific Plan ⁽⁸⁾	54.00	2,740 DU 178,000 SF - Neighborhood/Community Commercial

(7b) ADTs from Irvine Company owned parcel 345-012-09, Subarea 35 (PCD 83-0131) have been shifted to La Jolla Centre III Subarea 29, APN 345-012-10.

(7c) ADTs from Irvine Company owned parcels 345-011-15 & 16 Subarea 42 (PCD 82-0707) have been shifted to La Jolla Centre III Subarea 29, APN 345-012-10. Congregation Beth Israel not a part of ADT shift.

(8) After 558 ADT transferred from Subarea 47 to Subarea 40, La Jolla Crossroads, 2,602 unused ADT remain with Costa Verde Specific Plan Area.

(9) This property is subject to an approved Master Planned Development Permit (MPDP), which permits adjustment to the levels of retail and residential development (up to 300 units) within the intensity envelope for the property defined by the MPDP.

TABLE 3 (continued)
LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program.

Subarea/Name	Gross Acres	Land Use and Development Intensity
48. La Jolla Highlands Torrey Heights La Jolla Pines Village Green	17.42	474 DU
49. Genesee Highlands Unit 2	17.87	246 DU
50. Genesee Highlands Unit 3 Open Space Easement	8.61 13.60	211 DU
51. Genesee Highlands Unit 4	26.02	340 DU
52. Playmoor Terrace	11.89	168 DU
53. Genesee Highlands Unit 6	4.78	72 DU
54. Doyle Elementary School School Expansion	12.73 5.88	1000 Students
55. Doyle Community Park	12.63 2.97 4.29	
56.	2.50	50 DU
57.	2.11	139 DU
58. Genesee Highlands Unit 1 Whispering Pines	2.06	60 DU
59. Lincoln La Jolla	4.54	251 DU ⁽⁹⁾⁽¹⁰⁾
60. The Pines (PRD)	5.72	248 DU
61. (PRD)	10.08	368 DU
62. La Jolla Village Park (PRD)	12.00	333 DU
63. La Jolla Village Park (PRD)		(included in 62)
64. Fredericks La Jolla Village Park (PRD)	6.83	302 DU
65. La Jolla International Gardens (PRD)	11.43	774 DU
66. La Jolla Garden Villas (PRD)	4.08	277 DU
67. La Jolla Palms Apartments ^{(9a)(10a)}	4.70	232 DU
68. University Center/Aventine	37.59	400 Rooms - Hotel 40,500 SF - Retail 550,000 - Office 685 DU
69. La Jolla Colony	158.50	3,594 DU
70. La Jolla Colony	7.02	72,645 SF - Neighborhood Commercial
71. La Jolla Professional Center	6.78	168,383 SF - Office/Bank 21,533 SF - Restaurant
72. Gas Station	1.06	4,900 SF

(10) (9) The land use designation for this property has been revised from 30-45 du/acre to 45-75 du/acre although no more than 251 units are permitted on the site which occupies 3.71 net acres.

(10a) (9a) ADTs from Irvine Company owned parcel 345-120-17, Subarea 67 (PRD 96-0638) have been shifted to La Jolla Centre III Subarea 29, APN 345-012-10.

TABLE 3 (continued)
LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program.

Subarea/Name	Gross Acres	Land Use and Development Intensity
73.	1.00	3,400 SF - Bank 25,674 SF - Office
74.	2.00	97,689 SF - Office
75. La Jolla Village Inn	7.89	400 Rooms - Hotel
76. Neighborhood Commercial (PCD)	1.50	16,570 SF - Neighborhood Commercial 3,500 SF - Bank
77. Ralphs Shopping Center (PCD)	15.46	150,000 SF - Community Commercial
78. La Jolla Village Square (PCD) Residential	27.47 2.83	1,002,000 SF - Regional Commercial 108 DU
79. Cape La Jolla	12.10	(included in 78) Regional Commercial/52 DU
80. The Woodlands	6.60	125 DU
81. Woodlands/West/East Bluff/La Jolla Park Villas	34.09	679 DU
82. Villa La Jolla Neighborhood Park	5.60	
83. La Jolla Village Townhomes	23.21	291 DU
84. La Jolla Village Townhomes Open Space	17.18 31.45	106 DU
94. The Residence Inn	8.50	288 Suites - Hotel
95. Miramar Marine Corps Air Station	176.31	
96.	305.35	Restricted Industrial (see Table 4)
97.	43.22	Restricted Industrial (see Table 4)
98.	41.20	Restricted Industrial (see Table 4)
99. Longpre Auto Sales	6.47	33,650 SF - Auto Sales
100. Governor Park	55.00	913,728 SF - Office
101. City Ownership Private Ownership	.82 15.00	15,250 SF/AC - Office Institutional Use (School, Church, etc.)

**TABLE 7
PROPOSED RESIDENTIAL DENSITY/UNITS/POPULATION**

	Acres			Units			Population		
	North	South	Total	North	South	Total	North	South	Total
5 - 10 du/ac	130	662	792	718	5,300	6,018	1,450	15,741	17,191
10 - 15 du/ac	88	12	100	1,285	161	1,446	2,596	478	3,074
15 - 30 du/ac	534	12	546	11,610	359	11,969	23,452	1,066	24,518
30 - 45 du/ac	53	3	56	2,075	132	2,207	4,192	392	4,584
45 - 75 du/ac	91 99	0	91 99	6,230 6,539	0	6,230 6,539	12,585 13,209	0	12,585 13,209
	896	689	1,585	21,918	5,952	27,870	44,275	17,677	61,952
	904		1,593	22,227		28,179	44,899		62,576

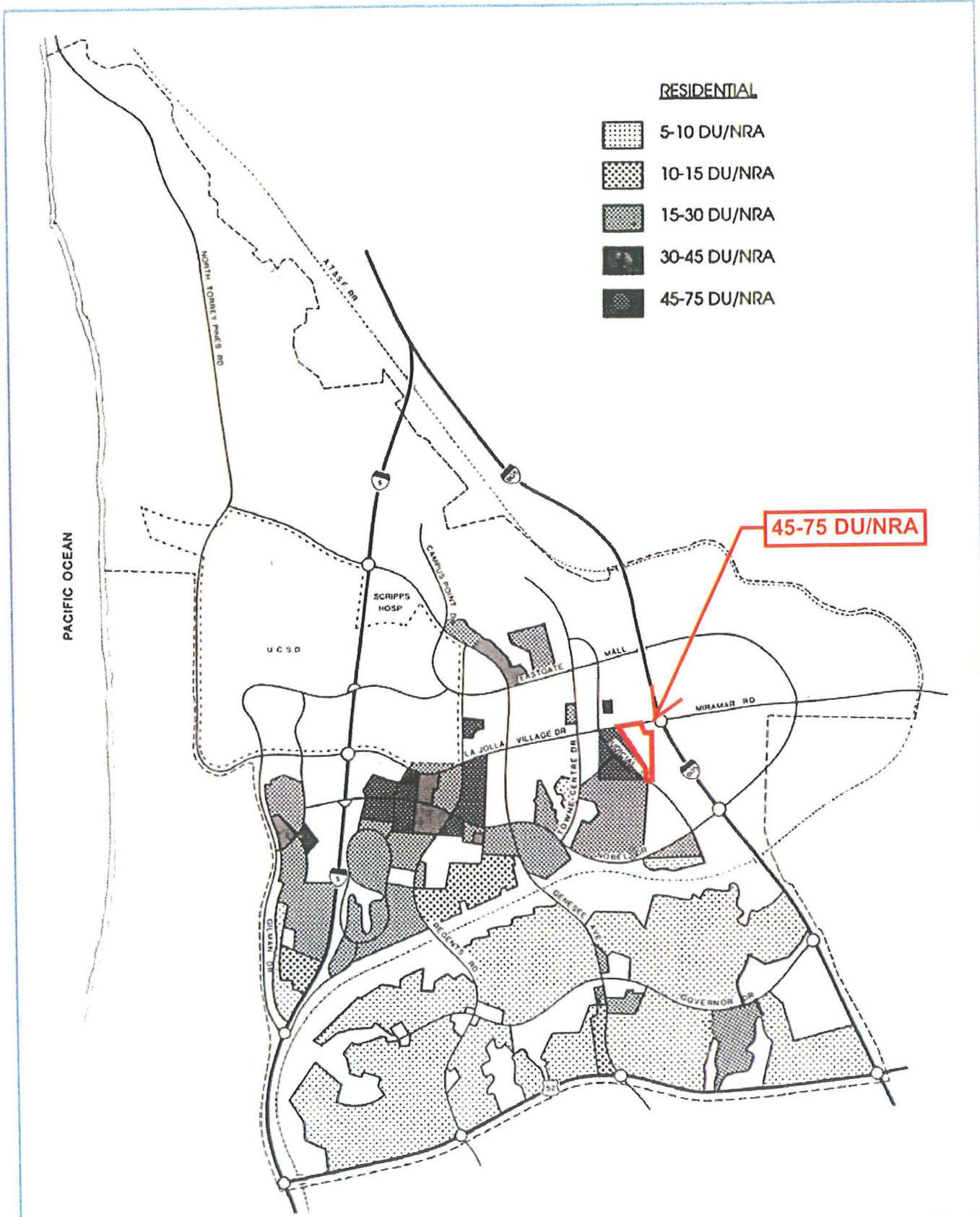
**TABLE 7
PROPOSED RESIDENTIAL DENSITY/UNITS/POPULATION**

	Acres			Units			Population		
	North	South	Total	North	South	Total	North	South	Total
5 - 10 du/ac	54	662	716	418	5,300	5,718	844	15,741	16,585
10 - 15 du/ac	88	12	100	1,285	161	1,446	2,596	478	3,074
15 - 30 du/ac	534	12	546	11,610	359	11,969	23,452	1,066	24,518
30 - 45 du/ac	53	3	56	2,075	132	2,207	4,192	392	4,584
45 - 75 du/ac	61	0	61	4,586	0	4,586	9,264	0	9,264
	790	689	1,479	19,974	5,952	25,926	40,348	17,677	58,025

B. Housing Types

1. The density ranges listed above will be translated into specific product types (i.e., single-family homes, townhouses, etc.) through the operation of the marketplace and development of individual projects. Historically, the densities listed in **Table 7** have resulted in project proposals featuring single-family homes in the five to ten dwelling unit/acre range, townhomes and garden apartments in the ten to 45 dwelling unit/acre ranges and flats and tower development in the ranges above 45 dwelling units/acre. Given the projected unit totals in **Table 7**, it would be expected that approximately 21 percent of the residential units in the community would be single-family, ~~60 percent~~ **55 percent** would be townhouse and garden apartments and ~~19 percent~~ **24 percent** would be located in high-density structures.
2. It should be noted that recent trends have seen the mixing of several unit types in the larger Planned Residential Development (PRD) Permit applications. Thus, the actual mix of housing product types in the community may vary significantly from the general predictions given above. This diversity within projects should be encouraged so that projects may appropriately respond to market conditions and changing housing needs. However, the mix should be master planned under the PRD Permit process, and amendments to these PRDs should not be made to homogenize the project in response to short-term market trends.

High-rise development should be compatible in scale to the surrounding areas, particularly to other high-rise structures.



Residential Densities
University Community Plan **29**
FIGURE