



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: April 30, 2020 REPORT NO. PC-20-024

HEARING DATE: May 7, 2020

SUBJECT: PEARL STREET MIXED USE. Process Four Decision

PROJECT NUMBER: [638970](#)

REFERENCE: [Report to the Planning Commission REPORT NO. PC-16-059](#)

OWNER/APPLICANT: MODNLiving Pearl, LLC

SUMMARY

Issue: Should the Planning Commission grant an appeal of the Development Services Department's decision to approve a Coastal Development Permit (CDP) to construct a mixed-use project with ground floor commercial space and 26 rental residential units with on-grade parking located at 801 Pearl Street in the La Jolla Community Plan area?

Staff Recommendation: DENY the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit No. 2356322.

Community Planning Group Recommendation: On December 7, 2019, the La Jolla Community Planning Association voted 10-3-1 to recommend approval of the project.

Environmental Review: On February 25, 2020 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the current project was reviewed by the Environmental Analysis Section and it was determined that in accordance with Negative Declaration No. 294307 certified by the Planning Commission on August 11, 2016 and the California Environmental Quality Act (CEQA) Guidelines Section 15162(a):

- (1) No substantial changes are proposed in the project which would require major revisions of the previous Negative Declaration (ND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) No substantial changes have occurred with respect to the circumstances under which the project will be undertaken which would have required major revisions to

the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

- (3) There is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted, that shows any of the circumstances described in CEQA Guidelines 15162(3) (A) - (D).

Fiscal Impact Statement: None with this action. All costs associated with the processing of the project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement:

The project site is in the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP/LCLUP) and implemented through the RM-1-1 and La Jolla Planned District Zone 4. The community plan land use designation is Commercial Mixed Use (29 du/acre) and Low Medium Residential (9-15 du/acre). The 0.48-acre site could accommodate 13 dwelling units within the Commercial/Mixed-Use and Medium-Density Residential land use designation. The project includes a density bonus for 13 residential units in accordance with [San Diego Municipal Code \(SDMC\) Section 143.0720](#) of up to 100 percent with five development incentives. The project proposes 15 percent of the pre-density bonus units to be affordable housing units (two units) for very-low income households with rents at 30 percent of 50 percent of the Area Median Income for a period of 55 years. The project would implement the existing land use designations and would create 26 multi-family residential dwelling units where none currently exist.

BACKGROUND

This item is an appeal of the Development Services Department decision to approve a CDP to construct a 20,606 square-foot, two-story mixed-use development consisting of ground floor retail and 26 multi-family residential rental units. The project is located at 801 Pearl Street. The 0.48-acre site is in Zone 4 of the La Jolla Planned District and the RM-1-1 Zone (Attachments 1-3).

The site currently contains structures supporting an automobile service station which ceased operations in 2018. On August 16, 2016, the Planning Commission voted to approve Tentative Map No. 1670419, Site Development Permit No. 1375058 and Coastal Development Permit No. 1375059 to demolish and remove an existing service station and construct a mixed-use project with four commercial condominium units and 12 residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way (Attachment 11). The mixed-use project was never developed and/or utilized prior to its expiration date of August 30, 2019 making Tentative Map No. 1670419, Site Development Permit No. 1375058 and Coastal Development Permit No. 1375059 void.

As depicted below, the site straddles two zones (Figure 1). The northerly two-thirds of the site is located in the [La Jolla Planned District Zone 4](#). La Jolla Planned District Zone 4 includes neighborhood commercial areas characterized by small retail shops. Development in this zone is dominated by community serving and visitor service retail uses. The remaining southerly one-third of the site is zoned [RM-1-1](#) (Residential—Multiple Unit). Additionally, the site is located in several



Figure 1: Site Zone

overlay zones, including the Coastal Overlay Zone, the Coastal Height Limitation Overlay Zone, Transit Priority Area, Parking Impact Overlay Zone (Coastal Impact), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and the La Jolla Community Plan.

On February 25, 2020, the Development Services Department approved the project in accordance with Process 2, pursuant to SDMC section 126.0702. Because the project is located outside Coastal Overlay Zone non-appealable area, the project is not appealable to the California Coastal Commission. To the east, west and north are commercial establishments. To the south are single family residential units. The site is relatively flat and slopes to the northwest at elevations ranging from approximately 114 feet above Mean Sea Level (MSL) within the southeast corner of the site to approximately 109 feet above MSL within the northwestern portion of the site (Attachment 4). The site is not within, or adjacent to, the Multi-Habitat Planning Area (MHPA) and does not contain other types of environmentally sensitive lands as defined in [SDMC Section 113.0103](#)

An appeal of the Development Services Department's decision to approve the project was filed on March 9, 2020 (See Project Issues discussion below).

DISCUSSION

Project Description:

The project proposes a CDP to clear the site of a defunct service station in order to construct a 20,606 square-foot, two-story mixed-use development consisting of two retail units, 26 multi-family residential dwelling units for rent, on-grade parking garage, public right-of-way improvements and

landscaping. Of the 26 multi-family residential units, six will be studios, 16 will be one-bedroom units and four will be two-bedroom units. The studios will range in size from 415-428 square feet, the one-bedroom units will range from 417-599 square feet and the two-bedroom units will range from 786-797 square feet. The project includes two commercial spaces totaling 3,456 square feet. One of these will be located on the ground floor at the corner of Eads Avenue and Pearl Street and the other at Bishop Way and Pearl Street. A 456 square-foot common area will be located adjacent to the commercial area at the corner of Eads Avenue and Pearl Street. The ground level parking will be accessed from Eads Avenue and provide 22 parking stalls. Of the 26 units, two will be affordable for very-low income households with rents at 30 of 50 percent of the Area Median Income for a period of 55 years. The affordable housing units include a studio and one-bedroom unit as agreed upon with the San Diego Housing Commission.

Along the Pearl Street façade, the lower level is proposed to be wrapped with an elongated medium grey colored brick veneer punctuated with large vertical windows. The upper level will be composed of contrasting stucco walls with recessed wood-grained tile surrounds and metal trellises at the apartment unit windows. The ends of the building at the upper level will be set back from the lower level to provide massing and visual variation (Figure 2). The Eads Avenue façade and the other elevations utilize a similar approach using split-face colored concrete masonry at the lower level with vertical proportioned openings at the commercial and parking areas, and smaller rectilinear openings at the residential units to the rear of the site. The upper level will follow the same style used on Pearl Street with stucco walls, recessed tile surrounds at the balcony windows, and trellises and glass railings accenting the open areas. Walkway openings, setbacks at the ends of the building, and slight differences in the roof parapets will provide visual variation and delineate the different building elements.



Figure 2: Pearl Street Façade

The proposed development includes 15 percent pre-Density Bonus (13 units) as affordable housing and qualifies as an Affordable Housing development project pursuant to [SDMC Section 143.0915](#).

Because the project is providing 15 percent of the pre-density bonus units (2) as affordable, the project qualifies for a 100 percent density increase for a maximum of 26 dwelling units on the project site (13 (pre-density units) x 1.0 (density bonus allowed) = 13 additional units allowed). The City is required to process incentives requested by the applicant, consistent with State Density Bonus Law and as set forth in [SDMC Section 143.0720](#). In accordance with [SDMC Table 143-07A](#), the project would be allowed five (5) incentives. The applicant is entitled to the concessions or incentives, in the form of deviations to the development regulations, unless the City makes a written finding of denial based on substantial evidence pursuant to [SDMC Section 143.0740\(c\)\(1\)](#) and Government Code Section 65915(d)(1). The applicant is requesting five (5) affordable housing incentives. The project will include deviations to private open space, removal of commercial and residential motorcycle parking, loading area, and personal storage area (Attachment 8).

The proposed project was reviewed for compliance with the RM-1-1 zone and the La Jolla Planned District Zone 4 development requirements. Development of the project requires a CDP for the mixed-use development in accordance with San Diego Municipal Code Section [126.0702](#). Because the project qualifies as an affordable housing development, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Community Plan Analysis:

The La Jolla Community Plan has two land designations for the site; the northern portion of the site is designated for commercial/mixed use at a density range of 29 dwelling units per acre and the southern portion is designated low-medium residential at a density range of nine to 15 dwelling units per acre. The northern portion of the site is 13,996 square feet in Zone 4 of the La Jolla Planned District and the southern portion is 6,995 square feet in the RM-1-1 Zone. The northern portion can accommodate 9.32 units, which equates to 10 units when rounding up and the southern portion can accommodate 2.40 units, which equates to three units for a total of 13 units. The project is proposing 15 percent of the units as affordable, qualifying the development for a 100 percent density bonus, thus allowing 26 units. The Project is consistent with the land use designations set forth in the La Jolla Community Plan.

The Housing Element of the General Plan serves as a policy guide to address the comprehensive housing needs of the City of San Diego. Goal No. 4 of the Housing Element is to “provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facility compliance with all applicable federal, state, and local laws and regulations”. Policy direction specific to density bonus is to, 1) Encourage and promote the use of available Housing Density Bonus Programs. Future consideration should be given to expanding density bonus incentives and provisions, and 2) Enforce all Federal, State, and Local ordinances or regulations pertaining to land use incentives which promote affordable housing opportunities for low- and moderate-income homebuyers, such as inclusionary housing and density bonus. The proposed project incorporates the General Plan Housing Element by proposing affordable housing and applying the density bonus regulation of SDMC Section [143.0720](#).

The Residential Element of the La Jolla Community Plan sets forth a series of goals, policies and recommendations for residential development. The relevant goals, as stated on page 67, state: “Introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels” and “Maintain the character of La Jolla's residential areas by

ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.” The proposed project meets these goals by providing a higher density, smaller unit product within the La Jolla downtown village area.

As part of the goal to maintain the character of the commercial component of the project, page 82 of the Community Plan recommends: 1) “The City should provide opportunities to develop affordable housing in order to meet a variety of housing needs within La Jolla’s neighborhood mixed-use districts, by allowing a residential density bonus 25 percent above and beyond that allowed by the base zone”; 2) “The City should promote mixed-use development in all commercial areas of the community”; and 3) “the City should seek to promote the pedestrian orientation of the office-commercial areas of downtown La Jolla.” As noted above, the project proposes a mixed-use development with affordable housing. A non-contiguous sidewalk with flowering street trees will line both Eads Avenue and Pearl Street to keep pedestrians set back from the street. At the corner of Pearl Street and Eads Avenue a commercial patio serving the retail establishments will further promote the pedestrian experience.

Page 61 of the Community Plan Transportation Element recommends that surface parking be located to the rear and ingress and egress be provided from the alley. Because of the given volume of traffic on Pearl Street and the relatively short blocks between the traffic lights, access from Eads Avenue is being provided where the traffic signal can control commercial and residential traffic.

The Community Plan’s Appendix E on Streetscape Guidelines, recommends Jacaranda trees along Pearl Street as they are also the major prevailing street tree and Magnolia trees on Eads Avenue. The Project includes Jacaranda trees on Pearl Street and Eads Avenue, both with a non-contiguous sidewalk.

Project-Related Issues:

Appeal of the Development Services Department Approval:

On February 25, 2020 the Development Services Department approved the project. On March 9, 2020, an appeal of the decision to approve the project was filed by Tyler Hee, of DeLano & DeLano Law Firm representing Doug and Karen Moranville (Attachment 9). The following discussion includes the appeal issues as stated by the appellant, followed by staff/applicant responses. Please refer to the attached Appeal Application letter to read each appeal issue in its entirety (Attachment 9).

Appeal Issue 1:

“The project is inconsistent and violates the goals, policies, and recommendations of the General Plan and Community Plan. The findings inaccurately claim that the Project and Coastal Development Permit (CDP) are consistent with the Local Coastal Program land use plan and comply with applicable regulations. The resolution approving the Project and CDP incorrectly claims the proposed development conforms with the Community Plan. The Project is inconsistent with General Plan and Community Plan including, among other things, provisions governing commercial and residential development that seek to protect community character and promote harmonious development with the existing area. The Community Plan provides a general community goal to:

"Maintain La Jolla as a primarily residential and recreational oriented community by protecting its residential areas and historic resources, maintaining its public recreational areas, and enhancing its commercial districts. The Community Plan's Residential Land Use Element ("RLUE") makes it a goal to: "Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures." Community Plan at 66.

Specifically, the Project proposes to construct an approximately 29-foot tall mixed-use building adjacent to an existing, single-story residential use. As proposed, the Project would be inconsistent with Community Plan provisions above concerning bulk and scale, transitions in scale between new and older structures, and gradual transition for commercial buildings adjacent to residential areas. The City should apply the development recommendations that are contained in the plan to all properties in La Jolla in order to avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures."

Staff response 1 (Also see Community Plan Analysis above):

The La Jolla Community Plan (the "Plan") recognizes the need for balanced communities and to provide opportunities for affordable housing. The Plan promotes opportunities for the development of affordable housing by encouraging the use of a density bonus and recommends supporting higher densities along transit corridors. Additionally, the Plan further recommends the utilization of the Affordable Housing Density Bonus Program to assist developers in providing adequate and affordable shelter for all economic segments of the community (LJCP, p. 78.). The Project is consistent with these goals, by providing affordable and market rate rental housing.

The Plan has a community goal to "maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures" (LJCP, pg. 67). The Plan recommends implementing this goal by avoiding "extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures" (LJCP, pg. 70). The Plan recommends "in order to promote transitions in scale between new and older structures, create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment and variations within front yard setback requirements." (LJCP, pg. 76).

The first floor of the project along the southern property line will be setback 17 feet, 8 inches, which is two feet, four-inches further than the minimum 15-foot setback in accordance with San Diego Municipal Code (SDMC) [131.0431 Table 131-04G](#). The second story of the project is set back 18 feet from of the southern property line. To provide articulation and gradual transition to the residential area along Eads Avenue, level 2 of the building façade is articulated with several off- setting planes including the use of balconies (Figure 2).

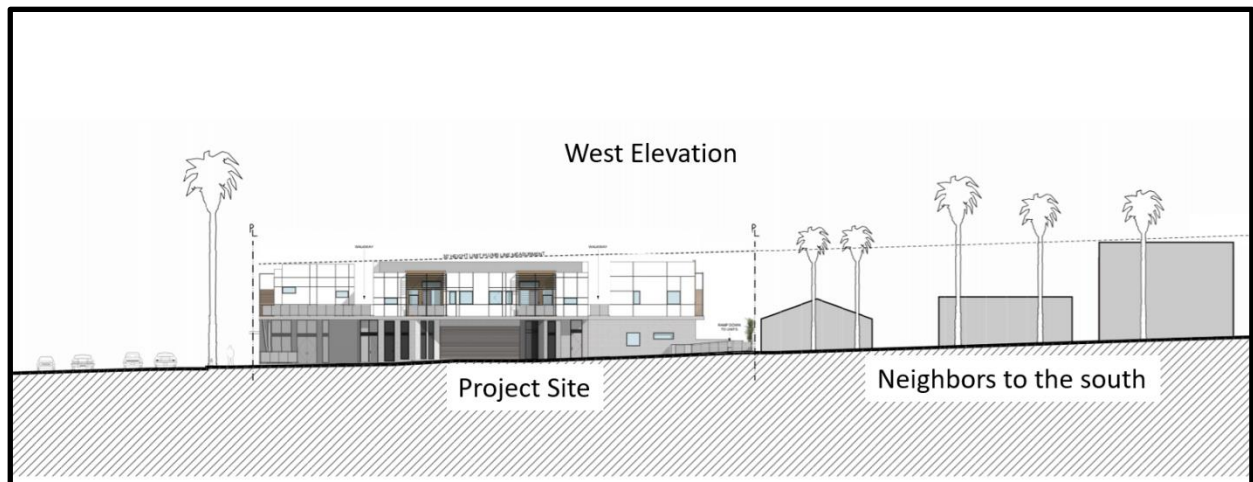


Figure 2: West Elevation

This helps lessen the bulk and provide variation in the façade, in addition to the use of various materials, including wood tile, brushed metal, and plaster.

On the north elevation, along Pearl Street, the structure is articulated with several off-setting planes that are highlighted by the use of differing materials including wood tile, brushed metal, and plaster (Figure 2). On the east elevation, along Bishop Lane, the façade is split into three masses by walkways and is further articulated through the use of balconies and several off-setting planes. On the west elevation, along Eads Ave, the façade is split into three masses by walkways and again, it is further articulated through the use of balconies and several off-setting planes. Both the east and west facades also include the use of wood tile, brushed metal, and plaster building materials.

The proposed building articulation and variations in material avoid a wall effect, promote transitions in scale between new and older structures, and avoid abrupt transitions in scale between commercial buildings and adjacent residential areas. This is consistent with the Community Plan goals.

Appeal Issue 2:

"The Project violates several provisions of the SDMC, including provisions concerning, among other things, coastal development permit findings, density bonuses, and the La Jolla Planned District. The approvals of the Project and CDP claim the project complies with the applicable regulations including, among other things, SDMC Section 143.0720"

1. *The Project fails to satisfy the findings for a CDP required by SDMC Section 126.0708. Among other things, under Section 126.0708(a)(3) the Project must conform with the certified local coastal program land use plan and comply with all regulations of the certified implementation program. As discussed above, the Project violates the relevant local coastal program land use plan, the La Jolla Community Plan and Local Coastal Program. The Project also violates applicable regulations of the implementation program, including SDMC provisions regarding development in the La Jolla Planned District discussed below.*

2. *"SDMC Section 143.0720(i)(7) requires that a development seeking a 100% density bonus: "provides an average of no more than 600 square feet per dwelling unit with no dwelling unit exceeding 800 square feet." (emphasis added). Plans for the Project claim the average area for each residential unit is 599.96 square feet ("S.F."). However, Sheet I of the proposed plans, attached herein as Attachment 1(Attachment 9) , show the total area for dwelling units to be 15,845 S.F. That total area divided by the proposed 26 residential units results in an average area of 609.42 S.F. per dwelling unit. This exceeds the maximum allowable average of 600 S.F. per dwelling unit; thus, the Project is inconsistent with Section 143.0720(i)(7)." SDMC Section 143.0720(i)(7) further states: "a density bonus of up to 100 percent of the pre-density bonus dwelling units shall be granted, provided that development of the additional density does not cause the need for an incentive, waiver, or deviation to exceed the maximum structure height or setbacks of the base zone." A review of the Project's East Elevation illustrated on Sheet 14 of the proposed plans, shows a portion of the Project exceeding the height restrictions along Pearl Street in violation of Section 143.0720(i)(7).*
3. *"The Project violates development regulations for the La Jolla Planned District ("LJPD"). Among other things, the Project violates provisions for street façade envelopes within LJPD. SDMC Section 159.0307(e) prohibits any building or structure from extending beyond the façade envelope described therein. According to Sheet 14 of the Project's plans, the proposed building extends beyond the street facade envelope along Pearl Street. There is no evidence that the Project would satisfy any of the three exceptions provided by SDMC Section 159.0307(e)."*

Staff response 2:

Other than the requested incentives, the project has been determined to meet all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC and La Jolla Community Plan. The project has been designed to address the physical environment and would not adversely impact the public's health or safety.

The proposed development includes 15 percent affordable housing and qualifies as an Affordable Housing development project pursuant to [SDMC Section 143.0915](#). Because the project is providing 15 percent of the pre-density bonus units (two of the 13 units) as affordable, the project qualifies for a 100 percent density increase for a maximum of 26 dwelling units on the project site (13 pre-density units x 2.00 [density bonus allowed] = 26 units). The City is required to process incentives requested by the applicant, consistent with State Density Bonus Law and as set forth in [SDMC Section 143.0720](#). In accordance with SDMC Table 143-07A, the project would be allowed five (5) incentives in the form of deviations. The requested incentives include private open space and, removal of commercial and residential motorcycle parking, loading area, and personal storage area. The applicant is entitled to the concessions or incentives, in the form of deviations to the development regulations, unless the City makes a written finding of denial based on substantial evidence pursuant to [SDMC Section 143.0740\(c\)\(1\)](#) and Government Code Section 65915(d)(1).

[SDMC 143.0720\(i\)\(7\)](#) allows for a 100 percent density bonus when a proposal "provides an average of no more than 600 square feet per dwelling unit with no dwelling unit exceeding 800 square

feet.” Sheet T0.10 in the concept plans illustrates 26 dwelling units totaling 15,587 square feet (Attachment 14). This is an average of 599.5 square feet per dwelling unit, which conforms to [SDMC 143.0720\(i\)\(7\)](#). It appears the appellant reviewed an older set of plans which were later corrected to comply with [SDMC 143.0720\(i\)\(7\)](#).

There are two measurements for structure height: plumb line and overall height, plumb line being the most restrictive. Pursuant to [SDMC 113.0270\(a\)\(2\)\(A\)](#), the plumb line measurement “is measured from all points on top of a structure to existing grade or proposed grade, whichever is lower, directly below each point”. Pursuant to [SDMC 113.0270\(a\)\(2\)\(B\)](#), overall structure height “is measured from the lowest point of existing grade or proposed grade within 5 feet of the structure’s perimeter (building wall, balcony, bay window, or similar architectural projection) or at the property line, whichever is closer, to the highest point of the structure, projected horizontally to directly above this lowest point of grade. The overall structure height shall not exceed the maximum permitted structure height of the applicable zone plus an amount equal to either the maximum grade differential within the structure’s footprint or 10 feet, whichever is less. The structure height shall not exceed the maximum allowed by the applicable zone at any one point.” Based on staff’s calculation of structural height, the project is within the height allowance of up to 30 feet and the project does not require a deviation, incentive or waiver to exceed the maximum allowable structure height.

The proposal includes balcony trellises along Pearl Street and Bishop Way and Eads Avenue within the façade envelope. Pursuant to [SDMC 159.0307\(e\)\(1\)](#), “The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45 degree angle toward the interior of the lot. No portion of any building or structure shall extend outside such envelope except twenty percent of the length of the building facade may exceed the 20-foot height limit, in order to provide roofline and facade variations, accents, tower elements, etc”. The proposed balcony trellises do not exceed the allowable 20 percent encroachment (Figures 3 and 4). Figure 4 shows the lowest point of the 20-foot/45-degree angle envelope along the west side of the building along Pearl Street, thus the lowest point of finished grade. The remainder of the trellis to the east is further below the envelope limit.

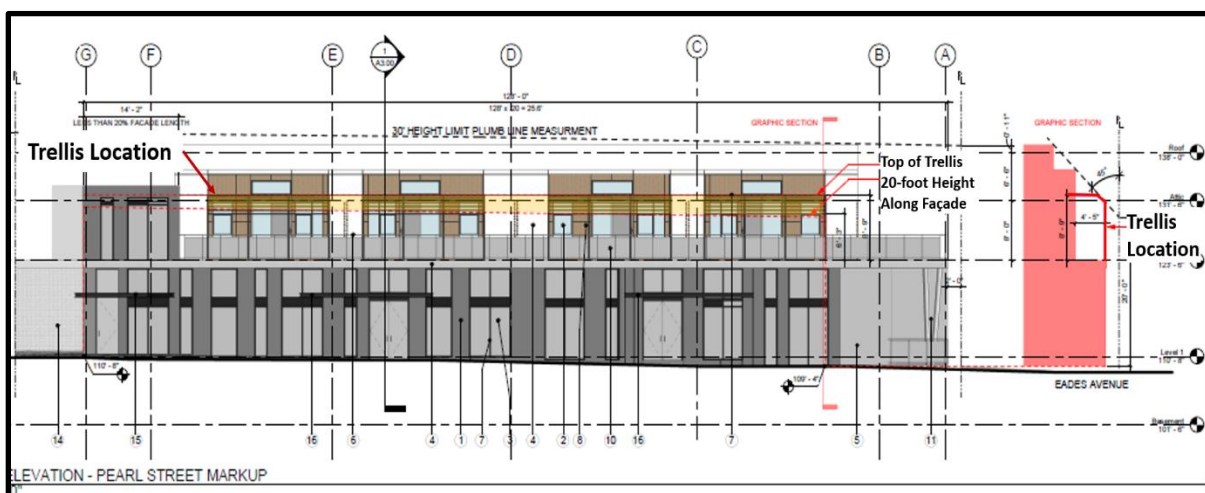


Figure 3: Pearl Street Elevation depicting Trellis Location

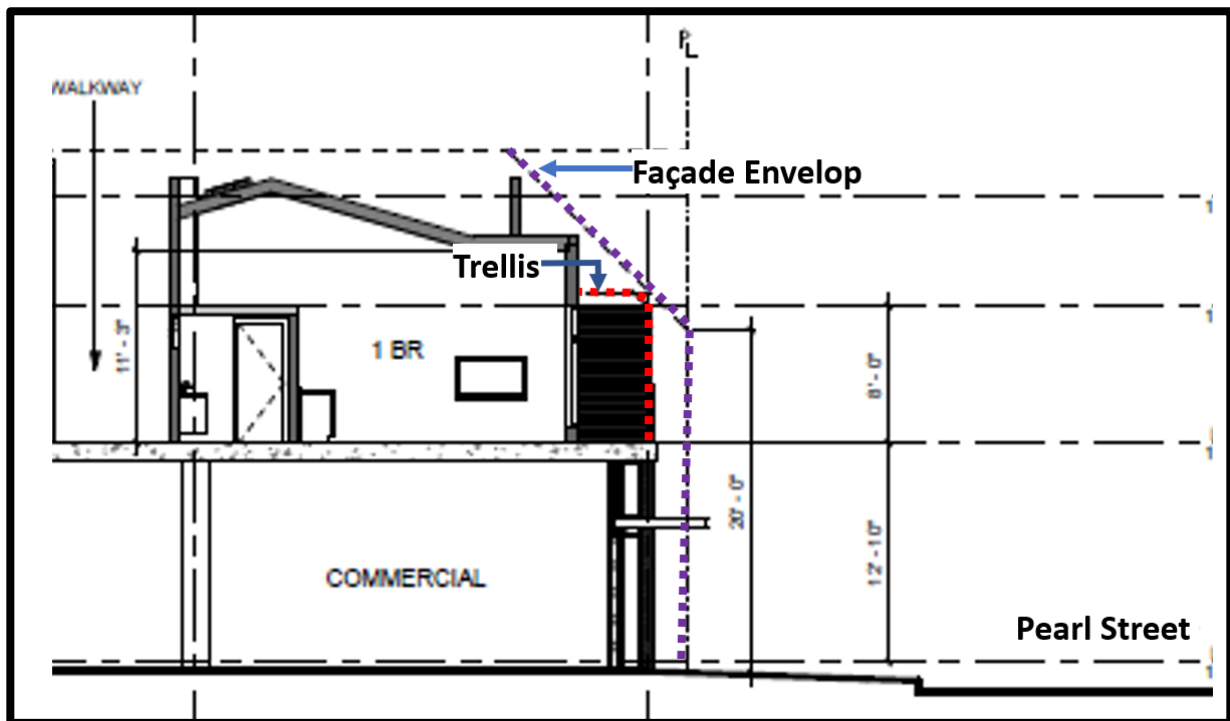


Figure 4: Trellis Section Along Pearl Street

Appeal Issue 3:

"The City failed to provide adequate information about the Project and CDP depriving the public of adequate notice and opportunity for public input regarding the Project and CDP's potential environmental impacts. Additionally, the City failed to provide sufficient information to ensure public participation was adequately informed during review of the Project and CDP. Among other things, the City failed to make available the environmental documents used to review the Project's impacts during the public comment period hindering public participation. See CEQA Guidelines §15201. The City's October 22, 2019 Notice of Future Decision for Project No. 638970 simply stated "This project is undergoing environmental review." The notice failed to inform the public that the environmental review would be conducted using the Negative Declaration ("ND") for the previously approved CDP under Project No. 294370, a fact only revealed after the current Project and CDP had been approved. This failure to provide adequate notice and information precluded informed public participation and violated CEQA."

Staff response 3:

Where a prior environmental Negative Declaration (ND) has been adopted for a project, no subsequent CEQA document shall be prepared for that project unless the lead agency determines, based upon substantial evidence, that substantial changes are proposed in the project which require major revisions to the previously adopted ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines §15162).

In 2016, a ND was prepared for the Conger Mixed Use ("Conger") project located at 801 Pearl Street, the current project location. The Conger project proposed a two-story mixed-use project with four retail units. The ND found that the proposed Conger project would not have a significant effect on the environment. The ND was adopted by the Planning Commission. The proposed project modifications do not require major revisions to the previously adopted ND, as the project changes resulted in reduced impacts and do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No further CEQA documentation is required, and consequently, no CEQA documentation was required to be made available for public comment. See additional discussion of the CEQA determination for the Project, below, in response to Appeal Issue 4.

The project's Notice of Future Decision provided information required in accordance with [SDMC Section 111.0301](#) generally including a project description; the location and size of the property; a statement regarding environmental review; the community planning area; City staff contact information; and the name of the applicant (Attachment 10). With respect to the environmental review, as required by SDMC Section 111.0301(b)(1)(C), the Notice of Future Decision stated "This project is undergoing environmental review." Additionally, the notice included an explanation that the decision to approve, conditionally approve, or deny the project would be made by City staff without a public hearing. It also included an explanation of the process to appeal the decision. Further, the Notice of Future Decision clearly stated the project manager's contact information and specifically says, "If you have any questions about the project after reviewing this information, you may contact the City Project Manager". Requests for project information from all interested parties were fully addressed upon receiving any inquiries.

Appeal Issue 4:

"The project violates CEQA, being the City's reliance on the prior ND. Here, the Project is not consistent with the prior project. The prior project, the Conger Mixed Use Project No. 294307, was approved for four retail units, one restaurant, and 12 condo units. The current Project proposes two retail units and 26 dwelling units. The Project is a new project that will pose different impacts than those of the prior project. The Project's environmental impacts must be properly analyzed and addressed.

A previous subsurface study of the Project site was prepared by APEX in 2016. The investigation found the presence of lead in several soil samples in concentrations that could potentially be considered hazardous. The investigation also notes the presence of volatile organic compounds ("VOC"). As a result, the study recommended conditions including a soil management plan and pre-profiling the soil at the Project site to ensure proper handling and disposal. Appropriate mitigation is required to ensure any soil contaminants are appropriately handled.

Among other things, the Project more than doubles the number of residential units previously approved and includes street-level parking instead of a subterranean garage proposed by the prior project. The Project must ensure that its parking is managed correctly to ensure its parking impacts on the surrounding neighborhood are properly addressed. The Project's plans

propose the 26 dwelling units, two commercial spaces, and the provision of 23 parking spaces total. Of the 23 parking spaces, 17 would be for residential parking and six would be for commercial parking. The October 23, 2019 cycle issues report for the Project from the City's Development Services Department noted an outstanding issue with the Project's parking provision."

Staff response 4:

The Environmental Analysis Section (EAS) conducted an environmental evaluation that encompassed review of a Phase I Environmental Site Assessment and a Limited Phase II Subsurface Investigation, which included a Property Mitigation Plan. These documents identified the contaminated soils onsite and outlined appropriate remediation efforts for disposal and/or reuse of the soils onsite which must be completed by the applicant prior to issuance of building permits associated with the Project. Additionally, the County of San Diego Department of Environmental Health (DEH) Voluntary Assistance Program (VAP) reviewed the documentation and concurred with the remediation measures. As a condition of approval, the project is required to submit verification that the applicant has received a closure letter from the County of San Diego DEH (Attachment 8).

The project has been reviewed in accordance with the California Environmental Quality Act (CEQA) Statutes and Guidelines. More specifically, based on all available information, and in light of the entire record, the City has concluded pursuant to Section 15162(a) and 15164 of the State CEQA Guidelines that the project would not result in substantial changes which would require major revisions of the previous adopted ND. This is based on the fact that no new significant environmental effects nor any substantial increase in the severity of previously identified significant effects would occur. Further, substantial changes have not occurred which will require major revisions of the previous environmental document. Lastly, there is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted, that shows any of the circumstances described in CEQA Guidelines 15162(a)(3)(A) – (D). All impacts were adequately addressed and disclosed in the previously adopted Negative Declaration No. 294307.

Based on current parking calculations, the Project requires fewer parking spaces than the previously approved Conger project (Conger = 37 spaces, current project = 22 spaces). The ND for the previously approved Conger project relied on the traffic and transportation study prepared by Chen Ryan, which evaluated the traffic generation of the prior service station and the Conger project. The study determined that the former service station generated five hundred ninety-eight (598) average daily trips (ADT) and the Conger project would generate two hundred eighty- nine (289) ADT. Using the same methodology, it was determined that this project will generate a similar two hundred eighty-two (282) ADT, nearly half of the service station.

All transportation and parking requirements and issues related to the project identified during the City's review have been satisfied. The applicant has clearly labeled parking spaces accordingly on Sheet A1.00 (commercial = RET and for residential = RES) of the concept plans (Attachment 14).

Appeal Issue 5:

"The Proposed Findings are Not Supported by the Evidence. The proposed resolution fails to produce adequate findings supported by evidence. As noted above, the Project violates the General Plan, Community Plan, SDMC, and CEQA. The proposed findings do not provide an adequate basis to approve the Project."

City Staff response 5:

Staff has reviewed the proposed project against technical studies and development plans. Documentation provided during staff's review to assist in ensuring the project meets the required development codes and policies included Development Plans, Drainage Study, Storm Water Quality Management Plan, Geotechnical Reports, a Phase II Environmental Site Assessment report, Limited Phase II Subsurface Investigation, and a Climate Action Plan. Based on this information, the documentation provided, staff has concluded that all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the SDMC. Based on substantial evidence in the record, staff supports the determination that the project is consistent with the recommended land use plan and development standards in effect for this site per the SDMC, the La Jolla Community Plan and the General Plan. Therefore, all findings can be supported for the proposed CDP.

Conclusion:

Staff recommends that the Planning Commission deny the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit No. 2356322, as the project meets all applicable development regulations and policies.

ALTERNATIVES

1. Deny the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit No. 2356322, with modifications.
2. Grant the appeal, reverse the Development Services Department's decision, and Deny Coastal Development Permit No. 2356322, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



PJ FitzGerald
Assistant Deputy Director
Development Services Department

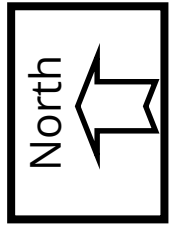
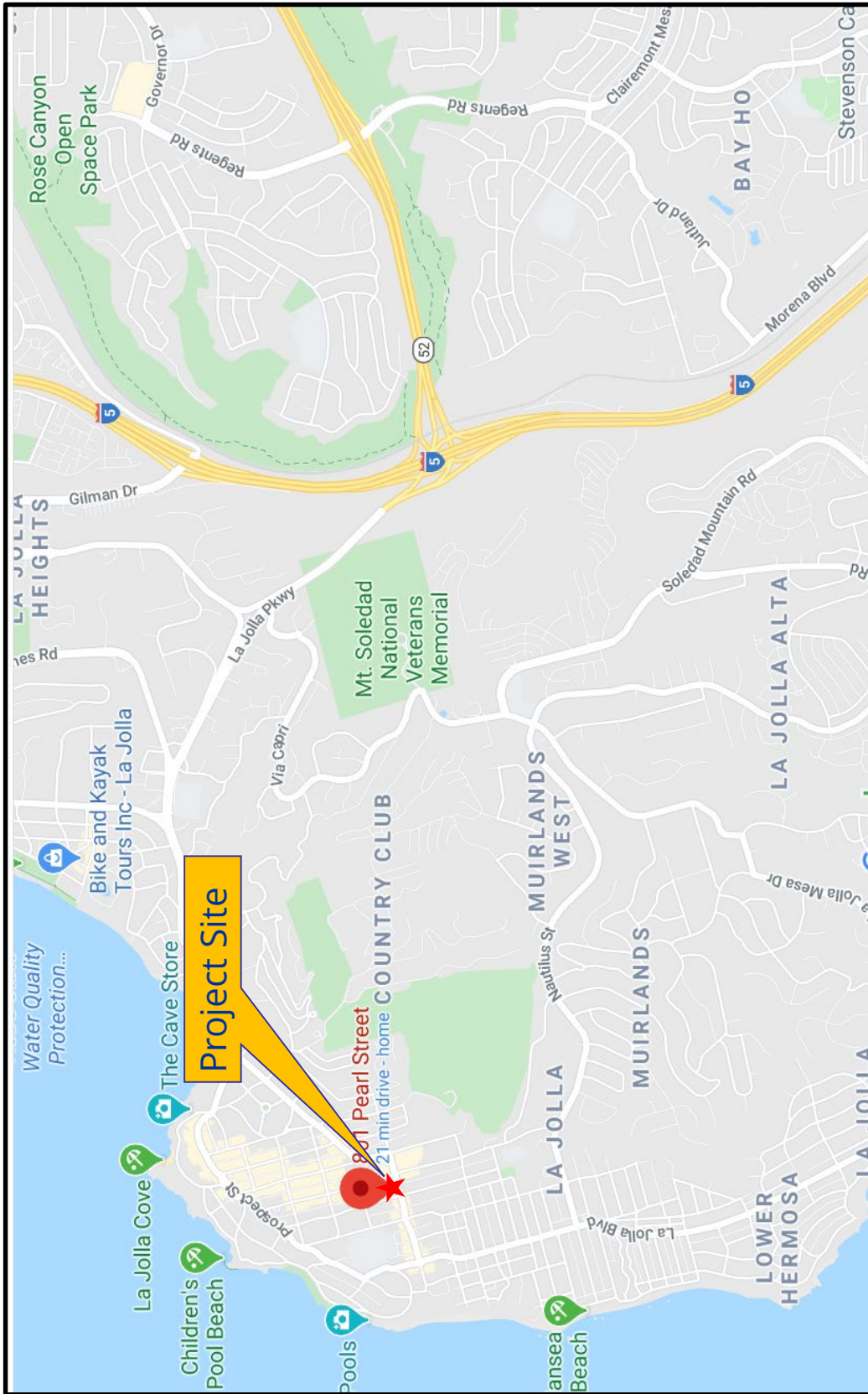


William Zoumes
Development Project Manager
Development Services Department

DEPARTMENT HEAD SURNAME IN CAPS/AUTHOR'S THREE INITIALS IN CAPS

Attachments:

1. Location Map
2. Aerial Photograph
3. Existing Land Use Designation
4. Existing Zoning
5. Site Photographs (Existing)
6. Data Sheet
7. Draft Permit Resolution with Findings
8. Draft Permit with Conditions
9. Project Appeal
10. Notice of Future Decision
11. Site Development Permit No. 1375058/Coastal Development Permit No. 1375059
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement
14. Project Plans

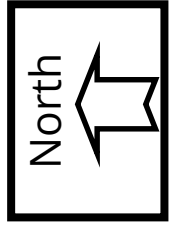


Location Map

Pearl Street Mixed Use - Project No. 538970

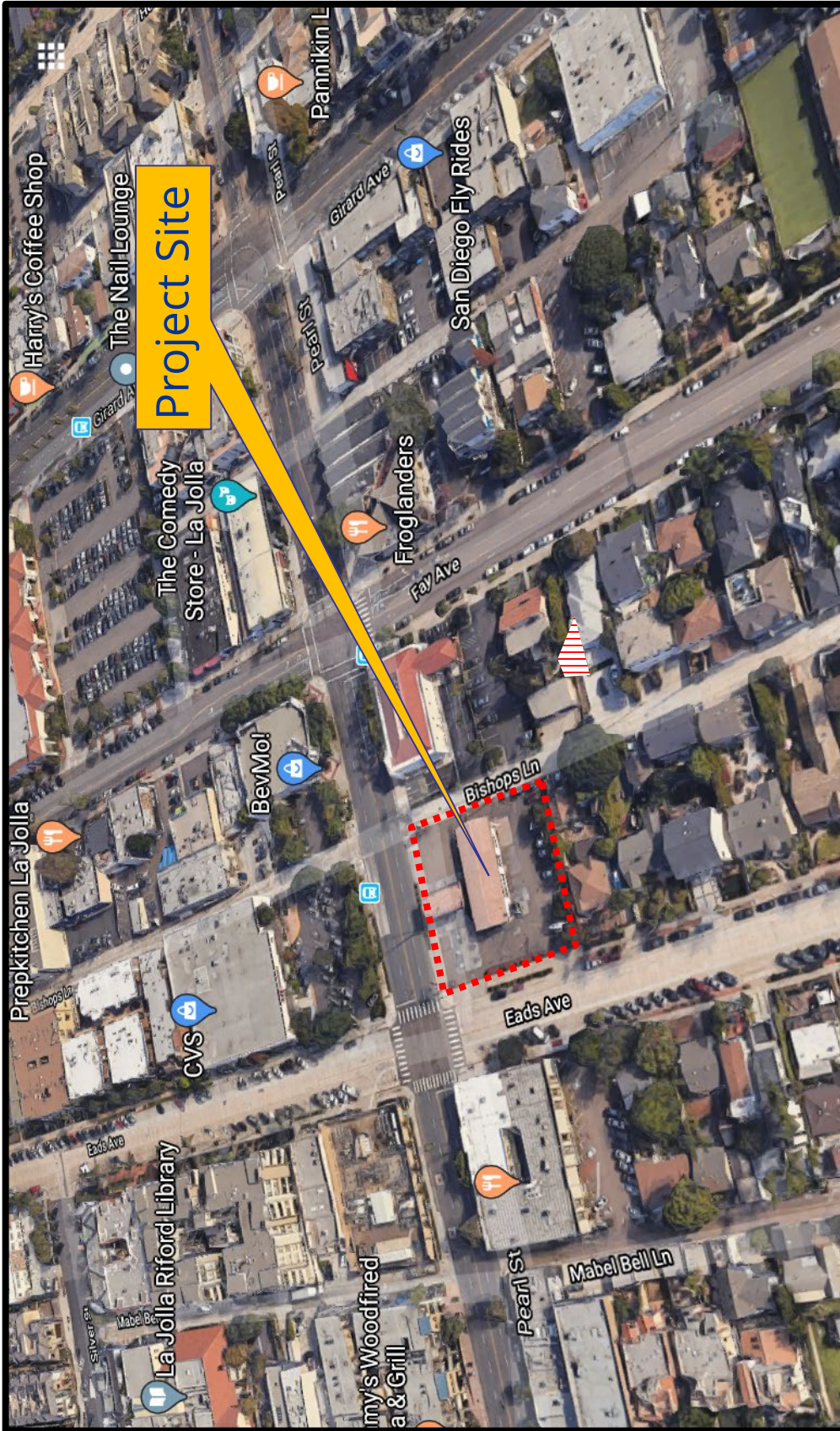
801 Pearl Street

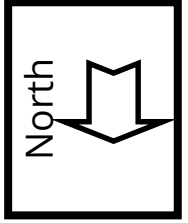




Aerial Photograph

Pearl Street Mixed Use - Project No. 538970
801 Pearl Street

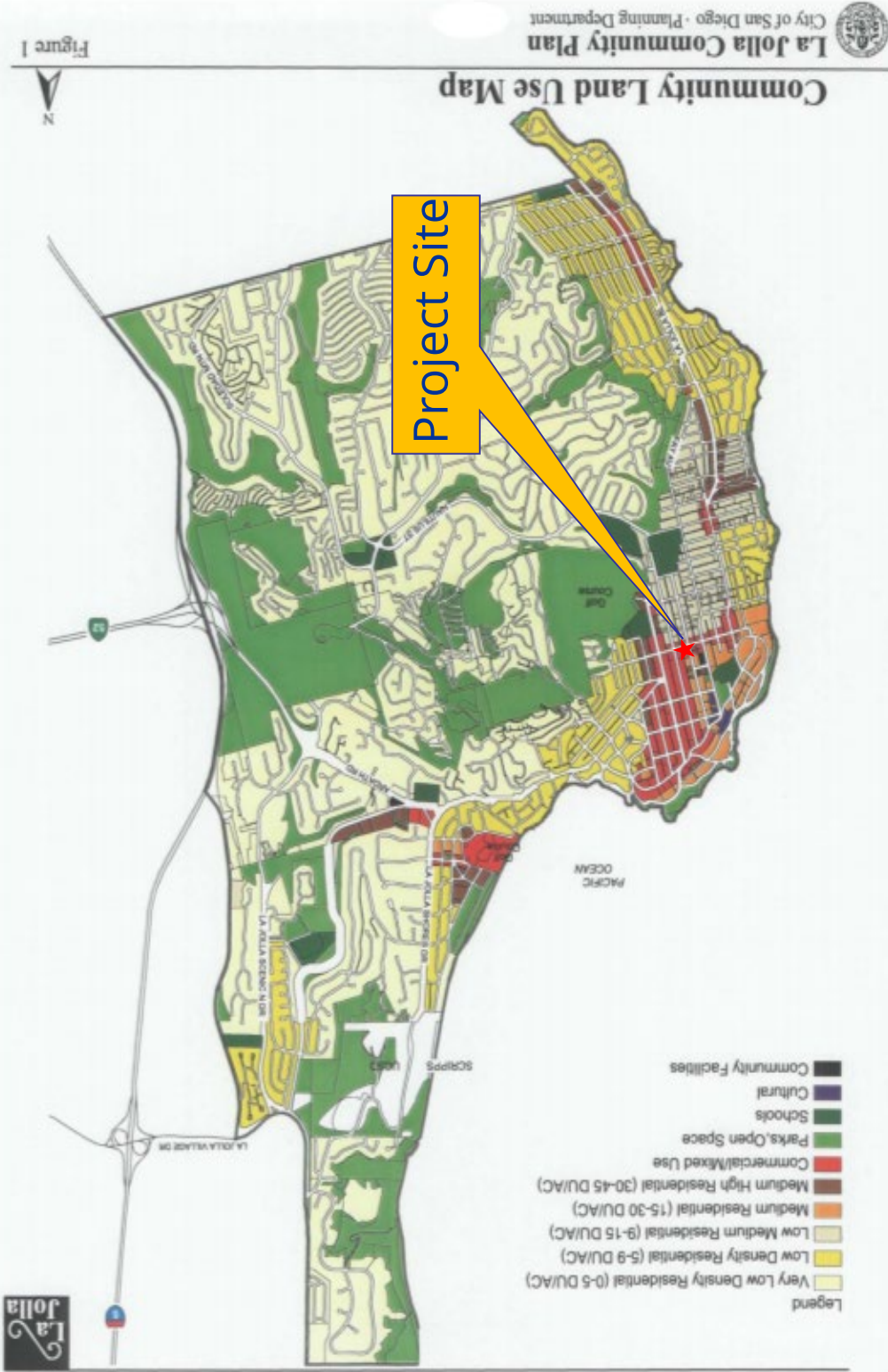


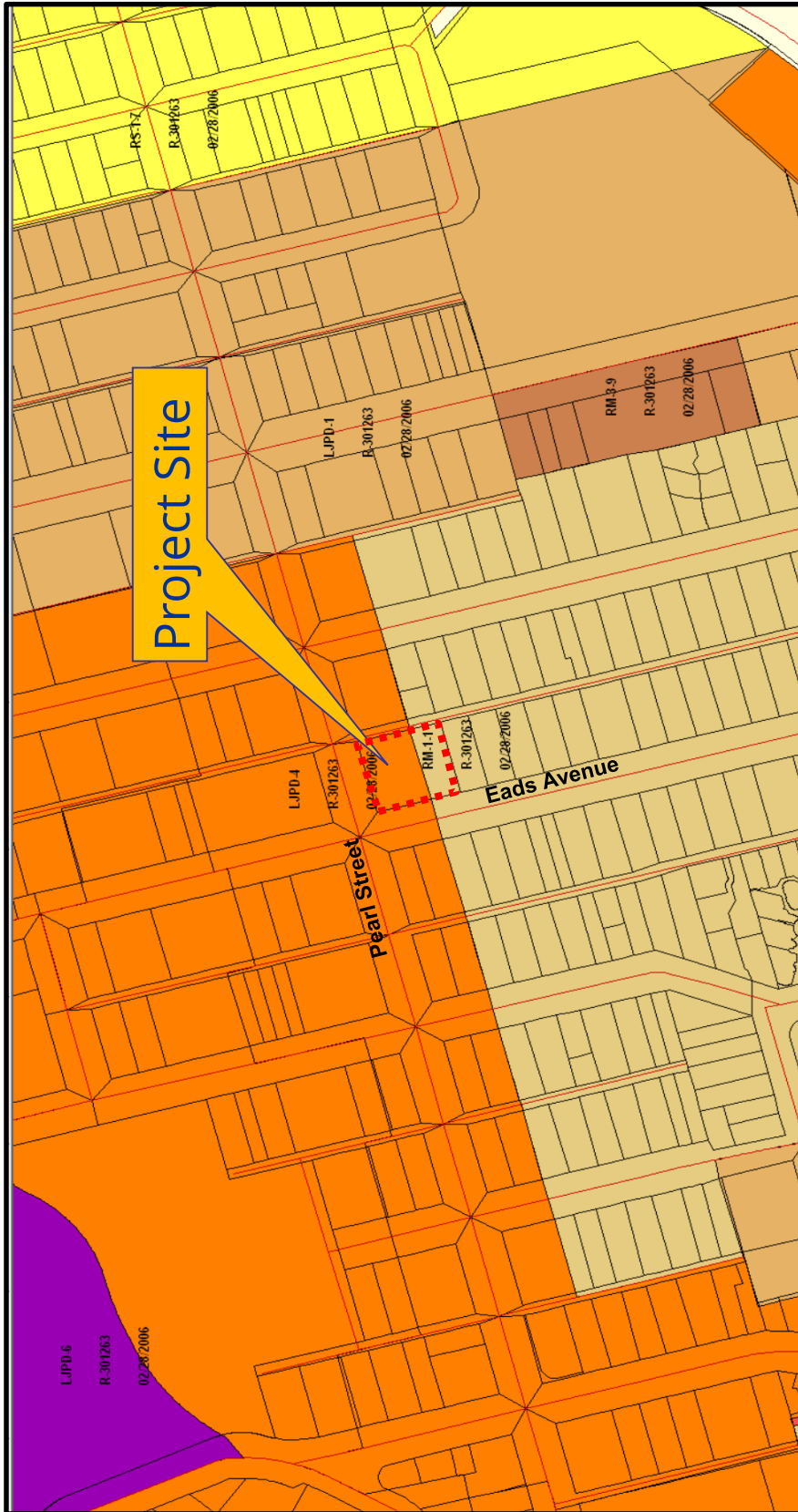
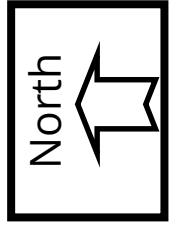


La Jolla Community Plan Land Use

Pearl Street Mixed Use - Project No. 538970

801 Pearl Street

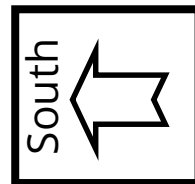




Existing Zoning (RM-1-1 and LJPD-4)

Pearl Street Mixed Use - Project No. 538970
801 Pearl Street





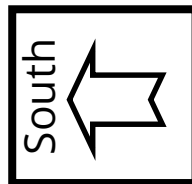
**Site Photo – Existing Site Conditions viewed from
Bishop Lane Looking south**
Pearl Street Mixed Use - Project No. 538970
801 Pearl Street





**Site Photo – Taken from northeast corner of Pearl Street
and Eads Avenue looking south**

Pearl Street Mixed Use - Project No. 538970
801 Pearl Street

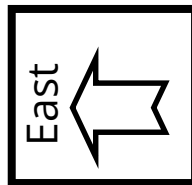




Site Photo – Taken from the southwest corner of Pearl Street and Eads Ave Looking east

Pearl Street Mixed Use - Project No. 538970

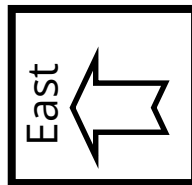
801 Pearl Street





**Site Photo – Taken from Pearl Street and Bishop Lane
looking west**

**Pearl Street Mixed Use - Project No. 538970
801 Pearl Street**



PROJECT DATA SHEET		
PROJECT NAME:	Pearl Street Mixed Use	
PROJECT DESCRIPTION:	The project proposes a Coastal Development Permit to clear the site of a defunct service station in order to construct a 20,606 square-foot, two-story mixed-use development consisting of two retail units and 26 multi-family residential dwelling units for rent.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Coastal Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	low-medium residential/ commercial/mixed use	
<p align="center"><u>ZONING INFORMATION:</u></p> <p>ZONE: RM-1-1/LJPD Zone-4</p> <p>HEIGHT LIMIT: 30 feet</p> <p>LOT SIZE: 0.48-acres</p> <p>FLOOR AREA RATIO: 0.75(RM-1-1/1.3 (LJPD Zone-4)</p> <p>FRONT SETBACK: RM-1-1 = Internal lot line with the consolidation with the LJPD Zone-4/ LJPD-4 = no requirement.</p> <p>SIDE SETBACK: RM-1-1=10 percent of lot width or 8 feet, which ever is greater/LJPD Zone-4 = none</p> <p>STREETSIDE SETBACK: RM-1-1=10 percent of width or 14 feet/LJPD Zone-4 = none</p> <p>REAR SETBACK: RM-1-1 = 15 feet/LJPD = 15 feet if abut residential zone</p> <p>PARKING: 22 spaces proposed</p>		
	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	commercial/mixed use; LJPD Zone-4	Commercial businesses
SOUTH:	Low-Medium Residential; RM-1-1	Single and multi-family residential dwelling units
EAST:	commercial/mixed use; LJPD Zone-4	Commercial businesses
WEST:	commercial/mixed use; LJPD Zone-4	Commercial businesses
DEVIATIONS OR VARIANCES REQUESTED (INCENTIVES):	Private open space, removal of commercial and residential motorcycle parking, loading area, and personal storage area	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On December 7, 2019 the La Jolla Community Planning Association voted 10-3-1 to recommend approval of the project.	

PLANNING COMMISSION
RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2356322
PEARL STREET MIXED USE PROJECT NO. 638970

WHEREAS, MODNLIVING PEARL, LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish and remove an existing service station, construct a mixed use project with ground floor commercial units and 26 for-rent residential units with on-grade parking, landscaping and minor improvements in the public right-of-way (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2356322), on portions of a 0.48-acre site;

WHEREAS, the project site is located at 801 Pearl Street in the La Jolla Planned District in Zone 4 and the RM-1-1 (Residential—Multiple Unit) Zone in the La Jolla Community Plan;

WHEREAS, the project site is legally described as Lots 1 through 6, Block 6, La Jolla Park, according to Map thereof No. 352, filed March 22, 1887;

WHEREAS, on February 25, 2020 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the current project was reviewed by the Environmental Analysis Section and it was determined that in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162(a):

- (1) No substantial changes are proposed in the project which would require major revisions of Negative Declaration No. 294307 certified by the Planning Commission on August 11, 2016 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) No substantial changes have occurred with respect to the circumstances under which the project will be undertaken which would have required major revisions to

the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

- (3) There is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, that shows any of the circumstances described in CEQA Guidelines 15162(a)(3) (A) - (D).

WHEREAS, on February 25, 2020, the Development Services Department of the City of San Diego approved Coastal Development Permit No. 2356322 pursuant to the Land Development Code of the City of San Diego. An appeal of the Development Services Department's decision to approve Coastal Development Permit No. 2356322 was filed on March 9, 2020;

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2356322:

A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The project proposes a Coastal Development Permit to clear the site of a demolished service station in order to construct a 20,606 square-foot, two-story mixed-use building consisting of two retail units and 26 residential rental units with an on-grade garage. The project will include two affordable housing units, located at 801 Pearl Street. The 0.48-acre site is in Zone 4 of the La Jolla Planned District, the RM-1-1 zone and the Coastal Overlay (non-appealable) within the La Jolla Community Plan Area.

The proposed development is contained within the existing legal lot area, on private property, and will not encroach upon any existing physical access way that is legally

used by the public or any proposed public access way identified in the Local Coastal Program Land Use Plan. There are no public access ways proposed for the project. The proposed development conforms to the height and setback regulations of the San Diego Municipal Code and the La Jolla Community Plan. The development does not impact any public views to or along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

b. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project proposes a Coastal Development Permit to clear the site of a demolished service station in order to construct a 20,606 square-foot, two-story mixed-use building consisting of two retail units and 26 residential rental units with an on-grade garage. The project will include two affordable housing units, located at 801 Pearl Street. The 0.48-acre site is in Zone 4 of La Jolla Planned District, the RM-1-1 zone and the Coastal Overlay (non-appealable) within the La Jolla Community Plan Area. The site has been previously developed and is neither located on or near any sensitive biologic resources or environmentally sensitive lands, thus it does not contribute to any alteration or disturbance of these natural lands forms. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project proposes a Coastal Development Permit to clear the site of a demolished service station in order to construct a 20,606 square-foot, two-story mixed-use building consisting of two retail units and 26 residential rental units with an on-grade garage. The project will include two affordable housing units, located at 801 Pearl Street. The 0.48-acre site is in Zone 4 of La Jolla Planned District, the RM-1-1 zone and the Coastal Overlay (non-appealable) within the La Jolla Community Plan Area.

The La Jolla Community Plan has two land use designations for the site; the northern portion of the site is designated for commercial/mixed use at a density range of 29 dwelling units per acre and the southern portion is designated low-medium residential at a density range of nine to 15 dwelling units per acre. The northern portion of the site is 13,996 square feet in Zone 4 of the La Jolla Planned District and the southern portion is 6,995 square feet in the RM-1-1 zone. The northern portion can accommodate 9.32 units, which when rounded up equates to 10 units and the southern portion can accommodate 2.40 units, which when rounded up equates to three units for an overall total of 13 units. The project is proposing 15 percent of the units as affordable reserved to very-low income households with rents at 30 of 50 percent of Area Median Income for a period of 55 years, qualifying the development for a 100 percent density bonus, thus allowing 26 units in accordance with SDMC

section 143.0720. The Project is consistent with the land use designations set forth in the La Jolla Community Plan.

The Housing Element of the General Plan serves as a policy guide to address the comprehensive housing needs of the City of San Diego. Goal No. 4 of the Housing Element is to “provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facility compliance with all applicable federal, state, and local laws and regulations”. Policy direction specific to density bonus is to: 1) Encourage and promote the use of available Housing Density Bonus Programs. Future consideration should be given to expanding density bonus incentives and provisions; and 2) Enforce all Federal, State, and local ordinances or regulations pertaining to land use incentives which promote affordable housing opportunities for low- and moderate-income homebuyers, such as inclusionary housing and density bonus. The proposed project incorporates the General Plan Housing Element by processing a project proposing affordable housing and applying the density bonus regulation of SDMC Section 143.0720.

The Residential Element of the La Jolla Community Plan sets forth a series of goals, policies and recommendations for residential development. The relevant goals, as stated on page 67, include: “Introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels” and “Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.” The proposed Project meets these goals by providing a higher density, smaller unit product within the La Jolla downtown village area. The project is proposing that 15 percent of the pre-density bonus units be affordable and reserved to very-low income households with rents set at 30 percent of 50 percent of Area Median Income for a period of 55 years.

The Community Plan goals for commercial development recommend recommends: 1) “The City should provide opportunities to develop affordable housing in order to meet a variety of housing needs within La Jolla's neighborhood mixed-use districts, by allowing a residential density bonus 25 percent above and beyond that allowed by the base zone”; 2) “The City should promote mixed-use development in all commercial areas of the community”; and 3) “The City should seek to promote the pedestrian orientation of the office-commercial areas of downtown La Jolla.” As noted above, the project proposes a mixed-use development with affordable housing. A non-contiguous sidewalk with flowering street trees line both Eads Avenue and Pearl Street to keep pedestrians set back from the street. A commercial patio that will serve the retail establishments will be located at the corner of Pearl Street and Eads Avenue to further promote the pedestrian experience.

The Community Plan Transportation Element, recommends that surface parking be located to the rear and that ingress and egress be provided from the alley. Because of the given volume of traffic on Pearl Street and the relatively short blocks between

the traffic lights, access from Eads Avenue is being provided where the traffic signal can control commercial and residential traffic.

The Community Plan's Appendix E on Streetscape Guidelines, recommends Jacaranda trees along Pearl Street as they are also the major prevailing street tree and Magnolia trees on Eads Avenue. The project includes Jacaranda trees on Pearl Street and Eads Avenue, both with a non-contiguous sidewalk. The proposed project was reviewed for compliance with the RM-1-1 zone and the La Jolla Planned District Zone 4 development requirements. The project is entitled to the concessions or incentives, in the form of deviations to the development regulations, unless the City makes a written finding of denial based on substantial evidence pursuant to SDMC Section 143.0740(c)(1) and Government Code Section 65915(d)(1). The applicant is requesting five (5) affordable housing incentives. The project will include deviations to private open space, removal of commercial and residential motorcycle parking, loading area, and personal storage area. Aside from the proposed incentives, the project fully complies with the RM-1-1 zone and the La Jolla Planned District Zone 4 development requirements including the Coastal Height Limit Overlay Zone requirement of 30 feet. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

The project site is not located between the first public road and sea or the shoreline. It is located approximately a half mile east of the Pacific Ocean. Therefore, the proposed development is not subject to compliance with the public access and recreation policies of Chapter 3 of the California Coastal Act.

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, based on the findings hereinbefore adopted by the Development Services Department, Coastal Development Permit No. 2356322 is hereby GRANTED by the Development Services Department to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2356322 a copy of which is attached hereto and made a part hereof.

William Zounes
Development Project Manager
Development Services

Adopted on: May 7, 2020

IO#: 24008286

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008286 SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2356322
PEARL STREET MIXED USE PROJECT NO. 638970
PLANNING COMMISSION

This Coastal Development Permit No. 2356322 is granted by the Planning Commission of the City of San Diego to MODNLiving PEARL, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.48-acre site is located at 801 Pearl Street in Zone 4 of the La Jolla Planned District and the RM-1-1 (Residential—Multiple Unit) Zone in the La Jolla Community Plan. The project site is legally described as Lots 1 through 6, Block 6, La Jolla Park, according to Map Thereof No. 352, filed March 22, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish and remove an existing service station, construct a mixed use project with ground floor commercial space and 26 for-rent residential units with on-grade parking, landscaping and minor improvements in the public right-of-way described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 7, 2020, on file in the Development Services Department.

The project shall include:

- a. Demolish and remove an existing service station, construct a 20,606 square-foot, two-story mixed-use development consisting of ground floor commercial space and 24 market rate residential rental units and two affordable rental units reserved for very-low income households with rents at 30 percent of 50 percent of Area Median Income for a period of 55 years, for a total of 26 residential units;
- b. Development Incentives for Affordable Housing Density Bonus as follows:
 1. In accordance San Diego Municipal Code 159.0309(d), a reduction in the required private open space of 150 square feet, where the required open space for each unit will not be below 14 percent of the required area;
 2. Removal of commercial motorcycle parking requirement per SDMC Section 142.0530(g);

3. Reduction in the required loading area of 600 square feet per SDMC Section 159.0409 where the loading area will not be less than 378 square feet;
 4. In accordance San Diego Municipal Code 159.0309, a reduction in the required personal storage of 240 cubic feet to not go below 50 percent of the required area;
 5. Removal of residential motorcycle parking requirement per SDMC Section 142.0525(a) Table 142-05C;
- c. Landscaping (planting, irrigation and landscape related improvements);
 - d. Off-street parking; and
 - e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 7, 2020
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENVIRONMENTAL REQUIREMENTS:

12. Prior to the issuance of building permits, the Owner/Permittee shall provide written closure letter from the County Department of Environmental Health that the work described within the Community Health and Safety Plan has been adequately completed for the site.

AFFORDABLE HOUSING REQUIREMENTS:

13. Prior to issuance of any building permit associated with this Project the Owner/Permittee shall demonstrate compliance with the provisions of the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the San Diego Municipal Code. The Owner/Permittee shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable affordability conditions consistent with the San Diego Municipal Code. The Agreement will specify that in exchange for the City's approval of the Project, which contains a 100 percent density bonus (13 units in addition to what is permitted by the underlying zoning regulations), alone or in conjunction with any incentives or concessions granted as part of Project approval, the Owner/Permittee shall provide 15 percent of pre-density bonus dwelling units (2 units) with rents of no more than 30% of 50% of AMI for no fewer than 55 years.

14. The Agreement referenced in the preceding paragraph will satisfy the requirements of San Diego Municipal Code section 143.1303(g) and therefore, exempt the Project from the Inclusionary Affordable Housing Regulations in Chapter 14, Article 2, Division 13 of the San Diego Municipal Code.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any building permits, the Owner/Permittee shall provide an additional 0.17 feet pedestrian easement, along the entire project frontage on Pearl Street, satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the curb outlet, sidewalk underdrains, landscape, and irrigations located within the City's right-of-way, satisfactory to the City Engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of all non-utilized driveways, on Eads Avenue and Pearl Street, with City standard curb, gutter and sidewalk, satisfactory to the City Engineer.
18. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the installation of a new 24-foot wide City standard driveway along Eads Avenue, satisfactory to the City Engineer.
19. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the installation of a new standard concrete alley, adjacent to the site, satisfactory to the City Engineer.
20. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of an alley apron, per current City Standard, satisfactory to the City Engineer.
21. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the installation of a new standard curb, along the property frontage on Eads Avenue and new curb gutter, and sidewalk along the property frontage on Pearl Street, satisfactory to the City Engineer.
22. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
23. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
24. Prior to the issuance of a building permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
25. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

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

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

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

29. In the event that a foundation-only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

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

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

PLANNING/DESIGN REQUIREMENTS:

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

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

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

TRANSPORTATION REQUIREMENTS

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

36. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard new standard curb, along the property frontage on Eads Avenue and new curb gutter, and sidewalk along the property frontage on Pearl Street, satisfactory to the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

37. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

38. 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 devices (BFPD), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

39. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

40. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

41. Prior to Final Inspection, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

42. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this

discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

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

APPROVED by the Planning Commission of the City of San Diego on May 7, 2020.

ENCLOSURE 8

Coastal Development Permit No.: 2356322
Date of Approval: May 7, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

William Zounes
Development Project Manager

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

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

MODNLiving Pearl, LLC,
Owner/Permittee

By _____
David Bourne

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



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031

November 2017

In order to assure your appeal application is successfully accepted and processed, you must read and understand [Information Bulletin 505](#), "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination
2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person"
(Per M.C. Sec. 113.0103)

Name: Doug and Karen Moranville, c/o DeLano & DeLano E-mail: tyler@delanoanddelano.com
Address: 104 W. Grand Ave., Suite A City: Escondido State: CA Zip Code: 92025 Telephone: 760-741-1200

3. Project Name:

Pearl Street Mixed Use

4. Project Information

Permit/Environmental Determination & Permit/Document No.: Project Number 638970 Date of Decision/Determination: February 25, 2020 City Project Manager: William Zounes

Decision(Describe the permit/approval decision):

The Development Services Department approved the application for the Pearl Street Mixed Use Project No. 638970, including Coastal Development Permit No. 2356322, to clear the Project site at 801 Pearl Street in La Jolla of a demolished service station, and to construct a 20,606 square-foot, two-story mixed-use building. The Project's environmental review relied on the Mitigated Negative Declaration for a previous project, Project No. 294370.

5. Ground for Appeal(Please check all that apply):

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

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.)

The grounds for appeal are included in Attachment 1.

This appeal is based upon the information contained in Attachment 1, the letter dated March 9, 2020 from DeLano & DeLano (enclosed), this completed Appeal Application form, staff reports on the Project, and such other materials as appellants may bring to the attention of the City before and during its consideration of this appeal.

RECEIVED

MAR 09

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: _____

Date: March 9, 2020

Note: Faxed appeals are not accepted.

ORIGINAL

FAKED



DELANO & DELANO

March 9, 2020

Personal Service

Planning Commission
 City of San Diego
 1222 First Ave, Fifth Floor
 San Diego, CA 92101

Re: Appeal of Pearl Street Mixed Use Project No. 638970 and Coastal Development Permit

Honorable Members of the Planning Commission:

This letter is submitted on behalf of Doug and Karen Moranville in connection with the appeal challenging the February 25, 2020 approval of the Pearl Street Mixed Use Project No. 638970 ("Project") and related Coastal Development Permit ("CDP") No. 2356322 at 801 Pearl Street in La Jolla, California. The Moranvilles reside in a single-story, single-family home immediately adjacent to the Project site. This appeal challenges the approval of the Project and CDP because of factual error, conflict with other matters, findings not supported, and new information.

I. The Project Violates the General Plan and Community Plan

The approval of the Project and CDP as proposed must be overturned. Among other things the findings inaccurately claim that the Project and CDP are consistent with the Local Coastal Program land use plan and comply with applicable regulations.

"The propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." *Orange Citizens for Parks and Recreation v. Sup. Ct.* (2016) 2 Cal.5th 141, 153 (citation omitted). If a Project "will frustrate the General Plan's goals and policies, it is inconsistent with the County's General Plan unless it also includes definite affirmative commitments to mitigate the adverse effect or effects." *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 379. "[G]eneral consistencies with plan policies cannot overcome 'specific, mandatory and fundamental inconsistencies' with plan policies." *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 239.

Community plans are "essential and integral component[s] of the City's General Plan with clear implementation recommendations and links to General Plan goals and policies." General Plan, at LU-24 (Policy LU-C.1.) The La Jolla Community Plan and

EVERETT L. DELANO III
Admitted in California and Colorado

M. DARE DELANO
Admitted in California and New York

TYLER T. HEE
Admitted in California and Hawaii

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Local Coastal Program ("Community Plan") further explains that the Community Plan is a component of the City's General Plan and provides specific recommendations for La Jolla that build upon the General Plan's policies. Community Plan at 117.

The resolution approving the Project and CDP incorrectly claims the proposed development conforms with the Community Plan. The Project is inconsistent with General Plan and Community Plan including, among other things, provisions governing commercial and residential development that seek to protect community character and promote harmonious development with the existing area. The Community Plan provides a general community goal to: "Maintain La Jolla as a primarily residential and recreational oriented community by protecting its residential areas and historic resources, maintaining its public recreational areas, and enhancing its commercial districts." Community Plan at 5. Consistent with this general goal, the Community Plan's Residential Land Use Element ("RLUE") makes it a goal to: "Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures." Community Plan at 66.

To accomplish these goals, RLUE Policy 2.a. states:

In order to promote development compatible with the existing residential scale:

The City should apply the development recommendations that are contained in this plan to all properties in La Jolla in order avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures.

Community Plan at 70. The RLUE offers specific recommendations to guide community character for residential land uses, including the following:

- RLUE Recommendation 2.a.1) that makes it a policy for new development to preserve the bulk and scale of neighboring structures as viewed from the public right-of-way;
- RLUE Recommendation 2.b. that provides for the implementation of various yard setbacks to avoid a wall effect along the street façade; and
- RLUE Recommendation 2.c. that states: "In order to promote transitions in scale between new and older structures, create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment and variations within front yard setback requirements."

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Community Plan at 76. The Project is a mixed-use project that includes commercial uses. Thus, the recommendations of the Community Plan's Commercial Land Use Element ("CLUE") also apply. CLUE Recommendation 2.a. provides:

Avoid abrupt transitions in scale between commercial buildings and adjacent residential areas. Utilize transitions in bulk and scale to create visual interest and create a sense of enclosure for pedestrians; gradual transitions in scale between commercial and residential uses are preferred. Design larger structures in a manner that reduces actual or apparent bulk with the use of building articulation. Provide landscaping to add texture to blank walls, soften edges and provide a sense of pedestrian scale.

Community Plan at 86. The Project is inconsistent with these goals, policies, and recommendations of the Community Plan.

Specifically, the Project proposes to construct an approximately 29-foot tall mixed-use building adjacent to an existing, single-story residential use. See Attachment 2 and Attachment 3 (photographs depicting Project site and adjacent single family, single-story residential building). As proposed, the Project would be inconsistent with Community Plan provisions above concerning bulk and scale, transitions in scale between new and older structures, and gradual transition for commercial buildings adjacent to residential areas.

The Project could be greatly improved to meet the provisions of the Community Plan by the inclusion of building articulation and gradual transitions for the Project façade along the adjacent single-story residences. Such revisions to the Project could utilize other portions of the Project site rather than concentrating 12 residential units adjacent to the existing residences. Accordingly, the Project fails to meet specific provisions of the Community Plan and the required findings cannot be made. The Project should be denied as proposed.

II. The Project Violates Applicable Regulations

The Project violates several provisions of the San Diego Municipal Code ("SDMC"), including provisions concerning, among other things, coastal development permit findings, density bonuses, and the La Jolla Planned District. The approvals of the Project and CDP claim the project complies with the applicable regulations including, among other things, SDMC Section 143.0720. The Project, however, violates several specific SDMC requirements.

A. The Project Violates SDMC Coastal Development Permit Requirements

The Project fails to satisfy the findings for a CDP required by SDMC Section 126.0708. Among other things, under Section 126.0708(a)(3) the Project must conform with the certified local coastal program land use plan and comply with all regulations of

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the certified implementation program. As discussed above, the Project violates the relevant local coastal program land use plan, the La Jolla Community Plan and Local Coastal Program. The Project also violates applicable regulations of the implementation program, including SDMC provisions regarding development in the La Jolla Planned District discussed below.

B. The Project Violates SDMC Density Bonus Requirements

The Project fails to meet the density bonus requirements of SDMC Section 143.0720(i)(7). The Project proposes to develop 26 dwelling units utilizing a 100% density bonus increase under SDMC Section 143.0720(i)(7).

Among other things, SDMC Section 143.0720(i)(7) requires that a development seeking a 100% density bonus: “provides an average of no more than 600 square feet per dwelling unit with no dwelling unit exceeding 800 square feet.” (emphasis added). Plans for the Project claim the average area for each residential unit is 599.96 square feet (“S.F.”). However, Sheet 1 of the proposed plans, attached herein as Attachment 1, show the total area for dwelling units to be 15,845 S.F. That total area divided by the proposed 26 residential units results in an average area of 609.42 S.F. per dwelling unit. This exceeds the maximum allowable average of 600 S.F. per dwelling unit; thus, the Project is inconsistent with Section 143.0720(i)(7).

Additionally, SDMC Section 143.0720(i)(7) further states: “a density bonus of up to 100 percent of the pre-density bonus dwelling units shall be granted, provided that development of the additional density does not cause the need for an incentive, waiver, or deviation to exceed the maximum structure height or setbacks of the base zone.” A review of the Project’s East Elevation illustrated on Sheet 14 of the proposed plans, attached herein as Attachment 2, shows a portion of the Project exceeding the height restrictions along Pearl Street in violation of Section 143.0720(i)(7).

Accordingly, the Project does not meet the requirements of SDMC Section 143.0720(i)(7) and should not be granted the requested density bonus.

C. The Project Violates SDMC Requirements for the La Jolla Planned District

The Project violates development regulations for the La Jolla Planned District (“LJPD”). Among other things, the Project violates provisions for street façade envelopes within LJPD. SDMC Section 159.0307(e) prohibits any building or structure from extending beyond the façade envelope described therein. According to Sheet 14 of the Project’s plans, the proposed building extends beyond the street façade envelope along Pearl Street. See Attachment 2. There is no evidence that the Project would satisfy any of the three exceptions provided by SDMC Section 159.0307(e).

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III. The City Failed to Provide Adequate Notice and Information

The City failed to provide adequate information about the Project and CDP depriving the public of adequate notice and opportunity for public input regarding the Project and CDP's potential environmental impacts. The California Environmental Quality Act ("CEQA") is premised in part on "a belief that citizens can make important contributions to environmental protection and ... notions of democratic decision-making..." *Concerned Citizens of Costa Mesa v. 32nd Agricultural Assoc.* (1986) 42 Cal. 3d 929, 936. "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made... To this end, public participation is an 'essential part of the CEQA process.'" *Protect Niles v. City of Fremont* (2018) 25 Cal.App.5th 1129, 1138 (quoting CEQA Guidelines § 15201).

Additionally, Government Code Section 65033 "express[es] a clear legislative intent that planning agencies ensure [public] participation in the planning process," as well as ensures that public participation not "be restricted in any way." *Concerned Citizens of Murphys v. Jackson* (1977) 72 Cal.App.3d 1021, 1025. The local agency should keep the public apprised of the planning process through "means available to them, and [] at such hearings and other public forums, the public be afforded the opportunity to respond to clearly defined alternative objectives, policies, and actions." *Environmental Defense Project of Sierra County v. County of Sierra* (2008) 158 Cal.App.4th 877, 891 (quoting Govt. Code Section 65033).

The City failed to provide sufficient information to ensure public participation was adequately informed during review of the Project and CDP. Among other things, the City failed to make available the environmental documents used to review the Project's impacts during the public comment period hindering public participation. *See* CEQA Guidelines §15201. The City's October 22, 2019 Notice of Future Decision for Project No. 638970 simply stated "This project is undergoing environmental review." The notice failed to inform the public that the environmental review would be conducted using the Negative Declaration ("ND") for the previously approved CDP under Project No. 294370, a fact only revealed after the current Project and CDP had been approved. This failure to provide adequate notice and information precluded informed public participation and violated CEQA.

IV. The Project Violates CEQA

The City's reliance upon the prior ND is insufficient. "If the subsequent project is not consistent with the program or plan, it is treated as a new project and must be fully analyzed in a project – or another tiered EIR if it may have a significant effect on the environment." *Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 960 (quoting *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 528 – 29). Here, the Project is not consistent with the prior project. The prior project, the Conger Mixed Use Project No. 294307, was approved for four retail units, one

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restaurant, and 12 condo units. The current Project proposes two retail units and 26 dwelling units. The Project is a new project that will pose different impacts than those of the prior project. The Project's environmental impacts must be properly analyzed and addressed.

"Courts have acknowledged that an increase in the size of a development project can be a substantial change triggering subsequent environmental review." *American Canyon Community United for Responsible Growth v. City of American Canyon* (2006) 145 Cal.App.4th 1062, 1077 (citation omitted). See *Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156, 1185 (agency "may not shield all subsequent projects affecting the environment on the basis of its prior recognition that development and increased population will have an adverse effect"). Here, as noted, there are several conditions and circumstances different from what was analyzed in the prior ND.

Among other things, the Project more than doubles the number of residential units previously approved and includes street-level parking instead of a subterranean garage proposed by the prior project. The Project and CDP pose several environmental impacts that must be appropriately addressed. The Project poses a variety of potential environmental impacts. For example, a previous subsurface study of the Project site was prepared by APEX in 2016. The investigation found the presence of lead in several soil samples in concentrations that could potentially be considered hazardous. The investigation also notes the presence of volatile organic compounds ("VOC"). As a result, the study recommended conditions including a soil management plan and pre-profiling the soil at the Project site to ensure proper handling and disposal. Appropriate mitigation is required to ensure any soil contaminants are appropriately handled.

In addition, the Project must ensure that its parking is managed correctly to ensure its parking impacts on the surrounding neighborhood are properly addressed. The Project's plans propose the 26 dwelling units, two commercial spaces, and the provision of 23 parking spaces total. Of the 23 parking spaces, 17 would be for residential parking and six would be for commercial parking. The October 23, 2019 cycle issues report for the Project from the City's Development Services Department noted an outstanding issue with the Project's parking provision.

The cycle issues questioned how the Project intended to distinguish between commercial and residential parking spaces. October 23, 2019 Cycle Issues Report for Project No. 638970, p. 9. Due to the location of the Project along a transit route and the reduced number of parking spaces required, correctly managing the commercial and residential parking spaces will be critical to ensuring the Project's parking impacts for the surrounding neighborhood are adequately addressed. Indeed, the Project's impacts related to transportation and circulation are different than those of the prior project. Where the prior project included a subterranean garage, the Project will include street-level parking for a more intensive development.

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Accordingly, before the Project and CDP can be approved the proposed development's environmental impacts must be appropriately reviewed and open to public participation as required by CEQA.

V. The Proposed Findings are Not Supported by the Evidence

The proposed resolution and findings are inadequate. "[R]egardless of whether the local ordinance commands that the [] board set forth findings, that body must render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the board's action." *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514 (footnote omitted).

The proposed resolution fails to produce adequate findings supported by evidence. As noted above, the Project violates the General Plan, Community Plan, SDMC, and CEQA. The proposed findings do not provide an adequate basis to approve the Project.

VI. Conclusion

For the foregoing reasons, Doug and Karen Moranville urge you to reject the Project and CDP as proposed. Thank you for your consideration of these concerns.

Sincerely,



Tyler Hee

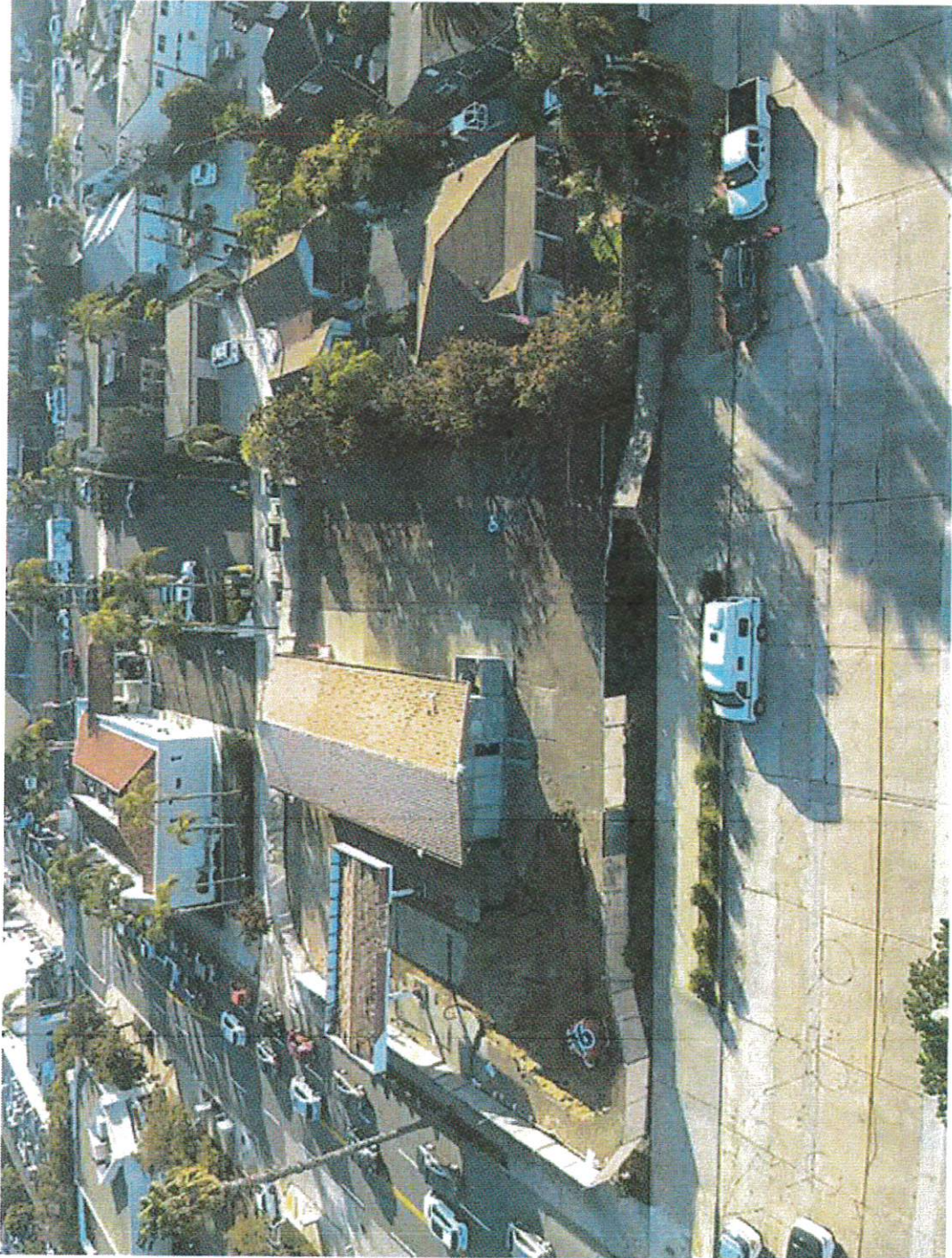
Enclosures:

Attachment 1: Sheet 1 of Project Plans

Attachment 2: Sheet 14 of Project Plans

Attachment 3: 2 Photographs of Project site and adjacent residences







THE CITY OF SAN DIEGO

DATE OF NOTICE: October 22, 2019

NOTICE OF FUTURE DECISION

DEVELOPMENT SERVICES DEPARTMENT

As a property owner, tenant, or person who has requested notice, you should know that the Development Services Department Staff will make a decision to approve, conditionally approve, modify or deny an application for a Coastal Development Permit to clear the site of a partially demolished service station in order to construct a 20,595 square-foot, two-story mixed use building consisting of two retail units and 26 residential rental units with an on grade garage. The project will include two affordable housing units, located at 801 Pearl Street. The 0.48-acre site is in Zone 4 of La Jolla Planned District, the RM-1-1 Zone & Coastal Overlay (non-appealable) within the La Jolla Community Plan Area. Council District 1. This development is within the Coastal Overlay zone and the application was filed on September 25, 2019.

PROJECT NO:	638970
PROJECT NAME:	<u>PEARL STREET MIXED USE</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, PROCESS TWO
APPLICANT:	DAVID R. BOURNE
COMMUNITY PLAN AREA:	LA JOLLA
COUNCIL DISTRICT:	1
CITY PROJECT MANAGER:	William Zounes
PHONE NUMBER/E-MAIL:	(619) 687-5942/ wzounes@saniego.gov

The decision by City staff will be made **without** a public hearing no less than thirty (30) calendar days after the date of mailing the Notice of Future Decision. If you want to receive a "Notice of Decision", you must submit a written request to the City Project Manager listed above no later than ten (10) business days from the mailing date of this Notice. This project is undergoing environmental review.

The decision of the Development Services Department Staff can be appealed to the **Planning Commission** no later than twelve (12) business days after the decision date. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101. Please do not e-mail your appeal as it will not be accepted.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

Please note that Community Planning Groups provide citizens with an opportunity for involvement in advising the City on land use matters. Community Planning Group recommendations are integral components of the project review process. You may contact Tony Crisafi, Chair of the La Jolla Community Planning Group at (858) 869-2831 or by email at tcrisafi@islandarch.com to inquire about the community planning group meeting dates, times, and location for community review of this project.

If you have any questions about the project after reviewing this information, you may contact the City Project Manager listed above.

This information will be made available in alternative formats upon request.

Internal Order No.: 24008286



Development Services Department

William Zounes/ Project No. 638970
1222 First Ave., MS 501
San Diego, California 92101-4140

RETURN SERVICE REQUESTED

x18

DOC# 2016-0481717



Sep 14, 2016 10:16 AM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$66.00

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES

PAGES: 18

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003213

Site Development Permit No. 1375058 and
Coastal Development Permit No. 1375059
CONGER MIXED USE - PROJECT NO. 294307
PLANNING COMMISSION

This Site Development Permit No. 1375058 and Coastal Development Permit No. 1375059 is granted by the Planning Commission of the City of San Diego to MARK A. CONGER and BECKY M. CONGER, husband and wife, as joint tenants, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504 and 126.0708. The 0.48-acre site is located at 801 Pearl Street, is located on the southeast corner of Pearl Street and Eads Avenue in the La Jolla Planned District in Zone 4 and the RM-1-1 (Residential—Multiple Unit) Zone in the La Jolla Community Plan. The project site is legally described as Lots 1 through 6, Block 6, La Jolla Park, according to Map thereof No. 352, filed March 22, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 11, 2016, on file in the Development Services Department.

The project shall include:

- a. Demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 26, 2019.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

11. Prior to issuance of any occupancy permit, the Owner/Permittee shall provide written documentation from the San Diego County Department of Environmental Health that the approved Community Health and Safety Plan for the project site has been completed to County standards. A "No Further Action" letter issued by the County of San Diego will suffice as written documentation.

ENGINEERING REQUIREMENTS:

12. The Coastal Development Permit and Site Development Permit shall comply with all Conditions of the Final Map for the Tentative Map No. 1670419.

13. The project proposes to export 6,111 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
14. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
15. Prior to the issuance of any building permits, the Owner/Permittee shall reconstruct the existing curb ramp at the southeast corner of Pearl Street and Eads Avenue, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes.
16. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond to reconstruct the existing curb ramp at the alley entrance, adjacent to the site, with current City Standard Drawing SDG-136 with truncated domes, satisfactory to the City Engineer.
17. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond to close the existing driveways on Pearl Street and Eads Avenue with current City Standard curb, gutter and sidewalk, satisfactory to the City Engineer.
18. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond, to construct a current City Standard twenty-four foot wide concrete driveway, adjacent to the site on Eads Avenue satisfactory to the City Engineer.
19. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond, to construct current City Standard curb, gutter and sidewalk, adjacent to the site on Pearl Street and Eads Avenue, satisfactory to the City Engineer.
20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlets in Pearl Street and Eads Avenue, satisfactory to the City Engineer.
21. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit "A," satisfactory to the City Engineer.
22. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
23. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

ORIGINAL**ORIGINAL**

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

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

LANDSCAPE REQUIREMENTS:

26. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A," on file in the Office of the Development Services Department.

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

28. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit "A," on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."

29. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," on file in the Development Services Department. Construction plans shall show, label, and dimension a forty square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

30. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-04I, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.

31. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be

maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

32. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within thirty days of damage.

PLANNING/DESIGN REQUIREMENTS:

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

34. 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 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.

35. 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.

36. 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.

37. All signs shall comply with the San Diego Municipal Code Chapter 14, Article 2, Division 12, Sign Regulations.

38. All fences and retaining walls shall comply with the San Diego Municipal Code Section 142.0301.

39. Commercial Office uses are not permitted.

TRANSPORTATION REQUIREMENTS:

40. No fewer than 32 parking spaces [a minimum of nine (9) non-residential spaces and 23 residential spaces] with required disabled parking spaces, motorcycle spaces and bicycle spaces, shall be permanently maintained on the property within the approximate location as shown on the Exhibit "A." The project proposes a total of 37 parking spaces (25 residential spaces and 12 non-residential spaces). All on-site parking stalls and aisle widths shall be in compliance with

requirements of the San Diego Municipal Code (SDMC), and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

41. A minimum of one off-street loading area shall be maintained permanently on the property in the approximate location shown on the site plan. All loading areas shall conform to the San Diego Municipal Code standards and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department Director.

42. Turnaround areas at the end of each drive aisle, that are clearly marked to prohibit parking and that have a minimum area equivalent to a parking space, as shown on Exhibit "A," shall be maintained at all times, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department Director.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

43. 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 (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

45. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

46. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any water and sewer facilities.

47. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral and install new sewer lateral(s) which must be located outside of any driveway or vehicular use area.

48. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove at the main any existing unused water service.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this

permit are fully completed and all required ministerial permits have been issued and received final inspection.

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

APPROVED by the Planning Commission of the City of San Diego on August 11, 2016 by 4799-2-PC.

Permit Type/PTS Approval No.: 1375058 and 1375059
Date of Approval: August 11, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

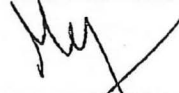


John S. Fisher
Development Project Manager
Development Services Department

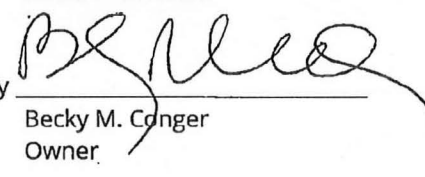
**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

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

MARK A. CONGER and BECKY M. CONGER,
husband and wife, as joint tenants
Owner/Permittee

By 
Mark A. Conger
Owner

MARK A. CONGER and BECKY M. CONGER,
husband and wife, as joint tenants
Owner/Permittee

By 
Becky M. Conger
Owner

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California

County of

San DiegoOn 9-13-10

before me,

Andrea C. Blas, notary public

Date

Here Insert Name and Title of the Officer

personally appeared

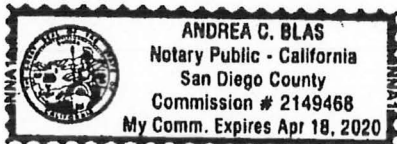
John S. Fisher

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Signature

Andrea C. Blas

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

SDP 1375058 CBP 1375059 protect # 294307
Description of Attached Document: condemned mixed use
Title or Type of Document: condemned mixed use Document Date: Aug. 11, 2010
Number of Pages: 10 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer -- Title(s): _____☐ Partner -- ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer -- Title(s): _____☐ Partner -- ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)

County of San Diego)On Sep. 7, 2016 before me, Ki Hoon Choi, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Mark A. Conger and Becky M. Conger
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



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

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Site Development Permit No. 1375050 and Coastal Development Permit No. 294307
Description of Attached Document
Title or Type of Document: Conger Mixed Use - Project No. 294307 Document Date: Aug 31, 2016
Number of Pages: 11 Signer(s) Other Than Named Above: Commission

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

PLANNING COMMISSION RESOLUTION NO. 4799-3-PC
Site Development Permit No. 1375058 and
Coastal Development Permit No. 1375059
CONGER MIXED USE - PROJECT NO. 294307

WHEREAS, MARK A. CONGER and BECKY M. CONGER, husband and wife, as joint tenants, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1375058 and 1375059), on a 0.48 acre site;

WHEREAS, the project site is located at 801 Pearl Street on the southeast corner of Pearl Street and Eads Avenue in the La Jolla Planned District in Zone 4 and the RM-1-1 (Residential—Multiple Unit) Zone in the La Jolla Community Plan;

WHEREAS, the project site is legally described as Lots 1 through 6, Block 6, La Jolla Park, according to Map thereof No. 352, filed March 22, 1887;

WHEREAS, on August 11, 2016, the Planning Commission of the City of San Diego considered Site Development Permit No. 1375058 and Coastal Development Permit No. 1375059 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated August 11, 2016.

FINDINGS:

Site Development Permit 5126.0504

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

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street. The proposed project is located within the La Jolla Community Plan. The La Jolla Community Plan has two land designations for the site; the northern portion of the site is designated for commercial/mixed use at a density range of 29 dwelling units per acre and the southern portion is designated low-medium residential at a density range of nine to fifteen dwelling units per acre. The northern portion of the site is 13,986 square feet in Zone 4 of the La Jolla Planned District; the southern portion is 6,944 square feet in the RM-1-1 Zone which allows one dwelling unit per 3,000 square feet of lot area. The northern portion can accommodate 9.32 units and the southern portion can accommodate 2.31

units for a total of 11.63 units, which is rounded up to twelve units. The Project is consistent with the land use designations set forth in the La Jolla Community Plan.

The Residential Element of the La Jolla Community Plan sets forth a series of goals, policies and recommendations for residential development. The relevant goals, as stated on page 81, state: "Promote the development of a variety of housing types and styles in La Jolla" and "Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures." The proposed Project meets these goals by providing a higher density, smaller unit product within the La Jolla downtown village area. As part of the goal to maintain the character of the residential areas, the Community Plan, on page 84 item 2a, recommends: "... avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures." The Project meets this goal by siting the proposed building fifteen feet from the southerly property line and by proposing a landscape buffer area planted with ornamental flowering pear trees. Entryways are further set back from the property line. The Project façade along Eads Avenue relates to the existing residential neighborhood by orienting four of the twelve units towards Eads Avenue with three units having direct access to Eads Avenue. A non-contiguous sidewalk with Magnolia street trees continues north to Pearl Street to keep pedestrians set back from the street. The western façade along Eads Avenue creates a pedestrian scale and reduces the bulk and scale of the building.

The Community plan, on page 97, sets forth a commercial land use goal: "promote mixed use residential and commercial development along transit corridors ..." and to "promote pedestrian-oriented features to improve pedestrian safety ..." The Plan, on page 98, #1 also recommends: "prohibit the encroachment of new commercial uses into existing residential neighborhoods." The Project locates the ground floor commercial uses on the northern parcel adjacent to Pearl Street.

The Community Plan Transportation Element, on page 74, 4c and d, surface parking should be located to the rear and ingress and egress be provided from the alley. However, given the volume of traffic on Pearl Street and the relatively short blocks between the traffic lights, access from Eads Avenue is recommended where the traffic signal can control commercial and residential traffic.

The Community Plan's Appendix E on Streetscape Guidelines, pages 140-151, recommends Jacaranda trees along Pearl Street as they are also the major prevailing street tree and Magnolia trees on Eads Avenue. The Project includes Jacaranda trees on Pearl Street and Magnolia trees on Eads Avenue, both with a non-contiguous sidewalk. Therefore, the proposed Project and its design and improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street.

The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the Project for this site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans, and that the final construction will comply with all regulations. Therefore, the proposed development will not be detrimental to the health, safety, or general welfare of persons residing or working in the area.

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

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street.

The Project complies with all the development regulations of the applicable zones. The Project does not require any deviations or a variance. Therefore, the Project will comply with all relevant regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

Coastal Development Permit §126.0708

(1) The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street. The site is approximately 2,290 feet east of the Pacific Ocean.

The Project will not encroach upon any existing physical accessway used by the public or any proposed public accessway identified in a Local Coastal Program land use plan. There are no existing or proposed accessways across the private site identified in the La Jolla Community Plan.

As there are no existing or proposed physical accessways used by the public across the private site or any proposed in the La Jolla Community Plan, the Project will not encroach upon any existing physical accessway that is legally used by the public or proposed in a Local Coastal Program land use

plan. The Project will have no effect upon public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan.

(2) The proposed coastal development will not adversely affect environmentally sensitive lands.

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street.

The surrounding neighborhood pattern is commercial development to the north, east and west and residential development to the south. The site is within an urbanized area of the community. There are no environmentally sensitive resources present on the site. Because there are no environmentally sensitive resources present on the site, the proposed coastal development will not adversely affect environmentally sensitive lands on the site. The Project will not adversely affect downstream properties or sensitive resources along the Pacific Ocean and the shoreline there.

(3) The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The Conger Mixed Use project (Project) proposes to demolish and remove an existing service station, construct a mixed use project with four commercial condominium units and twelve residential market-rate condominium units with a subterranean parking garage, landscaping and minor improvements in the public right-of-way on a 0.48-acre site at 801 Pearl Street.

The La Jolla Community Plan land use map has two land use designations for the site; the northern portion of the site is designated for commercial/mixed use at a density range of 29 dwelling units per acre and the southern portion is designated low-medium residential at a density range of nine to fifteen dwelling units per acre. The properties to the north, east and west are developed with commercial land uses and the properties to the south are developed with residential uses.

The City of San Diego General Plan, La Jolla Community Plan, and Local Coastal Program designate the site for commercial/mixed use and low-medium residential uses. The Residential Element of the La Jolla Community Plan sets for a series of goals, policies and recommendations for residential development. The relevant goals, as stated on page 81, to the proposed project state: "Promote the development of a variety of housing types and styles in La Jolla" and "Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures." The proposed project meets these goals by providing a higher density, smaller unit product within the village area. As part of the goal to maintain the character of the residential areas, the Community Plan, on page 84 item 2a, recommends: "... avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures." The Project meets this goal by siting the proposed building fifteen feet from the southerly property line and by proposing a landscape buffer area

planted with ornamental flowering pear trees. Entryways are further setback from the property line. The Project façade along Eads Avenue relates to the existing residential neighborhood by orienting four of the twelve units towards Eads Avenue with three units having direct access to Eads Avenue. A non-contiguous sidewalk with Magnolia street trees continues north to Pearl Street to keep pedestrians set back from the street. The western façade along the Eads Avenue creates a pedestrian scale and reduces the bulk and scale of the building.

The Community plan, on page 97, sets forth a commercial land use goal: "promote mixed use residential and commercial development along transit corridors ..." and to "promote pedestrian-oriented features to improve pedestrian safety ..." The Plan, on page 98, #1 also recommends: "prohibit the encroachment of new commercial uses into existing residential neighborhoods." The Project locates the ground floor commercial uses on the northern parcel adjacent to Pearl Street.

The Community Plan Transportation Element, on page 74, 4c and d, surface parking should be located to the rear and ingress and egress be provided from the alley. However, given the volume of traffic on Pearl Street and the relatively short blocks between the traffic lights, access from Eads Avenue is recommended where the traffic signal light can control commercial and residential traffic.

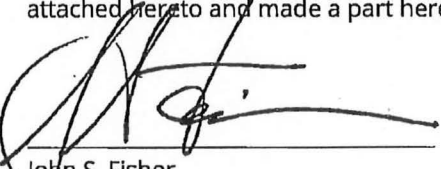
The Community Plan's Appendix E on Streetscape Guidelines, pages 140-151, recommends Jacaranda trees along Pearl Street as they are also the major prevailing street tree. The Project includes five jacarandas on Pearl Street with a non-contiguous sidewalk. The project will not conflict with the relevant land use plans.

In these ways, the Project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

(4) For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The site is located at 801 Pearl Street. The site is not located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Therefore, the proposed coastal development is not required to comply with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1375058 and Coastal Development Permit No. 1375059 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1375058 and 1375059, a copy of which is attached hereto and made a part hereof.


John S. Fisher
Development Project Manager

Development Services

Adopted on: August 11, 2016

IO#: 24003213

ORIGINAL

ORIGINAL



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 1

Project Name:		Project Number:	Distribution Date:
Project Scope/Location:			
Applicant Name:		Applicant Phone Number:	
Project Manager:	Phone Number:	Fax Number: (619) 321-3200	E-mail Address:
Project Issues (To be completed by Community Planning Committee for initial review):			
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
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THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name:		Project Number:	Distribution Date:
Project Scope/Location:			
Applicant Name:		Applicant Phone Number:	
Project Manager:	Phone Number:	Fax Number: (619) 321-3200	E-mail Address:
Committee Recommendations (To be completed for Initial Review):			
<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME:		TITLE:	
SIGNATURE:		DATE:	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
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City of San Diego
Development Services
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

FORM
DS-318

October 2017

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 _____

Project Title: Pearl Street Mixed Use **Project No. For City Use Only:** _____
Project Address: 801 Pearl Street and Eads Avenue, La Jolla, CA 92037

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? CA Corporate Identification No. EIN 83-439 9854
☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: MODNLING PEARL, LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: 939 COAST BLVD, UNIT 4B
City: LA JOLLA State: CA Zip: 92037
Phone No.: (658) 864 8958 Fax No.: _____ Email: DAVIDRBOURNE@GMAIL.COM
Signature: [Signature] Date: May 20 / 2019
Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: DAVID R. BOURNE ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: 939 COAST BLVD # 4B
City: LA JOLLA State: CA Zip: 92037
Phone No.: (658) 864 8958 Fax No.: _____ Email: DAVIDRBOURNE@GMAIL.COM
Signature: [Signature] Date: May 20 / 2019
Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: _____
City: _____ State: _____ Zip: _____
Phone No.: _____ Fax No.: _____ Email: _____
Signature: _____ Date: _____
Additional pages Attached: ☐ Yes ☐ No

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Secretary of State
Articles of Organization
Limited Liability Company (LLC)

LLC-1

201909510021

FILED

Secretary of State
State of California

MAR 28 2019

This Space For Office Use Only

IMPORTANT — Read instructions before completing this form.

Filing Fee — \$70.00

Copy Fees — First page \$1.00; each attachment page \$0.50;
Certification Fee — \$5.00

Note: LLCs may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.

1. Limited Liability Company Name (See Instructions — Must contain an LLC identifier such as LLC or L.L.C. "LLC" will be added, if not included.)

MODNLiving Pearl LLC

2. Business Addresses

a. Initial Street Address of Designated Office in California - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
939 Coast Blvd., Unit 4B	La Jolla	CA	92037
b. Initial Mailing Address of LLC, if different than Item 2a	City (no abbreviations)	State	Zip Code

3. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete Items 3a and 3b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
David	R.	Bourne	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
939 Coast Blvd., Unit 4B	La Jolla	CA	92037

CORPORATION — Complete Item 3c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 3a or 3b

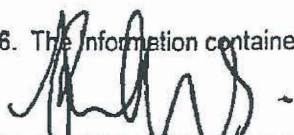
4. Management (Select only one box)

The LLC will be managed by:
<input checked="" type="checkbox"/> One Manager <input type="checkbox"/> More than One Manager <input type="checkbox"/> All LLC Member(s)

5. Purpose Statement (Do not alter Purpose Statement)

The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.
--

6. The information contained herein, including in any attachments, is true and correct.


Organizer sign here

Karen Shields

Print your name here

**EIN Assistant**

Your Progress:

1. Identity

2. Authenticate

3. Addresses

4. Details


5. EIN Confirmation**Congratulations! The EIN has been successfully assigned.**EIN Assigned: **83-4399854**Legal Name: **MODNLIVING PEARL LLC**

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

[Continue >>](#)**Help Topics**

 [Can the EIN be used before the confirmation letter is received?](#)

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STAMP:

CONSULTANT:

PROJECT NUMBER:	19003
AGENCY NUMBER:	
DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT NAME:	PEARL STREET MIXED USE



PROJECT TEAM

Applicant Developer MODNLiving Pearl LLC 939 Coast blvd. Unit 4B La Jolla, CA 92037 Tel: 858.864.8958 Contact: David R. Bourne President	Civil Engineer Pasco Laret Suiter & Associates 535 N. Highway 101, Suite A Solana Beach, CA 92075 Tel: 858.259.8212 Contact: William Mack Associate Principal
Architect AVRP Skyport 703 16th Ave, Suite. 200 San Diego, CA 92101 Tel: 619.704.2700 Contact: Doug Austin Principal Charles Brinton Project Architect	Landscape Architect McCullough Landscape Architecture 703 16th Ave, Ste. 100 San Diego, CA 92101 Tel: 619.296.3150 Contact: David McCullough Principal Armando Silva Associate Johanna Mall Junior Associate
GeoTech Christian Wheeler Engineering 3980 Home Avenue San Diego, CA 92105 Tel: 619.550.8830 Contact: David Russell Principal	Surveyor ALTA Land Surveying Inc. 9517 Grossmont Summit Dr. La Mesa, CA 91941 Tel: 619.713.2582 Contact: Miguel A. Martinez

PROJECT DATA

Project Address 801 Pearl Street, La Jolla CA 92037 APN: 350-611-0100 Previous Approved Development Permit Project number: 294307 Existing Use: Unoccupied Open Lot
Scope of Work The project requires the clearance of an existing, decommissioned gas station; along with some buffer vegetation along the southern edge of the property, adjacent to the neighboring lot. The owner intends to construction a new mixed-use structure consisting of: <ul style="list-style-type: none">(2) Retail Spaces(26) Rental Residential Units<ul style="list-style-type: none">(6) Studio 1 Bath(16) 1 Bed 2 Bath(4) 2 Bed 2 BathParking on GradeStorage Utility at Level 1 and BasementCommon Outdoor Amenity Areas
Legal Description The land referred to herein is situated in the State of California, County of San Diego, City of San Diego, and is described as follows: Lots1, 2, 3, 4, 5, and 6, block 6 La Jolla Park, in the City of San Diego, COunty of San Diego, State of California, according to the map thereof No. 352, filed in the office of the county recorder of San Diego County, March 22, 1887.
Required Permits: <ul style="list-style-type: none">Coastal Development

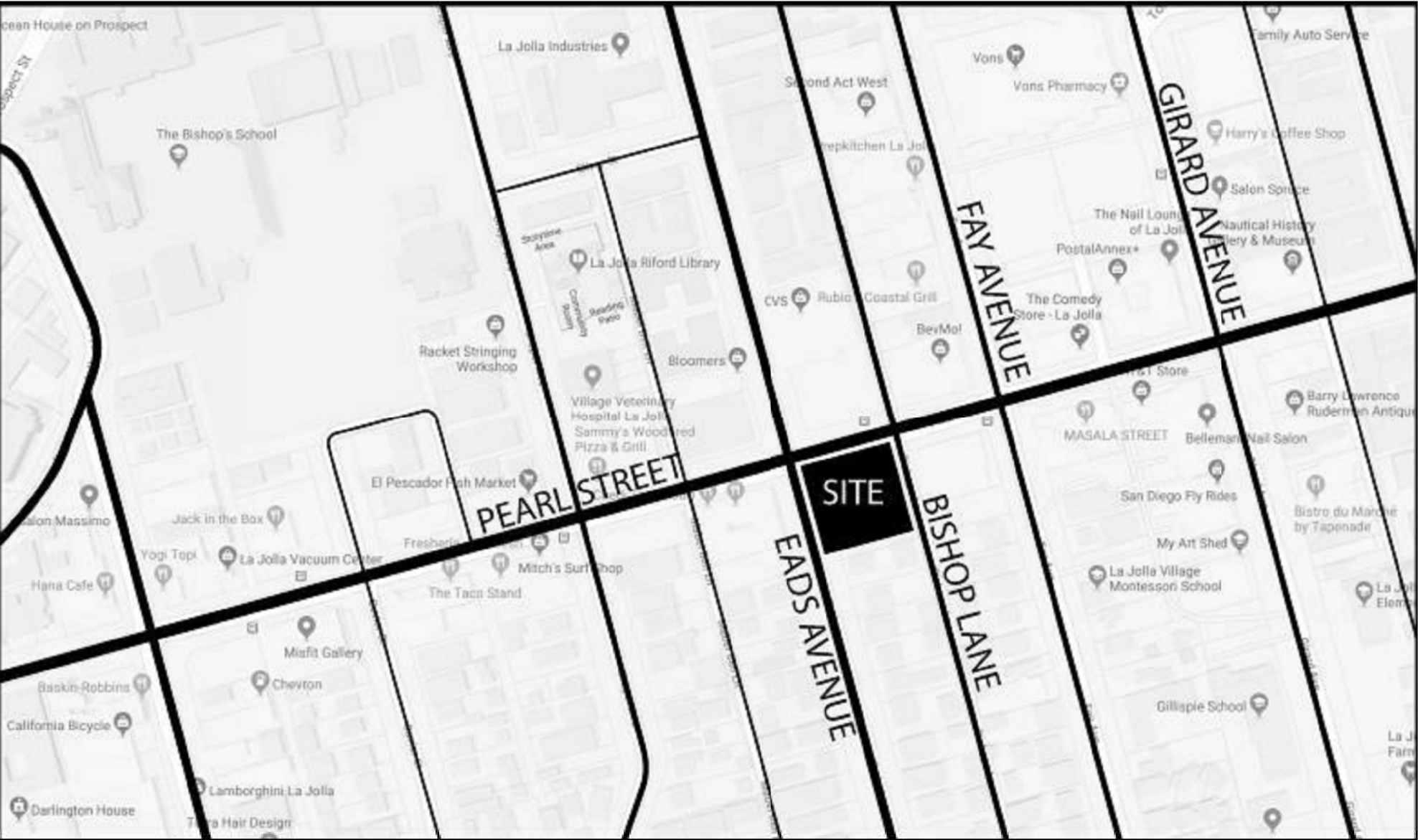
ZONING ANALYSIS

Zone:	La Jolla Planned District Zone 4 City Zone RM1-1
Overlay Zones:	Transit Priority Zone Parking Impact Zone Transit Overlay Zone Coastal Height Limitation Zone Coastal Overlay Zone Residential Tandem Parking Overlay Zone
Density:	29 Units per Net Acre 1 unit/1,502.07 SF of Lot Area = 9.3 or 10 Units [LJPD-4] 6,990.29/3,000 = 2.33 or 3 Units [RM1-1]
Site Area SF	14,001.33 SF [LJPD-4] + 6,990.29 [RM1-1] = 20,991 Gross SF
Density Bonus:	100% increase for micro-units with 11% Affordable units. 10 units + 3 units = 13 units x 2 = 26 Units [143.0720(i)(7)]
Height Limit:	30' [159.0307(d)(1)]
No. of Stories:	Limited to 2 Stories [159.0307(d)(2)(C)]
Affordable:	Minimum Required: .11 x 13 = 1.43 or 2 Units Very Low Income Units Provided: 2 Units = 16.6% 5 Incentives earned [143-07A]
Incentives Used:	1. Loading Dock less than 600sf - 420 SF provided 2. Storage Units less than 240cf - 25 units at 162 CF provided 3. Outdoor private area less than 150sf per Unit (see Table "Private Outdoor Area Calculation") 4. No Commercial Motorcycle spaces will be provided. 5. Less than the required Residential Motorcycle parking will be provided.

SETBACKS | EASEMENTS

LJPD Zones 4 RM1-1
Front Yard: LJPD Zone 4: No Requirements [159.0307(b)(1)(A)] RM1-1: Front is now internal lot line with Consolidation
Street Side Yard: LJPD Zone 4: No Requirements [159.0307(b)(1)(A)] RM1-1: 10% lot width or 14' [131.0443(d)(3)]
Interior Side Yard: LJPD Zone 4: No Requirements [159.0307(b)(1)(A)] RM1-1: 10% of lot width or 8' whichever is greater [131.0443(d)(2)]
Rear Yard: property and [159.0307(b)(4)(A)] LJPD Zone 4: 15' Setback if abuts residential zoned increased 3' for bldg. over 20' height RM1-1: None with lot consolidation
Frontage Yard: LJPD Zone 4: 16' setback from curb to the building [159.0307(b)(5)]
SDGE Easement: Easement for public utilities on South East corner of property approximate dimension of 10'x50'

VICINITY MAP N.T.S



FAR CALCULATIONS

Site:	20,991.6 Gross Site Area
LJPD-4 FAR:	Maximum Allowable FAR/GFA for LJPD Zone 4 1.3' x 13,996.41 = 18,195.3 SF
RM1-1 FAR:	Maximum Allowable FAR/GFA for LJPD RM1-1 .75 x 6,995.19 = 5,246.4 SF *Mixed Use Bonus
**TOTAL ALLOWABLE FAR GROSS FLOOR AREA: 23,442 SF	

**[143.0310(B)(2)] If the premises is located in two or more Zones, the maximum number of dwelling units or the gross floor area permitted on the premises shall be the sum of the dwelling units or the gross floor area permitted in each fo the zones and may be distributed throughout without regard to zone.

Type of Construction:	Type VA Sprinklered
Occupancy Classification:	Mixed Use - A-2 M R-2 S-2 U
Geologic Category:	Category 52

PARKING CALCULATIONS

REQUIRED PARKING:
Residential Units (SDMC 143.07D): <ul style="list-style-type: none">- Studio/1BR 0.5 spaces \ bedroom = 0.5 x 22 = 11 Stalls- 2BR 0.5 spaces\ bedroom = 1.0 x 4 = 4 Stalls Required Residential Parking: 15 Stalls
Residential Provided: 16 Stalls
Commercial Required: <ul style="list-style-type: none">• 1.7 \ 1,000 SF = 1.7 x 3,456/1,000= 5.87 or 6 Stalls Commercial Provided: 6 Stalls
Required Accessible Parking Spaces: 1 (CBC 11B-208.2) Provided Accessible Parking Spaces: 1
TOTAL PARKING PROVIDED: 22 Stalls
Residential Motorcycle Required: 2.6 Residential Motorcycle Provided: 2, Incentive used
Commercial Motorcycle Required: 2 Commercial Motorcycle Provided: 0, Incentive used
Residential Bicycle Required: 10.8 0.4 x 22 (1BR or Studio over 400 SF)= 8.8 0.5 x 4 (2BR)= 2.0
Residential Bicycle Provided: 12
Commercial Short Term Bicycle Required: 2 Commercial Short Term Bicycle Provided: 3
Commercial Long Term Bicycle Required: 1 Commercial Long Term Bicycle Provided: 2
CARPOOL VANPOOL EV REQUIRED: 1 CARPOOL VANPOOL EV PROVIDED: 1

BY LEVEL CALCULATIONS

Basement Floor SF [EXEMPT]	
Residential [4 x Middle Unit]	1,668 SF
Residential [2 x End Unit]	860 SF
Electrical/Mechanical Rooms	621 SF
Circulation	350 SF
TOTAL BASEMENT FLOOR:	3,499 SF
TOTAL FAR SF:	0 SF
Ground Floor SF	
Residential [4 x Middle Unit]	1,668 SF
Residential [2 x End Unit]	860 SF
Commercial A	1,639 SF
Commercial B	1,817 SF
Circulation	505 SF
Residential Lobby	419 SF
Parking [exempt]	8,271 SF
Residential Patios [exempt]	1,038 SF
Commercial Patio [exempt]	480 SF
TOTAL GROUND FLOOR:	16,697 SF
TOTAL FAR SF:	6,908 SF
Second Floor SF	
Residential [4 x Unit Studio]	1,660 SF
Residential [2 x Unit Studio]	856 SF
Residential [4 x Unit 1BED 2BTH]	2,236 SF
Residential [2 x Unit 1BED 2BTH]	1,110 SF
Residential [4 x Unit 1BED 2BTH]	2,396 SF
Residential [3 x Unit 2BED 2BTH]	2,391 SF
Residential [1 x Unit 2BED 2BTH]	786 SF
Residential Lobby/Stairs	639 SF
Residential Patios [exempt]	1,406 SF
Outdoor Circulation [exempt]	2,130 SF
Common Area [exempt]	600 SF
TOTAL SECOND FLOOR:	16,210 SF
TOTAL FAR SF:	12,074 SF
Attic Floor SF	
Residential [6 x Unit Studio]	270 SF
Residential [4 x Unit 1BED 2BTH]	460 SF
Residential [2 x Unit 1BED 2BTH]	274 SF
Residential [4 x Unit 1BED 2BTH]	620 SF
Storage [6 x Unit Studio] exempt	402 SF
Storage [4 x Unit 1BED 2BTH] exempt	676 SF
Storage [2 x Unit 1BED 2BTH] exempt	300 SF
Storage [4 x Unit 1BED 2BTH] exempt	116 SF
Storage [4 x Unit 2BED 2BTH] exempt	280 SF
TOTAL ATTIC FLOOR AREA:	3,398 SF
TOTAL FAR SF:	1,624 SF

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C2.00 - SECTIONS & DETAILS
C3.00 - POST CONSTRUCTION BMP PLAN
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L-25 - CONCEPTUAL PLANTING PLAN - LEVEL 02

Total Building SF				
Residential				16,006 SF
Commercial				3,456 SF
Circulation				1,144 SF
Basement Level [exempt]				3,499 SF
Parking [exempt]				8,271 SF
Residential Patio [exempt]				2,444 SF
Commercial Patio [exempt]				480 SF
Outdoor Circulation [exempt]				2,130 SF
Outdoor Common Area [exempt]				600 SF
Residential Storage [exempt]				1,774 SF
TOTAL Project Gross SF:				39,804 SF
TOTAL Proposed Gross FAR:				20,606 SF
UNIT TYPES				
TYPE	Count	SF	Attic SF	Total
Studio	4	415	45	1,840 SF
Studio	2	428	45	946 SF
1 BR, 2 Bath	4	417	--	1,668 SF
1 BR, 2 Bath	2	430	--	860 SF
1 BR, 2 Bath	4	559	115	2,696 SF
1 BR, 2 Bath	2	555	137	1,384 SF
1 BR, 2 Bath	4	599	155	3,016 SF
2 BR, 2 Bath	3	797	--	2,391 SF
2 BR, 2 Bath	1	786	--	786 SF
Totals:	26			15,587 SF
Average unit SF:		599.5		

OUTDOOR AREA

PRIVATE OUTDOOR AREA CALCULATION			
Level 1	Count	SF	Total
1 BED 2BTH	2	177	354 SF
1 BED 2BTH	4	171	684 SF
Level 2	Count	SF	Total
Studio	5	48	240 SF
Studio	1	50	50 SF
1 BED 1BTH	4	118	472 SF
1 BED 1BTH	6	83	498 SF
2 BED 2BTH	2	48	96 SF
2 BED 2BTH	1	29	29 SF
2 BED 2BTH	1	21	21 SF
Total:			2,444 SF

COMMON OUTDOOR AREA CALCULATION	
Level 2	Total
Common Area 1	456 SF
Dispersed Common Areas	144 SF
Total:	600 SF

NOT FOR CONSTRUCTION
PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:	DATE:
DESCRIPTION:	
1. DSD MIR	06.19.2019
2. DSD 1st SUBMITTAL	09.25.2019
3. DSD 2nd SUBMITTAL	12.12.2019

SHEET TITLE:
PROJECT DATA

SHEET NUMBER:

T0.10

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urban design
interiors
graphics

CONSULTANT:

PROJECT NUMBER: 19003
AGENCY NUMBER:
DRAWN BY: Author
CHECKED BY: Checker
PROJECT NAME: PEARL STREET
MIXED USE

NOT FOR CONSTRUCTION
PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:		DATE:
DESCRIPTION:		
1. DSD MIR		06.19.2019
2. DSD 1st SUBMITTAL		09.25.2019
3. DSD 2nd SUBMITTAL		12.12.2019

SHEET TITLE:
PHOTOGRAPHIC
SURVEY

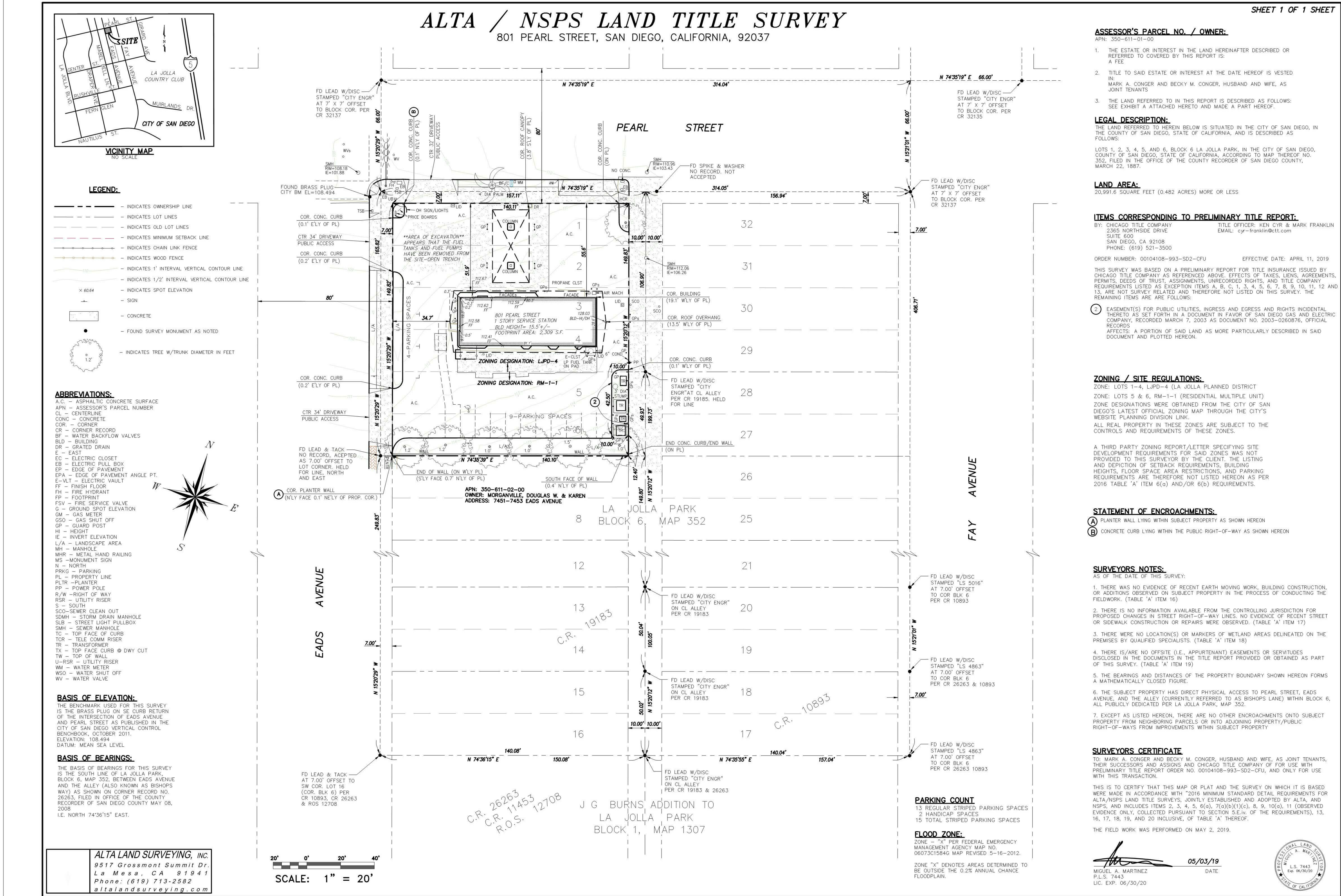
SHEET NUMBER:

T0.20

SHEET 2 of 26



12/20/2019 11:35:00 AM | BIM 360://801 Pearl Street 19003 - The Pearl 1/26.dgn | ALL IDEAS, DESIGN, ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF AVRP STUDIOS, INC. AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF AVRP STUDIOS, INC.



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STAMP:

CONSULTANT:

PROJECT NUMBER: 19003
AGENCY NUMBER:
DRAWN BY: Author
CHECKED BY: Checker
PROJECT NAME: PEARL STREET MIXED USE

NOT FOR CONSTRUCTION
PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

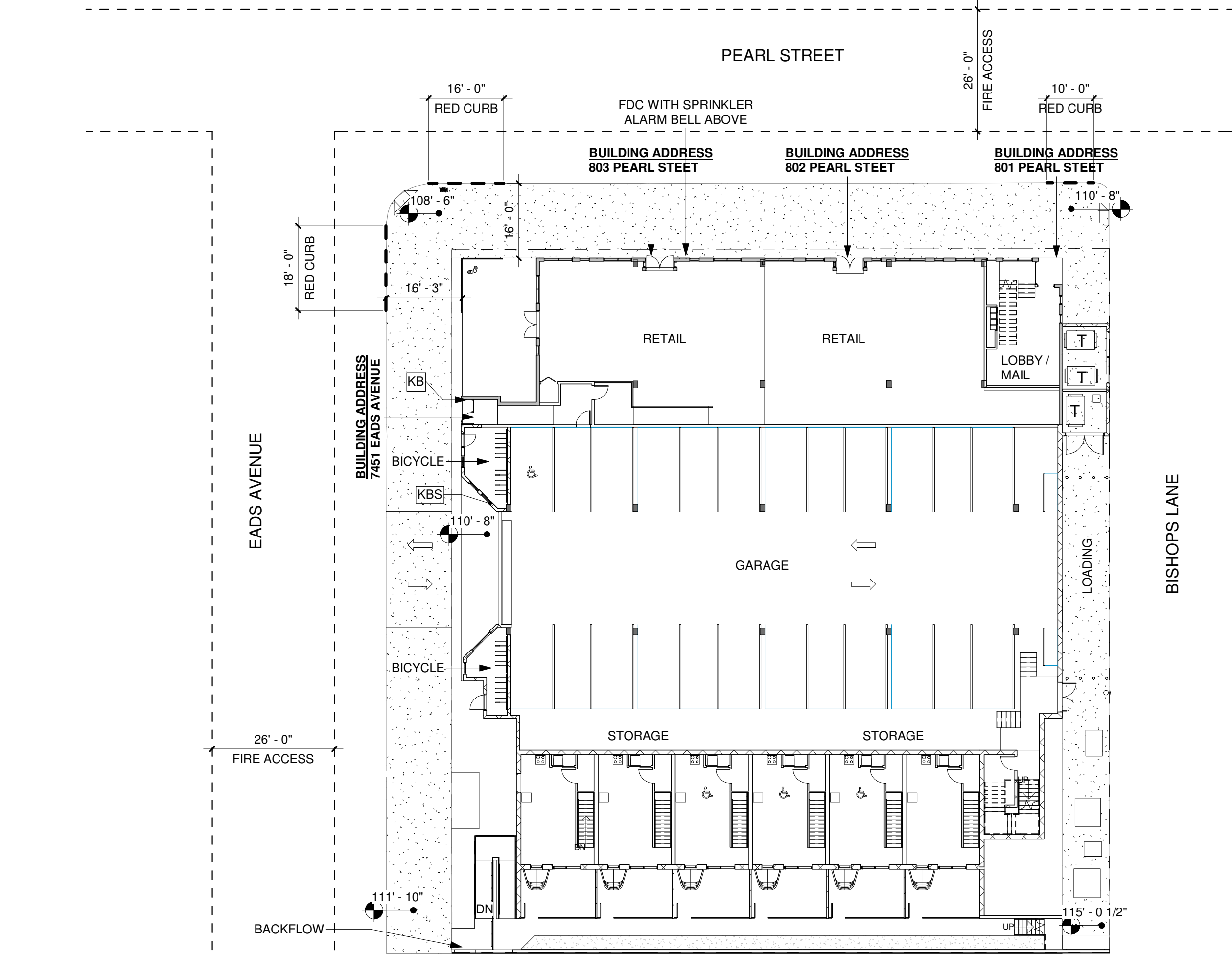
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DESCRIPTION:	DATE:
1. DSD MIR	06.19.2019
2. DSD 1st SUBMITTAL	09.25.2019
3. DSD 2nd SUBMITTAL	12.12.2019

SHEET TITLE:
FIRE ACCESS PLAN

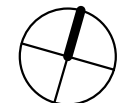
SHEET NUMBER:

T0.40

SHEET 4 of 26



2 FIRE ACCESS PLAN
1" = 20'-0"



1 Fire Hydrant Vicinity Map
1" = 100'-0"

● FIRE HYDRANT



FIRE NOTES

1. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION, SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION. CFC 501.4

2. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE SECTION §95.0209

3. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE STRUCTURE. A WEATHER RESISTANT SIGN WITH CORROSION RESISTANT CHAIN OR FASTENER SHALL BE PROVIDED INDICATING THE ADDRESS, PORTION OF THE BUILDING SERVED AND THE MINIMUM REQUIRED PUMP PRESSURE AT THE FDC.

4. SAN DIEGO MUNICIPAL CODE SECTION §55.0507 ITEM (C) HYDRANT LOCATIONS SHALL BE IDENTIFIED BY THE INSTALLATION OF REFLECTIVE BLUE COLORED MARKERS. SUCH MARKERS SHALL BE AFFIXED TO THE ROADWAY SURFACE, APPROXIMATELY CENTERED BETWEEN CURBS, AND AT A RIGHT ANGLE TO THE HYDRANT.

5. AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2-A-10-BC SHALL BE PROVIDED WITHIN 75 FEET. MAXIMUM TRAVEL DISTANCE FOR EACH 6,000 SQUARE FEET OR PORTION THEREOF ON EACH FLOOR. CFC SEC. 906

6. STAIRWAYS EXITING DIRECTLY TO THE EXTERIOR OF A BUILDING FOUR OR MORE STORIES IN HEIGHT SHALL BE PROVIDED WITH A MEANS FOR EMERGENCY ENTRY FOR FIRE DEPARTMENT ACCESS. DOOR SCHEDULE WILL REFLECT EMERGENCY ENTRY REQUIREMENT.
7. EMERGENCY SYSTEMS CONFORMING WITH CFC SECTION 604 AND THE CALIFORNIA ELECTRICAL CODE SHALL BE PROVIDED.

8. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES.

9. DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME-RETARDANT CONDITION. CFC SEC. 804

10. ALL BUILDINGS AND SITES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 33 OF THE CFC.

11. CFC 105.4.4 - CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THE CFC. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.

12. FIRE PROTECTION EQUIPMENT SHALL BE IDENTIFIED IN AN APPROVED MANNER. ROOMS CONTAINING CONTROLS FOR A/C SYSTEMS, SPRINKLER RISERS AND VALVES, OR OTHER FIRE DETECTION, SUPPRESSION OR CONTROL ELEMENTS SHALL BE IDENTIFIED FOR THE USE OF THE FIRE DEPARTMENT. APPROVED SIGNS REQUIRED TO IDENTIFY FIRE PROTECTION EQUIPMENT AND EQUIPMENT LOCATION SHALL BE CONSTRUCTED OF DURABLE MATERIALS, PERMANENTLY INSTALLED AND READILY VISIBLE.

LEGEND

- AERIAL FIRE ACCESS
- EXISTING RED CURB
- KB

KNOX BOX
- KBS

KNOX BOX SWITCH
- T

TRASH CONTAINERS
- ⚡

EXISTING FIRE HYDRANT

GENERAL NOTES

1. KNOX BOX ARE TO BE INSTALLED WITHIN 10 FEET OF THE MAIN ENTRANCE TO THE BUILDING AT A HEIGHT NOT TO EXCEED SEVEN (7) FEET ABOVE FINISHED GRADE MEASURED FROM THE TOP OF THE BOX (BUT PREFERABLY AT FIVE (5) FEET. **F. PB POLICY: K-15-2 VII**

PRELIMINARY SITE DRAINAGE PLAN
PEARL STREET MIXED-USE

IMPERVIOUS AREA TABULATION

ON-SITE:		OFF-SITE:	
TOTAL DISTURBED AREA:	20,567 SQ. FT.	TOTAL DISTURBED AREA:	7,751 SQ. FT.
EXISTING IMPERVIOUS AREA:	19,556 SQ. FT.	EXISTING IMPERVIOUS AREA:	7,457 SQ. FT.
PROPOSED IMPERVIOUS AREA:	16,260 SQ. FT.	PROPOSED IMPERVIOUS AREA:	6,387 SQ. FT.
TOTAL IMPERVIOUS AREA:	17,153 SQ. FT.	TOTAL IMPERVIOUS AREA:	6,387 SQ. FT.

GRADING QUANTITIES

GRADED AREA	20,567	SQ-FT	MAX. CUT DEPTH: INSIDE BUILDING FOOTPRINT 14.2 [FT]	OUTSIDE: 0.5 [FT]
CUT QUANTITIES	2080	[CYD]	MAX. FILL DEPTH: INSIDE BUILDING FOOTPRINT 0.4 [FT]	OUTSIDE: 1.4 [FT]
FILL QUANTITIES	40	[CYD]	EXPORT	2040 [CYD]

THIS PROJECT PROPOSES TO EXPORT 2040 CUBIC YARDS OF MATERIAL FROM THIS SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED TO A LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.

SURVEY NOTE:

SURVEY COMPLETED BY:
GARY MELLOM
PASCO LARET SUITER & ASSOCIATES
535 NORTH HIGHWAY 101, SUITE A
SOLANA BEACH, CA 92075

ALL TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PROVIDED BY OTHERS AND IS ASSUMED TO BE COMPLETE AND ACCURATE. PLSA HAS NOT PROVIDED ANY VERIFICATION OF EXISTING SITE TOPOGRAPHY.

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM 1983 (CCS83), ZONE 6, 2017.5 EPOCH, AND IS DETERMINED BY G.P.S. MEASUREMENTS TAKEN ON 7/16/2019 AT POINTS A& B SHOWN HEREON. POINTS A&B WERE ESTABLISHED FROM CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) P475 AND S105 DERIVED FROM GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC) AND/OR NATIONAL GEODETIC SURVEY (NGS), RESPECTIVELY. BEARING A-B: N1°3'0"W

EASEMENT NOTE:

EASEMENT(S) FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED MARCH 7, 2003 AS DOCUMENT NO. 2003-0260876, OFFICIAL RECORDS.

AFFECTS: A PORTION OF SAID LAND AS MORE PARTICULARLY DESCRIBED IN SAID DOCUMENT AND PLOTTED HEREON.

ZONING/SITE REGULATIONS:

ZONE: LOTS 1-4, LUPD 1-4 (LA JOLLA PLANNED DISTRICT)

ZONE: LOST 5 & 6, RM-1-1 (RESIDENTIAL MULTIPLE UNIT)

ZONE DESIGNATIONS WERE OBTAINED FROM THE CITY OF SAN DIEGO'S LATEST OFFICIAL ZONING MAP THROUGH THE CITY'S WEBSITE PLANNING DIVISION LINK.

ABBREVIATIONS

BW	BOTTOM OF WALL
TW	TOP OF WALL
TF	TOP OF FOOTING
FS	FINISH SURFACE
FF	FINISH FLOOR
FL	FLOW LINE
TC	TOP OF CURB
GF	GARAGE FACE
IE	INVERT ELEVATION
TG	TOP OF GRATE
HP	HIGH POINT
IB	INFO BULLETIN
BC	BEGIN CURVE
EC	END CURVE
SYSB	SIDE YARD SETBACK
FYSB	FRONT YARD SETBACK
RYSB	REARY YARD SETBACK

CONSTRUCTION PERMITTING NOTES:

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN(WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES OF PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.

OWNER/APPLICANT

MODLIVING PEARL, LLC
939 COAST BOULEVARD, UNIT 4B
LA JOLLA, CA 92037

REFERENCE DRAWINGS

IMPROVEMENT PLAN FOR BISHOPS LANE (ALLEY)	27902-9-D (SEWER)
IMPROVEMENT PLANS FOR EADS AVENUE	14659-5-D (WATER)
IMPROVEMENT PLANS FOR PEARL STREET	1279-D (SEWER)

SITE ADDRESS

801 PEARL STREET
LA JOLLA, CA 92037

BENCHMARK

ELEVATIONS SHOWN HEREON ARE BASED ON CITY OF SAN DIEGO VERTICAL CONTROL:
DESCRIPTION: BRASS PLUG BENCHMARK ON SOUTHEAST CURB RETURN OF THE INTERSECTION OF EADS AVENUE AND PEARL STREET
ELEVATION: 108.494
DATUM: NGVD 29

EXIST. LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1,2,3,4,5, AND 6, BLOCK 6 LA JOLLA PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 352, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 22, 1887.

ASSESSORS PARCEL NUMBER

350-611-01-00

LEGEND

EXISTING IMPROVEMENTS

ITEM
EXISTING WATER SERVICE & METER
EXISTING SEWER LINE
EXISTING SDG&E GAS LINE
EXISTING TELEPHONE LINE
EXISTING WATER VALVE
EXISTING DRIVEWAY
EXISTING SIDEWALK
EXISTING STREET LIGHT
EXISTING POWER POLE
EXISTING FIRE HYDRANT
EXISTING PILLAR
EXISTING CURB & GUTTER
EXISTING SURVEY MONUMENT
EXISTING EASEMENT LINE

EXISTING DRIVEWAY

EXISTING SIDEWALK

EXISTING STREET LIGHT

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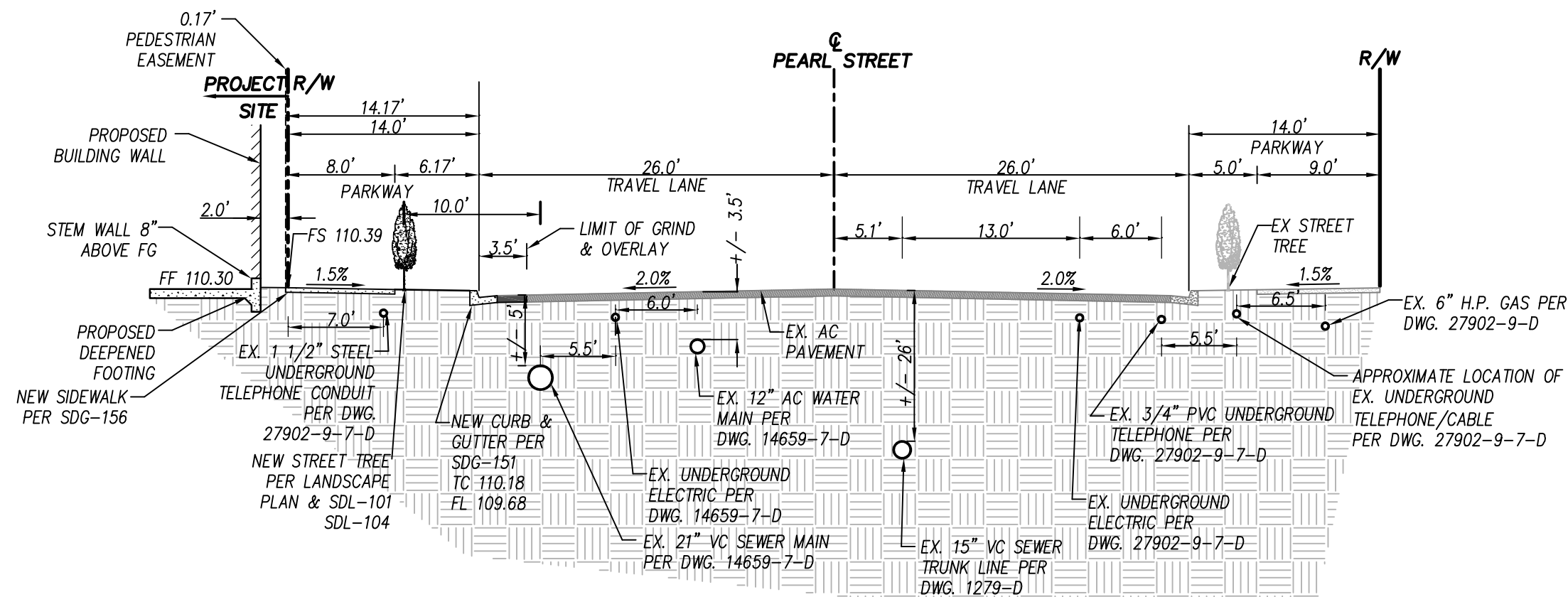
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EXISTING EASEMENT LINE

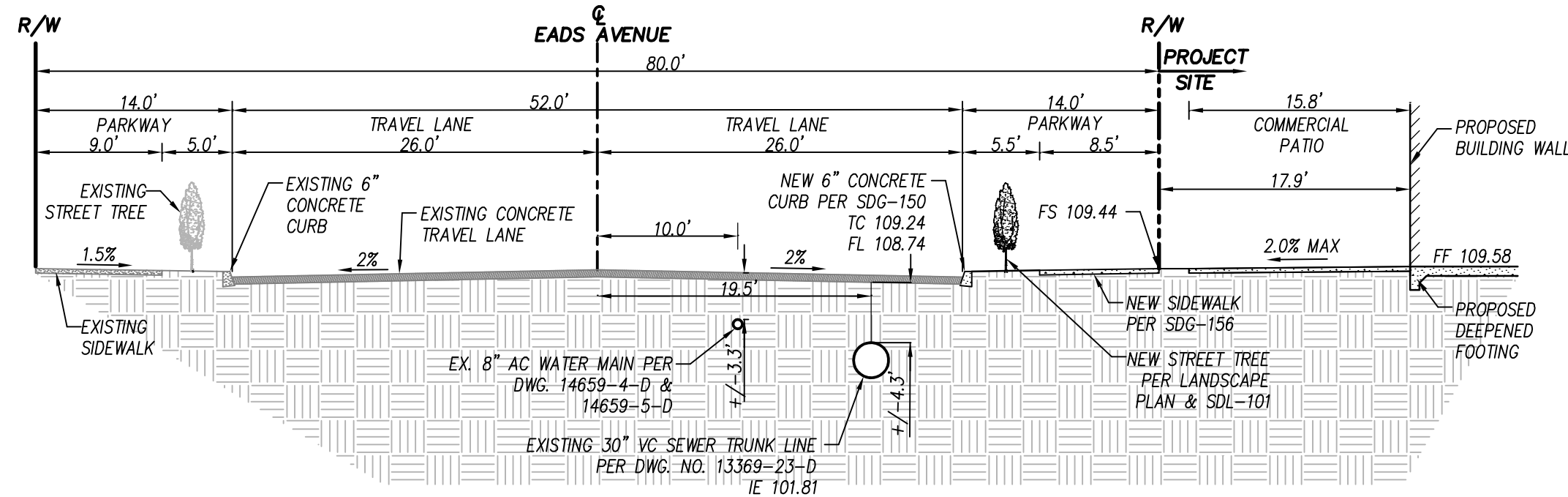
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EXISTING SIDEWALK</

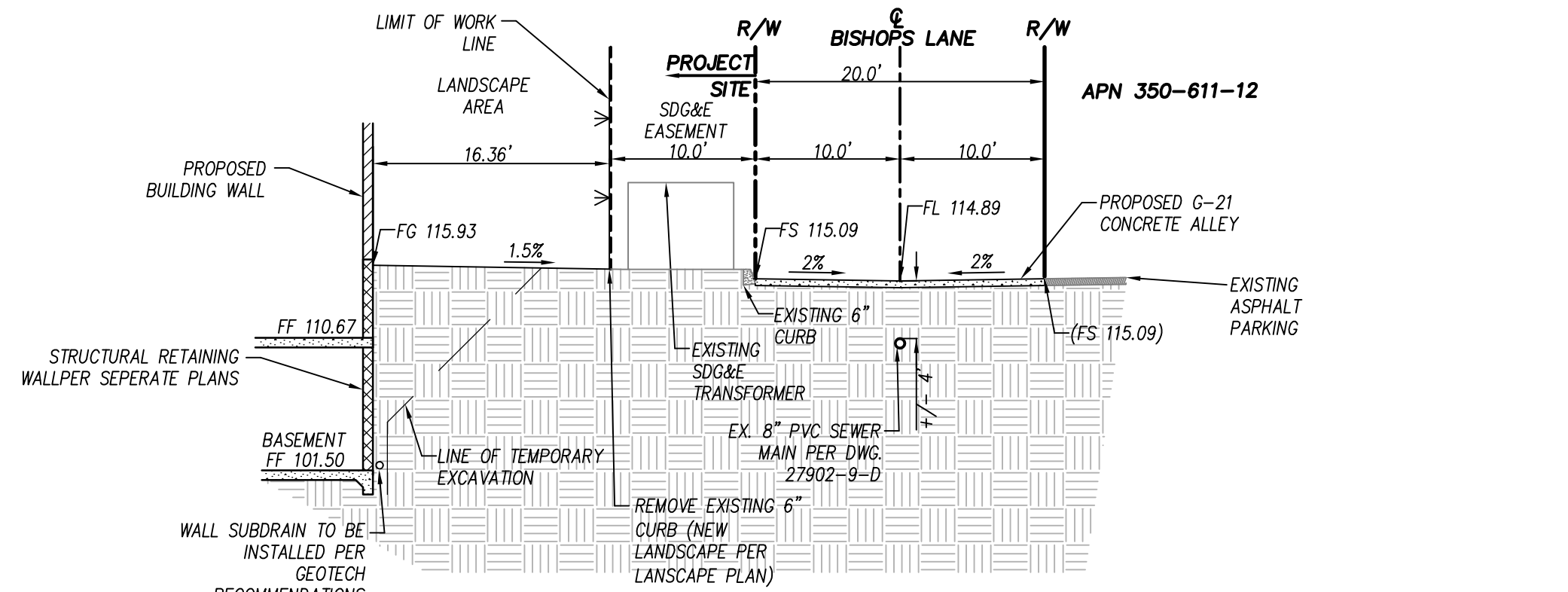
SECTIONS & DETAILS
PEARL STREET MIXED-USE



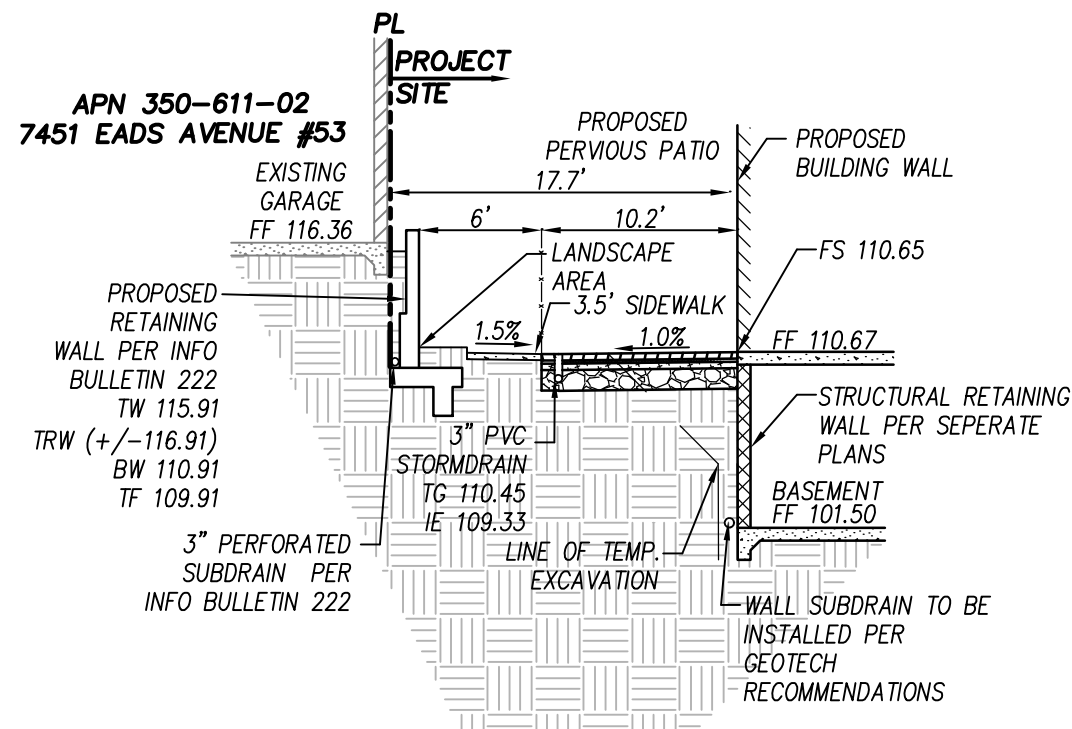
SECTION A: THROUGH TO PEARL STREET
NOT TO SCALE



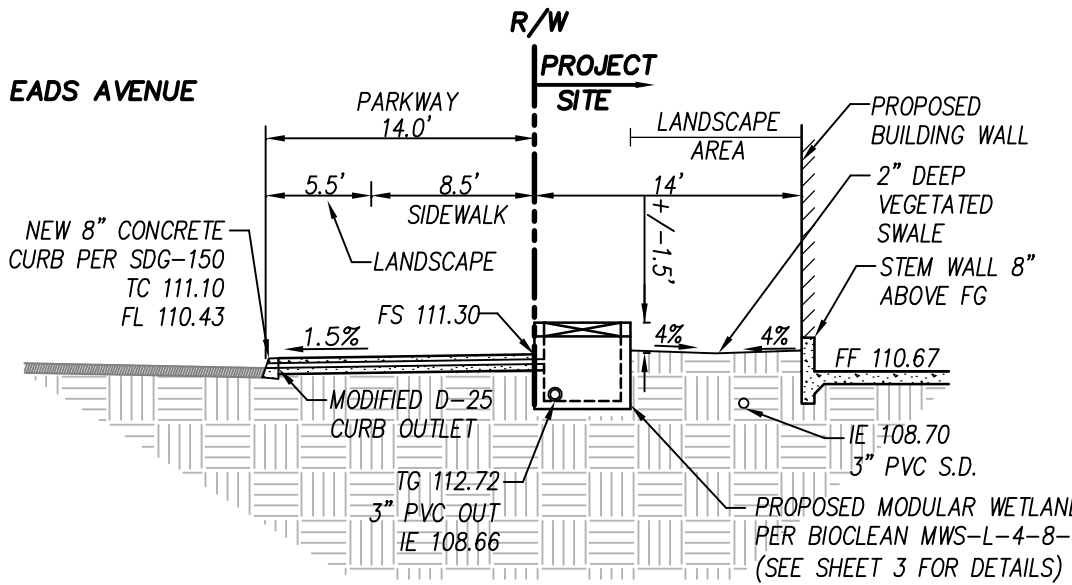
SECTION B: THROUGH TO EADS AVENUE
NOT TO SCALE



SECTION C: THROUGH BISHOPS LANE (ALLEY)
NOT TO SCALE



SECTION D: THROUGH TO 7451 EADS AVENUE #53
NOT TO SCALE



SECTION E: EADS AVENUE MODULAR WETLAND
NOT TO SCALE

PASCO LARET SUITER
& ASSOCIATES
535 North Highway 101, Ste A, Solana Beach, CA 92075
ph 858.259.8212 | fx 858-259-4812 | plsengineering.com

WILLIAM GREGG MACK P.E. 73620



SECTIONS & DETAILS
PEARL STREET MIXED-USE

revision	date
DSD 1ST SUBMITTAL	9/25/19
DSD 2ND SUBMITTAL	12/12/19

date: 12/12/19
drawn by: G. KNUDSON
checked by: W. MACK
job: PLSA 3126

Sheet
C2.0
6 of 26

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STAMP:

SITE PLAN GENERAL NOTES

HORIZONTAL CONTROL/GRADING
REFER TO CIVIL DRAWINGS FOR HORIZONTAL CONTROL AND FINE GRADING INFORMATION

PEDESTRIAN PAVING.
REFER TO LANDSCAPE DRAWINGS FOR PEDESTRIAN PAVING TYPES AND FINISHES

CONCRETE FINISHES.
ALL CONCRETE FINISHES AT EQUIPMENT PADS, TRASH ENCLOSURES, ATC. TO BE MEDIUM BROOM FINISH U.O.N

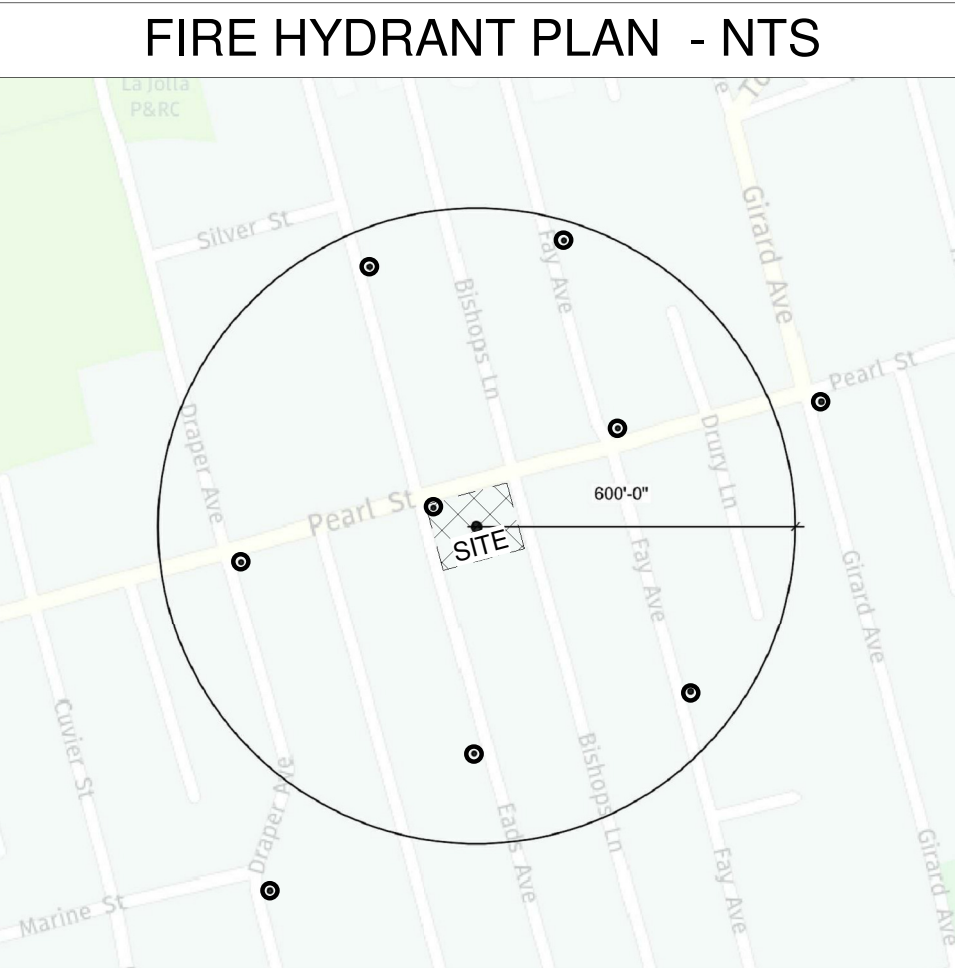
FIRE HYDRANTS.
SEE MAP BELOW FOR FIRE HYDRANT LOCATIONS WITHIN 600 FT. RADIUS.

ZONE 4.
NO SIDE OR FRONT SETBACK REQUIRED

DRAINAGE DISCHARGE : ALL RUNOFF FOR BUILDING WILL BE DISCHARGED TO A PRIVATE FILTRATION SYSTEM

SITE PLAN LEGEND	
	LIMIT OF WORK
	ACCESSIBILITY PATH OF TRAVEL PER CBC 11B
	PROPERTY LINE
	STREET CORNER LOT SETBACK - VIEW ANGLE
	TRASH CONTAINERS
	TRANSIT STOP
	PROPERTY LINE
	CENTER LINE
	EXISTING
	TURN AROUND AREA
	BOLLARD

SITE PLAN KEYNOTES	
01	SDGE TRANSFORMERS
02	FIRE HYDRANT
03	CURB RAMP
04	LONG TERM COMMERCIAL BICYCLE PARKING, 2 SPACES
05	TRAFFIC LIGHT
06	EV - DUAL CHARGING STATION
07	ELECTICAL POLE
08	EXISTING RETAINING WALL
09	NO OBJECTS HIGHER THAN 24" PERMITTED IN VISIBILITY TRIANGLES
10	SHORT TERM COMMERCIAL BICYCLE PARKING, 3 SPACES
11	LIGHT WELL W/ GRATE
12	SIGHT DISTANCE FOR RIGHT TURNS
13	RESIDENTIAL BICYCLE PARKING, 12 SPACES
14	ROLL UP GATE



PROJECT NUMBER:	19003
AGENCY NUMBER:	
DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT NAME:	PEARL STREET MIXED USE

NOT FOR CONSTRUCTION

PEARL STREET MIXED USE

801 PEARL STREET, LA JOLLA, CA 92037

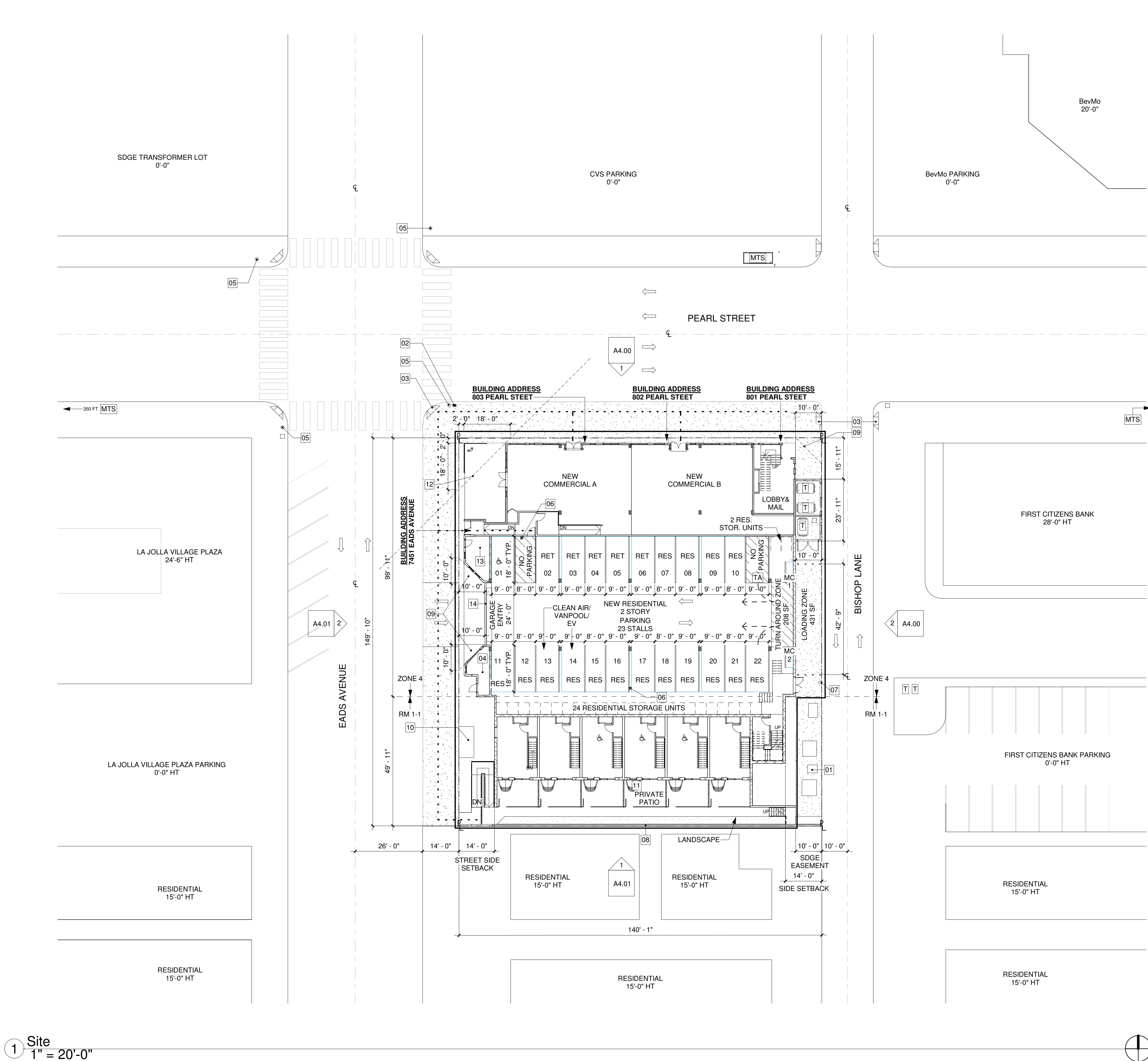
ISSUE DATES:	DATE:
DESCRIPTION:	
1. DSD MIP	06.19.2019
2. DSD 1st SUBMITTAL	09.25.2019
3. DSD 2nd SUBMITTAL	12.12.2019

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

A1.00



1 Site
1" = 20'-0"

2/19/2020 9:18:40 AM | BIM 360://001 Pearl Street 19003 - The Pearl V2.dwg | ALL IDEAS DESIGN ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF AVRP STUDIOS, INC. AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF AVRP STUDIOS, INC.

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CONSULTANT:

PROJECT NUMBER:	19003
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CHECKED BY:	Checker
PROJECT NAME:	PEARL STREET MIXED USE

NOT FOR CONSTRUCTION

PEARL STREET MIXED USE

801 PEARL STREET, LA JOLLA, CA 92037

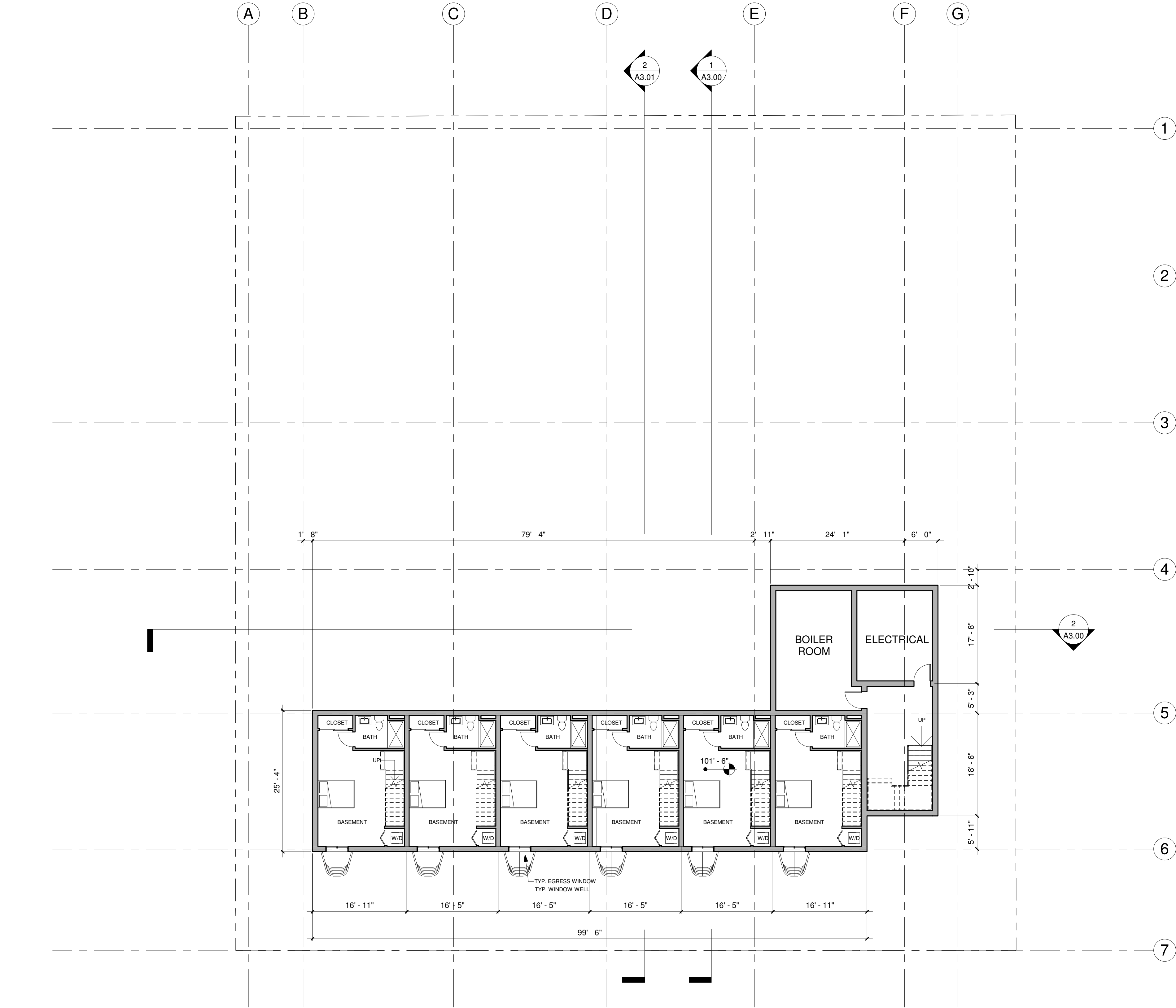
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3. DSD 2nd SUBMITTAL		12.12.2019

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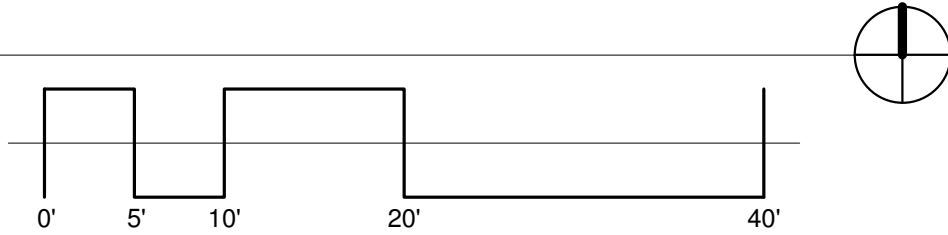
FLOOR PLAN -
BASEMENT

SHEET NUMBER:

A2.00



1 Basement
3/32" = 1'-0"



NOT FOR CONSTRUCTION

PEARL STREET MIXED USE

801 PEARL STREET, LA JOLLA, CA 92037

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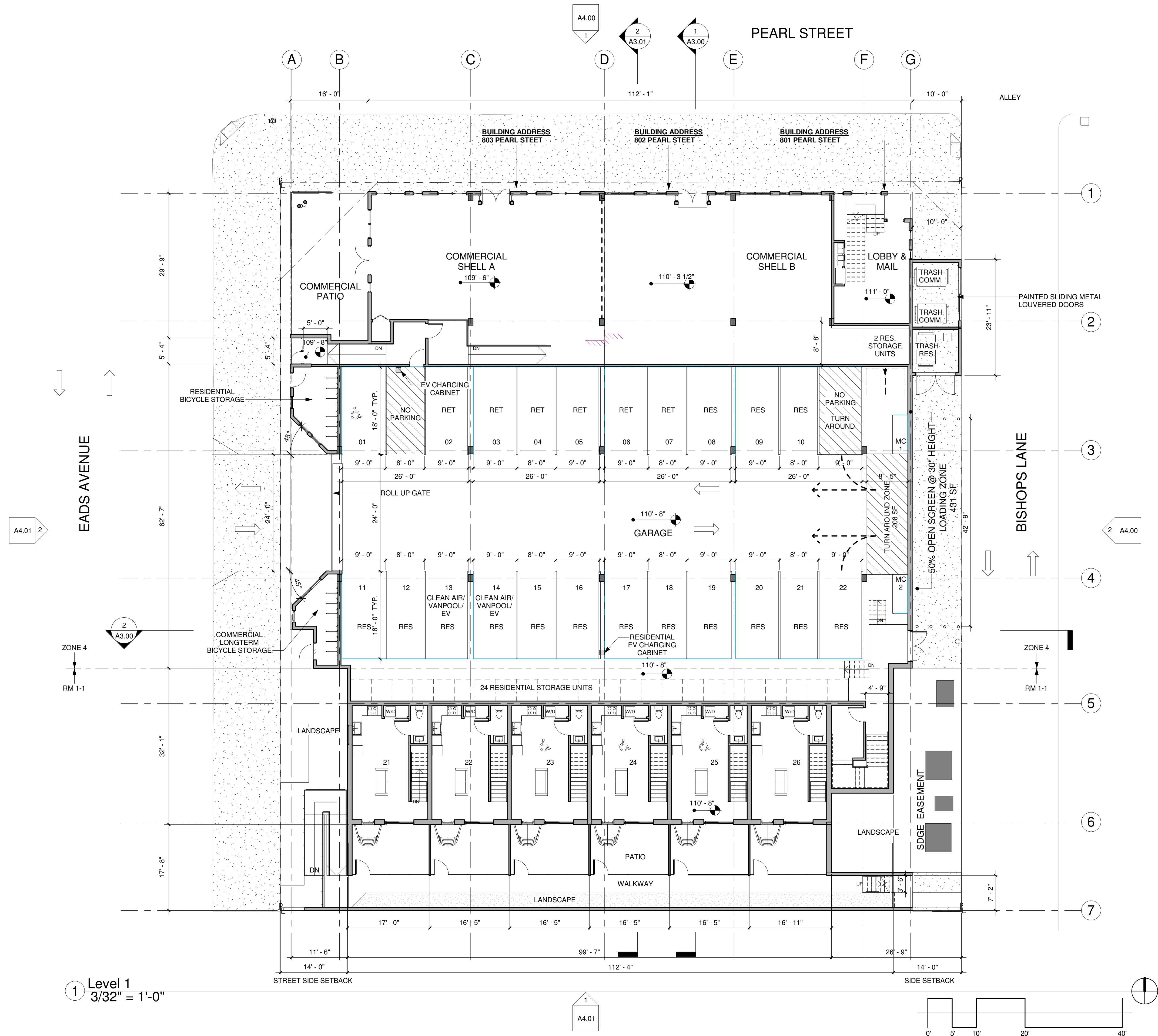
SHEET TITLE:

FLOOR PLAN -
LEVEL 1

SHEET NUMBER:

A2.01

SHEET 9 of 26



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CONSULTANT:

PROJECT NUMBER: 19003
AGENCY NUMBER:
DRAWN BY: Author
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PROJECT NAME: PEARL STREET MIXED USE

NOT FOR CONSTRUCTION
PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:
DESCRIPTION: DATE:
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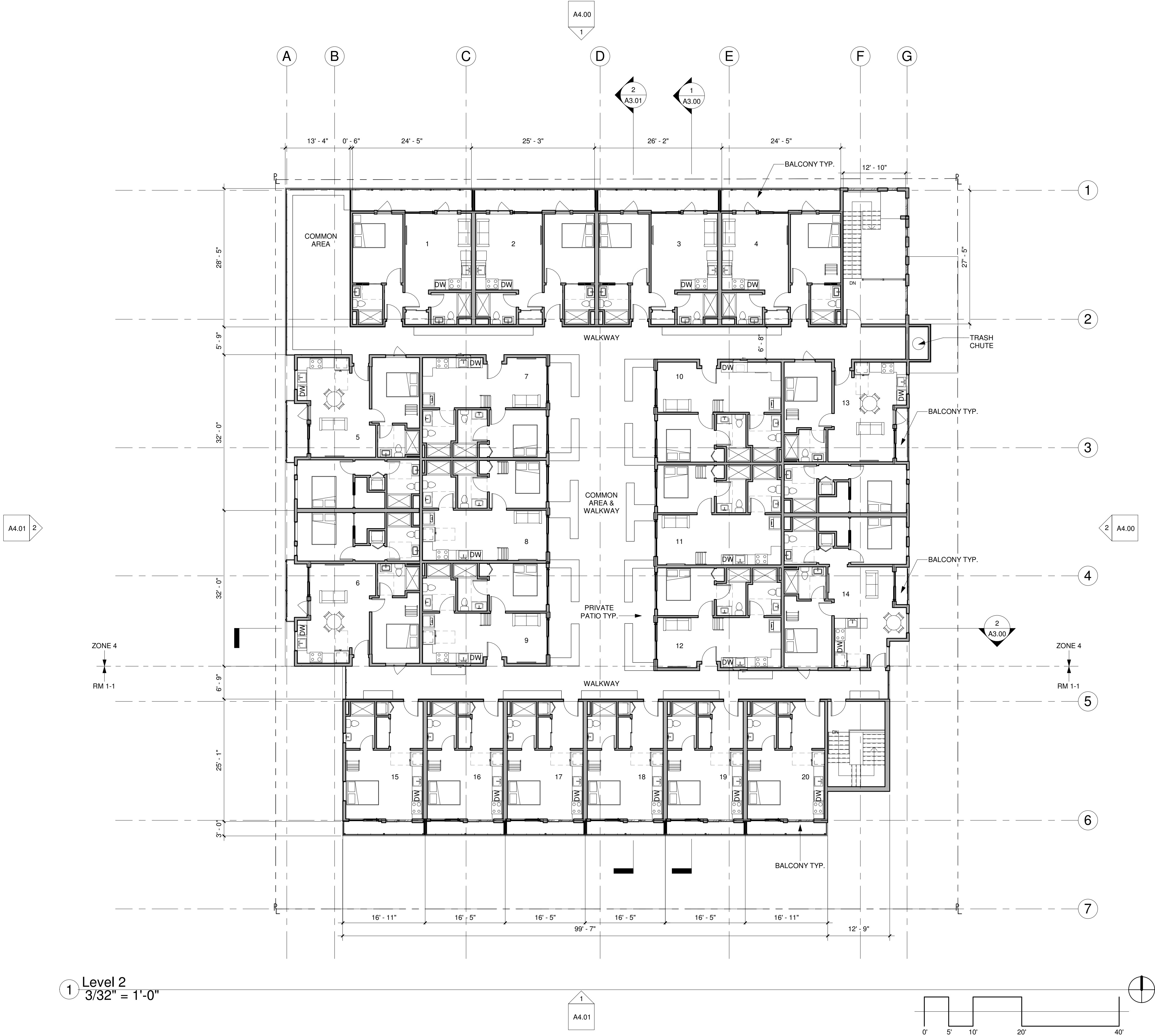
SHEET TITLE:
FLOOR PLAN - LEVEL 2

SHEET NUMBER:

A2.02

SHEET 10 of 26

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2. DSD 1st SUBMITTAL		09.25.2019
3. DSD 2nd SUBMITTAL		12.12.2019

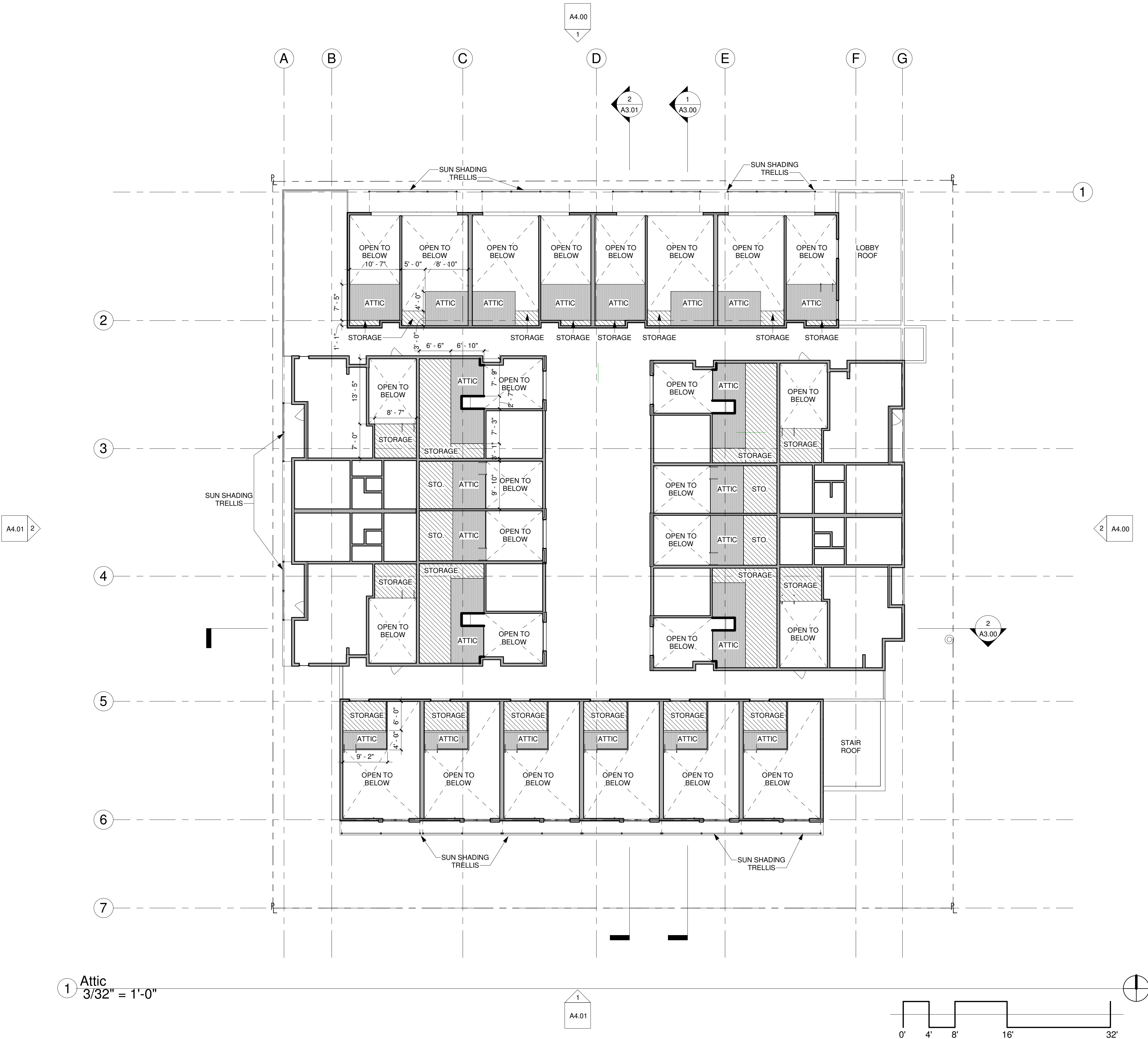
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FLOOR PLAN -
ATTIC

SHEET NUMBER:

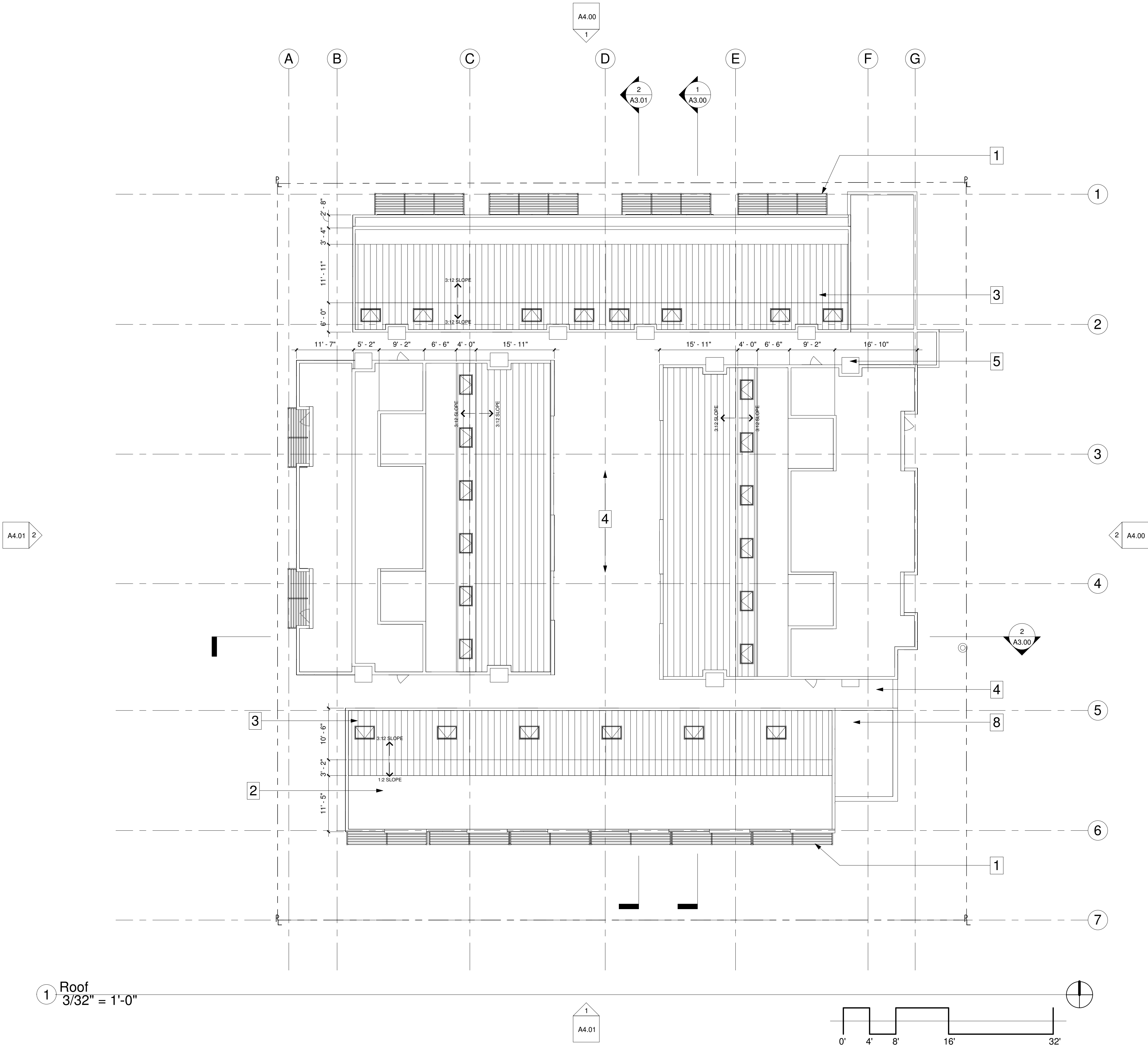
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SHEET 11 of 26

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KEYNOTES	
1	SUN SHADING TRELLIS
2	SKYLIGHT
3	METAL ROOF
4	WALKWAY DECK WITH PAVERS
5	AWNING @ UNIT ENTRY
6	
7	
8	

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CONSULTANT:

PROJECT NUMBER: 19003
AGENCY NUMBER:
DRAWN BY: Author
CHECKED BY: Checker
PROJECT NAME: PEARL STREET
MIXED USE

NOT FOR CONSTRUCTION
PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:
DESCRIPTION: DATE:
1. DSD MIR 06.19.2019
2. DSD 1st SUBMITTAL 09.25.2019
3. DSD 2nd SUBMITTAL 12.12.2019

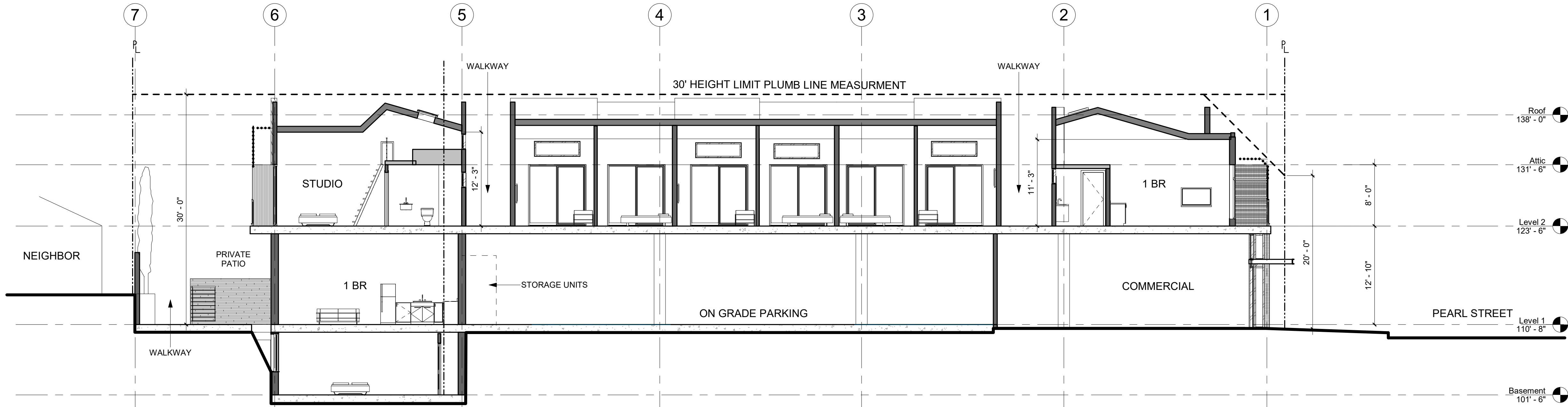
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ROOF PLAN

SHEET NUMBER:
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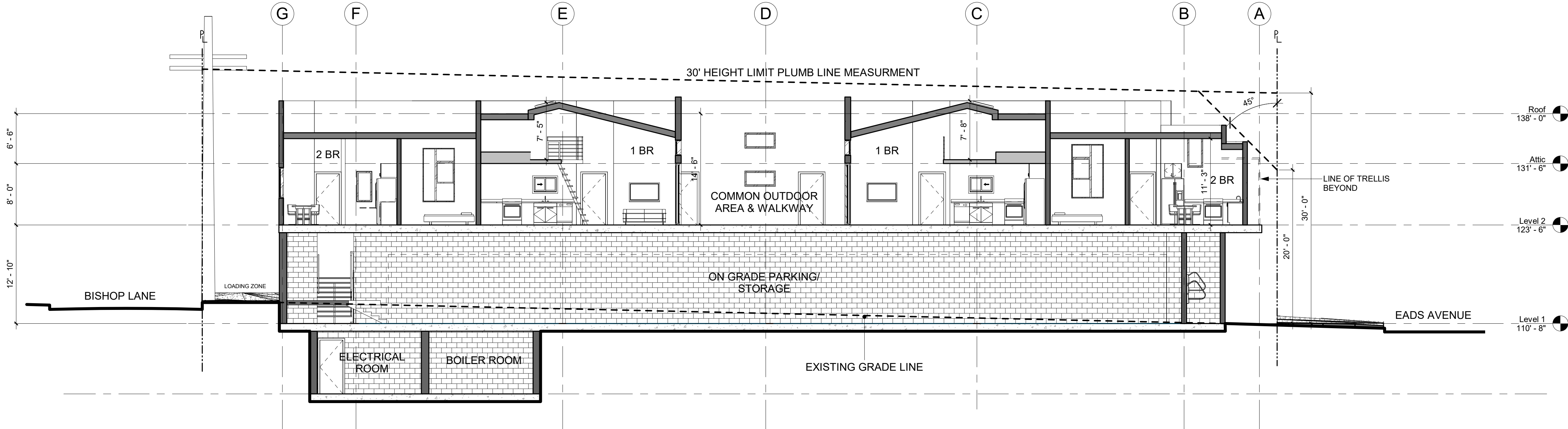
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1 SECTION - NORTH SOUTH
1/8" = 1'-0"



2 SECTION - EAST WEST
1/8" = 1'-0"

CONSULTANT:

PROJECT NUMBER: 19003
AGENCY NUMBER:
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PROJECT NAME: PEARL STREET MIXED USE

NOT FOR CONSTRUCTION

PEARL STREET MIXED USE
801 PEARL STREET, LA JOLLA, CA 92037

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2. DSD 1st SUBMITTAL 09.25.2019
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SHEET TITLE:

SECTIONS

SHEET NUMBER:

A3.00

SHEET 13 of 26

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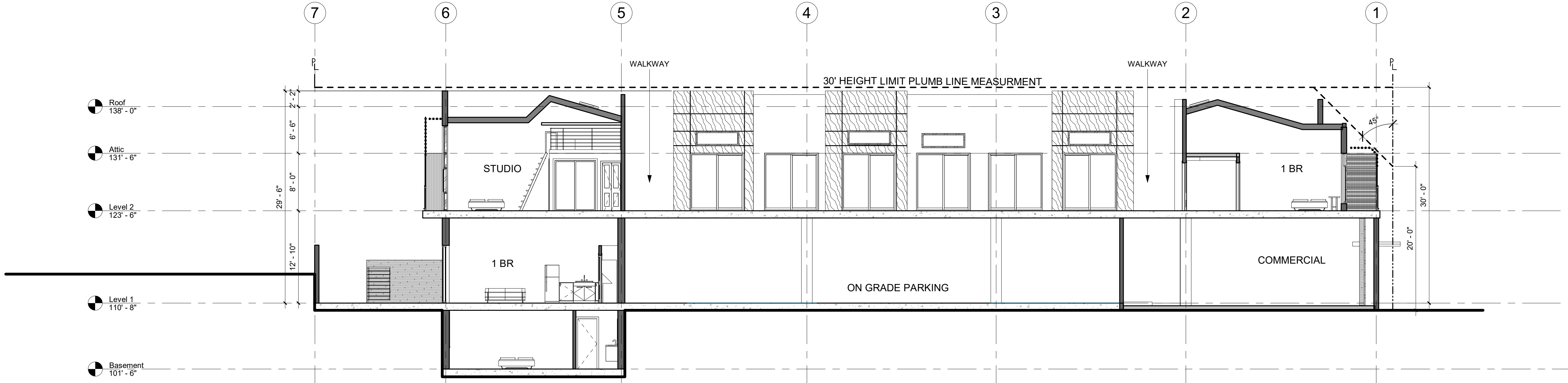
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801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:		DATE:
DESCRIPTION:		
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3. DSD 2nd SUBMITTAL		12.12.2019

SHEET TITLE: SECTIONS

SHEET NUMBER: **A3.01**



2 SECTION - NORTH SOUTH @ COURTYARD
1/8" = 1'-0"

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PROJECT NAME: PEARL STREET MIXED USE

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PEARL STREET MIXED USE

801 PEARL STREET, LA JOLLA, CA 92037

ISSUE DATES:	DESCRIPTION:	DATE:
1. DSD MIR		06.19.2019
2. DSD 1st SUBMITTAL		09.25.2019
3. DSD 2nd SUBMITTAL		12.12.2019

SHEET TITLE: ELEVATION NORTH - EAST - MARKUP

SHEET NUMBER:

A4.00M

MATERIAL LEGEND

1 LONG FORMAT - HANDMADE BRICK LIGHT | MEDIUM GREY MIX

CLEAR | LoE-260

TRANSMITTED APPEARANCE

EXTERIOR APPEARANCE

2 LoE GLASS /BLUE TINT

CLEAR | LoE-180

TRANSMITTED APPEARANCE

EXTERIOR APPEARANCE

3 SPLIT FACE CMU STACKED BOND

4 PLASTER - SANTA BARBARA FINISH

5 BRUSHED METAL FINISH

6 TILE W/ WOOD PATTERN

7 WINDOW/DOOR, TRELLIS FRAME

8 PERFORATED SCREEN

9 ALUMINUM FRAME WITH GLASS INFILL GUARDRAIL TRANSLUCENT GLASS ON RESIDENTIAL BALCONIES

10 EXPOSED CONCRETE SMOOTH FINISH

ELEVATION LEGEND

--- HEIGHT LIMIT | ENVELOPE LINE AT PROPERTY LINE

--- HEIGHT LIMIT | ENVELOPE LINE BEYOND

KEYNOTES

12 SDGE EQUIPMENT AT EASEMENT

13 EXISTING NEIGHBOR'S CMU WALL

14 REFUSE & RECYCLING - CMU ENCLOSURE

15 RESIDENTIAL AWNING

16 COMMERCIAL AWNING

1 NORTH ELEVATION - PEARL STREET MARKUP
1/8" = 1'-0"

2 EAST ELEVATION - BISHOPS LANE MARKUP
1/8" = 1'-0"

4/8/2020 10:29:15 AM | BIM 360://001 Pearl Street 19003 - The Pearl 02.dgn | ALL IDEAS, DESIGN ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF AVRP STUDIOS, INC. AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF AVRP STUDIOS, INC.

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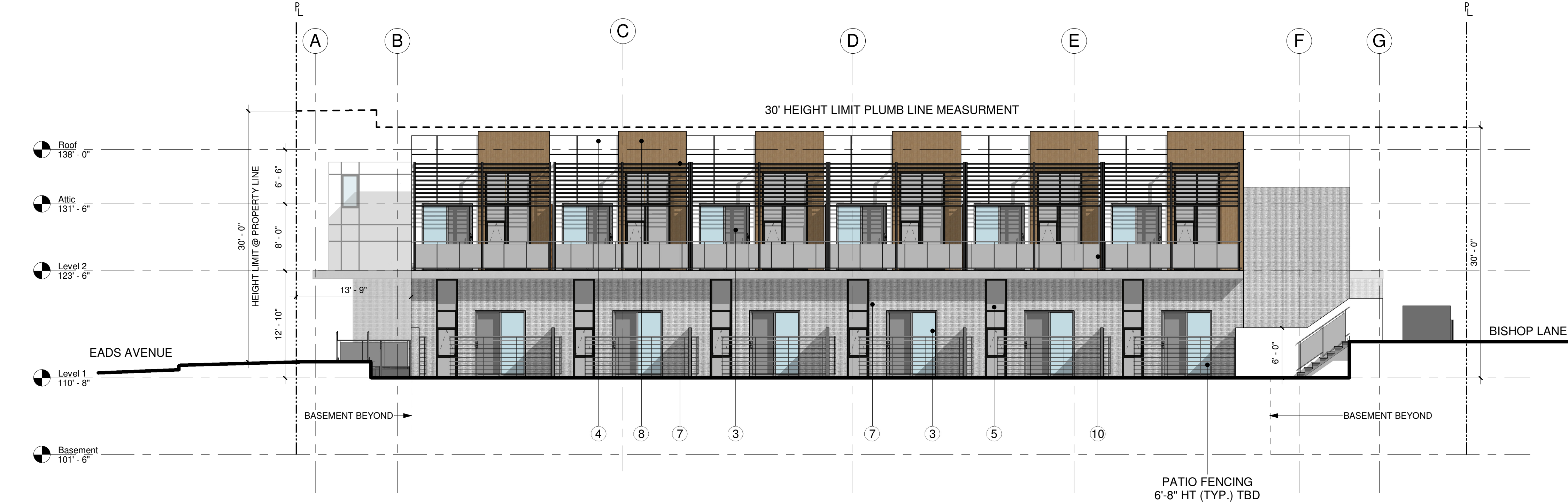
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3. DSD 2nd SUBMITTAL		12.12.2019

SHEET TITLE:
ELEVATION
SOUTH - WEST

SHEET NUMBER:

A4.01

SHEET 15 of 26



1 SOUTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION - EADS AVENUE
1/8" = 1'-0"

MATERIAL LEGEND

1 LONG FORMAT - HANDMADE BRICK
LIGHT | MEDIUM GREY MIX

CLEAR | LoE-260

TRANSMITTED APPEARANCE

EXTERIOR APPEARANCE

2 LoE GLASS
BLUE TINT

CLEAR | LoE-180

TRANSMITTED APPEARANCE

EXTERIOR APPEARANCE

3 LoE GLASS
CLEAR TINT

4 PLASTER -
SANTA BARBARA FINISH

5 SPLIT FACE CMU
STACKED BOND

6 BRUSHED METAL
FINISH

7 WINDOW/DOOR,
TRELLIS FRAME

8 TILE W/
WOOD PATTERN

9 PERFORATED
SCREEN

10 ALUMINUM FRAME WITH
GLASS INFILL GUARDRAIL
TRANSLUCENT GLASS ON
RESIDENTIAL BALCONIES

11 EXPOSED CONCRETE
SMOOTH FINISH

ELEVATION LEGEND

----- HEIGHT LIMIT | ENVELOPE LINE AT
PROPERTY LINE

----- HEIGHT LIMIT | ENVELOPE LINE BEYOND

KEYNOTES

12 SDGE EQUIPMENT AT EASEMENT

13 EXISTING NEIGHBOR'S CMU WALL

14 REFUSE & RECYCLING - CMU ENCLOSURE

15 RESIDENTIAL AWNING

16 COMMERCIAL AWNING

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PROJECT NAME: PEARL STREET
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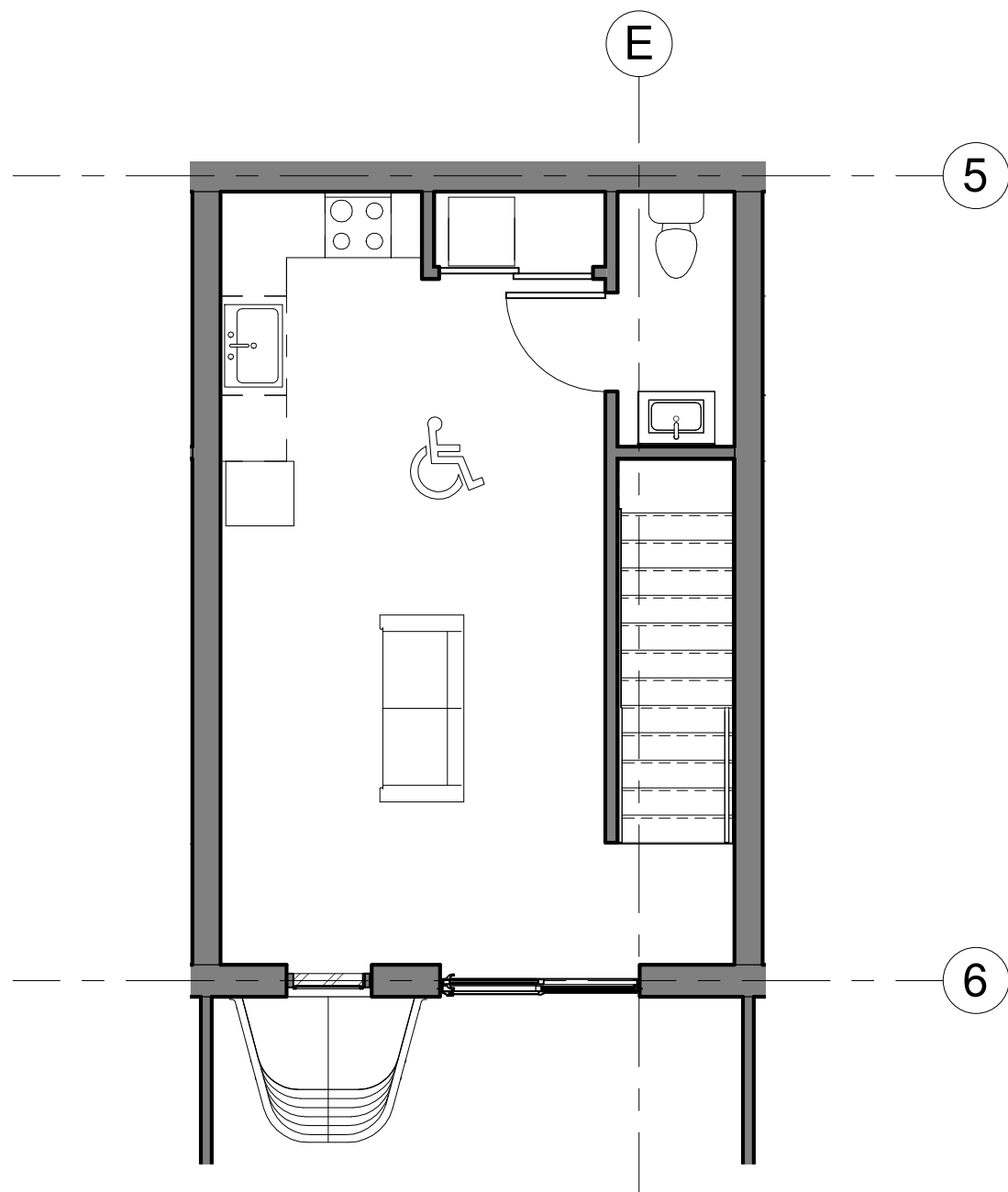
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DESCRIPTION: 06.19.2019
1. DSD MIR 09.25.2019
2. DSD 1st SUBMITTAL 12.12.2019
3. DSD 2nd SUBMITTAL

SHEET TITLE:
ENLARGED UNIT PLANS

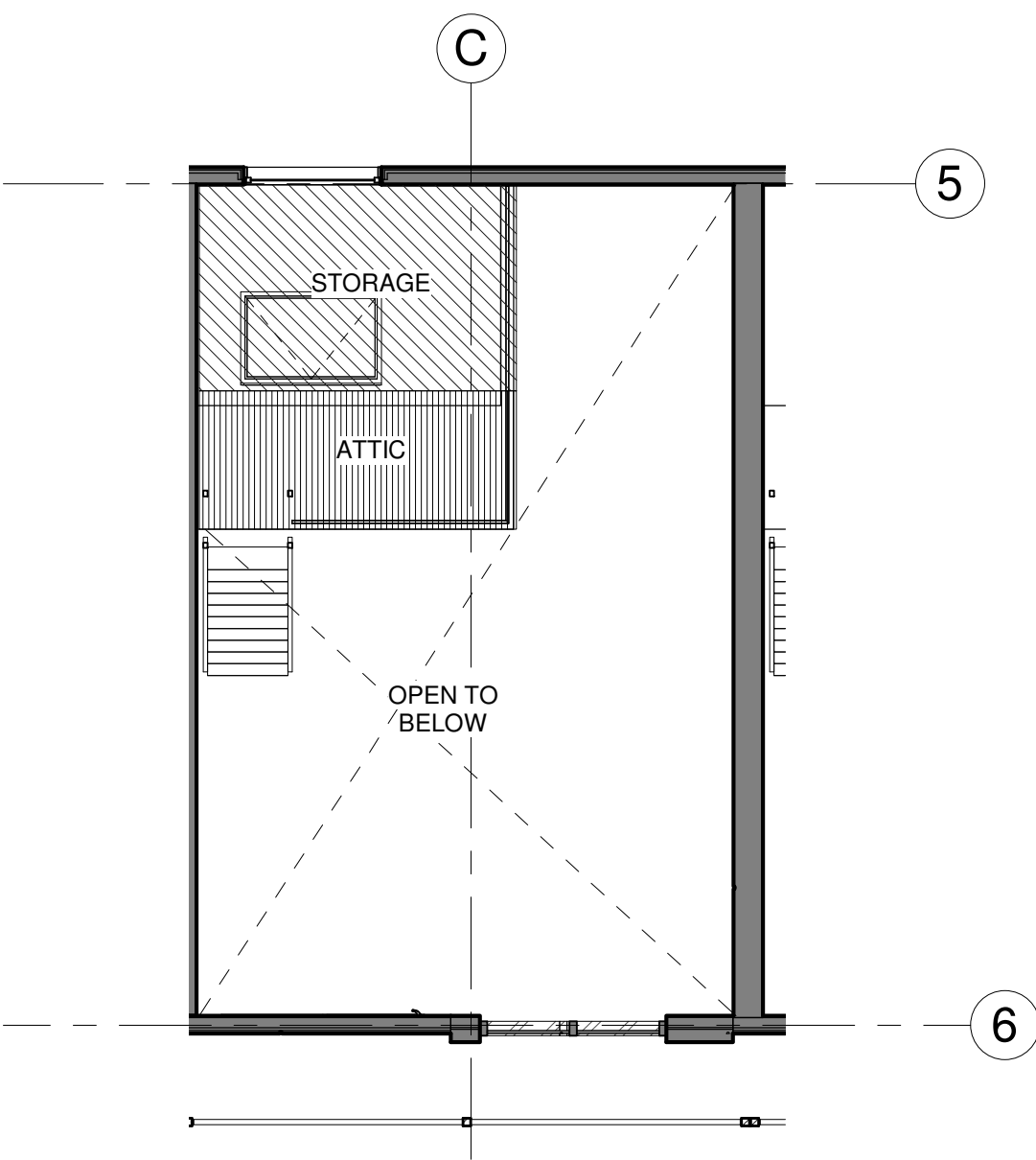
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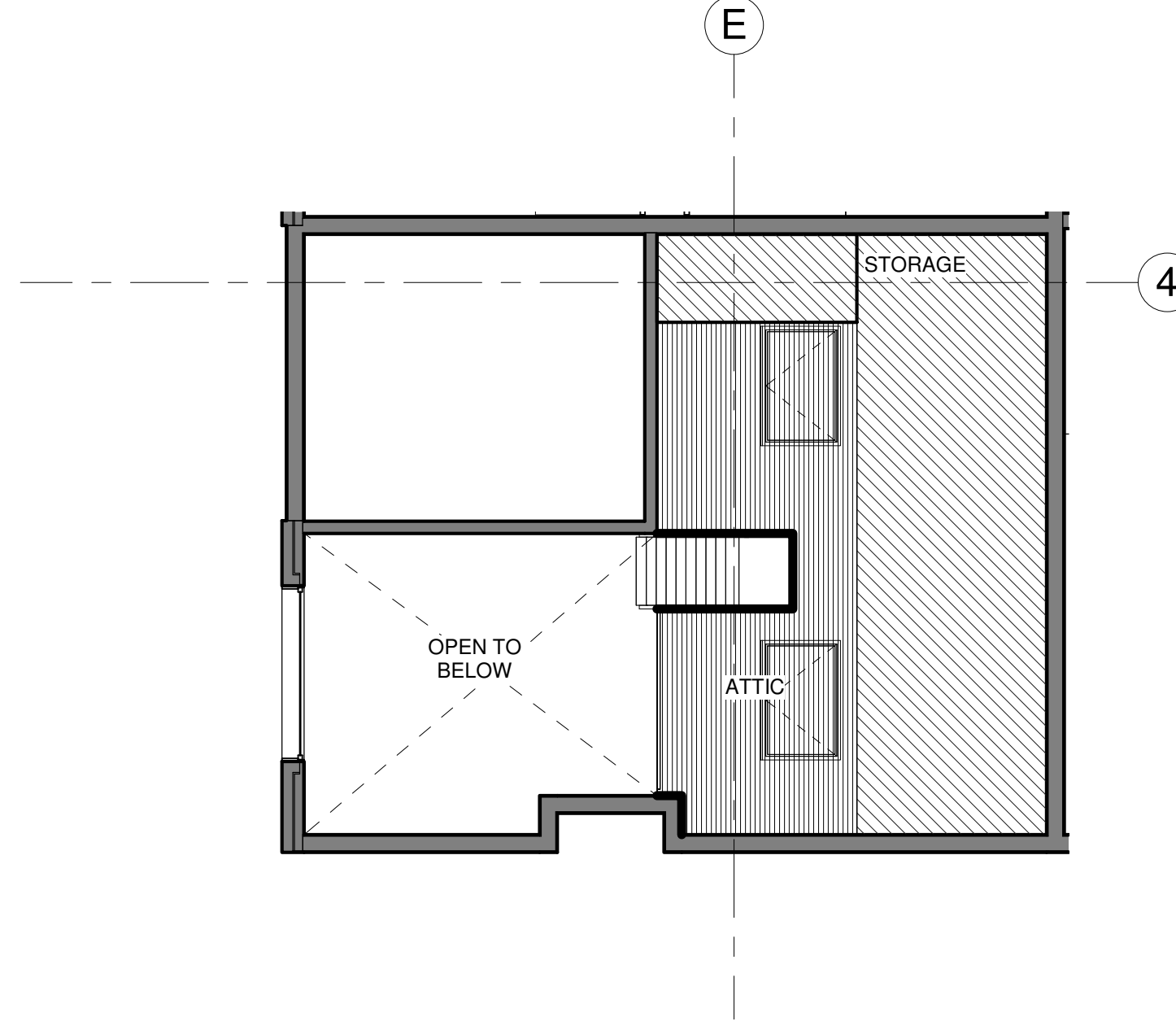
SHEET 16 of 26



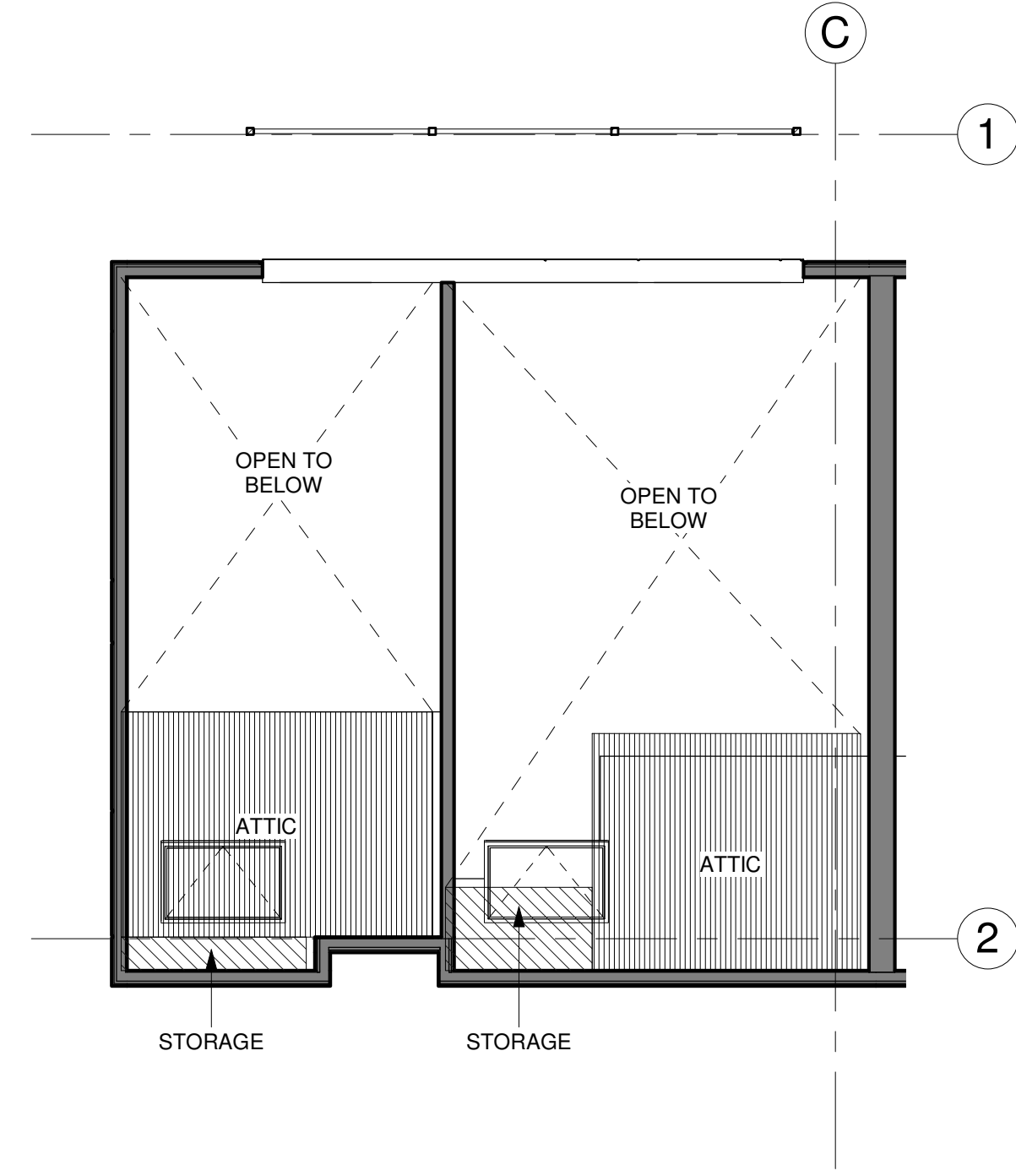
8 UNIT STUDIO - ACCESSIBLE
3/16" = 1'-0"



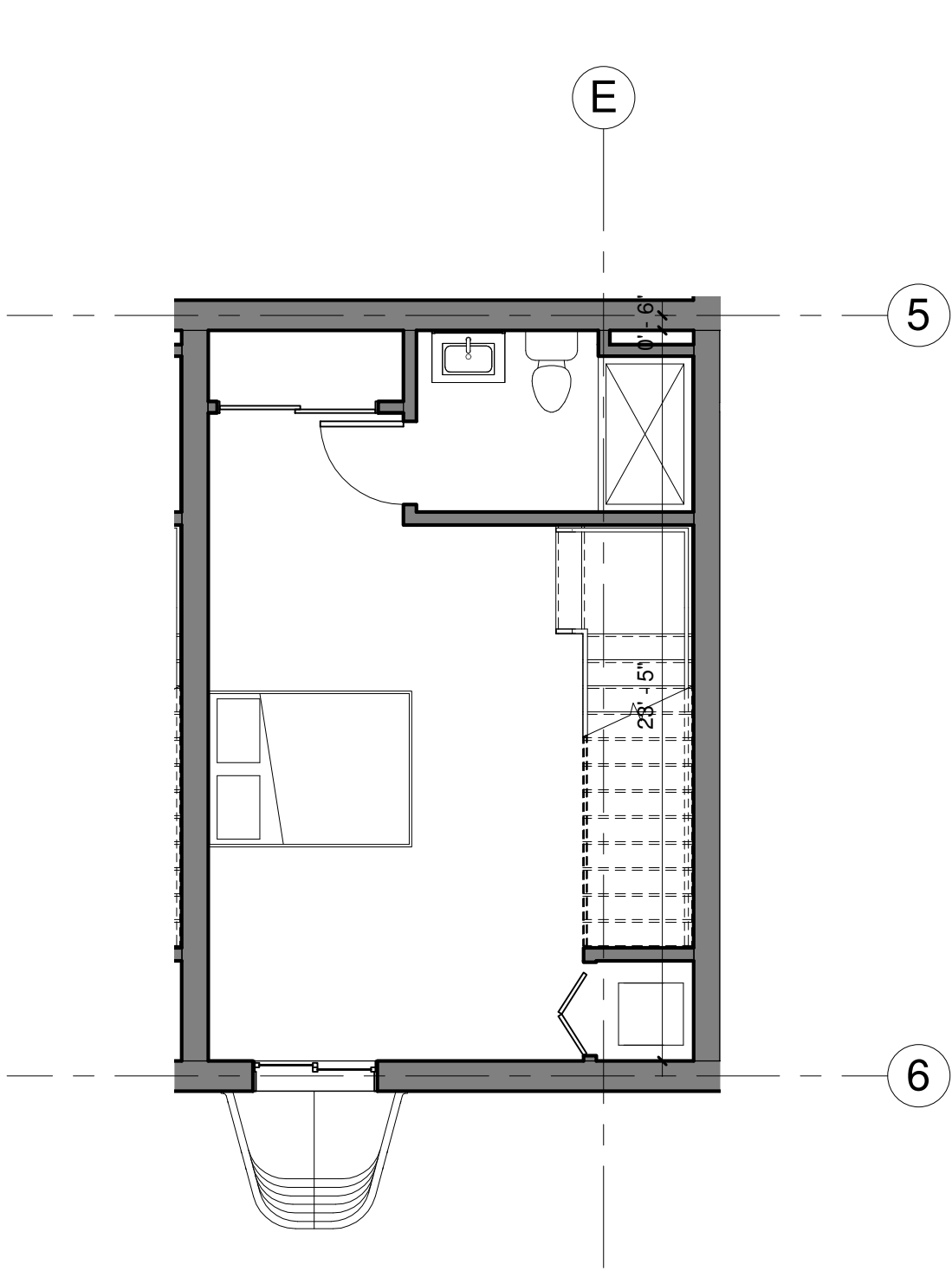
6 UNIT STUDIO A1 - ATTIC
3/16" = 1'-0"



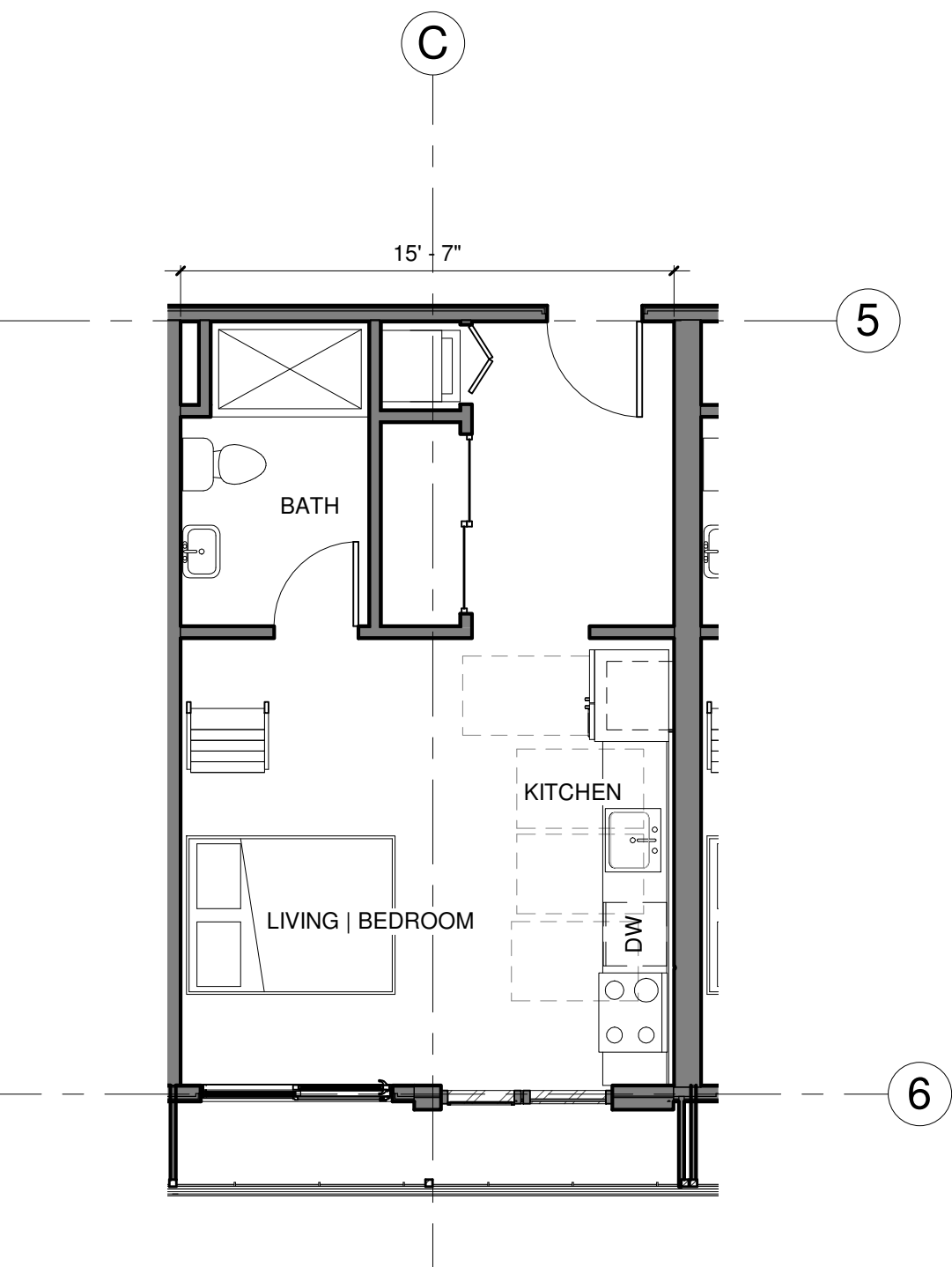
4 UNIT B1. 1BD - ATTIC
3/16" = 1'-0"



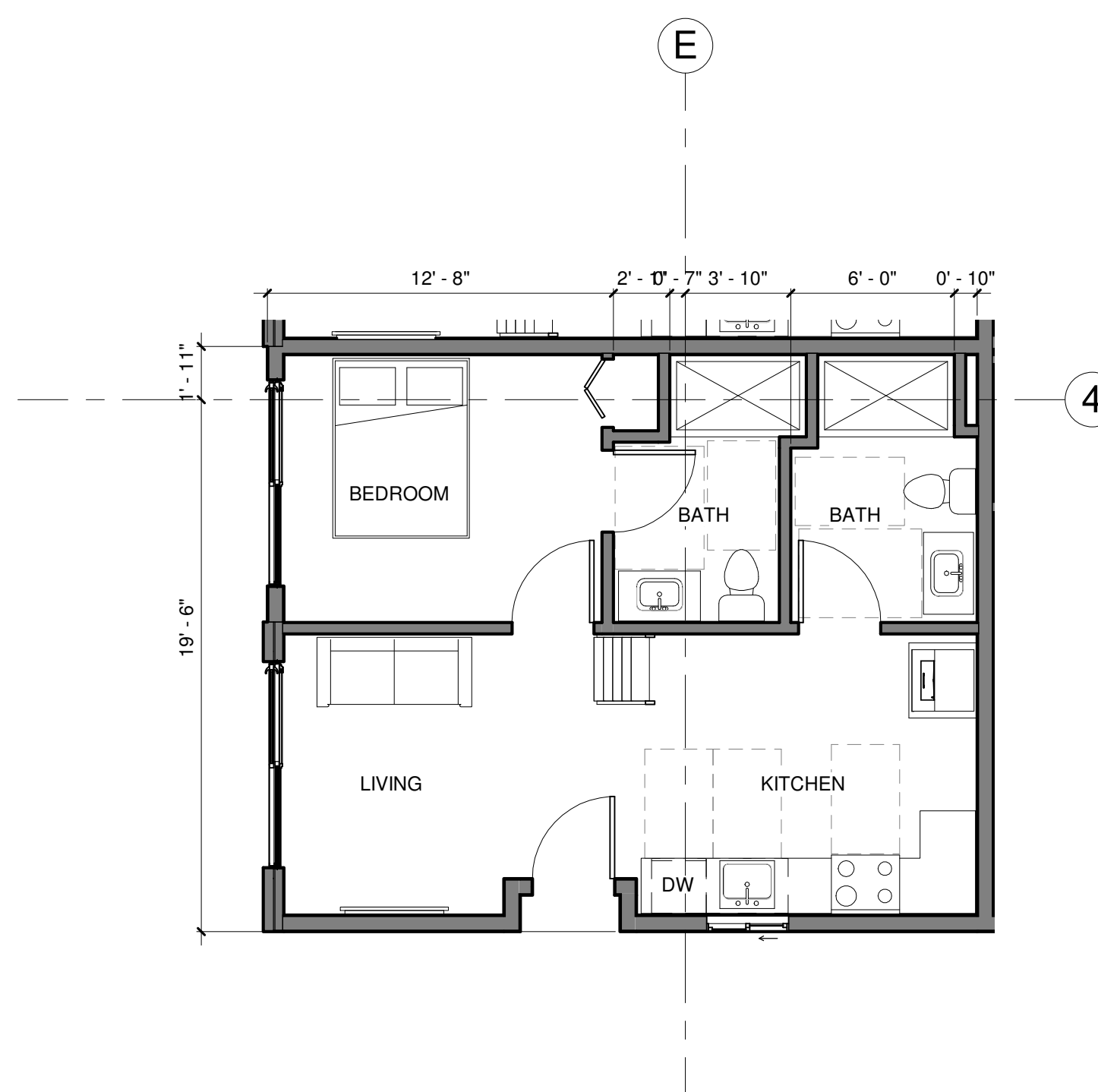
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3/16" = 1'-0"



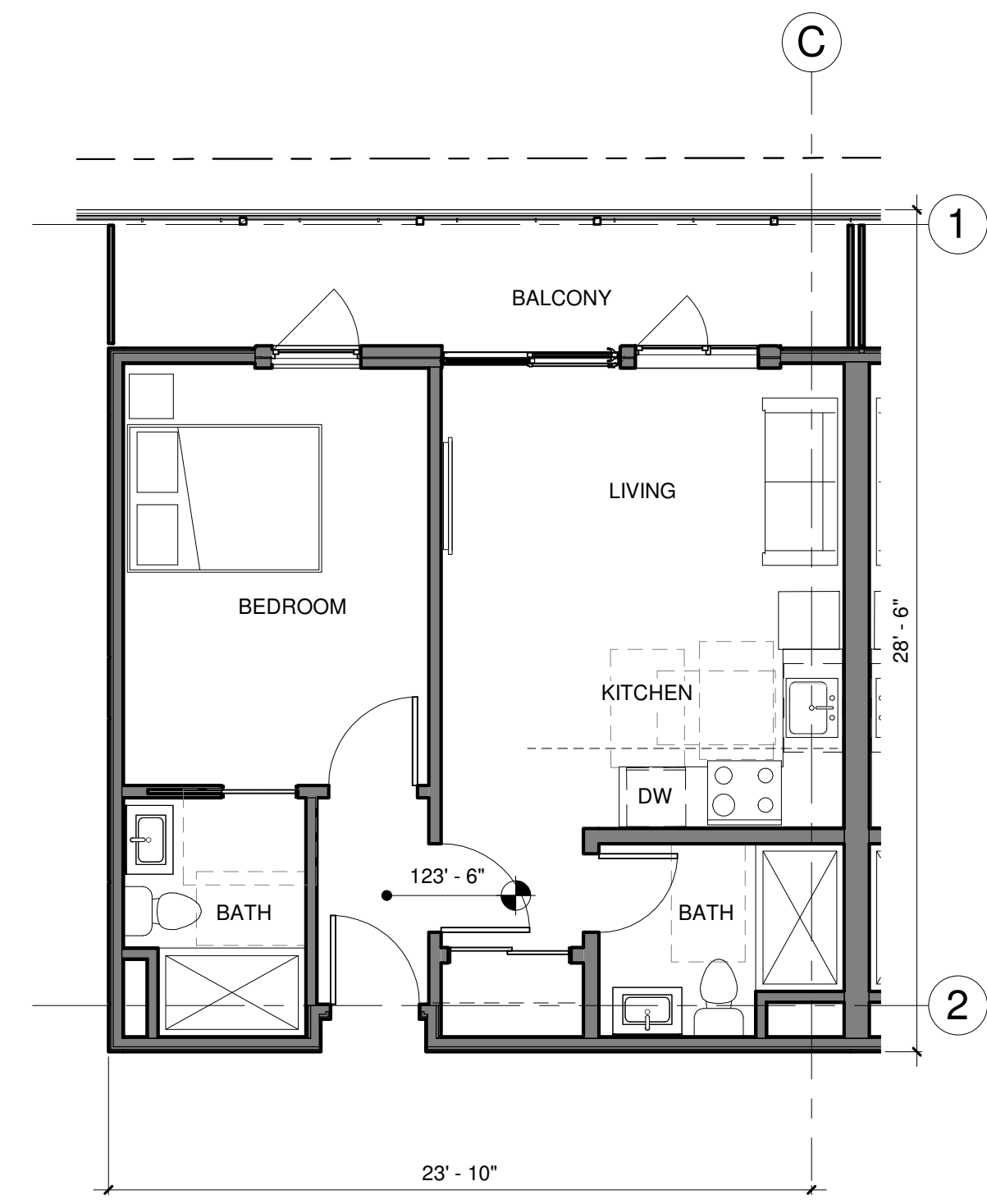
7 UNIT STUDIO - BASEMENT
3/16" = 1'-0"



5 UNIT STUDIO A1
3/16" = 1'-0"

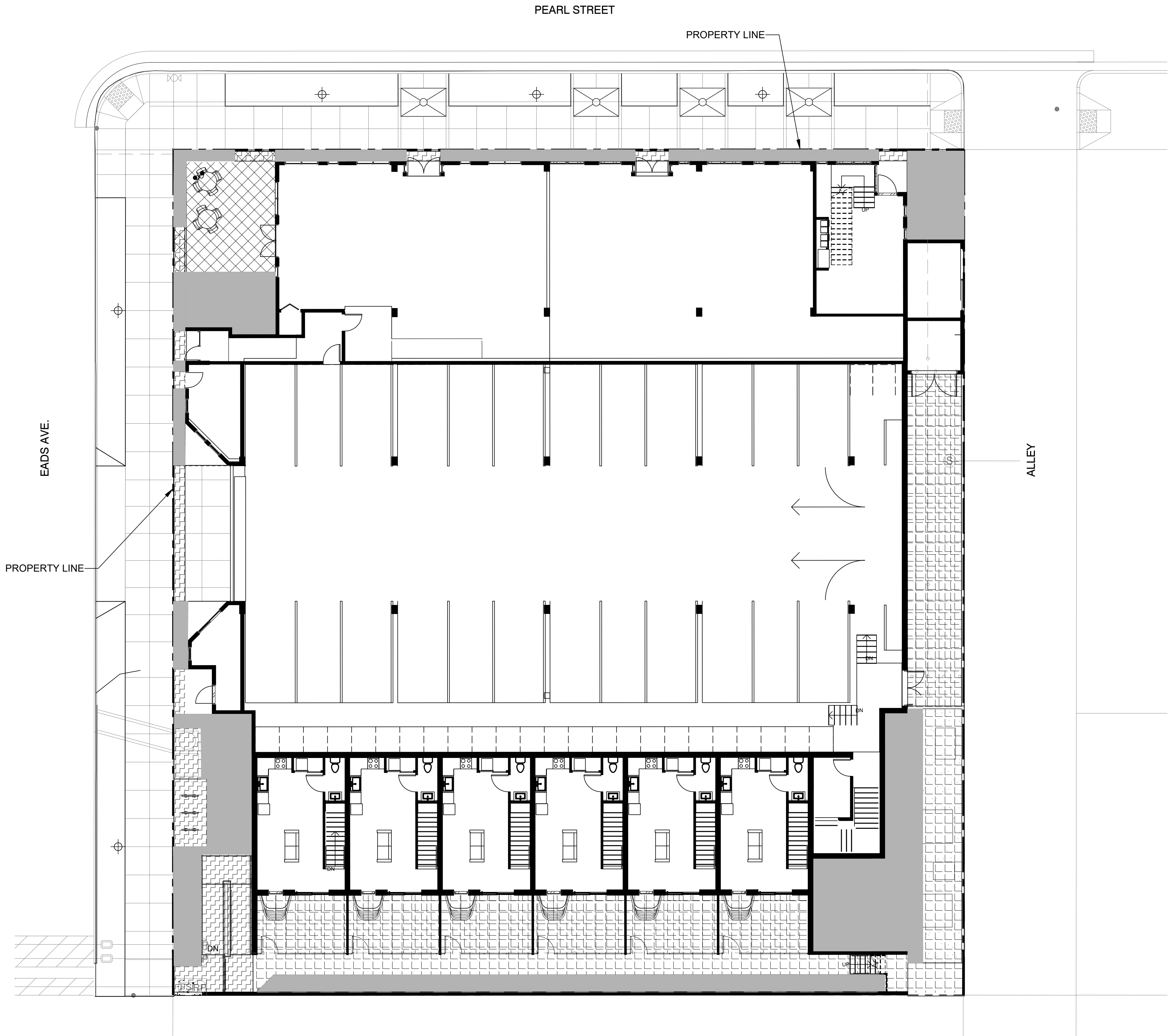


3 UNIT B1. 1BD
3/16" = 1'-0"



1 UNIT B2. 1BD
3/16" = 1'-0"

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AREA CALCULATION LEGEND		
SYMBOL:	DESCRIPTION	AREA
	STREET YARD	1,170 SQ. FT.
	REMAINING YARD	3,380 SQ. FT.
	PLANTING PROVIDED	1,782 SQ. FT.

STREET TREE REQUIREMENTS

LENGTH OF STREET (PEARL STREET): 153 LF
REQUIRED STREET TREES (24" BOX MIN.): 5
PROPOSED STREET TREES: (4) 24" BOX
EXISTING STREET TREES: (1) TO REMAIN

LENGTH OF STREET (EADS AVE.): 126 LF
REQUIRED STREET TREES (24" BOX MIN.): 4
PROPOSED STREET TREES: (4) 24" BOX

VEHICULAR USE AREA
COVERED PARKING AREA

NOTE: CALCULATIONS BASED OFF OF CODE 142.0404-142.0407
SEE SHEET L-4.0 FOR PLANTING PLAN AND SIZES

- PUBLIC RIGHT OF WAY
- ANY EXISTING CONCRETE STAMPS ON EXISTING R.O.W. CONCRETE SHALL BE PRESERVED IN PLACE.
 - ANY NEW OR REPLACEMENT OF SIDEWALK WILL MAINTAIN THE SAME WIDTH, TEXTURE, SCORING PATTERN, COLOR, AND MATERIAL OF THE EXISTING SIDEWALK OR BE IN SUBSTANTIAL CONFORMANCE WITH THE HISTORIC DESIGN OF SIDEWALKS OF ADJACENT PROPERTIES.
- ROOT BARRIER NOTE
- NON-BIODEGRADABLE ROOT BARRIERS SHALL BE INSTALLED AROUND ALL NEW STREET TREES PER LDC 142.0403.

GENERAL NOTES

ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH THE CITY OF SAN DIEGO'S LAND DEVELOPMENT CODE, LANDSCAPE REGULATIONS; THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS; AND ALL OTHER CITY AND REGIONAL STANDARDS.

MINIMUM TREE SEPARATION DISTANCE	
IMPROVEMENT	MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS (STOP SIGN)	20 FEET
UNDERGROUND UTILITY LINES	5 FEET (10' FOR SEWER)
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET
SEWER LINES	10 FEET

CONTRACTOR SHALL REPAIR AND REPLACE ALL EXISTING LANDSCAPE, IRRIGATION, AND ANY EXISTING IMPROVEMENTS DISPLACED OR DAMAGED AS A RESULT OF PERFORMING THE WORK OF THIS CONTRACT AT NO ADDITIONAL COST TO THE OWNER. EXISTING LANDSCAPE AND IRRIGATION SHALL BE EXTENDED IN-KIND INTO AREAS LEFT VACANT BY DEMOLITION AT NO ADDITIONAL COST TO THE OWNER.



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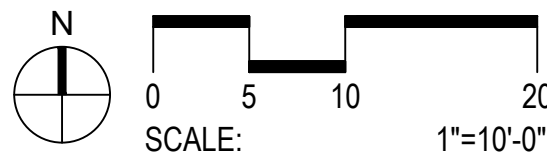
PEARL STREET MIXED USE
801 PEARL STREET
LA JOLLA, CALIFORNIA 92037

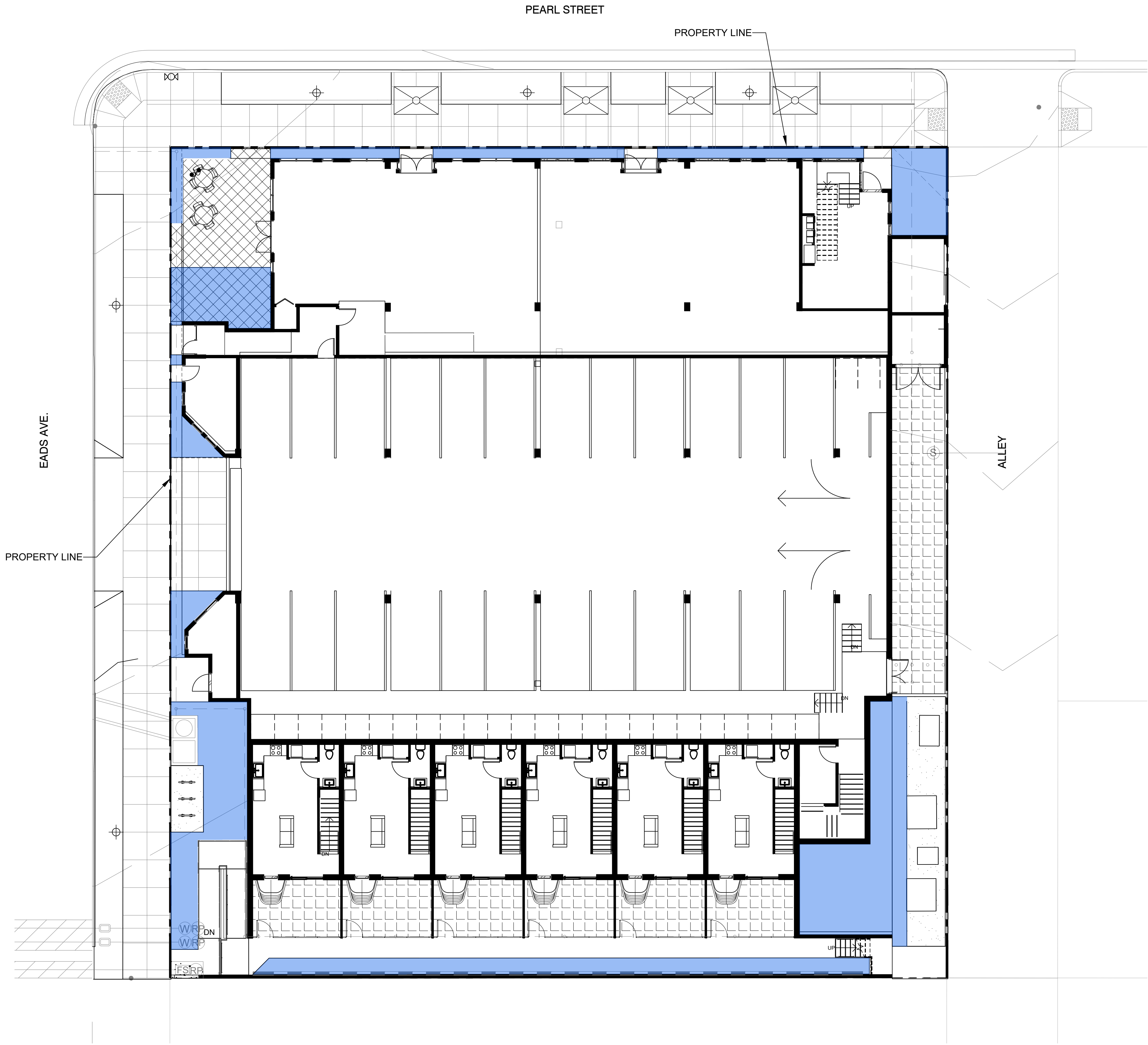
Date	Revision
06/19/2019	DSD MIR REVIEW
09/25/2019	DSD 1ST SUBMITTAL
12/12/2019	DSD 2ND SUBMITTAL


Project #:	21918
Scale:	1" = 10'
Drafted by:	MLASD
Checked by:	MLASD
Date Issued:	09/25/2019

Sheet Title:
**LANDSCAPE
CALCULATIONS**

Sheet Number:
L-17
1 of 9





AREA CALCULATION LEGEND		
SYMBOL:	DESCRIPTION	AREA
	PLANTING PROVIDED	1,744 SQ. FT.

SAN DIEGO MUNICIPAL CODE: LA JOLLA PLANNED DISTRICT

REFER TO CODE 159.0403 LANDSCAPING REQUIREMENTS

OPTION (A): LANDSCAPE AREA EQUAL TO 25% OF TOTAL LOT AREA.

TOTAL LOT AREA: 21,000 SQ. FT.

LANDSCAPED AREA REQUIRED: 5,250 SQ. FT.
(HARDSCAPE + SOFTSCAPE)

PLANTING AREA REQUIRED: 2,100 SQ. FT.
(MINIMUM 40% OF LANDSCAPED AREA)

PLANTING AREA PROVIDED: 2,127 SQ.FT.

GROUND LEVEL: 1,744 SQ. FT.

LEVEL 02: 383 SQ. FT.



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Date	Revision
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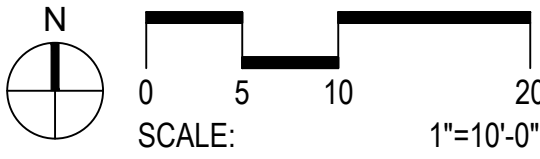
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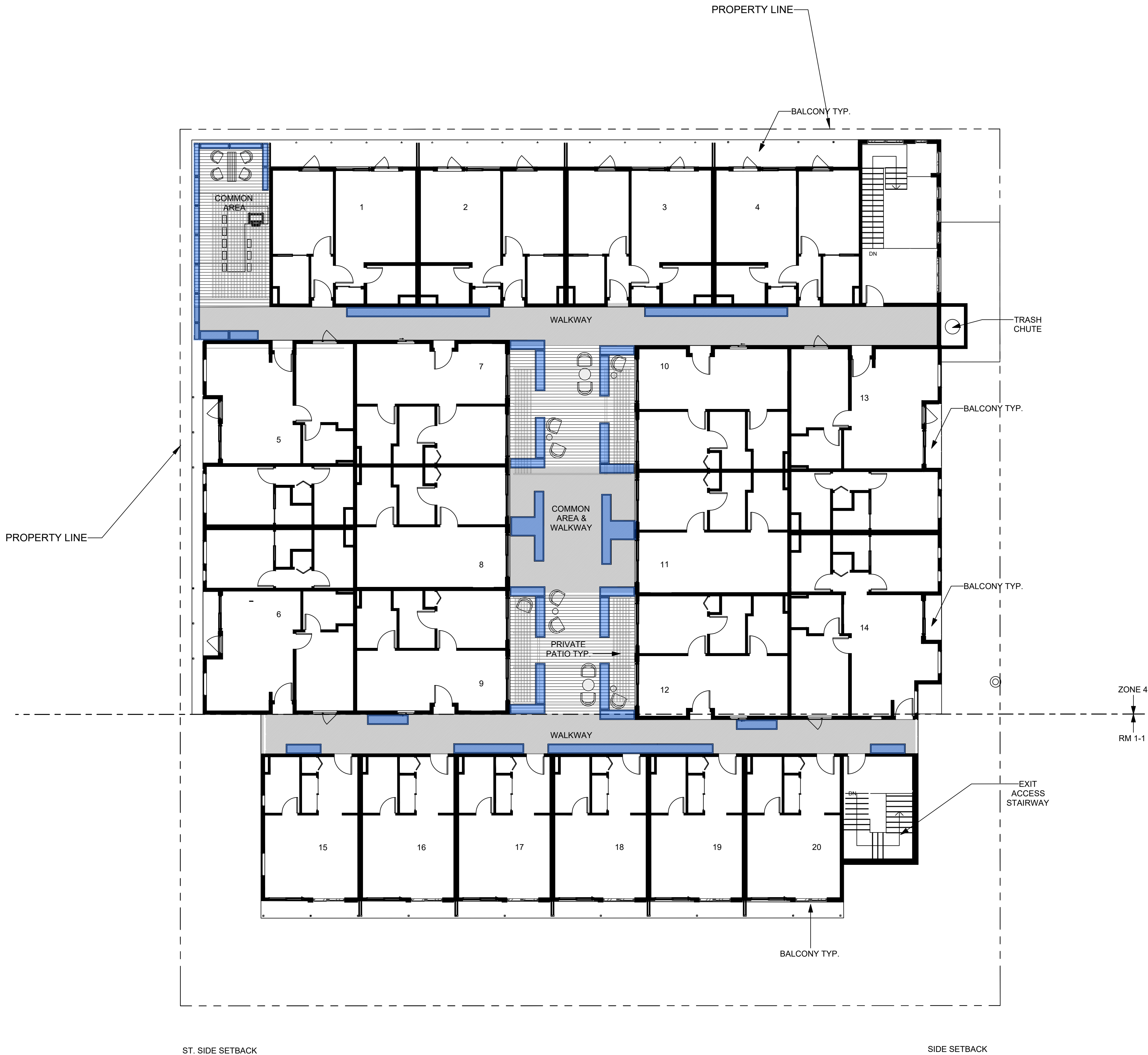
**LA JOLLA
DISTRICT
CALCULATIONS
- LEVEL 01**

Sheet Number:

L-18

2 of 9





AREA CALCULATION LEGEND		
SYMBOL:	DESCRIPTION	AREA
	PLANTING PROVIDED	383 SQ. FT.

SAN DIEGO MUNICIPAL CODE: LA JOLLA PLANNED DISTRICT

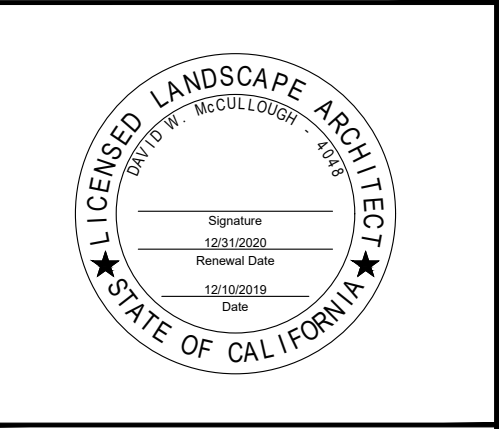
REFER TO CODE 159.0403 LANDSCAPING REQUIREMENTS
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LANDSCAPED AREA REQUIRED: 5,250 SQ. FT.
(HARDSCAPE + SOFTSCAPE)
PLANTING AREA REQUIRED: 2,100 SQ. FT.
(MINIMUM 40% OF LANDSCAPED AREA)
PLANTING AREA PROVIDED: 2,127 SQ.FT.
GROUND LEVEL: 1,744 SQ. FT.
LEVEL 02: 383 SQ. FT.



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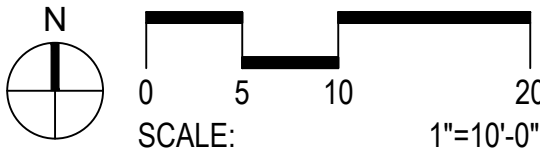
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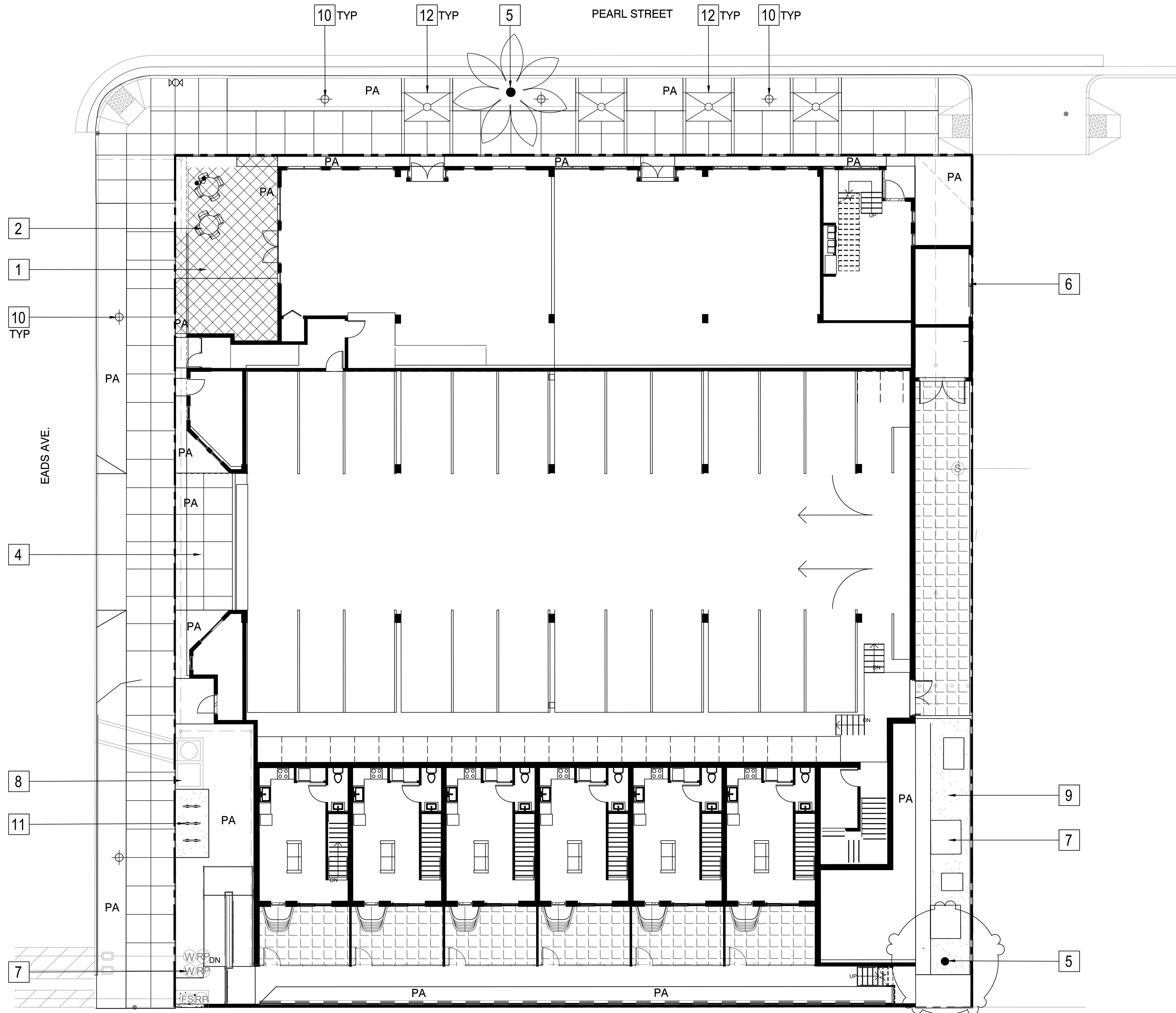
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Scale:	1" = 10'
Drafted by:	MLASD
Checked by:	MLASD
Date Issued:	09/25/2019

Sheet Title:
LA JOLLA DISTRICT CALCULATIONS - LEVEL 02

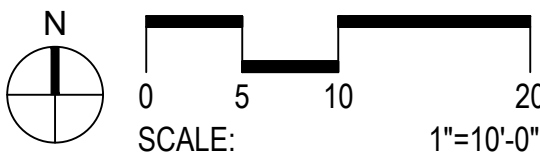
Sheet Number:
L-19
3 of 9





LANDSCAPE SITE PLAN LEGEND (LEVEL 01)	
TAG	DESCRIPTION
1	RETAIL OUTDOOR PATIO SPACE
2	CAFE SEATING
3	TERRA COTTA POTS
4	VEHICULAR GATE ENTRY
5	EXISTING TREE TO REMAIN, PROTECTED IN PLACE
6	TRASH ENCLOSURE
7	UTILITIES PER CIVIL
8	STORMWATER UNIT PER CIVIL
9	DECOMPOSED GRANITE
10	PEDESTRIAN LIGHTING
11	BICYCLE RACKS
12	TREE GRATE, 4'x8' SDL-104

GROUND COVER / HARDSCAPE (LEVEL 01)					
SYMBOL	PRODUCT	MANUFACTURER	SPEC.	COLOR/FINISH	NOTES
	R.O.W. CONCRETE PAVING	-	PER CITY OF SAN DIEGO STANDARD	NATURAL GRAY	PER CITY OF SAN DIEGO STANDARD
	ENHANCED PAVING	-	TBD	TBD	-
	PLANTING AREA	-	TBD	TBD	REFER TO SHEET L3.0 FOR PLANTING PLAN
	PERMEABLE PAVER	-	TBD	TBD	-





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**CONSTRUCTION
DEVELOPMENT
PLAN-LEVEL 01**

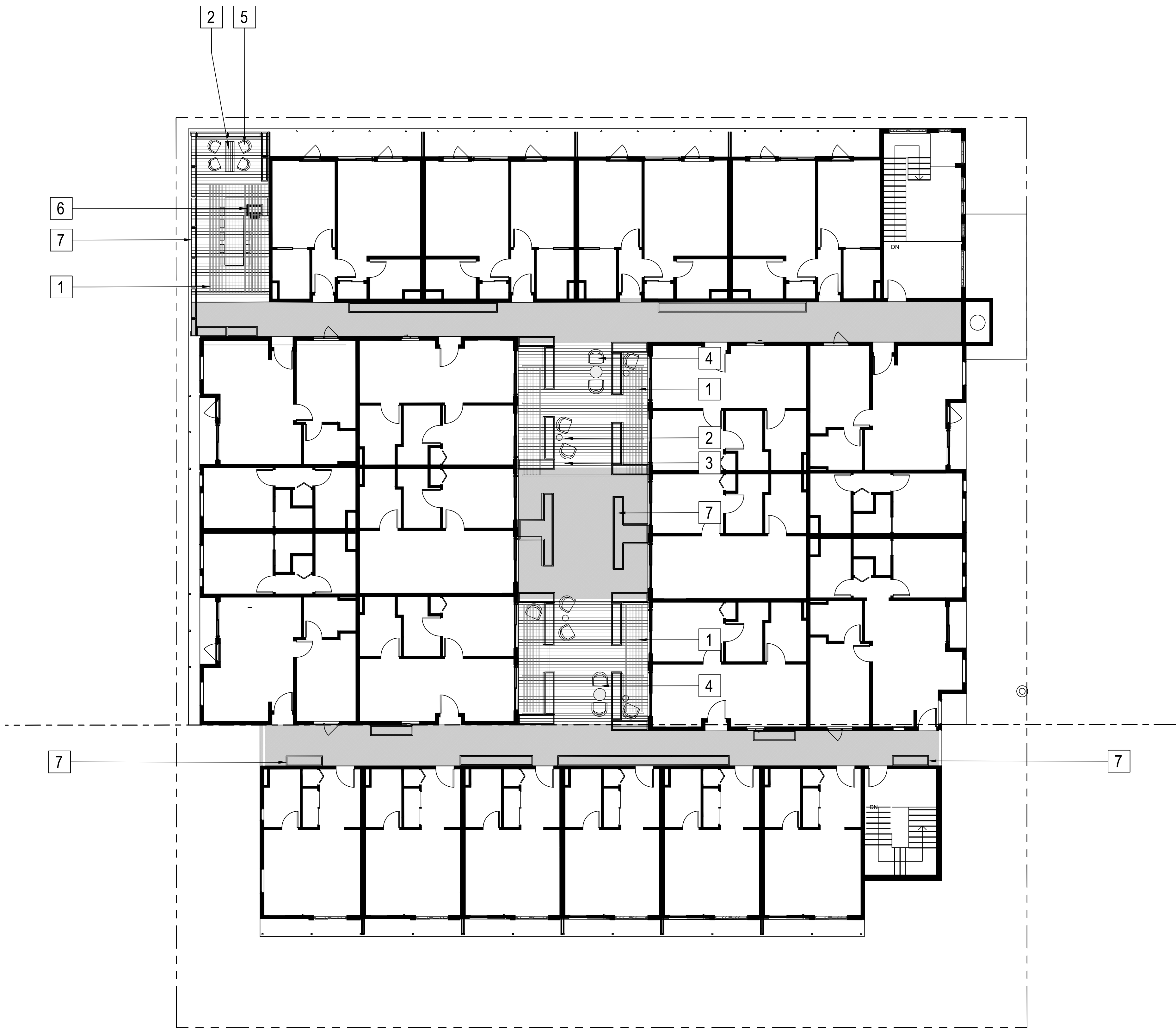
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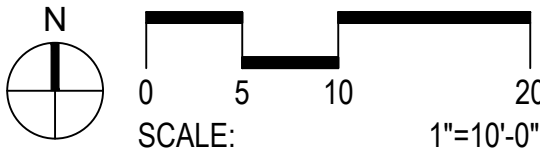
CONSTRUCTION DEVELOPMENT PLAN - LEVEL 01 | 01 |

PLAN VIEW



LANDSCAPE SITE PLAN LEGEND (LEVEL 02)	
TAG	DESCRIPTION
1	TUBULAR STEEL TRELLIS W/ WOOD SLATS
2	COFFEE TABLE
3	PLANTER POTS
4	OUTDOOR LOUNGE SEATING
5	SEATING
6	BARBEQUE/ DINING
7	PLANTERS

GROUND COVER / HARDSCAPE (LEVEL 02)					
SYMBOL	PRODUCT	MANUFACTURER	SPEC.	COLOR/FINISH	NOTES
	ENHANCED PAVING	-	-	-	PER ARCHITECT
	WOOD DECKING	-	TBD	TBD	-

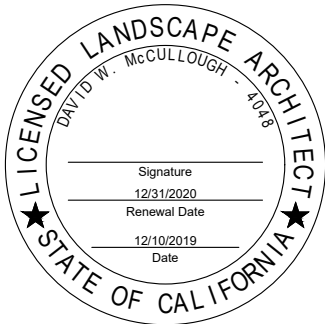




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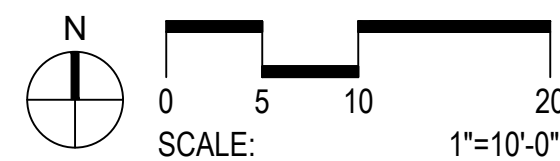
PEARL STREET MIXED USE
801 PEARL STREET
LA JOLLA, CALIFORNIA 92037

Date	Revision
06/19/2019	DSD MIR REVIEW
09/25/2019	DSD 1ST SUBMITTAL
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**CONSTRUCTION
DEVELOPMENT PLAN
- LEVEL 02**






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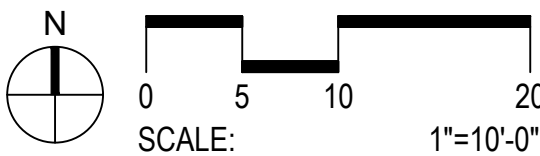


IRRIGATION SCHEDULE

SYMBOL	DESCRIPTION	QTY	PRICE	TOTAL
	HYDROZONE C - ROOF PLANTING ONE OR MORE DROP EMITTERS PER PLANT, WITH DROP TUBING BELOW GRADE.	362.8 S.F.	0.48 ea	2
	Valve Control			
	Valve Station			
	Valve Floor			
	Valve Box			

LANDSCAPE IRRIGATION - LEVEL 02 | 01 |

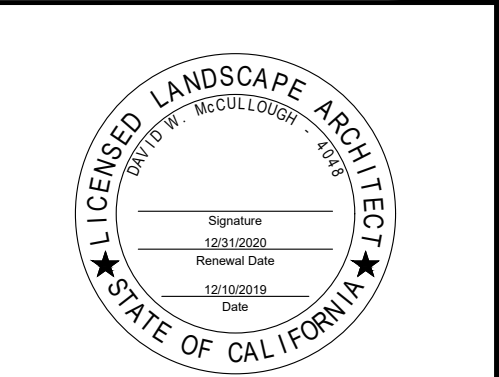
PLAN VIEW





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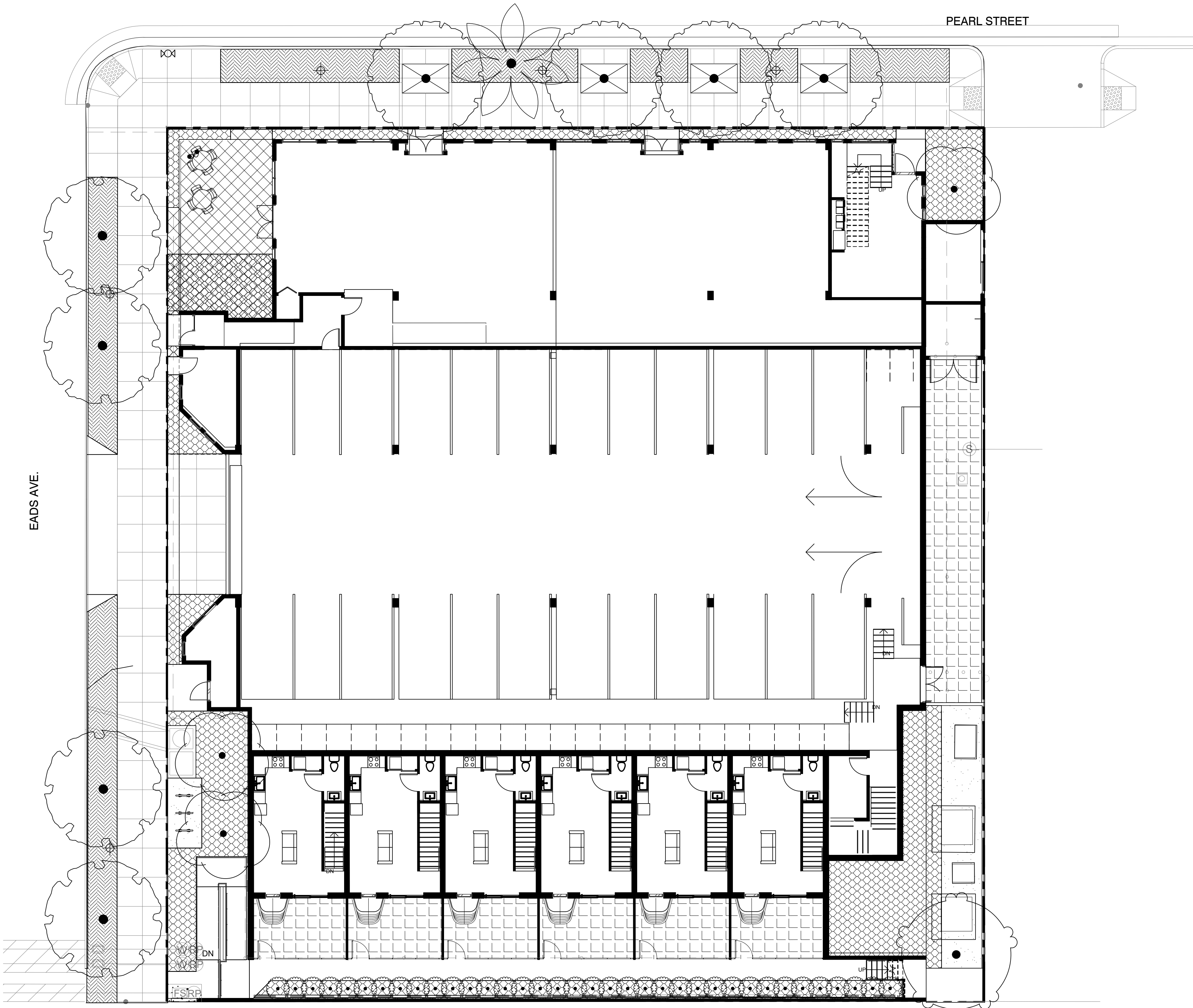
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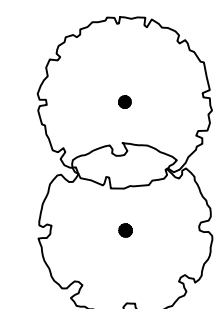
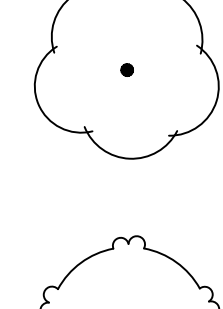
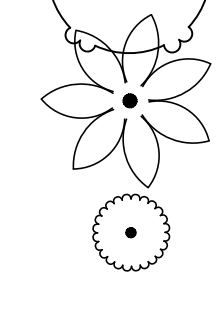
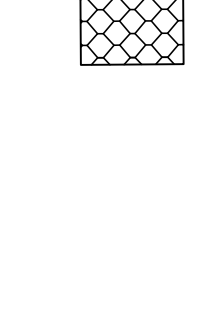




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CANDIDATE PLANT MATERIAL

	PEARL STREET YARD JACARANDA MIMOSIFOLIA / JACARANDA	4	36" BOX
	EADS AVE STREET YARD CASSIA LEPTOPHYLLA / GOLD MEDALLION TREE EUCALYPTUS FICIFOLIA / RED FLOWERING GUM MAGNOLIA GRANDIFLORA / SOUTHERN MAGNOLIA	4	24" BOX 24" BOX 24" BOX
	ACCENT TREE CERCIS CANADENSIS 'FOREST PANSY' TM / FOREST PANSY REDBUD DRACAENA DRACO / DRAGON TREE GINKGO BILOBA / MAIDENHAIR TREE PLATANUS X ACERIFOLIA / LONDON PLANE TREE MULTI-TRUNK PRUNUS CERASIFERA 'ATROPURPUREA' / PURPLE-LEAF PLUM	4	24" BOX 24" BOX 24" BOX 24" BOX 24" BOX
	EXISTING TREE PYRUS CALLERYANA / ORNAMENTAL PEAR	1	EXISTING
	EXISTING PALM WASHINGTONIA FILIFERA / CALIFORNIA FAN PALM	1	EXISTING
	SHRUB 2 -	36	
	BORDER SHRUB AREA ACHILLEA MILLEFOLIUM / COMMON YARROW ARTEMISIA X 'POWIS CASTLE' / POWIS CASTLE ARTEMISIA CEANOTHUS X 'A. T. JOHNSON' / WILD LILAC ERIOGONUM ARBORESCENS / SANTA CRUZ ISLAND BUCKWHEAT ERIOGONUM CINEREUM / ASHYLEAF BUCKWHEAT ERIOGONUM FASCICULATUM / COMMON BUCKWHEAT ERIOGONUM GIGANTEUM / ST. CATHERINE'S LACE ERIOPHYLLUM NEVINII 'CANYON SILVER' / GOLDEN YARROW HELIOTRICHON SEMPERVIRENS / BLUE OAT GRASS MIMULUS AURANTIACUS / STICKY MONKEY FLOWER OPUNTIA BASILARIS / BEAVERTAIL PRICKLYPEAR PERITYLE INCANA / GUADALUPE ISLAND ROCK DAISY RHAMNUS CALIFORNICA / CALIFORNIA COFFEE BERRY SALVIA LEUCOPHYLLA / PURPLE LEAF SAGE SALVIA X 'BEE'S BLISS' / SAGE SALVIA X 'MRS. BEARD' / SAGE VERBENA LILACINA 'DE LA MINA' / LILAC VERBENA WOODWARDIA FIMBRIATA / GIANT CHAIN FERN	1,466 SF 23 13 13 13 13 13 11 13 23 13 15 15 15 13 15 15 15 88 SF	5 GAL., 24" O.C. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL., 36" O.C. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL., 30" O.C.
	PARKWAY SHRUB AREA ABUTILON PALMERI / INDIAN MALLOW AGAVE SPP. / AGAVE ARTEMISIA X 'POWIS CASTLE' / POWIS CASTLE ARTEMISIA CARPENTERIA CALIFORNICA / BUSH ANEMONE CEANOTHUS SPP. / CALIFORNIA LILAC CISTUS X PURPUREUS / ORCHID ROCKROSE DIANELLA SP. / FLAX LILY ECHINOCACTUS GRUSONII / GOLDEN BARREL CACTUS ERIOGONUM SPP. / BUCKWHEAT ERIOGONUM CINEREUM / ASHYLEAF BUCKWHEAT ERIOPHYLLUM NEVINII 'CANYON SILVER' / GOLDEN YARROW HESPERALOE PARVIFLORA / RED YUCCA LAVANDULA SP. / LAVENDER MISCANTHUS SINENSIS 'GRACILLIMUS' / MAIDEN GRASS MUHLENBERGIA DUBIA / PINE MUHLY PHORMIUM SPP. / NEW ZEALAND FLAX RHAMNUS CALIFORNICA / CALIFORNIA COFFEE BERRY ROSMARINUS OFFICINALIS / ROSEMARY SALVIA SPP. / SAGE	1,089 SF 10 10 10 10 10 10 10 10 10 10 10 10 10 10 10 10 10 10 10	5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL. 5 GAL.

HYDROSEEDING PROCEDURES

- (PER SAN DIEGO MUNICIPAL CODE LANDSCAPE STANDARDS 4.4)
- SEED MIXES SHALL BE SPECIFIED BY THE PURE LIVE SEED OF EACH SPECIES.
 - FIBER MULCH SHALL BE APPLIED AT A MINIMUM RATE OF 2,000 POUNDS PER ACRE EXCEPT WHEN USED IN CONJUNCTION WITH STRAW MULCH, WHEN IT SHALL BE APPLIED AT A MINIMUM RATE OF 400 POUNDS PER ACRE.
 - A WETTING AGENT CONSISTING OF 95 PERCENT ALKYL POLYETHYLENE GLYCOL ETHER SHALL BE APPLIED AS PER MANUFACTURERS RECOMMENDATIONS.
 - EQUIPMENT USED FOR THE APPLICATION OF SLURRY SHALL HAVE A BUILT-IN AGITATION SYSTEM TO SUSPEND AND HOMOGENEOUSLY MIX THE SLURRY. THE SLURRY MIX SHALL BE DYED GREEN. THE EQUIPMENT MUST HAVE A PUMP CAPABLE OF APPLYING SLURRY UNIFORMLY.

MAINTENANCE REQUIREMENTS

- (PER SAN DIEGO MUNICIPAL CODE LANDSCAPE STANDARDS 4.5)
- PERMANENTLY IRRIGATED SLOPES SHALL BE MAINTAINED FOR A PERIOD NO LESS THAN 90 DAYS.
 - NONPERMANENTLY IRRIGATED AREAS SHALL BE MAINTAINED FOR A PERIOD NOT LESS THAN 25 MONTHS.
 - ALL REVEGETATED AREAS SHALL BE MAINTAINED BY THE PERMITTEE UNTIL FINAL APPROVAL BY THE CITY MANAGER. THE MAINTENANCE PERIOD BEGINS ON THE FIRST DAY FOLLOWING ACCEPTANCE AND MAY BE EXTENDED AT THE DETERMINATION OF THE CITY MANAGER.
 - PRIOR TO FINAL APPROVAL, THE CITY MANAGER MAY REQUIRE CORRECTIVE ACTION INCLUDING BUT NOT LIMITED TO, REPLANTING, THE PROVISION OR MODIFICATION OF IRRIGATION SYSTEMS, AND THE REPAIR OF ANY SOIL EROSION OR SLOPE SLIPPAGE.

WATER CONSERVATION STATEMENT

IN RECOGNITION OF WATER AS A LIMITED RESOURCE IN SOUTHERN CALIFORNIA, THE FOLLOWING MEASURES WILL BE UNDERTAKEN TO REDUCE THIS PROJECT'S DEMAND ON THE CITY OF SAN DIEGO'S AVAILABLE WATER SUPPLY:

THE IRRIGATION SYSTEM WILL BE AUTOMATIC AND WILL INCORPORATE LOW VOLUME, LOW PRECIPITATION RATE SPRAY EMITTERS. A SUB-SURFACE DRIP IRRIGATION SYSTEMS MAY BE EMPLOYED WHERE CONSIDERED TO BE EFFECTIVE AND FEASIBLE. IRRIGATION VALVES SHALL BE SEGREGATED TO ALLOW FOR THE SYSTEM OPERATION IN RESPONSE TO ORIENTATION AND EXPOSURE. WATER CONSERVING IRRIGATION CONTROL DEVICES SUCH AS FLOW SENSORS, RAIN SHUT OFF DEVICES AND A WEATHER BASED ("SMART") IRRIGATION CONTROLLERS SHALL BE USED. WEATHER DATA SHALL BE RECEIVED EITHER ON-SITE OR THROUGH THE CIMIS NETWORK AND CONTROL WEATHER BASED IRRIGATION RUN TIME CHANGES.

TURF WILL BE RESTRICTED TO HIGHLY VISIBLE STREET FRONT AREAS AND/OR AREAS WHICH MAY RECEIVE SIGNIFICANT AMOUNTS OF USE AND ENJOYMENT BY THE GUESTS AND RESIDENTS. (ALL TURF ON THIS PROJECT IS PROPOSED TO BE REAL TURF). PLANT MATERIAL WILL BE SPECIFIED IN CONSIDERATION OF NORTH, SOUTH, EAST, AND WEST EXPOSURES. SOIL WILL BE AMENDED AND PREPARED TO PROVIDE HEALTHY PLANT GROWTH AND COVERAGE AND TO PROVIDE FOR

MAXIMUM MOISTURE RETENTION AND PERCOLATION. PLANTER BEDS WILL BE MULCHED TO RETAIN SOIL MOISTURE AND REDUCE EVAPOTRANSPIRATION FROM THE ROOT ZONES.

AN IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR THE PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF THE VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT OF THE VEGETATION SELECTED.

THE ESTIMATED TOTAL WATER USE (ETWU) OF THE IRRIGATION SYSTEM WILL BE DESIGNED TO WORK WITHIN THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) FOR THE DEVELOPMENT. A FULL LANDSCAPE DOCUMENT PACKAGE, PER THE LANDSCAPE WATER CONSERVATION ORDINANCE WILL BE REQUIRED TO BE SUBMITTED AND APPROVED PRIOR TO ISSUANCE OR APPROVAL OF THE BUILDING PERMITS.

ROOT BARRIER NOTE

NON-BIODEGRADABLE ROOT BARRIERS SHALL BE INSTALLED AROUND ALL NEW STREET TREES WITHIN 5' OF HARDSCAPE SURFACES.

CONCEPTUAL PLANTING PLAN - LEVEL 01 | 01 |

MAINTENANCE RESPONSIBILITY

ALL REQUIRED LANDSCAPE AREAS INCLUDING LANDSCAPING AND PEDESTRIAN LIGHTING WITHIN THE PUBLIC SIDEWALK SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED IN A FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THIS PERMIT.

UTILITY SCREENING

ALL WATER, SEWER, AND GAS UTILITIES SHALL BE EFFECTIVELY SCREENED WITH PLANT MATERIAL AT THE TIME OF PLANT INSTALLATION.

PLANT MATERIAL NEAR SEWER LINES

NO TREE OR SHRUB EXCEEDING 3' IN HEIGHT SHALL BE PLANTED WITHIN 10' OF ANY PUBLIC SEWER FACILITIES.

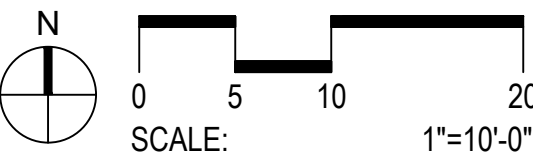
MULCHING NOTE

ALL REQUIRED PLANTING AREAS AND ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 3 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION PER SDMC 142.0411.

IRRIGATION STATEMENT

WHERE APPLICABLE DRIP IRRIGATION SHALL BE UTILIZED PER THE NEW MODEL WATER EFFICIENT LANDSCAPE ORDINANCE BY THE STATE OF CALIFORNIA WHICH PROHIBITS OVERHEAD SPRAY IRRIGATION IN CERTAIN LANDSCAPE CONDITIONS. IF THE STATE ORDINANCE IS MORE STRICT OR MORE DETAILED THAN THE CITY OF SAN DIEGO MUNICIPAL CODE WE SHALL FOLLOW THE STRICTER OF THE TWO PUBLICATIONS. THE USE OF AN ET BASED CONTROLLER AND FLOW SENSOR IS REQUIRED.

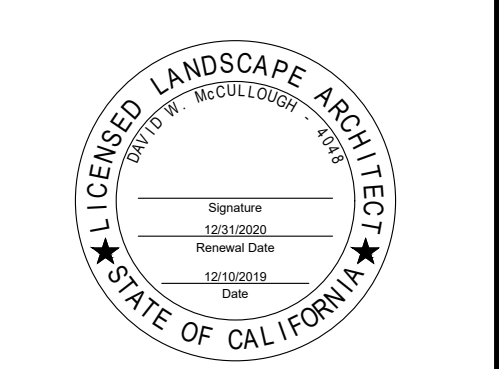
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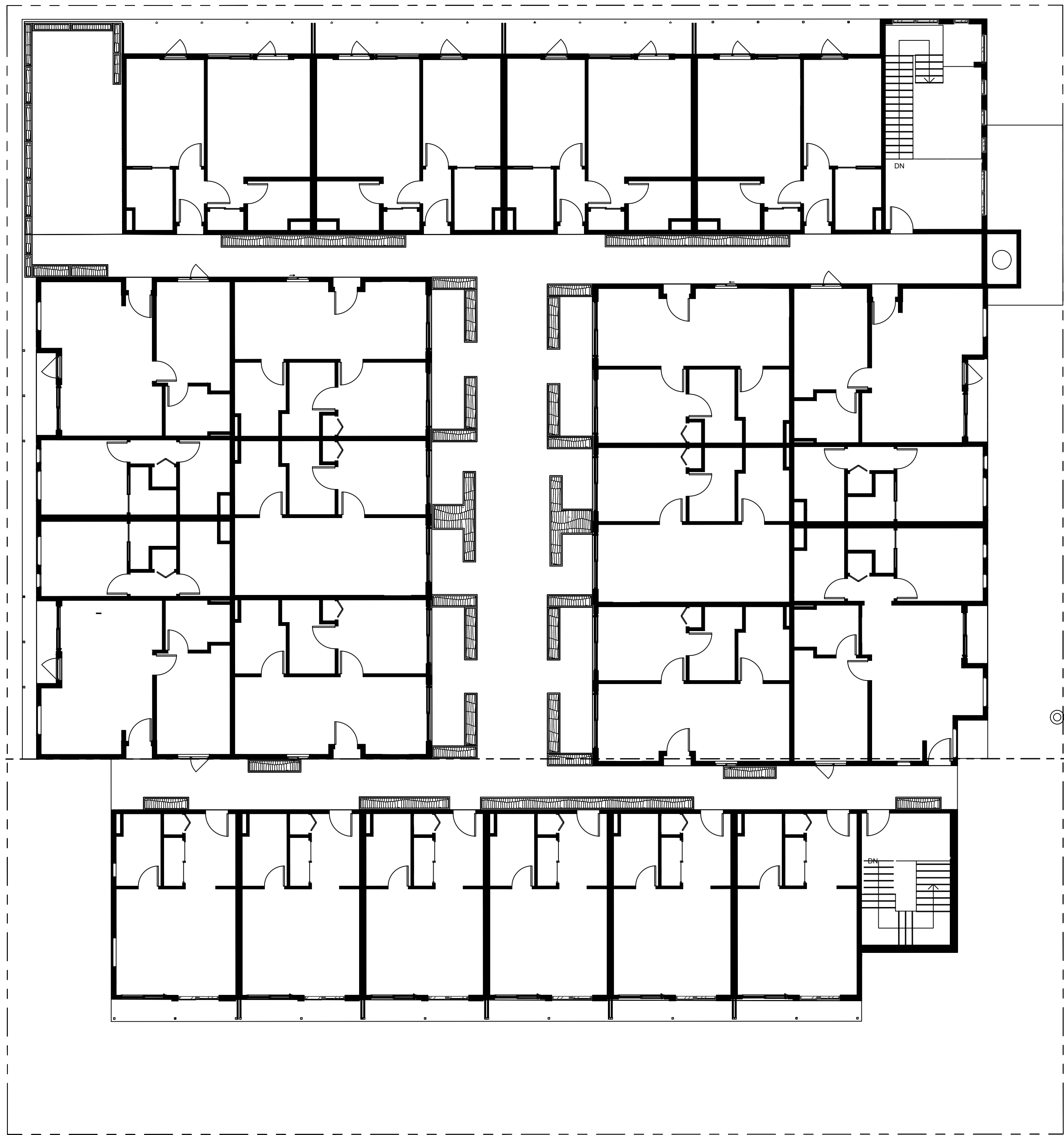
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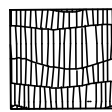
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**CONCEPTUAL
PLANTING PLAN
- LEVEL 01**

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CANDIDATE PLANT MATERIAL



PLANTERS	383 SF
AGAVE ATTENUATA / FOXTAIL AGAVE	23 SF
ARTEMISIA X POWIS CASTLE / POWIS CASTLE ARTEMISIA	27 SF
BOUTELOUA ARISTOIDES / NEEDLE GRAMA GRASS	
CAREX PANSA / SANDDUNE SEDGE	
DUDLEYA BRITTONII / DUDLEYA	23 SF
ECHINOCACTUS GRUSONII / GOLDEN BARREL CACTUS	23 SF
FESTUCA CALIFORNICA / CALIFORNIA FESCUE	
FESTUCA GLAUCA / BLUE FESCUE	27 SF
HESPERALOE PARVIFLORA / RED YUCCA	27 SF
LEYMUS CONDENSATUS 'CANYON PRINCE' / NATIVE BLUE RYE	
MUHLENBERGIA RIGENS / DEER GRASS	
RHAMNUS CALIFORNICA 'LITTLE SUR' / LITTLE SUR COFFEEBERRY	27 SF
SENECIO MANDRALISCAE 'BLUE CHALK STICKS' / SENECIO	23 SF
SPHAERALCEA AMBIGUA 'LOUIS HAMILTON' TM / LOUIS HAMILTON GLOBEMALLOW	23 SF
SPOROBOLUS AIROIDES / ALKALI SACATON	



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- LEVEL 02**

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PLAN VIEW

