



THE CITY OF SAN DIEGO  
**REPORT TO THE PLANNING COMMISSION**

**DATE ISSUED:** January 27, 2012      **REPORT NO. PC-12--015**

**ATTENTION:**      **Planning Commission, Agenda of February 2, 2012**

**SUBJECT:**      **HERSCHEL MIXED USE LOFTS - Project No. 223788**  
Process 4

**OWNER/**      **Herschel L.L.C., Owner**  
**APPLICANT:**      **Di Donato Associates, Applicant**

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a new mixed-use residential and commercial condominium development with six units within the La Jolla Community Plan area?

**Staff Recommendations:**

1.      **Certify** Mitigated Negative Declaration No. 223788, and **Adopt** Mitigation, Monitoring, and Reporting Program; and
2.      **Approve** Coastal Development Permit No. 797273 and Tentative Map No. 924629.

**Community Planning Group Recommendation:** On August 4, 2011, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the proposed project with no additional conditions (Attachment No. 7).

**Environmental Review:** A Mitigated Negative Declaration No. 223788 has been prepared for the project in accordance with State of California Environmental Quality Act Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process.

**Fiscal Impact Statement:** All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None

**Housing Impact Statement:** The project proposes to remodel the existing two-story commercial office building and construct an additional new two-story residential building in the rear portion of the lot to create a mixed use development with five residential and one commercial condominium units on the site. The proposed project is located within the La Jolla Planned District Ordinance (LJPDO) Zone 1 of the La Jolla Community Plan. The LJPDO Zone 1 area includes the primary retail and visitor oriented commercial area in the core of La Jolla and allows for residential with 29 dwelling units per acre. The proposed five residential units would provide a net gain for the community of five additional units. Also, prior to issuing any construction permits, the applicant shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations.

## **BACKGROUND**

The project site is located on a 0.16-acre lot located at 7844 Herschel Avenue, east of Wall Street and west of Silverado Street (Attachment No. 1), in the La Jolla Planned District Ordinance (LJPDO) Zone 1 area of the La Jolla Community Plan and Local Coastal Program area. The site is also within the Coastal Overlay Zone (Non-appealable Area 2), Coastal Height Limit Overlay Zone, Residential Tandem Parking Overlay Zone, and the Parking Impact Overlay Zone (Coastal) area. The project site is currently developed with a two-story commercial building of approximately 6,072 square feet that was built in 1982 (Attachment No. 2). The rear portion is developed with an asphalt parking lot with ten parking spaces and abuts an un-named alley.

The site is designated by the La Jolla Community Plan (LJCP) for Office/Commercial and the Commercial Element of the LJCP recommends the, "...continuation of small lot commercial retail development along the major retail-oriented streets, such as...Herschel Avenue..." (Attachment No. 3). The purpose of the LJPDO Zone 1 is to accommodate the primary retail and visitor oriented commercial area in the core of La Jolla. The LJPDO Zone 1 area allows for retail establishments, offices, residential development (limited to 29 dwelling units per net acre), and other uses that are subject to a Special Use Permit.

## **DISCUSSION**

### **Project Description:**

The proposed coastal development project will create five residential condominium units and one commercial condominium unit (Attachment No. 4). The project includes the remodeling and additions to the existing two-story 6,072 square-foot commercial building with the second floor's addition of 737 square feet and the remodeling of 2,036 square feet to create two residential condominium units. The existing building's first floor area of approximately 3,168 square feet will remain as a commercial condominium unit. The project also proposes to construct an additional two-story residential building of approximately 5,091 square feet within the rear area of the lot. The new building will include three residential condominium units. The project square

footage breakdown includes:

- Retail – 3,168 SF
- Residential
  - Unit A – 1,281 SF living, 298 SF garage, and 454 SF roof deck;
  - Unit B – 1,439 SF living and 446 SF roof deck;
  - Unit C – 1,006 SF living and 632 SF roof deck;
  - Unit D – 1,387 SF living and 281 SF roof deck, and
  - Unit E – 1,405 SF living and 281 SF roof deck

The proposed new construction and subdivision in the Coastal Zone requires a Coastal Development Permit as well as a Tentative Map (Attachment No. 5) from the City to create one lot for five residential and one commercial condominium units, and to waive the requirement to underground existing offsite overhead utility facilities.

The existing remodeled building and new two-story building will equal approximately 11,900 square feet of gross floor area and does not exceed the LJPDO Zone 1, Floor Area Ratio's (FAR) maximum bonus density of 1.7 for a residential/retail mixed use project. In addition, the project will not exceed the 30-foot height limit in the coastal zone. The mixed use development requires twelve off-street parking spaces, three motorcycle spaces, and three bicycle spaces. The project proposes fourteen automobile parking spaces with one van accessible commercial and two residential (one van accessible) parking spaces provided within the new two-story building. The remaining automobile, motorcycle, and bicycle parking spaces will be provided in the adjacent existing parking structure located at 1055 Wall Street, with access from Herschel Avenue. In addition to the development's current easement with the adjoining 1055 Wall Street structure, the draft conditions of the permit require the owner/permittee to provide a shared parking agreement along with signage for the reserved parking spaces in the parking structure.

### **Community Plan Analysis:**

The project site is within the LJPDO Zone 1 of the adopted La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) area. The LJCP identifies the site for Office Commercial uses such as business and professional offices, banks, financial, services and hotels. The Commercial Element of the LJCP recommends the, "...continuation of small lot commercial retail development along the major retail-oriented streets, such as...Herschel Avenue." In addition, the Element also recommends mixed-use development in all commercial areas of the community. Therefore, the proposed residential/commercial mixed-use project conforms with the identified land use in the LJCP.

### **Environmental Analysis:**

A Mitigated Negative Declaration (MND) No. 223788 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. The City of San Diego conducted an Initial Study which determined that the proposed project could have significant environmental affects to historical (archaeological) resources. Subsequent revisions in the project proposal create the specific mitigation identified in the MND and a Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will

reduce, to a level below significance, any potential impacts identified in the environmental review process. The project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

**Conclusion:**

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided the draft environmental resolution and Mitigation, Monitoring, and Reporting Program, draft findings to support approval of the proposed development, draft conditions of approval, and draft map resolution and conditions. City staff is recommending the Planning Commissioners approve the project.

**ALTERNATIVES**

1. **Approve** Coastal Development Permit No. 797273 and Tentative Map No. 924629, with modifications.
2. **Deny** Coastal Development Permit No. 797273 and Tentative Map No. 924629, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



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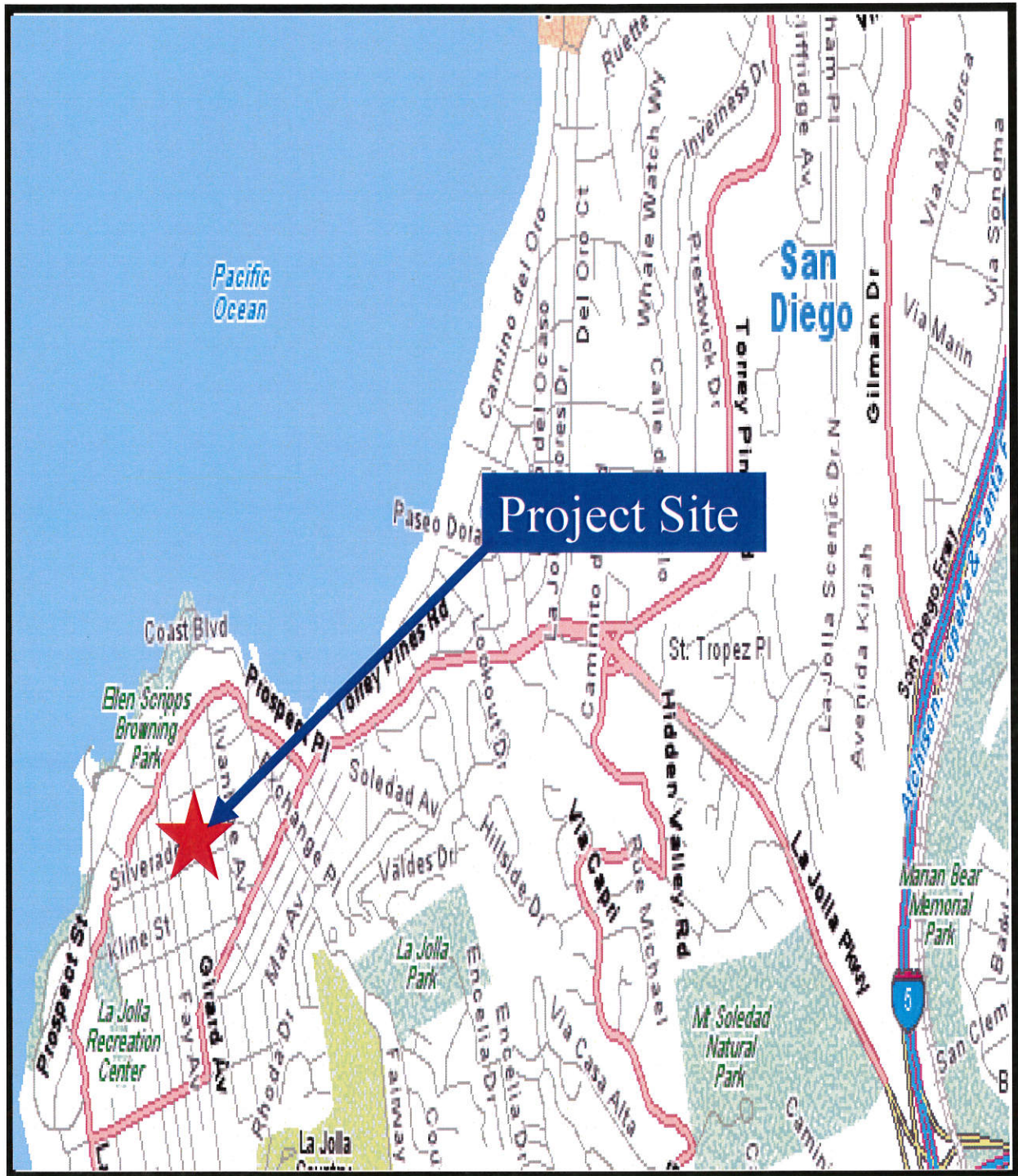
Tim Daly  
Project Manager  
Development Services Department

WESTLAKE/TPD

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Project Site Plan

5. Map Exhibit
6. Project Plans
7. Community Planning Group Recommendation
8. Draft Permit Resolution with Findings
9. Draft Permit with Conditions
10. Draft Map Resolution with Findings
11. Draft Map Conditions
12. Draft Environmental Resolution with MMRP
13. Ownership Disclosure Statement
14. Project Data Sheet
15. Project Chronology



## Project Location

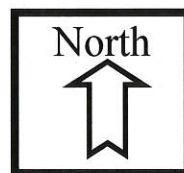
Herschel Mixed Use Lofts, Project No. 223788  
7844 Herschel Avenue

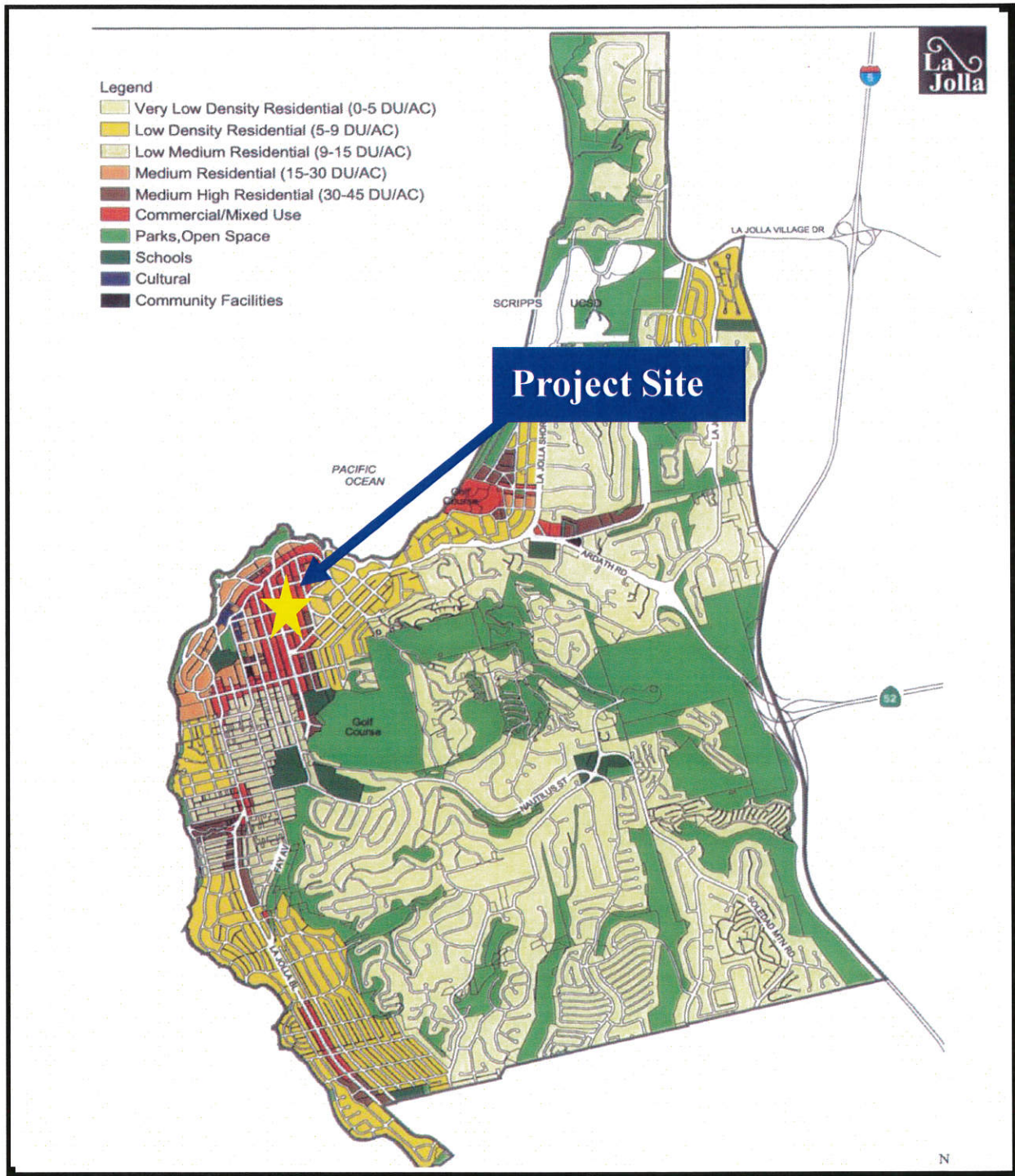




## Aerial Photo

Herschel Mixed Use Lofts, Project No. 233788  
7844 Herschel Avenue



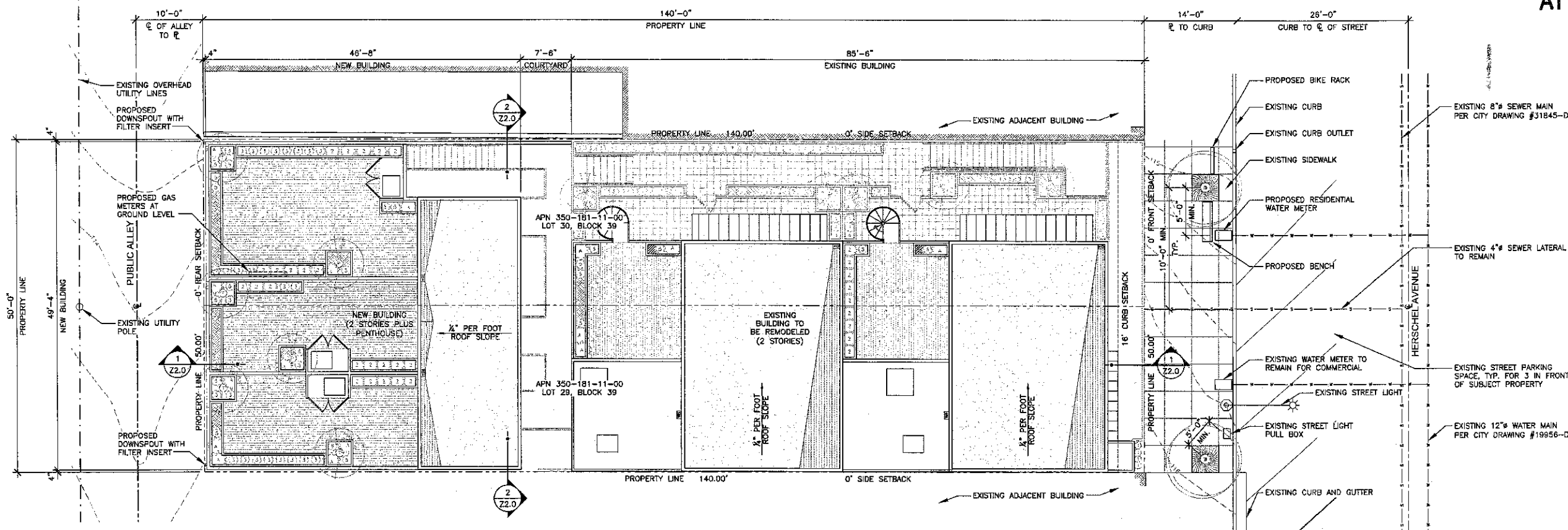


## La Jolla Community Land Use Map

Herschel Mixed Use Lofts, Project No. 223788  
7844 Herschel Avenue





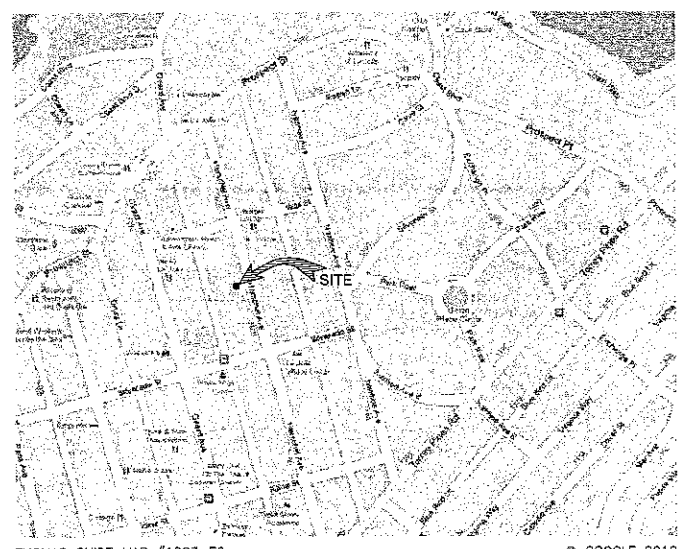


**GRADING TABULATION:**  
 TOTAL AMOUNT OF SITE TO BE GRADED: 0 S.F.  
 % OF TOTAL SITE: 0%  
 AMOUNT OF CUT: 89.5 CUBIC YARDS  
 MAXIMUM DEPTH OF CUT: 2 FEET  
 AMOUNT OF FILL: 0 CUBIC YARDS  
 MAXIMUM DEPTH OF FILL: 0 FEET  
 MAXIMUM HEIGHT OF FILL SLOPE: 0 FEET  
 MAXIMUM HEIGHT OF CUT SLOPE: 0 FEET  
 AMOUNT OF EXPORT: 89.5 CUBIC YARDS  
 RETAINING/CRIB WALLS LENGTH: 0 FEET  
 MAXIMUM RETAINING WALL HEIGHT: 0 FEET

**SITE PLAN**  
 1/8" = 1'-0"

**PROJECT DESCRIPTION:**  
 ■ EXISTING 8072 SF BUILDING WITH A SECOND FLOOR ADDITION OF 737 SF AND 2036 SF REMODEL, 3168 SF RETAIL USE AT THE FIRST FLOOR AND TWO (2) RESIDENTIAL UNITS ON THE SECOND FLOOR. TWO STORES TOTAL.  
 ■ NEW REAR BUILDING 5091 SF, INCLUDES THREE (3) RESIDENTIAL UNITS, TWO STORES PLUS PENTHOUSE.  
 ■ TOTAL PROJECT WILL CONTAIN 3168 SF RETAIL SPACE AND (5) FOR-SALE CONDOMINIUM UNITS.  
 ■ COASTAL DEVELOPMENT PERMIT REQUIRED.

<b>PROJECT OWNER:</b> HERSCHEL LOFTS LLC 7844 HERSCHEL AVENUE SAN DIEGO, CA 92037	<b>GEOLOGIC HAZARD CATEGORY:</b> S2	<b>PROJECT TEAM:</b> <b>PROJECT ARCHITECT:</b> DI DONATO ASSOCIATES 3939 1ST AVE, SUITE 100 SAN DIEGO, CA 92103 619.299.4210 PHONE 619.299.4250 FAX ddamail@aol.com
<b>ASSESSOR'S PARCEL NUMBER:</b> 350-181-11-00	<b>EXISTING OCCUPANCY:</b> M	<b>CIVIL ENGINEER/SURVEYOR:</b> CHRISTENSEN ENGINEERING & SURVEYING 7885 SILVERTON AVENUE SAN DIEGO, CA 92126 858.271.9901 PHONE 858.271.8912 FAX ceast@aol.com
<b>LEGAL DESCRIPTION:</b> LOTS 29 AND 30 IN BLOCK 39 OF 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.	<b>PROPOSED OCCUPANCY:</b> M/R-3/U-1	<b>LANDSCAPE ARCHITECT:</b> LANDSCAPE RESOURCE GROUP & ASSOC. 8401 BLUE LAKE DRIVE SAN DIEGO, CA 92119 619.497.0056
<b>EXISTING ZONING:</b> LUPD-1	<b>STORIES/STRUCTURE HEIGHT:</b> 2 STORES/30'-0"	<b>PROJECT TOTALS:</b> RETAIL 3,168 SF RESIDENTIAL 2,818 SF BLDG SERVICES 1,918 SF TOTAL 11,900 SF
<b>PLANNED DISTRICT:</b> LA JOLLA PLANNED DISTRICT	<b>FLOOR AREA RATIO:</b> BASED ALLOWED = 1.3 1.3 x 7,000 SF = 9,100 SF	<b>EXISTING STRUCTURE YEAR BUILT:</b> 1992
<b>OVERLAY ZONES:</b> COASTAL HEIGHT LIMIT, COASTAL (CITY), PARKING IMPACT, RESIDENTIAL TANDEM PARKING, TRANSIT AREA	<b>DENSITY BONUS FOR MIXED USE:</b> 1.7 x 7,000 SF = 11,900 SF	<b>EXISTING USES:</b> COMMERCIAL
<b>LOT SIZE:</b> 7,000 S.F.	<b>EXISTING TYPE OF CONSTRUCTION:</b> V-B	<b>PROPOSED USE:</b> RETAIL AND RESIDENTIAL
<b>EXISTING TYPE OF CONSTRUCTION:</b> V-B	<b>NEW TYPE OF CONSTRUCTION:</b> TYPE IV-A, SPRINKLERED BY 1-HR SEP. BETWEEN OCCUPANCIES AND ADJOINING APARTMENTS	<b>LANDSCAPE AREA SQUARE FOOTAGE:</b> SEE LANDSCAPE SHEETS



**VICINITY MAP**  
 NTS

- GENERAL NOTES:**
- THERE ARE NO EXISTING OR PROPOSED BUS STOPS AT THIS LOCATION.
  - BUILDING ADDRESS NUMBERS SHALL BE VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-5 (UFC 901.4.4).
  - THERE ARE NO PLOTTABLE EASEMENTS ON THIS SITE. SEE SURVEY ON SHEET 17 FOR BLANKET EASEMENT INFORMATION.
  - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT 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.
  - ENERGY EFFICIENT APPLIANCES SHALL BE PROVIDED AT ALL RESIDENTIAL UNITS.
  - NO DEVIATIONS OR VARIANCES ARE PROPOSED AS A PART OF THIS PROJECT.


**MISCELLANEOUS NOTES AND CALCULATIONS**  
 NTS

**PROJECT SQUARE FOOTAGE BREAKDOWN:**

<b>RETAIL:</b>	3,168 SF
<b>RESIDENTIAL:</b>	
UNIT A:	1281 SF LIVING 298 SF GARAGE 454 SF ROOF DECK
UNIT B:	1439 SF LIVING 446 SF ROOF DECK
UNIT C:	1006 SF LIVING 632 SF ROOF DECK
UNIT D:	1387 SF LIVING 281 SF ROOF DECK
UNIT E:	1405 SF LIVING 281 SF ROOF DECK

3

ARCHITECT



**1007  
HERSCHEL LOFTS**

7844 HERSCHEL AVENUE  
SAN DIEGO, CALIFORNIA 92037

DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS  
3939 FIRST AVENUE - SUITE  
100 - SAN DIEGO - CA 92103  
619.299.4210 - 619.299.4250  
FAX - DDAMAIL@AOL.COM

PROJECT NAME

DATE	BY	ISSUE DESCRIPTION
10-26-10	KMC	SUBMITTAL
03-21-11	KMC	REVISED PER CITY COMMENTS
07-26-11	KMC	REVISED PER CITY COMMENTS

Z1.0

SITE PLAN

PLOT SCALE 1:1 AT 24x36 "D" SIZE

SHEET INFORMATION  
SHEET 1 OF 19

# TENTATIVE MAP NO. 797391 CONDOMINIUM CREATION

ATTACHMENT 5

## TITLE NOTES

- EASEMENTS OR RIGHTS OF WAY FOR THE PURPOSES DESCRIBED BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED AND/OR RESERVED IN VARIOUS DEEDS OF RECORD, FOR INGRESS AND EGRESS, PIPELINES, DRAINAGE AND/OR PUBLIC UTILITIES AND INCIDENTAL PURPOSES THERETO OVER, UNDER, ALONG AND ACROSS THE EASEMENT PARCELS DESCRIBED HEREON AS PARCELS "B" & "C". (ARE NOT PLOTTED).
  - DOCUMENT BY SAN DIEGO COAST REGIONAL COMMISSION, RECORDED MAY 8, 1980 AS FILE NO. 80-154887, O.R. CANNOT BE PLOTTED.
  - EASEMENT(S) FOR PUBLIC UTILITIES, INGRESS AND EGRESS IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY RECORDED JANUARY 28, 1981 AS FILE NO. 81-027578, O.R., EASEMENT IS BLANKET IN NATURE AND IS NOT PLOTTED.
- NOTE: AGREEMENTS, LEASES AND OTHER ITEMS THAT CANNOT BE PLOTTED EXIST. SEE TITLE REPORT.

## ABBREVIATIONS

- AC AIR CONDITIONER
- CO CURB OUTLET
- DP DRAIN PIPE
- EB ELECTRIC BOX
- EL ELEVATION
- EV ELECTRIC VAULT
- FF FINISH FLOOR
- FS FINISH SURFACE
- GM GAS METER
- S/CO SEWER CLEANOUT
- SL STREET LIGHT
- SLPB STREET LIGHT PULLBOX
- TP TOP OF PARAPET
- TS TOP OF STRUCTURE
- TW TOP OF WALL
- UP UTILITY POLE
- WM WATER METER

## UTILITY TABLE

- TELE (AT&T): OVERHEAD
- CATV (TIME WARNER): OVERHEAD
- ELEC (SDG&E): OVERHEAD

## LEGEND

PROPERTY LINE	---
EXISTING CONTOUR	- - - - -
EXISTING ELECTRICAL LINE	—E—E—
EXISTING GAS LINE	—G—G—
EXISTING SEWER LINE	—S—S—
EXISTING TELEPHONE LINE	—T—T—
EXISTING WATER LINE	—W—W—
EXISTING CATV LINE	—C—C—
FIRE HYDRANT	⊙
MANHOLE	○

DOWNSPOUTS WITH FILTER INSERTS TO DRAIN TO EXISTING SIDEWALK UNDERDRAIN SEE SITE PLAN

REPLACE EXISTING CURB FRONTING SITE WITH 6" STANDARD CURB & GUTTER PER G-2

STREET LIGHT WITH CONCRETE POLE LOW PRESSURE SODIUM, 135 WATTS PER CITY STREET LIGHTING SECTION TO BE REPLACED WITH 250 WATT HIGH PRESSURE SODIUM.

REPLACE EXISTING DAMAGED ALLEY FRONTING SITE WITH STANDARD ALLEY PER G-21

LA JOLLA PARK  
MAP NO. 352  
BLOCK 39

HERSCHEL AVENUE

UNNAMED ALLEY

## OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT I AM THE RECORD OWNER OF THE PROPERTY SHOWN ON THE MAP WAIVER AND THAT SAID MAP SHOWS ALL OF MY CONTIGUOUS OWNERSHIP IN WHICH I HAVE ANY DEED OR TRUST INTEREST. I UNDERSTAND THAT OUR PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS-OF-WAY.

BENJAMIN VILENSKI  
HERSCHEL LOFTS, LLC  
7844 HERSCHEL AVENUE  
LA JOLLA, CA 92037

DATE

*Anthony K. Christensen*  
ANTHONY K. CHRISTENSEN, LS7508

EXP. 12-31-11

AUGUST 17, 2011  
DATE



## LEGAL DESCRIPTION

PARCEL A:  
LOTS 29 AND 30 IN BLOCK 39 OF 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, 1987.

PARCEL B:  
AN EXCLUSIVE RECIPROCAL ENCROACHMENT EASEMENT OVER THAT PORTION OF LOTS 31 THROUGH 38 IN BLOCK 39 OF 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, 1987 AS SHOWN AND DESCRIBED ON EXHIBIT "C" IN THAT CERTAIN RECIPROCAL ENCROACHMENT EASEMENT AGREEMENT DATED APRIL 28, 1991, EXECUTED BY WELLS FARGO BANK, N.A. AND EDWARD S. MEANLEY AND DOROTHY E. MEANLEY, HUSBAND AND WIFE AND CLIFFORD HARTMAN AND ERICA HARTMAN, HUSBAND AND WIFE, RECORDED MAY 2, 1991 AS FILE NO. 1991-0206988 OF OFFICIAL RECORDS.

PARCEL C:  
AN EASEMENT FOR THE PURPOSES SET FORTH IN THE DEED OF EASEMENT RECORDED FEBRUARY 4, 1982 AS FILE NO. 82-031810 OF OFFICIAL RECORDS, SUBJECT TO THE COVENANTS AND CONDITIONS CONTAINED THEREIN.

## BASIS OF BEARINGS

THE NORTHEASTERLY LINE OF BLOCK 39, MAP NO. 325 AS SHOWN ON CORNER RECORD 9570 I.E. NORTH 15°16'40" WEST

## BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE NORTHWESTERLY CORNER OF VANHOE AVENUE AND SILVERADO STREET. ELEVATION 129.28' MEAN SEA LEVEL (N.G.V.D. 1929).

## NOTES

- THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS SURVEY PERFORMED BY CHRISTENSEN ENGINEERING & SURVEYING DATED OCTOBER 11, 2010.
- THE USE OF PROPOSED LOT IS FOR 5 RESIDENTIAL AND 1 COMMERCIAL CONDOMINIUM UNITS.
- THE SUBJECT PROPERTY IS SERVED BY SEPARATE SANITARY SEWER LATERAL AND WATER SERVICE CONNECTED TO CITY OF SAN DIEGO MAINS.
- THE EXISTING NUMBER OF LOTS IS TWO. THE PROPOSED NUMBER OF LOTS IN THIS SUBDIVISION IS ONE.
- DEVELOPER SHALL PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHP'S POLICY P-00-6 (UFC 901.4.4)
- NAD27 COORDINATES = 248-1983. NAD83 COORDINATES = 1888-6243.
- THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 et. seq. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS FIVE AND THE NUMBER OF COMMERCIAL UNITS IS ONE.
- THE TOTAL AREA OF THE PROJECT IS 0.161 ACRES.
- THE SOURCE OF TITLE INFORMATION IS PRELIMINARY TITLE REPORT PREPARED BY CHICAGO TITLE COMPANY, ORDER NO. 73710012961, DATED SEPTEMBER 30, 2010.

Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING  
7888 SILVERTON AVENUE, SUITE "J"  
SAN DIEGO, CA 92126  
PHONE (658)271-9901 FAX (658)271-8912

Project Address:

7844 HERSCHEL AVENUE  
LA JOLLA, CA 92037

Project Name:

HERSCHEL LOFTS

Sheet Title:

TENTATIVE MAP

Revision 5:

Revision 4:

Revision 3: 08-02-11 REVISE UNITS

Revision 2: 04-28-11 REPLACE STREET LIGHT BULB

Revision 1: 01-04-11 ADDRESS CITY COMMENTS

Original Date: OCTOBER 25, 2010

Sheet 18 of 19 Sheets

SCALE: 1" = 10'

**CE & S** CHRISTENSEN ENGINEERING & SURVEYING  
CIVIL ENGINEERS LAND SURVEYORS PLANNERS  
7888 SILVERTON AVENUE, SUITE "J", SAN DIEGO, CALIFORNIA 92126  
TELEPHONE: (658)271-9901 FAX: (658)271-8912

# TENTATIVE MAP NO. 797391 CONDOMINIUM CREATION

**ATTACHMENT 5**

### RESIDENTIAL UNIT TABULATION

UNIT	LIVING AREA	PARKING AREA	ROOF DECK	BEDROOMS	PARKING SPACES
A	1,281 SF	296 SF	454 SF	1	1.25
B	1,338 SF	*	448 SF	1	1.25
C	1,006 SF	*	632 SF	1	1.25
D	1,387 SF	*	281 SF	1	1.25
E	1,403 SF	*	281 SF	1	1.25
COMMERCIAL SPACE = 3,188 SF		*	N/A	N/A	5.4

TOTAL OFF-STREET COVERED PARKING SPACES:  
SPACES REQUIRED PER TABLE 142-050  
(1.25/1 BDRM UNIT X 5 UNITS) = 6.25 SPACES  
(1/1000 SF FOR COMMERCIAL X 3188 SF X 1.7 PARKING IMPACT) = 5.4 SPACES

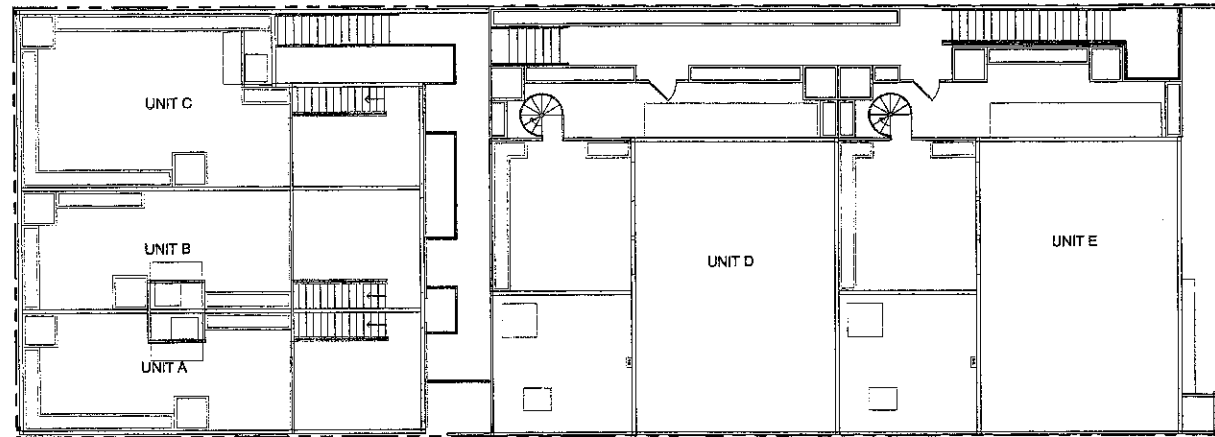
SPACES REQUIRED = 12 SPACES  
SPACES PROVIDED = 3 COVERED SPACES ONSITE (INCLUDES 2 ACCESSIBLE SPACES)  
AND 11 IN ADJACENT PARKING GARAGE (\*)

MOTORCYCLES:  
0.1 SPACE/UNIT X 5 UNITS = 0.5 SPACES  
2% OF NUMBER OF AUTO SPACES OR 2 SPACES (RETAIL) = 2.0  
TOTAL REQUIRED SPACES = 3 SPACES  
TOTAL PROVIDED = 3 SPACES IN ADJACENT PARKING GARAGE\*

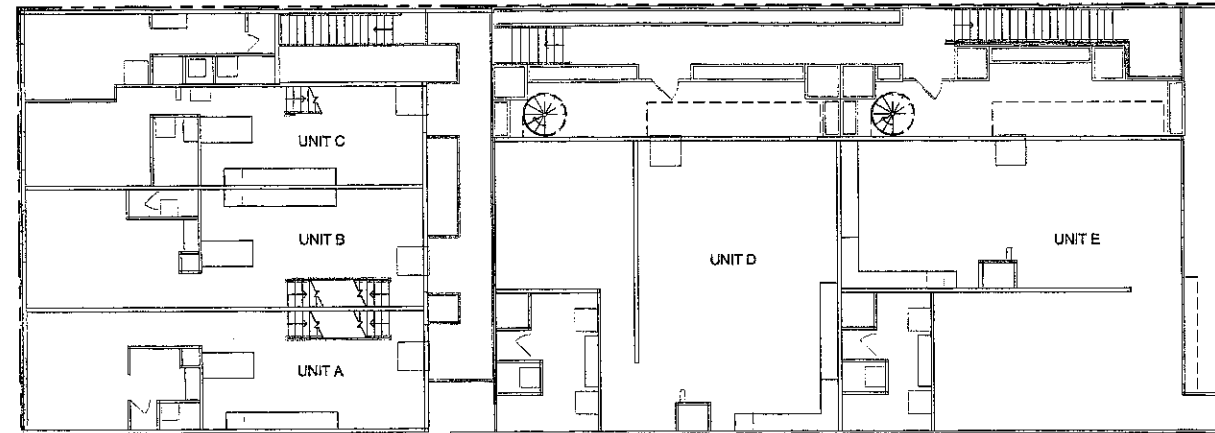
BICYCLE:  
0.4 SPACES/1 BDRM UNIT X 5 UNITS = 2 SPACES  
1/1000 SF FOR COMMERCIAL X 3188 SF X 0.1 = 0.3 SPACES  
TOTAL SPACES REQUIRED = 3 SPACES  
TOTAL PROVIDED = 3 SPACES PROVIDED IN ADJACENT PARKING GARAGE\*

\* A DEED OF EASEMENT EXISTS CONTAINING THE RIGHT TO USE 11 STANDARD-SIZE PARKING SPACES IN THE PARKING GARAGE LOCATED ON LOTS 31 THROUGH 33 IN BLOCK 39, LA JOLLA PARK, ACCORDING TO MAP THEREOF NO. 352.  
FILE NO. 82-031810, O.R., FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 4, 1992 OF OFFICIAL RECORDS.  
SEE SHEET Z1.4

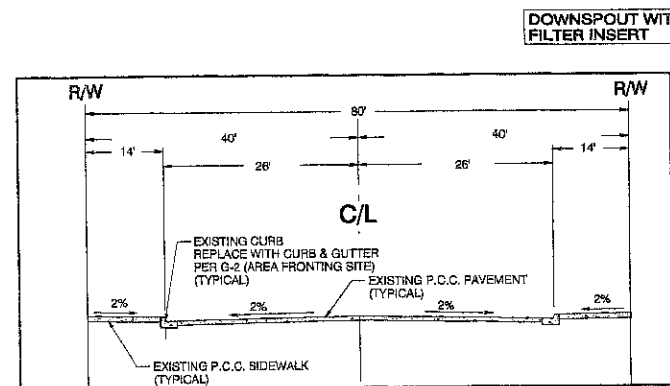
ALSO A CONDITION OF SAN DIEGO COAST REGIONAL COMMISSION AGREEMENT IMPOSING RESTRICTIONS ON REAL PROPERTY FILE NO. 86-154887, O.R., FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 8, 1980.



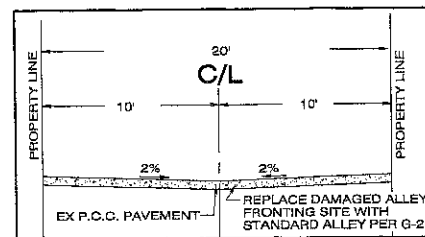
**ROOF LEVEL**



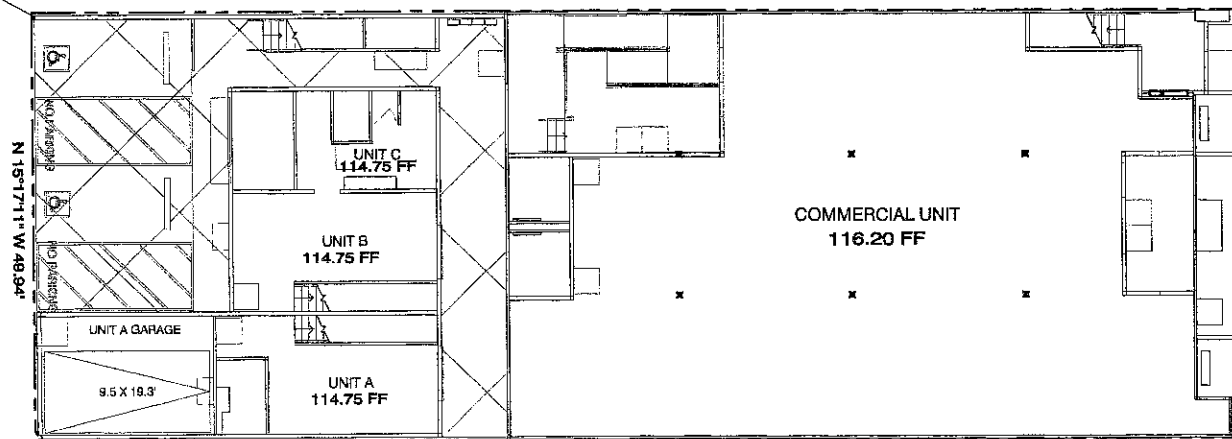
**SECOND LEVEL**



**TYPICAL STREET SECTION: HERSCHEL AVENUE**  
NOT TO SCALE

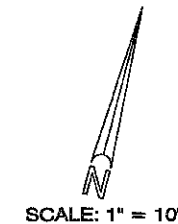


**UNNAMED ALLEY SECTION**  
NOT TO SCALE



**LOWER LEVEL**

**NOTE:**  
ALL ROOFWALKWAY DRAINAGE TO BE TREATED BY DOWNSPOUT FILTERS BEFORE BEING RELEASED TO HERSCHEL AVENUE, BY SIDEWALK UNDERDRAIN OR TO THE UNNAMED ALLEY. PARKING IS COVERED AND NO STORM WATER RUNOFF WILL BE GENERATED FROM THIS AREA. SEE SHEET Z1.0.



### TENTATIVE MAP SUMMARY

THIS PROJECT PROPOSES CREATION OF 5 RESIDENTIAL AND 1 COMMERCIAL (RETAIL) CONDOMINIUM UNITS FROM THE EXISTING AND PROPOSED IMPROVEMENTS.

THE PROJECT REQUIRES TENTATIVE MAP AND FINAL MAP APPROVAL

### ASSESSOR PARCEL NO. & ADDRESS

ASSESSOR'S PARCEL NUMBER: 350-181-11-00

ADDRESS: 7844 HERSCHEL AVENUE  
SAN DIEGO, CA 92037

### OWNER:

HERSCHEL LOFT, LLC  
7844 HERSCHEL AVENUE  
LA JOLLA, CA 92037

### ZONING:

LJPD-1  
LA JOLLA PLANNED DISTRICT  
OVERLAY ZONES:  
COASTAL HEIGHT LIMIT  
COASTAL (CITY)  
PARKING  
RESIDENTIAL TANDEM PARKING  
TRANSIT AREA  
SETBACK: 0' FRONT YARD,  
0' SIDE AND REAR YARD.  
DOES NOT ABUT RESIDENTIAL ZONING.

### AREA:

SITE AREA: 0.181 ACRES (6,993.7 SQUARE FEET)

GROSS FLOOR AREA 11,990 SQUARE FEET  
(INCLUDING 830 SF FOR STAIRS, ELECTRICAL ROOM, REFUSE/RECYCLING AREA)

Prepared By:  
CHRISTENSEN ENGINEERING & SURVEYING  
7888 SILVERTON AVENUE, SUITE 'J'  
SAN DIEGO, CA 92126  
PHONE: (858)271-9901 FAX: (858)271-8912

Project Address:  
7844 HERSCHEL AVENUE  
LA JOLLA, CA 92037

Project Name:  
HERSCHEL LOFTS

Sheet Title:

Revision 5:  
Revision 4:  
Revision 3: 08-02-11 REVISE UNITS  
Revision 2: 02-24-11 REVISE BLDG LAYOUT  
Revision 1: 01-04-11 ADDRESS CITY COMMENTS

Original Date: OCTOBER 25, 2010

Sheet 19 of 19 Sheets

**CE & S** CHRISTENSEN ENGINEERING & SURVEYING  
CIVIL ENGINEERS LAND SURVEYORS PLANNERS  
7888 SILVERTON AVENUE, SUITE 'J', SAN DIEGO, CALIFORNIA 92126  
TELEPHONE: (858)271-9901 FAX: (858)271-8912

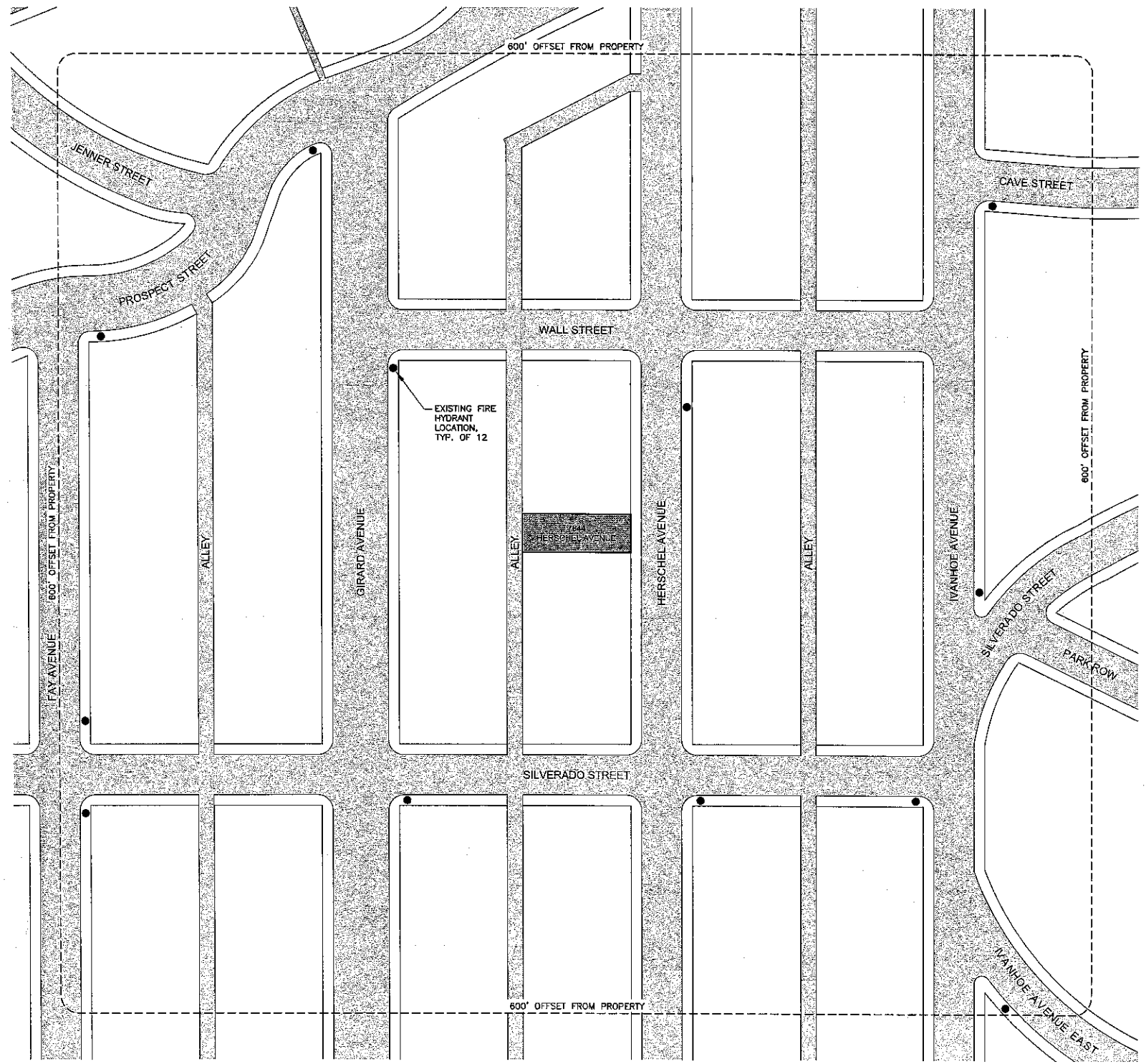
*Antony K. Christensen*  
ANTONY K. CHRISTENSEN, LS7508

EXP. 12-31-11

AUGUST 2, 2011  
DATE



**TENTATIVE MAP**

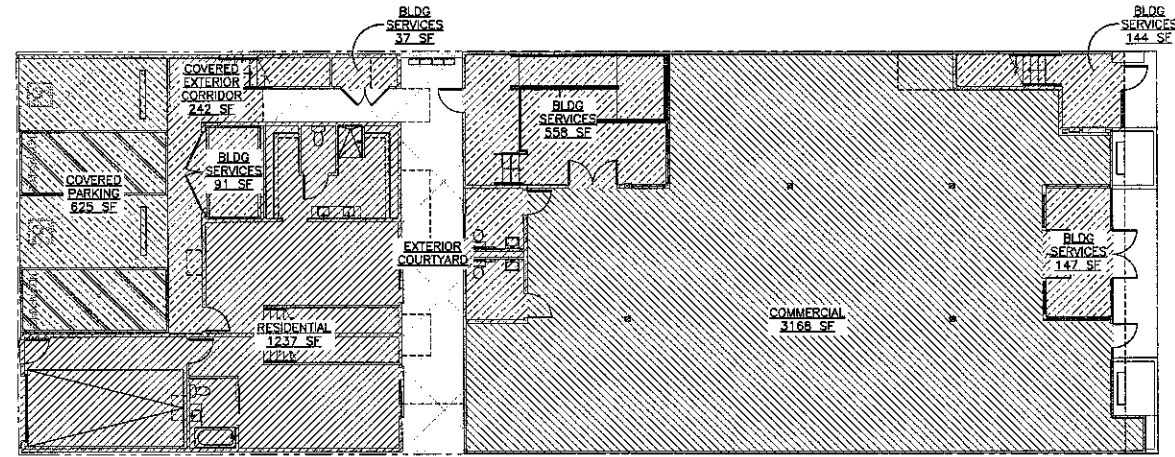


FIRE HYDRANT SITE PLAN  
1"=80'-0"

1

ARCHITECT	<b>da</b>	PROJECT NAME <b>1007 HERSCHEL LOFTS</b>	
	<b>DI DONATO ASSOCIATES</b> ARCHITECTURE + GRAPHICS 3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92163 619.299.4210 • 619.299.4250 FAX - DDAMAIL@AOL.COM		7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
ISSUES / REVISIONS	DATE	BY	ISSUE DESCRIPTION
	10-26-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
	07-26-11	KMC	REVISED PER CITY COMMENTS
			SHEET INFORMATION
			<b>Z1.1</b> FIRE HYDRANT SITE PLAN
			SHEET 2 OF 19

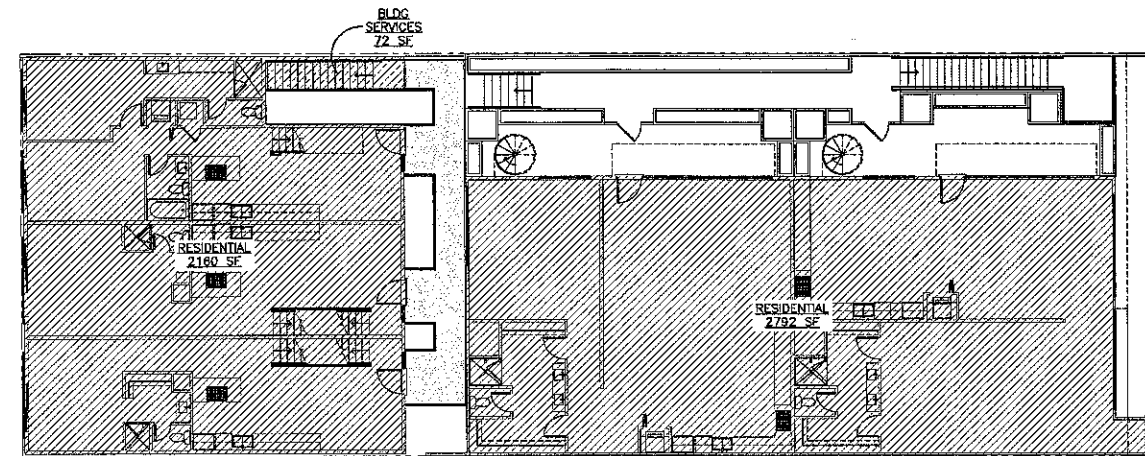
PLOT SCALE 1:1 AT 24x36 "D" SIZE



FAR DIAGRAM - FIRST LEVEL

3/32"=1'-0"

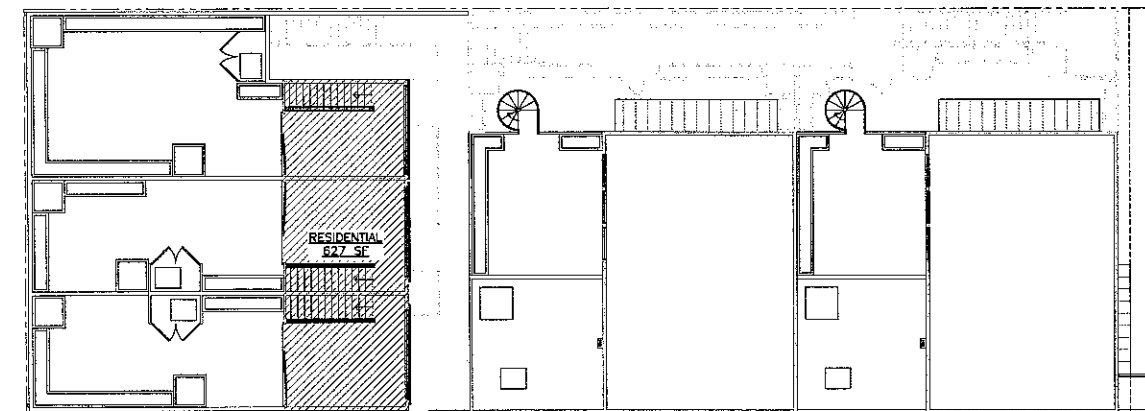
1



FAR DIAGRAM - SECOND LEVEL

3/32"=1'-0"

2



FAR DIAGRAM - PENTHOUSE LEVEL

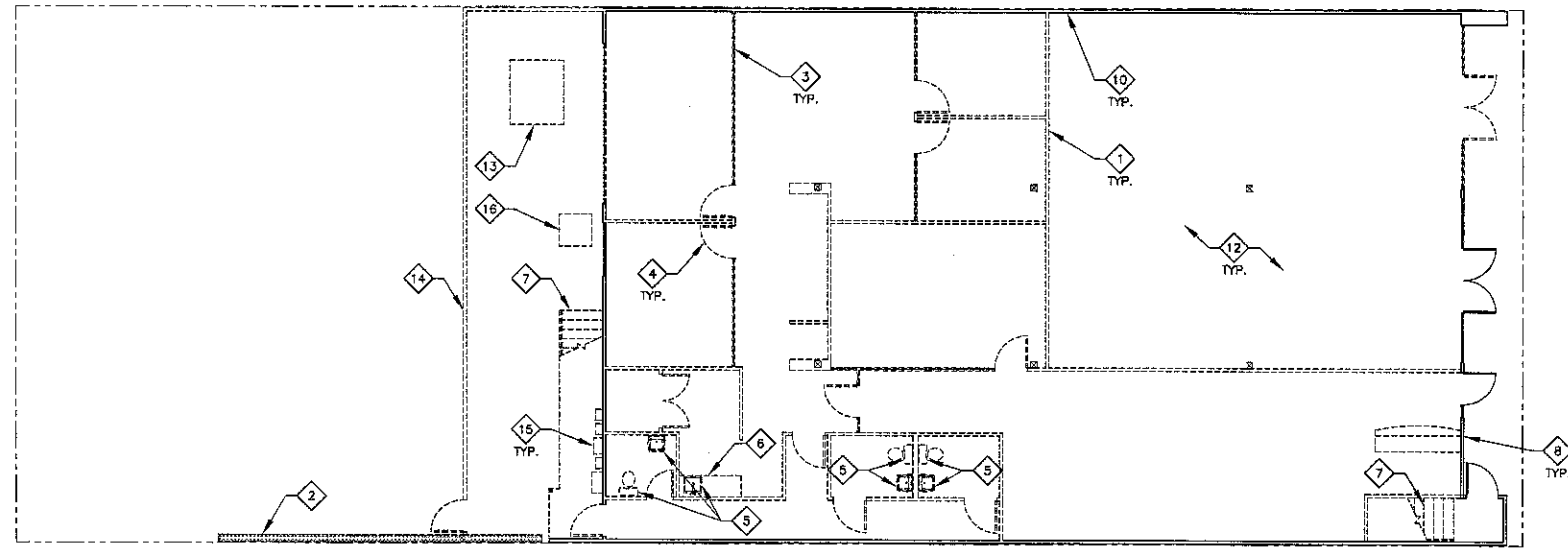
3/32"=1'-0"

3

ARCHITECT		PROJECT NAME	1007 HERSCHEL LOFTS
		DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS	7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
ISSUES REVISIONS	DATE	BY	ISSUE DESCRIPTION
	10-26-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
	07-26-11	KMC	REVISED PER CITY COMMENTS
SHEET INFORMATION			<b>Z1.2</b>
			FAR CALCULATIONS
PLOT SCALE 1:1 AT 24x36 "D" SIZE			SHEET 3 OF 19

KEY NOTES:

- 1 REMOVE EXISTING STUD WALL
- 2 REMOVE EXISTING CMU WALL
- 3 REMOVE EXISTING WINDOW
- 4 REMOVE EXISTING DOOR
- 5 REMOVE EXISTING PLUMBING FIXTURE; CAP EXISTING UTILITIES AS REQUIRED
- 6 REMOVE EXISTING CABINETRY
- 7 REMOVE EXISTING STAIRS
- 8 REMOVE EXISTING EXTERIOR STUCCO FINISH
- 9 REMOVE EXISTING EXTERIOR WOOD SIDING AND TRIM
- 10 REMOVE EXISTING INTERIOR FINISHES DOWN TO STUDS
- 11 REMOVE EXISTING FINISH FLOORING DOWN TO SHEATHING
- 12 REMOVE EXISTING FINISH CEILING DOWN TO FRAMING
- 13 REMOVE AND RELOCATE EXISTING SDG&E TRANSFORMER PER SDG&E
- 14 REMOVE EXISTING FENCE AND GATE
- 15 REMOVE EXISTING UTILITY METERS; CAP EXISTING SERVICES AS REQUIRED
- 16 REMOVE EXISTING CONDENSING UNIT
- 17 REMOVE EXISTING LADDER



FIRST FLOOR DEMOLITION PLAN

1/8"=1'-0"

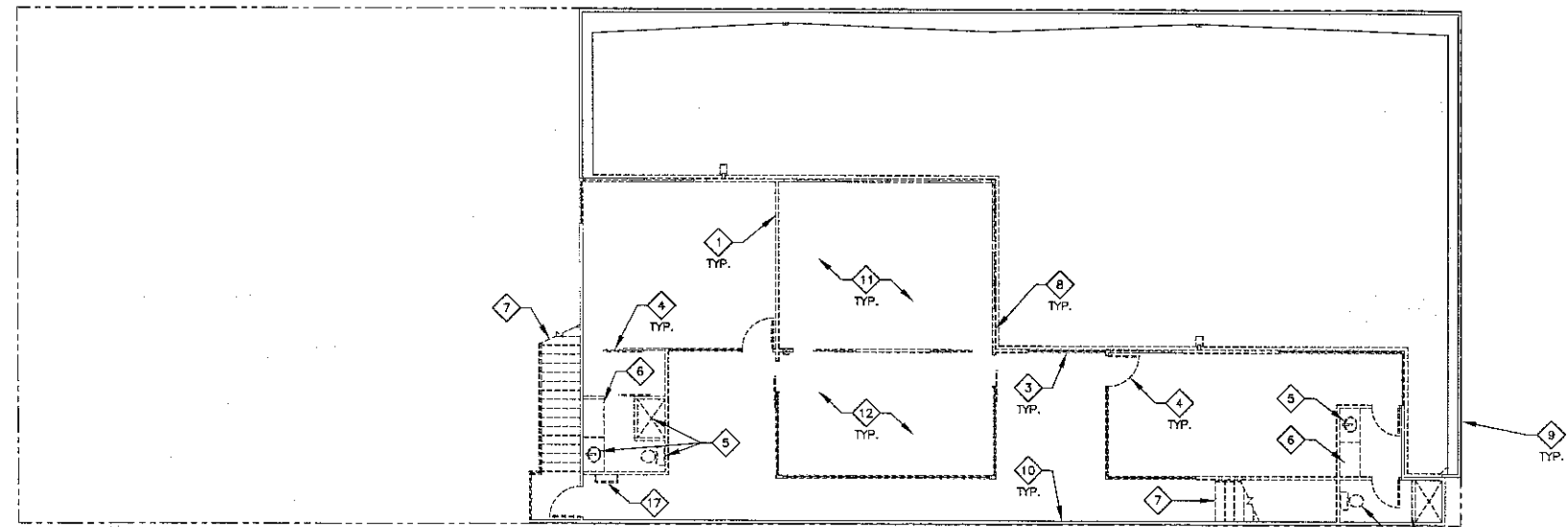
1

GENERAL NOTES:

A. VERIFY REMOVAL AND/OR DISPOSAL OF APPLIANCES WITH OWNER.

WALL LEGEND:

- EXISTING STUD WALL TO REMAIN
- EXISTING STUD WALL TO BE DEMOLISHED
- EXISTING CMU WALL TO BE DEMOLISHED

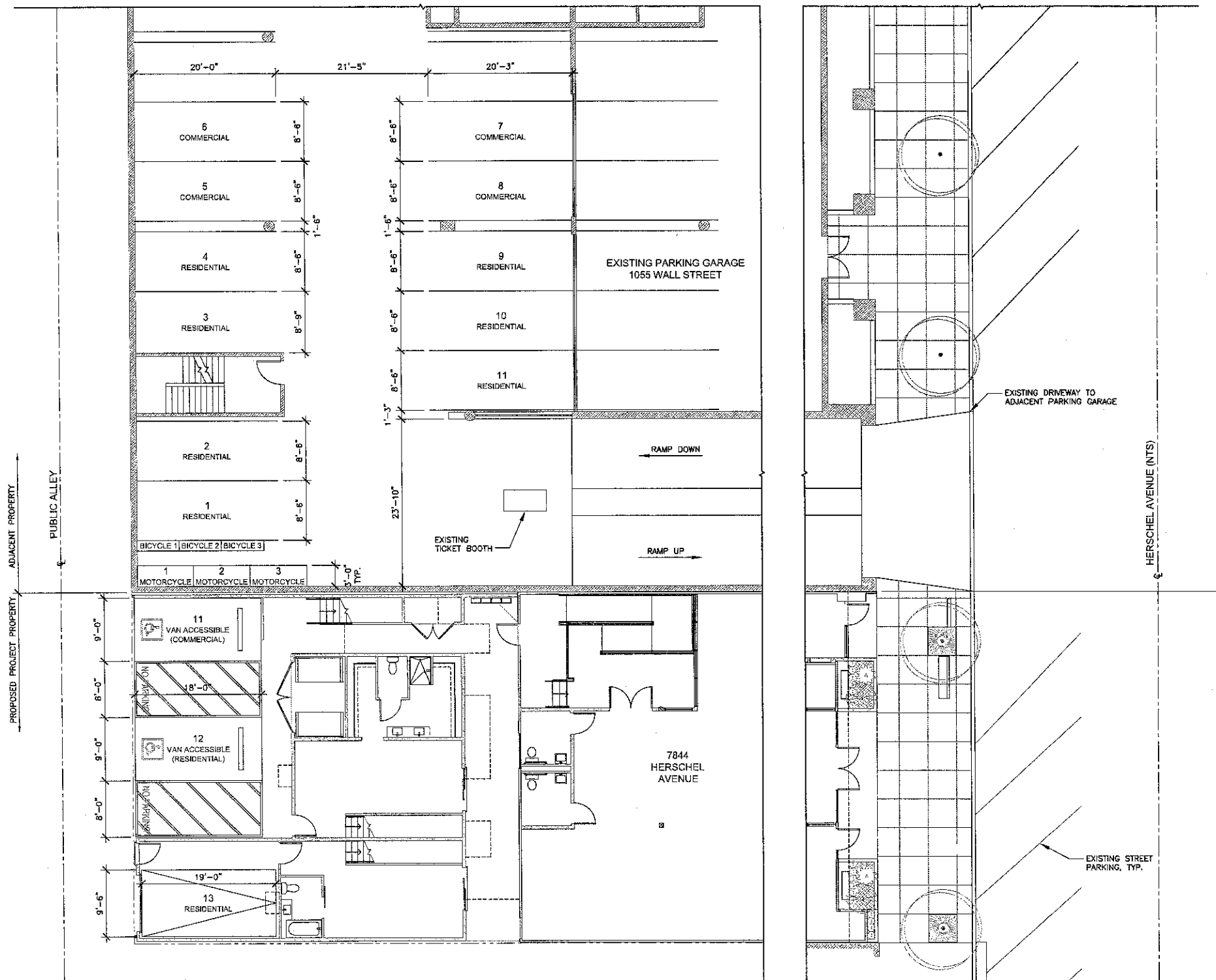


SECOND FLOOR DEMOLITION PLAN

1/8"=1'-0"

2

ARCHITECT		PROJECT NAME	1007 HERSCHEL LOFTS
	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS 3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 - 619.299.4250 FAX - DDMAIL@ADL.COM		7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
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	DATE	BY	ISSUE DESCRIPTION
	10-25-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
07-26-11	KMC	REVISED PER CITY COMMENTS	
			SHEET INFORMATION
			Z1.3
			DEMOLITION PLAN
PLOT SCALE 1:1 AT 24x36 "D" SIZE			SHEET 4 OF 19



**PARKING CALCULATIONS:**

**AUTOMOBILE:**

RESIDENTIAL:  
 (5) 1-BR UNITS x 1.25 SPACES/UNIT = 6.25 SPACES (INCLUDING 1 ACCESSIBLE SPACE)  
 COMMERCIAL:  
 3,168 SF RETAIL / 1,000 SF x 1.7 = 5.4 SPACES (INCLUDING 1 ACCESSIBLE SPACE)  
 = 6.25 + 5.4 = 11.65 --> 12 SPACES REQUIRED  
 3 SPACES PROVIDED ON-SITE (INCLUDING 2 ACCESSIBLE SPACES)  
 11 SPACES PROVIDED IN EXISTING ADJACENT PARKING GARAGE  
 14 ≥ 12 = OK

**MOTORCYCLE:**

RESIDENTIAL:  
 (5) RESIDENTIAL UNITS x .1 SPACE/UNIT = .5 SPACES  
 COMMERCIAL:  
 RETAIL 2% OF AUTO SPACES OR 2 SPACES = 2 SPACES  
 = .5 + 2 = 2.5 --> 3 SPACES REQUIRED  
 3 SPACES PROVIDED IN ADJACENT PARKING GARAGE

**BICYCLE:**

RESIDENTIAL:  
 (5) 1-BR UNITS x .4 SPACES/UNIT = 2.0 SPACES  
 COMMERCIAL:  
 3,168 SF RETAIL / 1,000 SF x .1 = 0.3 SPACES  
 = 2.3 --> 3 SPACES REQUIRED  
 3 SPACES PROVIDED IN ADJACENT PARKING GARAGE

**LOADING ZONE:**

PER SDMC 159.0409(b) NO DESIGNATED LOADING AREA IS REQUIRED AS LONG AS THE BUILDING IS ARRANGED SO THAT ALL LOADING ACTIVITIES TAKE PLACE FROM THE ALLEY ONLY.

NOTE: SEE SHEETS Z1.5 - Z1.7 FOR PLANS OF THE EXISTING PARKING GARAGE ON THE ADJACENT PROPERTY.

**PARKING PLAN**

1/8" = 1'-0"

1

ARCHITECT	<b>Da</b>	PROJECT NAME	1007 <b>HERSCHEL LOFTS</b>
	<b>DI DONATO ASSOCIATES</b> ARCHITECTURE + GRAPHICS		7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
	3839 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 - 619.299.4250 FAX - DDAMAIL@AOL.COM		
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REVISIONS	DATE	BY	ISSUE DESCRIPTION
	10-26-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
	07-28-11	KMC	REVISED PER CITY COMMENTS
			<b>Z1.4</b> PARKING PLAN
			SHEET INFORMATION
			SHEET 5 OF 19
PLOT SCALE 1:1 AT 24x36 "D" SIZE			



EXISTING PARKING GARAGE  
1055 WALL STREET

EXISTING PARKING GARAGE - UPPER LEVEL PLAN (FOR REFERENCE ONLY)  
1/8" = 1'-0"

**PARKING ANALYSIS:**

EXISTING COMMERCIAL SQUARE FOOTAGE:  
55,791 SF RETAIL / 1,000 SF x 1.7 = 94.8 SPACES --- 95 SPACES REQUIRED

PARKING SPACES LEASED TO 7844 HERSCHEL AVENUE: 11 SPACES  
PARKING SPACES LEASED TO OTHER PROPERTIES: 113 SPACES  
219 SPACES TOTAL REQUIRED

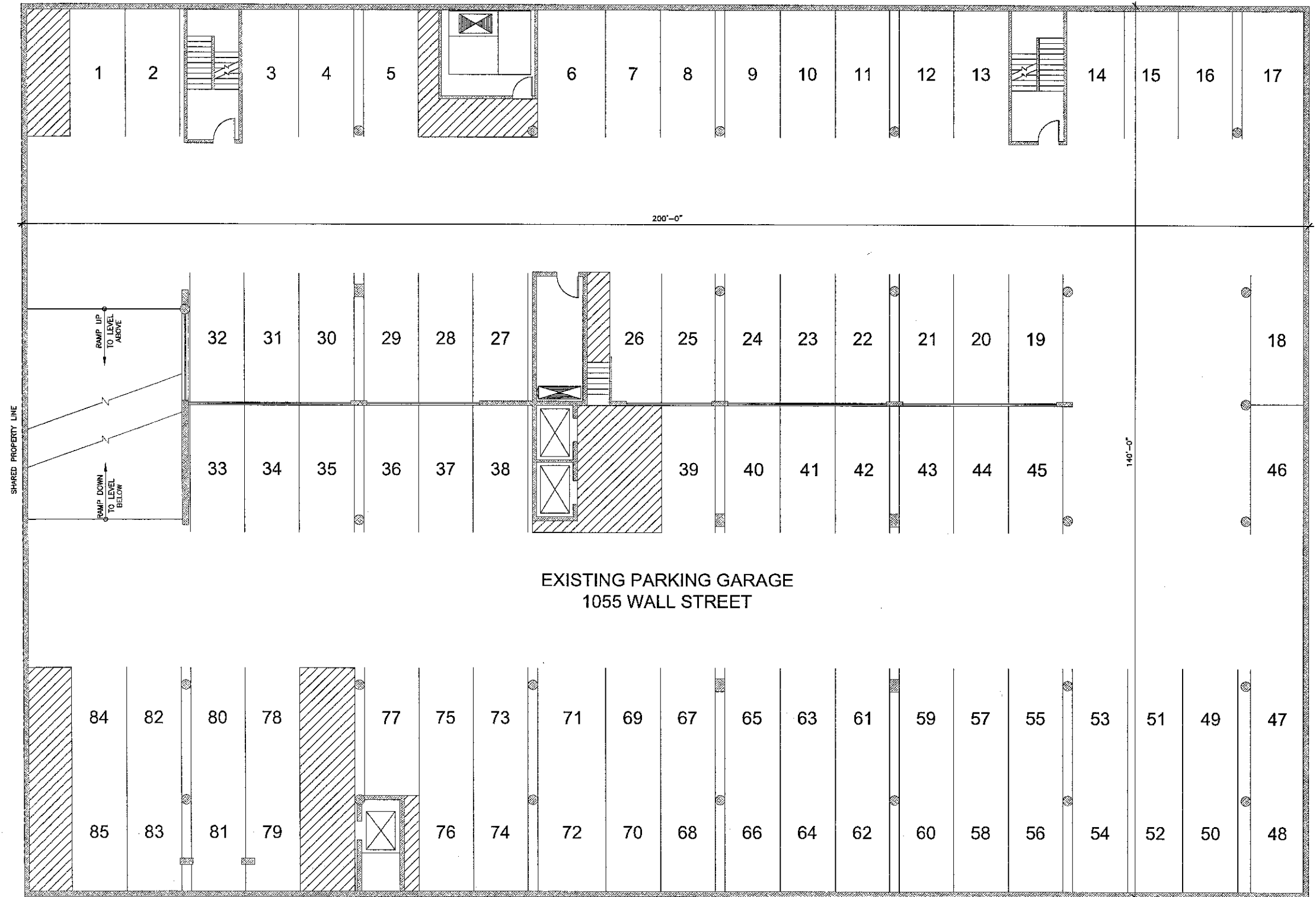
TOTAL NUMBER OF PARKING SPACES IN EXISTING GARAGE: 256 SPACES  
219 < 256 SPACES = OK

WALL STREET

HERSCHEL AVENUE

ARCHITECT			1007 HERSCHEL LOFTS	
	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS		7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037	
	3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 - 619.299.4250 FAX - DDAMAIL@AOL.COM			
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ISSUES / REVISIONS	DATE	BY	ISSUE DESCRIPTION	SHEET INFORMATION
	10-26-10	KMC	SUBMITTAL	
	03-21-11	KMC	REVISED PER CITY COMMENTS	
	07-25-11	KMC	REVISED PER CITY COMMENTS	
				Z1.5
				EXISTING PARKING GARAGE UPPER LEVEL PLAN
				SHEET 6 OF 19





EXISTING PARKING GARAGE  
1055 WALL STREET

EXISTING PARKING GARAGE - MID LEVEL PLAN (FOR REFERENCE ONLY)

1/8"=1'-0"

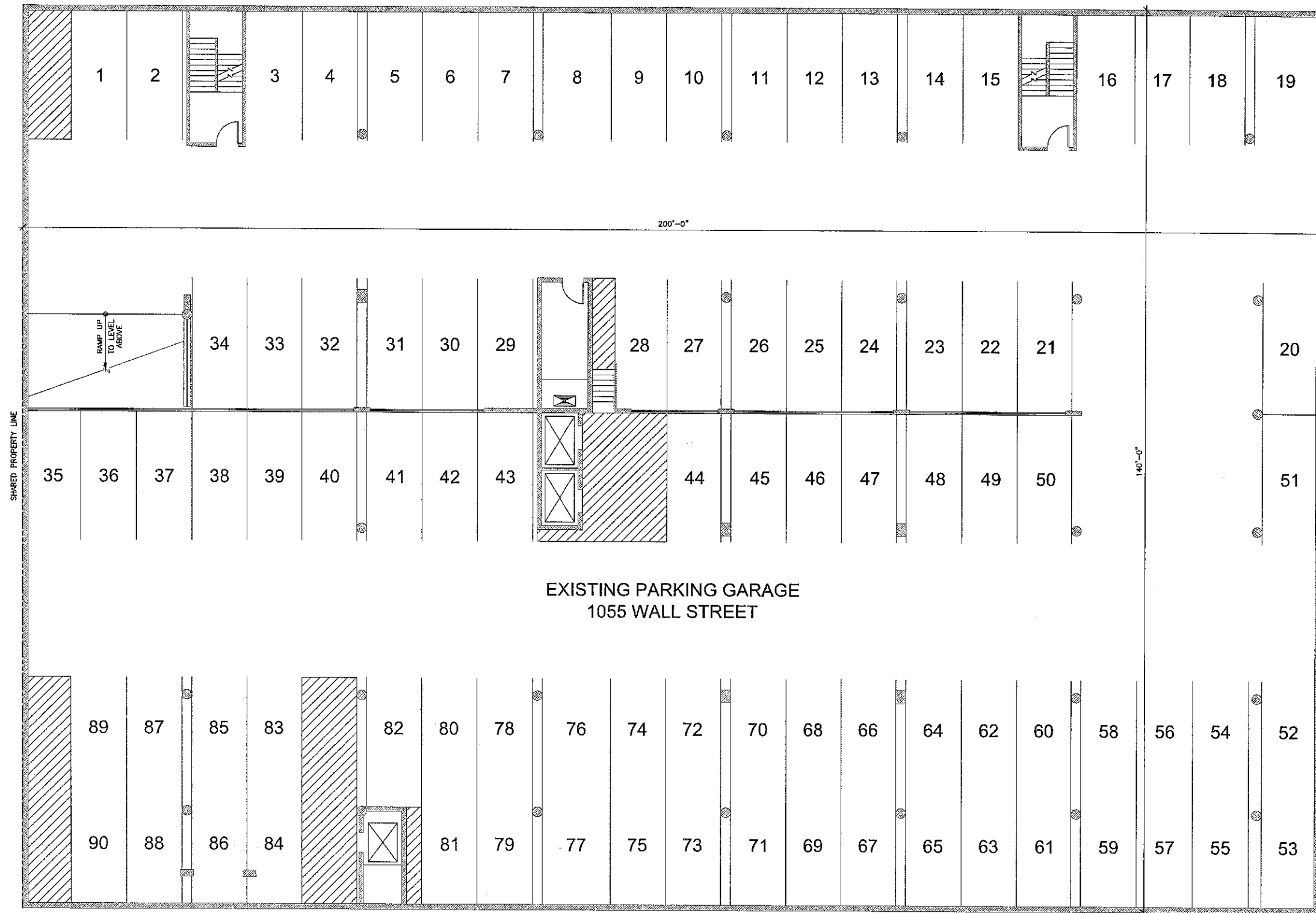
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ARCHITECT		PROJECT NAME		
		1007 HERSCHEL LOFTS		
ISSUES / REVISIONS	DATE		BY	ISSUE DESCRIPTION
	10-26-10		KMC	SUBMITTAL
SHEET INFORMATION	03-21-11		KMC	REVISED PER CITY COMMENTS
	07-26-11		KMC	REVISED PER CITY COMMENTS
<b>Z1.6</b>				
EXISTING PARKING GARAGE MID LEVEL PLAN				
PLOT SCALE 1:1 AT 24x36 "D" SIZE				
SHEET 7 OF 19				

**DI DONATO ASSOCIATES**  
ARCHITECTURE + GRAPHICS  
3939 FIRST AVENUE - SUITE  
100 - SAN DIEGO - CA 92103  
819.299.4210 - 619.299.4250  
FAX - DDAMAIL@AOL.COM

7844 HERSCHEL AVENUE  
SAN DIEGO, CALIFORNIA 92037

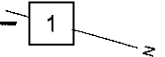
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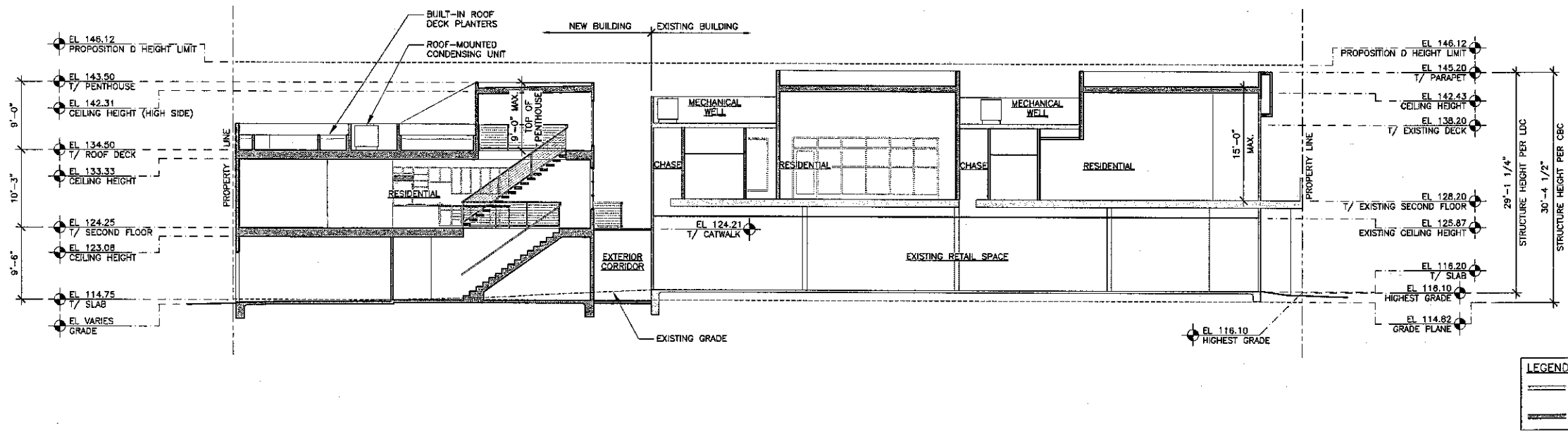
EXISTING PARKING GARAGE  
1055 WALL STREET

EXISTING PARKING GARAGE - LOWER LEVEL PLAN (FOR REFERENCE ONLY)

1/8" = 1'-0"



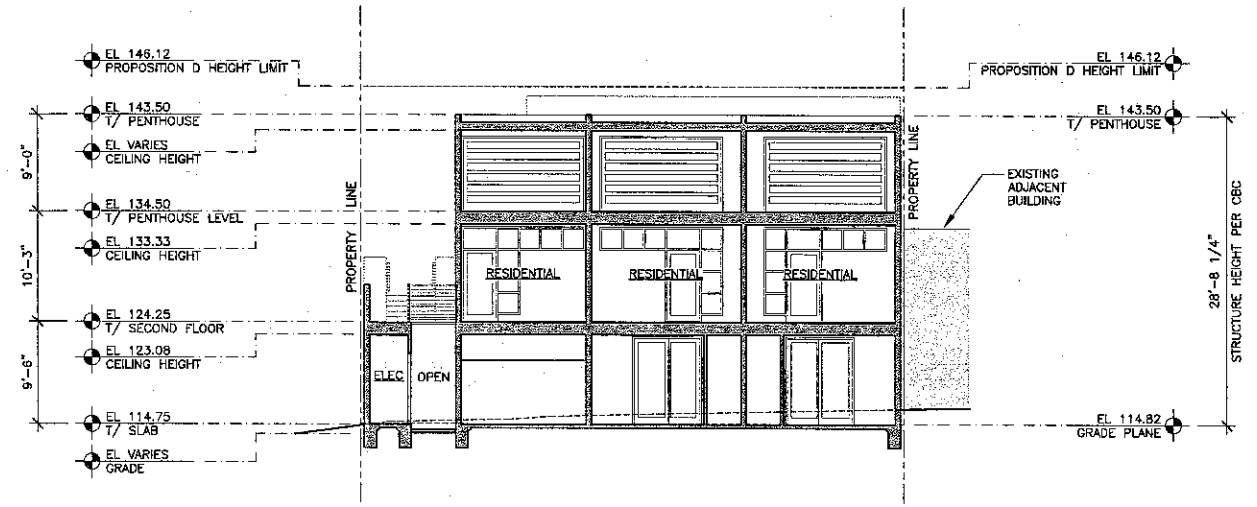
ARCHITECT	<b>DI DONATO ASSOCIATES</b> ARCHITECTURE + GRAPHICS		PROJECT NAME	
	3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 • 619.299.4250 FAX - DDAMAIL@AOL.COM			1007 HERSCHEL LOFTS
	7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037			
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ISSUES / REVISIONS	DATE	BY	ISSUE DESCRIPTION	
	10-26-10	KMC	SUBMITTAL	
	03-21-11	KMC	REVISED PER CITY COMMENTS	
	07-28-11	KMC	REVISED PER CITY COMMENTS	
			SHEET INFORMATION	
			<b>Z1.7</b>	
			EXISTING PARKING GARAGE LOWER LEVEL PLAN	
			SHEET 8 OF 19	
PLOT SCALE 1:1 AT 24x36 "D" SIZE				



BUILDING SECTION

1/8"=1'-0"

1

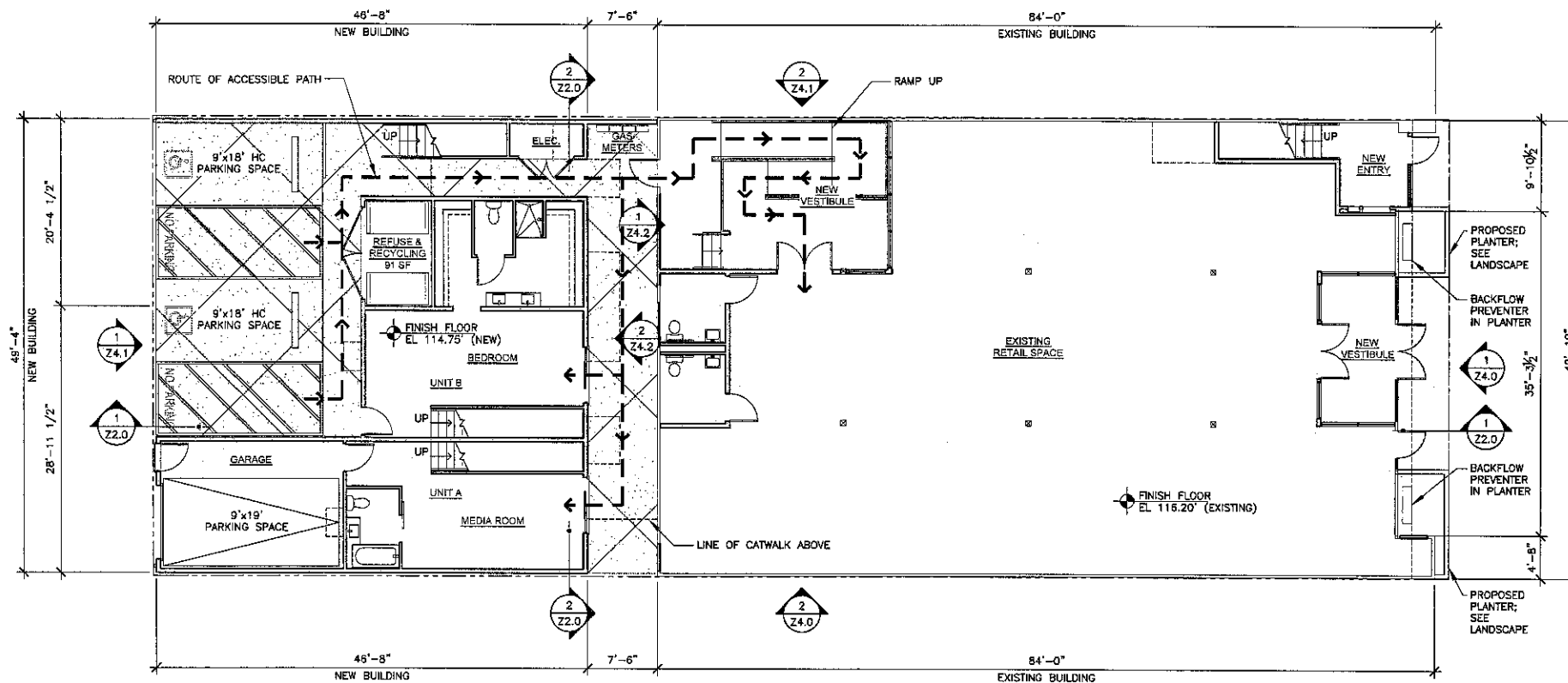


BUILDING SECTION

1/8"=1'-0"

2

ARCHITECT		1007 HERSCHEL LOFTS	
		7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037	
		3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 - 619.299.4250 FAX - DDAMAIL@ACL.COM	
		PROFESSIONAL NAME	
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ISSUES REVISIONS	DATE	BY	ISSUE DESCRIPTION
	10-26-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
	07-26-11	KMC	REVISED PER CITY COMMENTS
			Z2.0
PLOT SCALE 1:1 AT 24x36 "D" SIZE			SHEET 9 OF 19

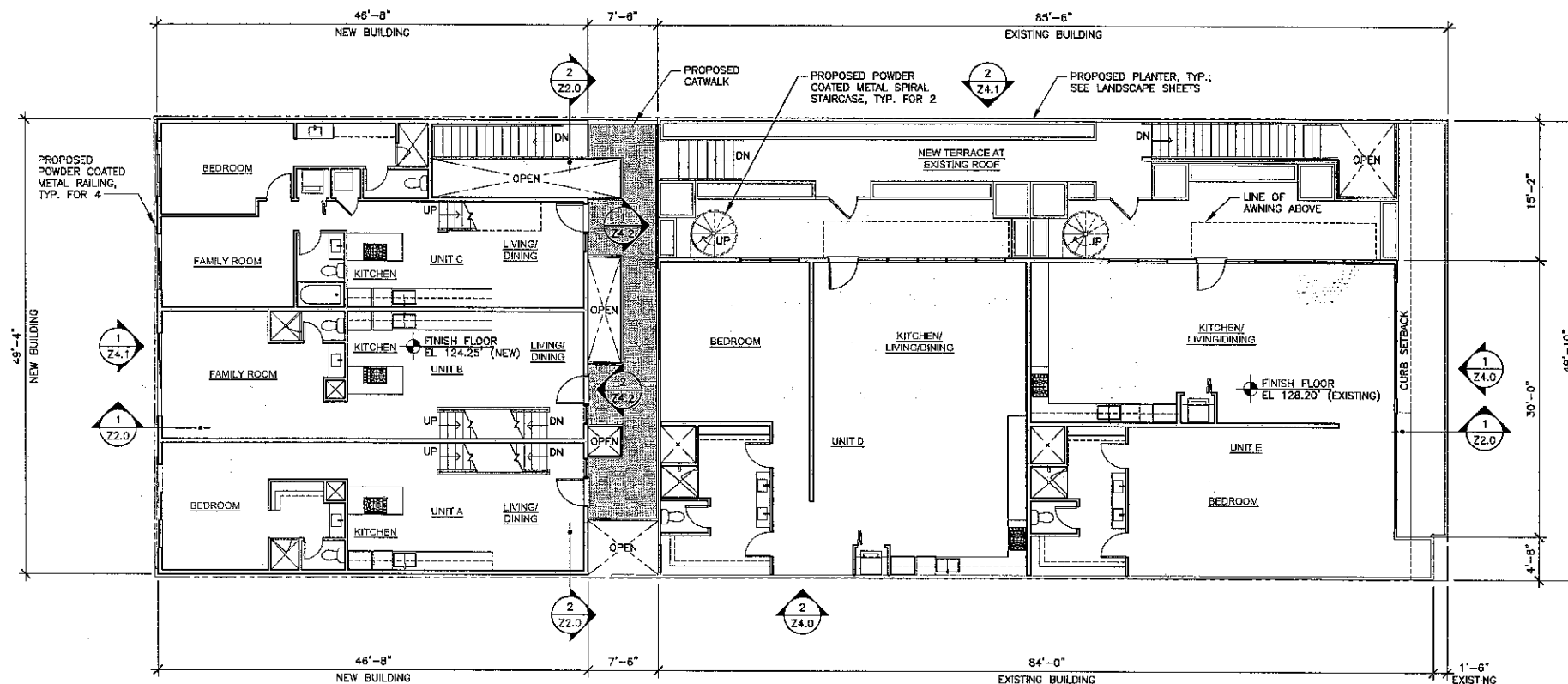


FIRST FLOOR PLAN

1/8" = 1'-0"

**LEGEND:**

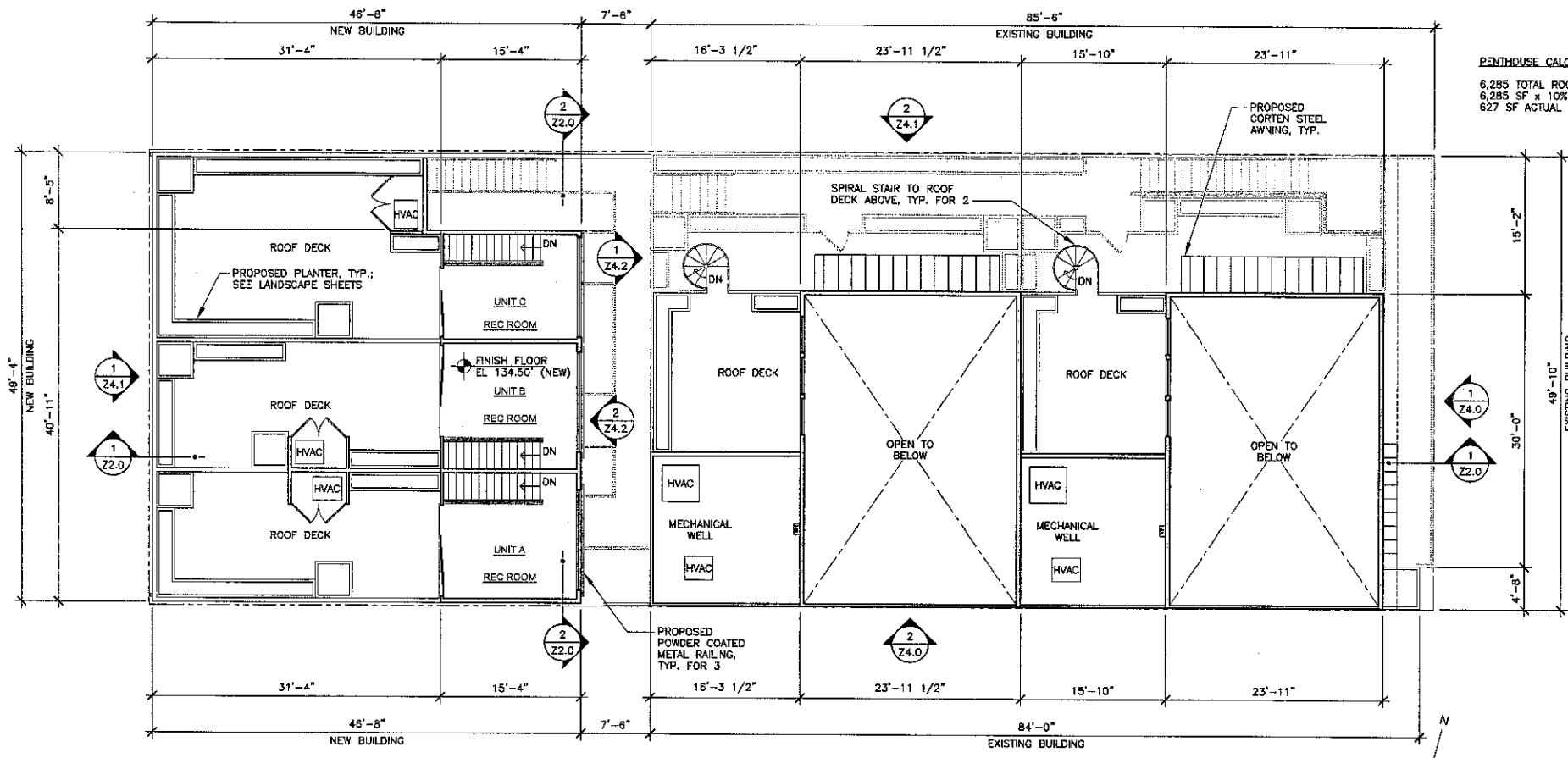
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- ==== NEW WALL CONSTRUCTION



SECOND FLOOR PLAN

1/8" = 1'-0"

ARCHITECT PROJECT NAME PROJECT NUMBER DATE BY ISSUE DESCRIPTION 10-26-10 KMC SUBMITTAL 03-21-11 KMC REVISED PER CITY COMMENTS 07-26-11 KMC REVISED PER CITY COMMENTS		1007 <b>HERSCHEL LOFTS</b> 7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS 3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 - 619.299.4250 FAX - DDAMAIL@AOL.COM	
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	<p><b>Z3.0</b></p> FIRST AND SECOND FLOOR PLANS SHEET 10 OF 19 PLOT SCALE 1:1 AT 24x36 "D" SIZE	

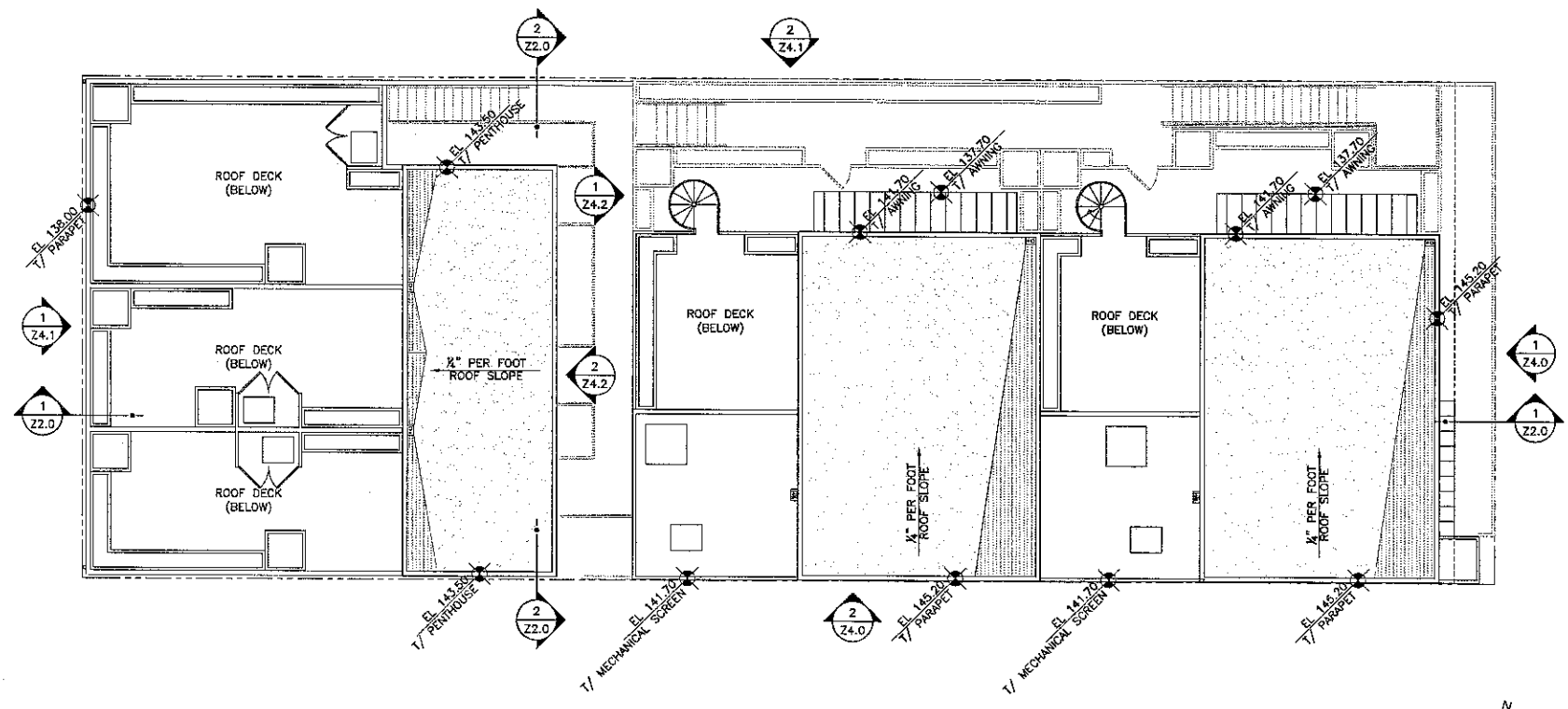


**PENTHOUSE CALCULATIONS:**  
 6,285 TOTAL ROOF AREA  
 6,285 SF x 10% = 628.5 SF  
 627 SF ACTUAL < 628.5 SF OK

**LEGEND:**

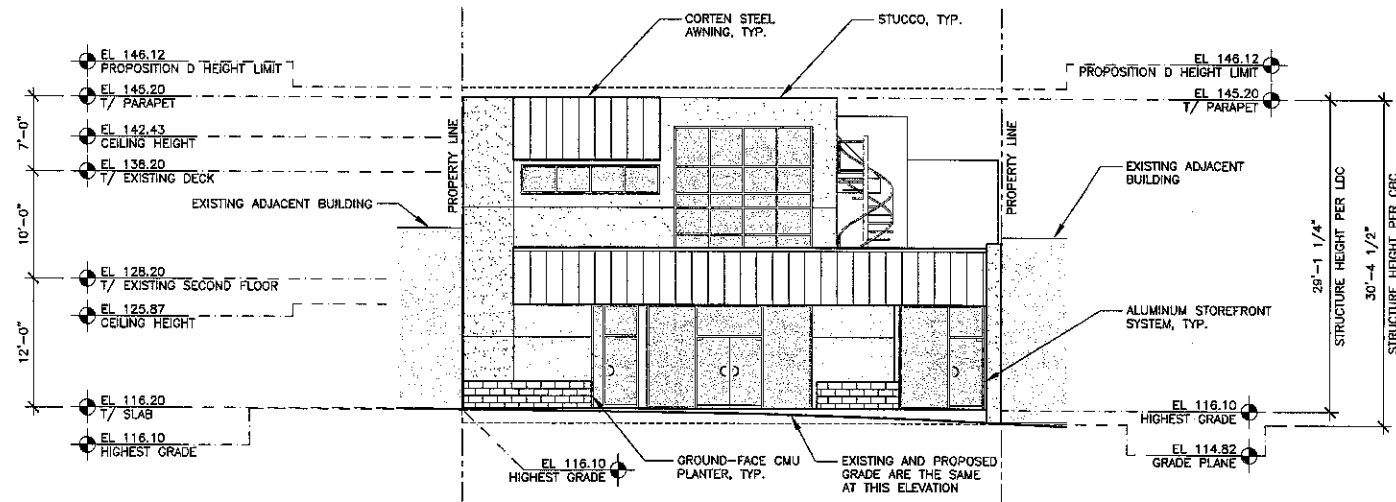
- EXISTING WALL TO REMAIN
- - - - - EXISTING WALL TO BE DEMOLISHED
- ▬ NEW WALL CONSTRUCTION

**PENTHOUSE PLAN**  
 1/8" = 1'-0"



**ROOF PLAN**  
 1/8" = 1'-0"

ARCHITECT	<b>da</b>		PROJECT NAME	1007 HERSCHEL LOFTS	
	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS			7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037	
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ISSUES REVISION	DATE	BY	ISSUE DESCRIPTION	SHEET INFORMATION	<b>Z3.1</b> PENTHOUSE AND ROOF PLANS
	10-28-10	KMC	SUBMITTAL		
	03-21-11	KMC	REVISED PER CITY COMMENTS		
	07-28-11	KMC	REVISED PER CITY COMMENTS		
PLOT SCALE 1:1 AT 24x36 "D" SIZE					SHEET 11 OF 19



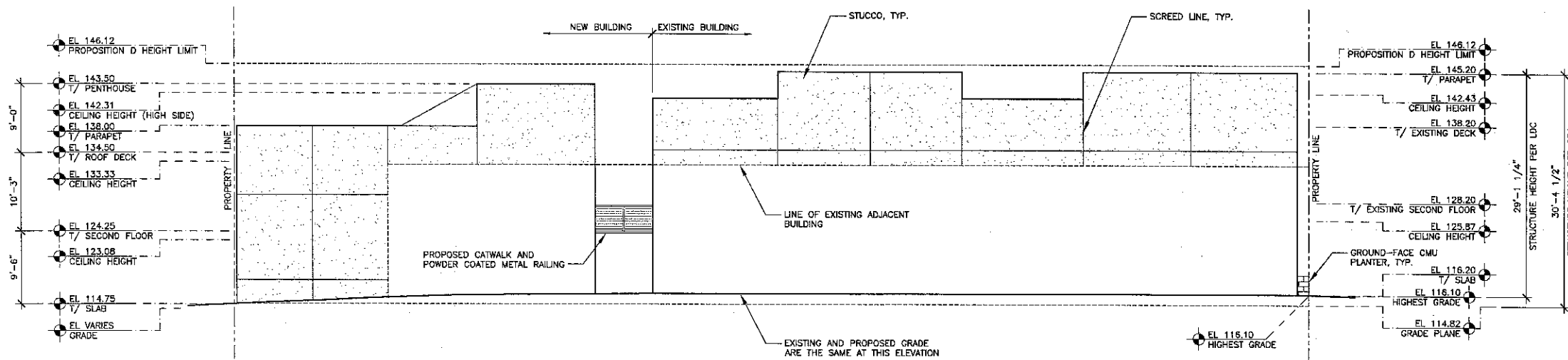
**BUILDING SURFACE MATERIALS AND COLORS:**

- CMU: GRAY, GROUND FACE
- STUCCO: WHITE, PAINTED
- CORTEN STEEL: RUSTED METAL
- ALUMINUM STOREFRONT: BLACK ANODIZED
- GLAZING: CLEAR
- FLASHING: GALVANIZED
- ALUMINUM DOOR AND WINDOW FRAMES: BLACK ANODIZED
- EXTERIOR METAL RAILINGS: BLACK, POWDER COATED
- SPIRAL STAIRS: BLACK, POWDER COATED

**EAST SITE ELEVATION**

1/8"=1'-0"

1

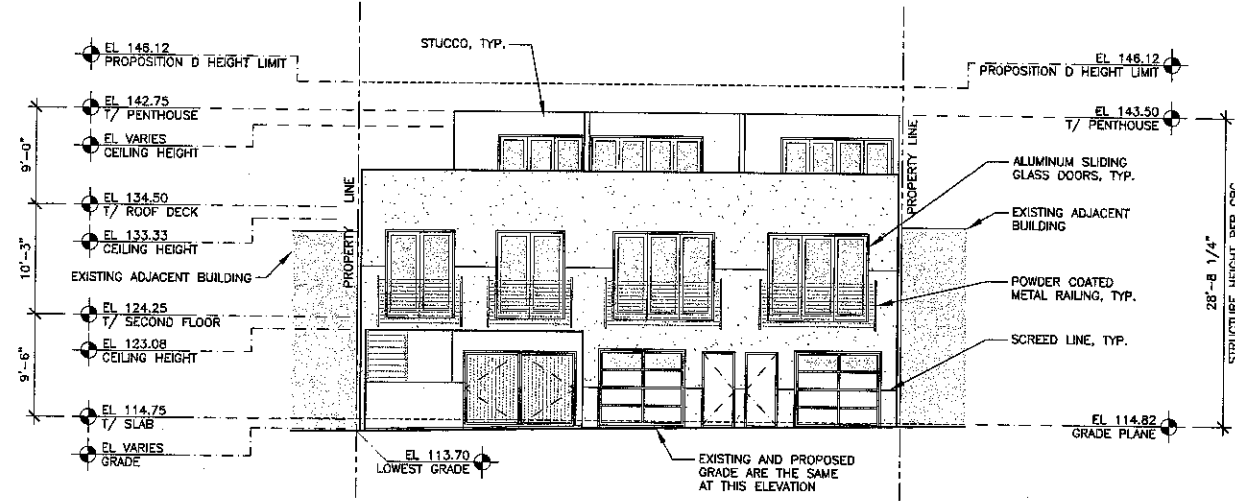


**SOUTH SITE ELEVATION**

1/8"=1'-0"

2

ARCHITECT ISSUES REVISIONS SHEET INFORMATION		PROJECT NAME <b>1007 HERSCHEL LOFTS</b>												
	3936 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 • 619.295.4250 FAX - DDAMAIL@ADL.COM	7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037												
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	<table border="1"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>ISSUE DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>10-26-10</td> <td>KMC</td> <td>SUBMITTAL</td> </tr> <tr> <td>03-21-11</td> <td>KMC</td> <td>REVISED PER CITY COMMENTS</td> </tr> <tr> <td>07-26-11</td> <td>KMC</td> <td>REVISED PER CITY COMMENTS</td> </tr> </tbody> </table>	DATE	BY	ISSUE DESCRIPTION	10-26-10	KMC	SUBMITTAL	03-21-11	KMC	REVISED PER CITY COMMENTS	07-26-11	KMC	REVISED PER CITY COMMENTS	<h1 style="font-size: 2em;">Z4.0</h1> SITE ELEVATIONS
DATE	BY	ISSUE DESCRIPTION												
10-26-10	KMC	SUBMITTAL												
03-21-11	KMC	REVISED PER CITY COMMENTS												
07-26-11	KMC	REVISED PER CITY COMMENTS												
PLOT SCALE 1:1 AT 24x36 "D" SIZE			SHEET 12 OF 19											

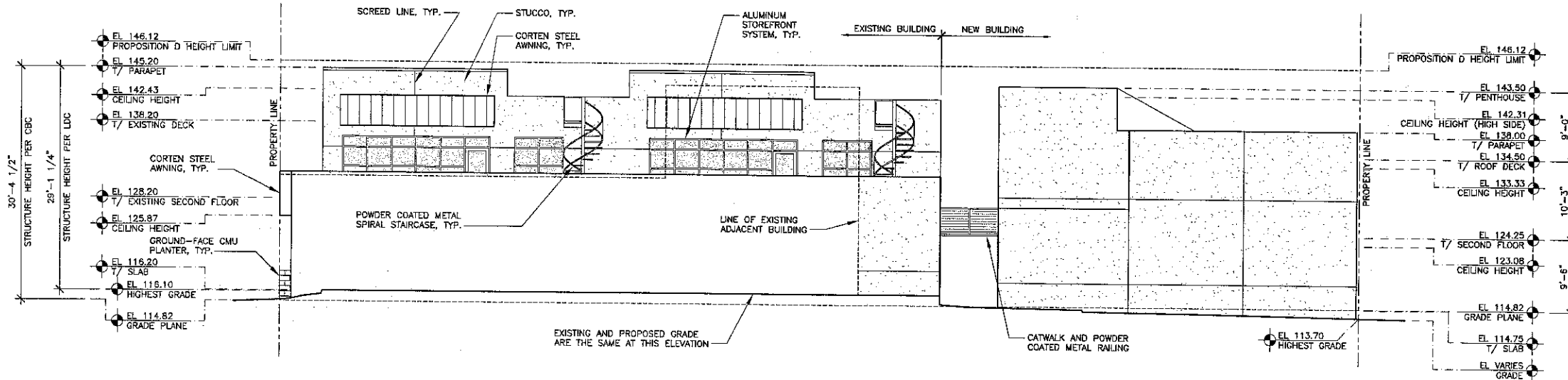


**BUILDING SURFACE MATERIALS AND COLORS:**  
 CMU: GRAY, GROUND FACE  
 STUCCO: WHITE, PAINTED  
 CORTEN STEEL: RUSTED METAL  
 ALUMINUM STOREFRONT: BLACK ANODIZED  
 GLAZING: CLEAR  
 FLASHING: GALVANIZED  
 ALUMINUM DOOR AND WINDOW FRAMES: BLACK ANODIZED  
 EXTERIOR METAL RAILINGS: BLACK, POWDER COATED  
 SPIRAL STAIRS: BLACK, POWDER COATED

WEST SITE ELEVATION

1/8"=1'-0"

1

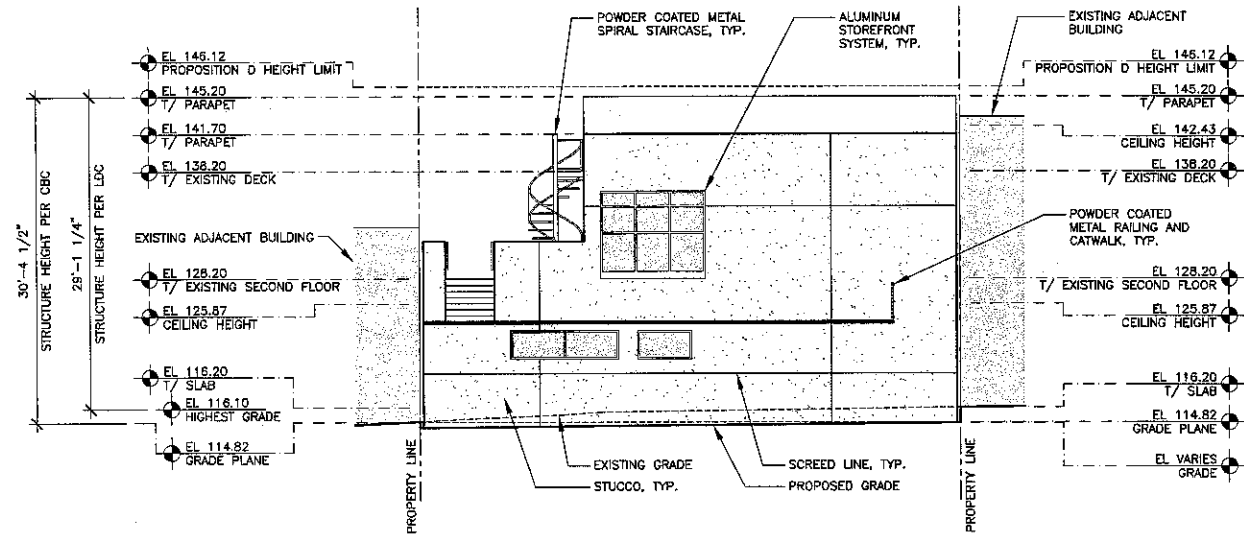


NORTH SITE ELEVATION

1/8"=1'-0"

2

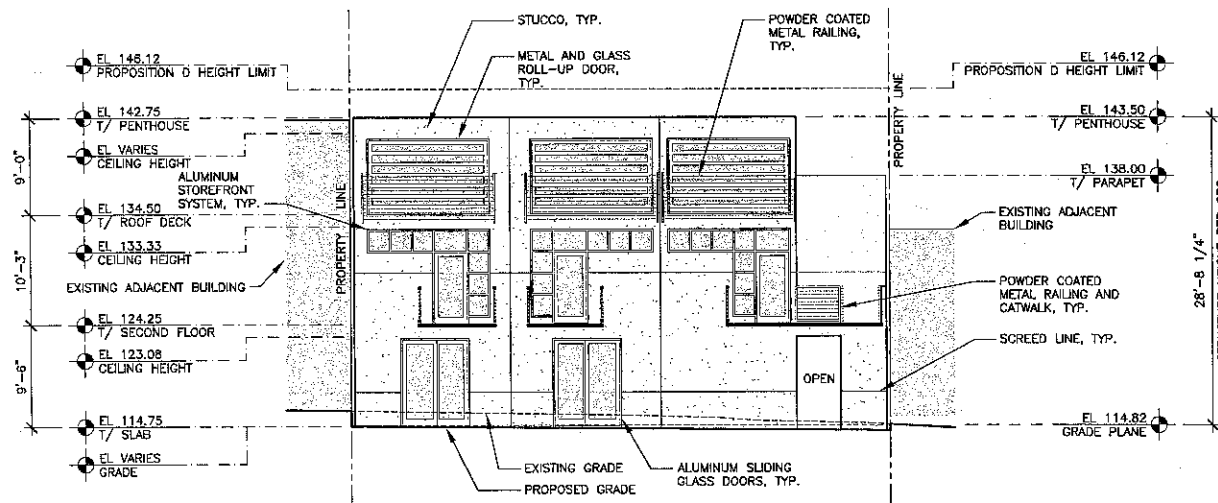
ARCHITECT		PROJECT NAME	1007
			HERSCHEL LOFTS
		ADDRESS	7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
		CONTACT	3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 819.299.4210 • 819.299.4250 FAX: DDAMAIL@AOL.COM
THESE DESIGN DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF DDA AND SHALL NOT BE USED IN CONNECTION WITH ANY OTHER WORK EXCEPT BY AGREEMENT WITH DDA. THERE SHALL BE NO CHANGES OR DEVIATIONS WITHOUT THE CONSENT OF DDA. WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF THE DDA PRIOR TO THE COMMENCEMENT OF ANY WORK.			
REVISIONS	DATE	BY	ISSUE DESCRIPTION
	10-26-10	KMC	SUBMITTAL
	03-21-11	KMC	REVISED PER CITY COMMENTS
	07-26-11	KMC	REVISED PER CITY COMMENTS
			Z4.1
PLOT SCALE 1:1 AT 24x36 "D" SIZE			SHEET 13 OF 19



**BUILDING SURFACE MATERIALS AND COLORS:**  
 CMU: GRAY, GROUND FACE  
 STUCCO: WHITE, PAINTED  
 CORTEN STEEL: RUSTED METAL  
 ALUMINUM STOREFRONT: BLACK ANODIZED  
 GLAZING: CLEAR  
 FLASHING: GALVANIZED  
 ALUMINUM DOOR AND WINDOW FRAMES: BLACK ANODIZED  
 EXTERIOR METAL RAILINGS: BLACK, POWDER COATED  
 SPIRAL STAIRS: BLACK, POWDER COATED

WEST COURTYARD ELEVATION  
 1/8"=1'-0"

1



EAST COURTYARD ELEVATION  
 1/8"=1'-0"

2

PROJECT LOCATION REVISIONS	<b>da</b>	1007 HERSCHEL LOFTS												
	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS	7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037												
	3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 • 619.299.4250 FAX • DDAMAIL@AQL.COM													
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SHEET INFORMATION	<table border="1"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>ISSUE DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>10-26-10</td> <td>KMC</td> <td>SUBMITTAL</td> </tr> <tr> <td>03-21-11</td> <td>KMC</td> <td>REVISED PER CITY COMMENTS</td> </tr> <tr> <td>07-26-11</td> <td>KMC</td> <td>REVISED PER CITY COMMENTS</td> </tr> </tbody> </table>	DATE	BY	ISSUE DESCRIPTION	10-26-10	KMC	SUBMITTAL	03-21-11	KMC	REVISED PER CITY COMMENTS	07-26-11	KMC	REVISED PER CITY COMMENTS	<h1>Z4.2</h1> <p>SITE ELEVATIONS</p>
DATE	BY	ISSUE DESCRIPTION												
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07-26-11	KMC	REVISED PER CITY COMMENTS												
PLOT SCALE 1:1 AT 24x36 "D" SIZE		SHEET 14 OF 19												



PLANT LEGEND

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	Street Tree Magnolia grandiflora 'Samuel Sommer' / Samuel Sommer Magnolia	02	48" box
	Medium scale, multi-trunk, ornamental palm tree (10' height) such as: Chamaerops humilis / Mediterranean Fan Palm Phoenix roebelenii / Flgmy Date Palm	100%	24" box
	Medium scale, multi-trunk, ornamental flowering tree (16' height) such as: Arbutus unedo / Strawberry Tree Metrosideros excelsus / New Zealand Christmas Tree Fajoa sellowiana / Pineapple Guava	100%	24" box
	Evergreen multi-trunk, sculptural accent plant (4' - 5' height) such as: Dracaena marginata / Dracaena Cordyline australis / Alocupurpurea / Bronze Dracaena	100%	15 gal
	Evergreen, shade tolerant, vertical accent plant (12' - 24' height) such as: Santalum album / Variegated Mother-in-Law Tongue Epidendrum x obrienlanum / Terrestrial Orchid	100%	1 gal
	Evergreen, flowering, accent plant (2' - 4' height) such as: Agave attenuata / Agave Euphorbia characias wulfenii / NCN Aloe striata /	100%	5 gal
	Evergreen, columnar plant (4' - 5') such as: Juniperus virginiana 'Blue Arrow' / Blue Arrow Juniper Eugenia myrtilloides / Bush Cherry	100%	15 gal
	Evergreen, flowering, accent plant (2' - 3' height) such as: Anigozanthos flavidus hybridus / Kangaroo Paw Phormium tenax / New Zealand Flax / Jack Spratt Nassella tenuissima / Mexican Feather Grass	100%	5 gal

PLANT LEGEND

TREES	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	Evergreen, flowering, shade tolerant accent plant (2' - 3' height) such as: Clivia miniata / Kaffir Lily Lilhope gigantea / Giant Lily Turf Epidendrum x obrienlanum / Terrestrial Orchid Troschlopergum jasminoides / Star Jasmine	100%	5 gal
	Evergreen, flowering, accent succulents (12" - 18" height) such as: Aeonium arboreum 'Zwerkop' / Sunburst / NCN Kalanchoe thyrsiflora / NCN Echeveria agavoides / NCN	100%	1 gal
	Evergreen, flowering, groundcover plantings (6" - 12" height) such as: Sanedra monardrioides / Sedum spathulifolium 'Purpureum' / NCN Sedum morganianum / Donkey Tail Palargonium pellatum / Ivy Geranium Rosmarinus officinalis 'Prostratus' / Creeping Rosemary	50%	flats 8" o.c. 1 gal

Note: Install 2" wood bark mulch groundcover throughout planting area unless noted otherwise.

DESIGN STATEMENT:

THE DESIGN INTENT FOR THIS PROJECT MAINLY IS TO PROVIDE TREES, SHRUBS AND GROUNDCOVERS THAT TOGETHER WITH OTHER PLANTINGS ON THE SECOND AND THIRD LEVELS TO SOFTEN THE BUILDING STRUCTURE WITHIN NARROW PLANTING SPACES AS WELL AS TO GIVE THE PROJECT A MORE HUMAN SCALE. THE PLANTINGS WERE ALSO SELECTED TO RESPOND TO THE SUN EXPOSURES AROUND THE PROJECT WITH RESPECT TO THEIR MICRO-CLIMATE AND HYDRO-ZONE SITUATIONS. THIS PROJECT WILL HAVE AN AUTOMATED, DRIP IRRIGATION SYSTEM DESIGNED WITH RESPECT TO THEIR MICRO-CLIMATE AND HYDRO-ZONE AREAS. WITH PROPER WATER MANAGEMENT AND MAINTENANCE, THIS LANDSCAPE WILL BE DROUGHT TOLERANT AND RELATIVELY SELF SUSTAINING AFTER ESTABLISHMENT.

LANDSCAPE DEVELOPMENT PLAN NOTES:

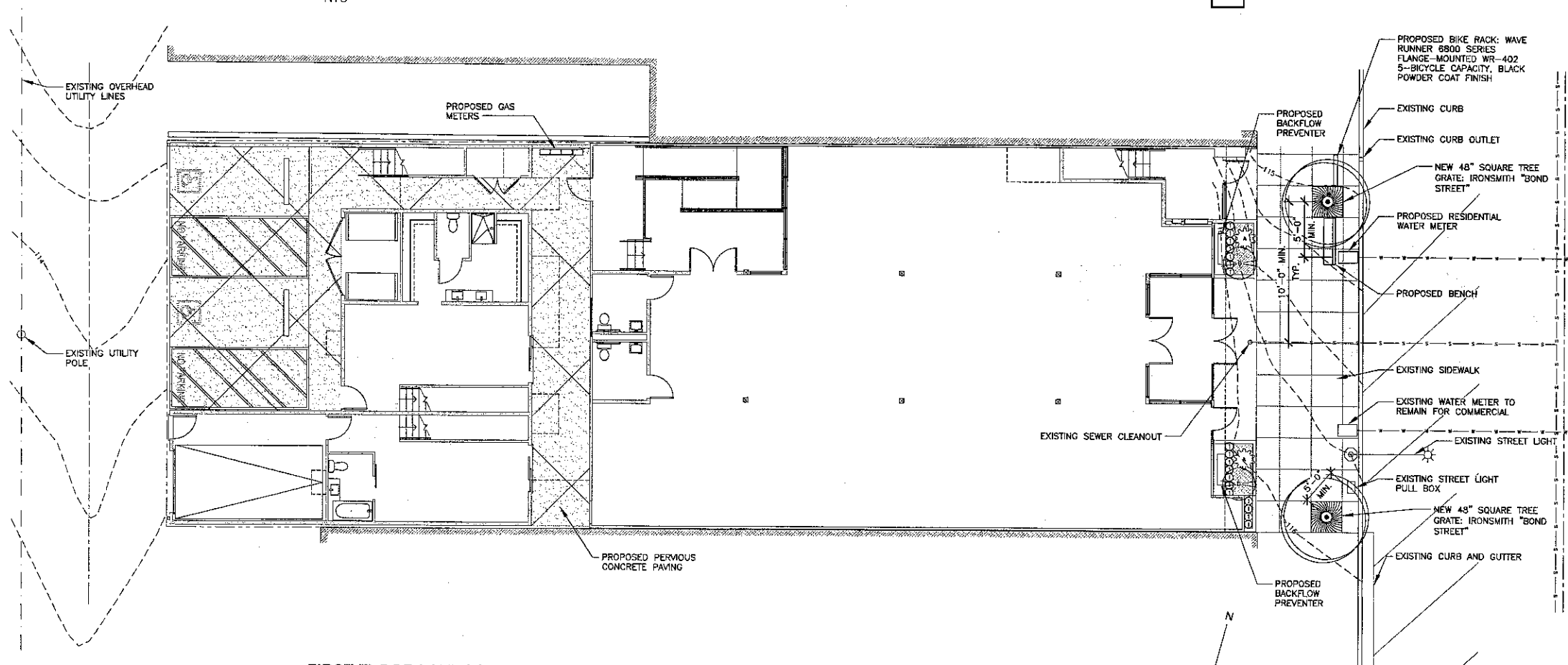
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT CODE, LANDSCAPE REGULATIONS; THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS; AND ALL OTHER CITY AND REGIONAL STANDARDS.
- ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH GROUNDCOVER TO A MINIMUM DEPTH OF 2". EXCLUDING SLOPES REQUIRING RE-VEGETATION AND AREAS PLANTED WITH GROUNDCOVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH. SDMC 142.0403(B).
- TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT BE WRAPPED AROUND THE ROOT BALL. SDMC 142.0403(B)(12).
- IRRIGATION: AN IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED AND SHALL BE AN AUTOMATIC IRRIGATION SYSTEM WITH LOW VOLUME DRIP EMITTERS TO ESTABLISH AND SUSTAIN GOOD, HEALTHY PLANTINGS. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE. SDMC 142.0403
- MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED 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 WITH LIKE KIND.

MINIMUM TREE SEPARATION DISTANCE:

TRAFFIC SIGNALS (STOP SIGNS)	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
(INTERSECTING CURB LINES OF TWO STREETS)	
SEWER LINES	10 FEET

LANDSCAPE LEGEND AND NOTES

NTS



LANDSCAPE CALCULATIONS:

LA JOLLA PLANNED DISTRICT - ZONE 1  
LANDSCAPE SCENARIO - LA JOLLA PLANNED DISTRICT ZONE 1 - OPTION A

STREET TREE REQUIREMENTS: (1 TREE / 30 FEET OF STREET FRONTAGE)  
50 FEET STREET FRONTAGE  
STREET TREES REQUIRED 01  
STREET TREES PROVIDED 02 MAGNOLIA GRANDIFLORA "SAMUEL SOMMER" / SAMUEL SOMMER MAGNOLIA

NOTE: MAJOR STREET TREE WITHIN PROXIMITY TO PROJECT SITE IS MAGNOLIA.

OPTION A - LANDSCAPE REQUIREMENTS PER SDMC 159.0403(A)  
7,000SF. (TOTAL LOT AREA) X 25% = 1,750SF. LANDSCAPED AREA REQUIRED  
1,750SF. X 40% = 700SF. SHALL BE VEGETATED  
875SF. PLANTING AREA PROVIDED

REMAINING LANDSCAPED AREA CONSISTS OF EMBELLISHED PAVING THROUGHOUT PEDESTRIAN AREAS.

FIRST FLOOR LANDSCAPE PLAN

1/8"=1'-0"

**DI DONATO ASSOCIATES**  
ARCHITECTURE + GRAPHICS

3939 FIRST AVENUE - SUITE 100  
SAN DIEGO, CA 92103  
619.299.4210 • 619.299.4250  
FAX: DDOAMAIL@AOL.COM

PROJECT NAME

**1007 HERSCHEL LOFTS**

7844 HERSCHEL AVENUE  
SAN DIEGO, CALIFORNIA 92037

DATE BY ISSUE DESCRIPTION

10-26-10 KMC SUBMITTAL

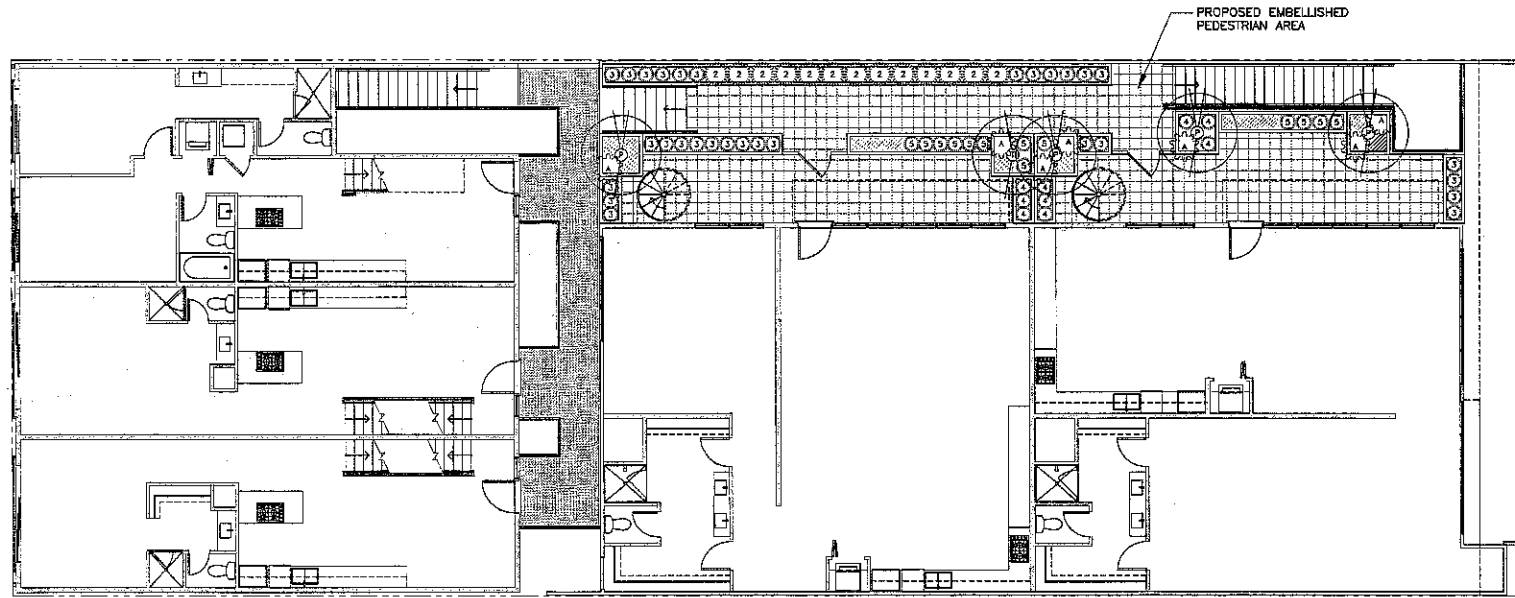
03-21-11 KMC REVISED PER CITY COMMENTS

07-26-11 KMC REVISED PER CITY COMMENTS

Z5.0

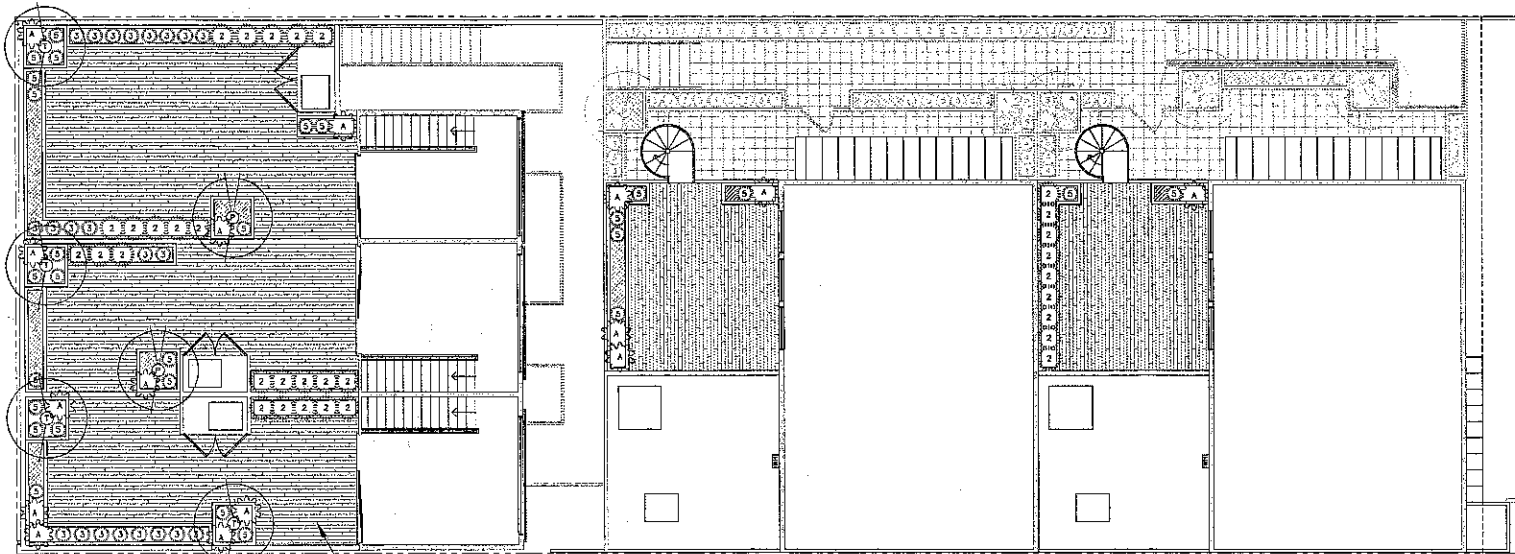
LANDSCAPE PLANS

SHEET 15 OF 19



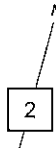
SECOND FLOOR LANDSCAPE PLAN

1/8"=1'-0"



PENTHOUSE LEVEL LANDSCAPE PLAN

1/8"=1'-0"



NOTE: SEE SHEET Z5.0 FOR LANDSCAPE LEGEND AND NOTES.

ARCHITECT	<b>Da</b>	DI DONATO ASSOCIATES ARCHITECTURE + GRAPHICS 3939 FIRST AVENUE - SUITE 100 - SAN DIEGO - CA 92103 619.299.4210 • 619.299.4250 FAX • DDAMAIL@AOL.COM	PROJECT NAME	1007 HERSCHEL LOFTS
				7844 HERSCHEL AVENUE SAN DIEGO, CALIFORNIA 92037
REVISIONS	DATE	BY	ISSUE DESCRIPTION	<b>Z5.1</b> LANDSCAPE PLANS
	10-26-10	KMC	SUBMITTAL	
	03-21-11	KMC	REVISED PER CITY COMMENTS	
	07-26-11	KMC	REVISED PER CITY COMMENTS	
PLOT SCALE 1:1 AT 24x36 "D" SIZE				SHEET 16 OF 19

LEGAL DESCRIPTION

PARCEL A:  
 LOTS 28 AND 30 IN BLOCK 38 OF 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.

PARCEL B:  
 AN EXCLUSIVE RECIPROCAL ENCROACHMENT EASEMENT OVER THAT PORTION OF LOTS 31 THROUGH 38 IN BLOCK 38 OF 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 AS SHOWN AND DESCRIBED ON EXHIBIT "C" IN THAT CERTAIN RECIPROCAL ENCROACHMENT EASEMENT AGREEMENT DATED APRIL 26, 1991, EXECUTED BY WELLS FARGO BANK, N.A. AND EDWARD S. MEANLEY AND DOROTHY E. MEANLEY, HUSBAND AND WIFE AND CLIFFORD HARTMAN AND ERICA HARTMAN, HUSBAND AND WIFE, RECORDED MAY 2, 1991 AS FILE NO. 1991-0202689 OF OFFICIAL RECORDS.

PARCEL C:  
 AN EASEMENT FOR THE PURPOSES SET FORTH IN THE DEED OF EASEMENT RECORDED FEBRUARY 4, 1982 AS FILE NO. 82-031610 OF OFFICIAL RECORDS, SUBJECT TO THE COVENANTS AND CONDITIONS CONTAINED THEREIN.

NOTES

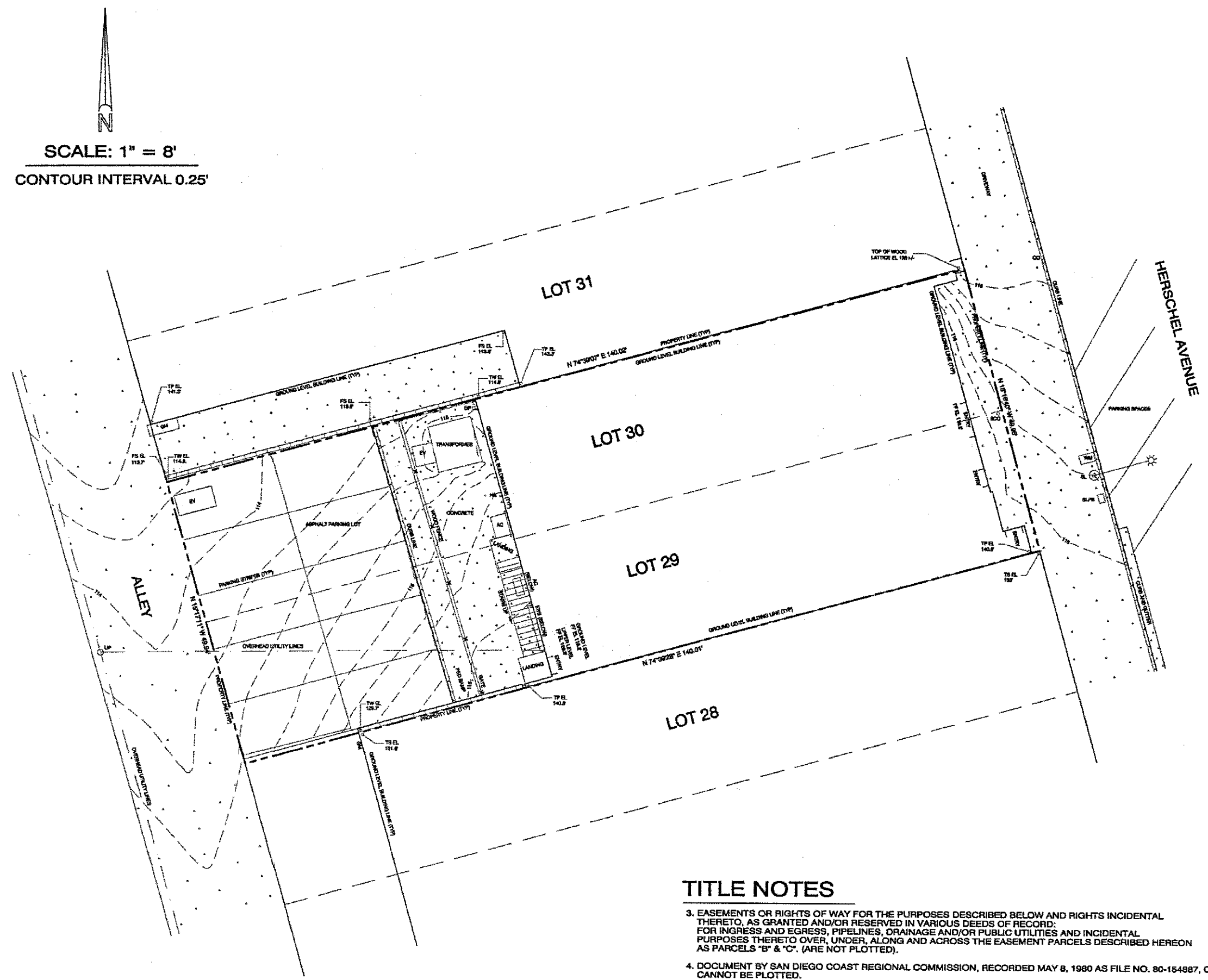
1. THE SOURCE OF TITLE INFORMATION IS PRELIMINARY TITLE REPORT PREPARED BY CHICAGO TITLE COMPANY, ORDER NO. 73710012981, DATED SEPTEMBER 30, 2010.
2. THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN THE FIELD. PRIOR TO ANY EXCAVATION UTILITY COMPANIES WILL NEED TO MARK OUT THE UTILITY LOCATIONS.
3. THE ADDRESS FOR THE SUBJECT PROPERTY IS 7844 HERSCHEL AVENUE, LA JOLLA, CA, 92037.
4. THE ASSESSOR PARCEL NUMBER FOR THE SUBJECT PROPERTY IS 350-181-11.
5. THE TOTAL AREA OF THE SUBJECT PARCEL IS 0.16 ACRES.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE NORTH-WESTERLY CORNER OF IVANHOE AVENUE AND SILVERADO STREET. ELEVATION 128.28' MEAN SEA LEVEL (N.G.V.D. 1928).



CHARLES W. CHRISTENSEN, R.C.E. 8196 Date 10-11-10



TITLE NOTES

3. EASEMENTS OR RIGHTS OF WAY FOR THE PURPOSES DESCRIBED BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED AND/OR RESERVED IN VARIOUS DEEDS OF RECORD: FOR INGRESS AND EGRESS, PIPELINES, DRAINAGE AND/OR PUBLIC UTILITIES AND INCIDENTAL PURPOSES THERETO OVER, UNDER, ALONG AND ACROSS THE EASEMENT PARCELS DESCRIBED HEREON AS PARCELS "B" & "C". (ARE NOT PLOTTED).
4. DOCUMENT BY SAN DIEGO COAST REGIONAL COMMISSION, RECORDED MAY 8, 1980 AS FILE NO. 80-154987, O.R. CANNOT BE PLOTTED.
5. EASEMENT(S) FOR PUBLIC UTILITIES, INGRESS AND EGRESS IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY RECORDED JANUARY 28, 1981 AS FILE NO. 81-027578, O.R.. EASEMENT IS BLANKET IN NATURE AND IS NOT PLOTTED.

NOTE: AGREEMENTS, LEASES AND OTHER ITEMS THAT CANNOT BE PLOTTED EXIST. SEE TITLE REPORT.

**CE & S** CHRISTENSEN ENGINEERING & SURVEYING  
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS  
 7888 SILVERTON AVENUE, SUITE 'J', SAN DIEGO, CALIFORNIA 92128  
 TELEPHONE: (858)271-9901 FAX: (858)271-8912

Prepared By:  
 CHRISTENSEN ENGINEERING & SURVEYING  
 7888 SILVERTON AVENUE, SUITE 'J'  
 SAN DIEGO, CA 92128  
 PHONE (858)271-9901 FAX (858)271-8912

Project Address:  
 7844 HERSCHEL AVENUE  
 LA JOLLA, CA 92037

- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2:
- Revision 1: 10-25-10 ADD TITLE NOTES

Project Name:  
 7844 HERSCHEL AVENUE

Original Date: OCTOBER 11, 2010

Sheet Title:

Sheet 7 of 13 Sheets

TOPOGRAPHIC MAP

DEP#

PO Box 889, La Jolla, CA 92038  
<http://www.LaJollaCPA.org>  
 Voicemail: 858.456.7900  
[info@LaJollaCPA.org](mailto:info@LaJollaCPA.org)

President: Tony Crisafi  
 Vice President: Rob Whittemore  
 Treasurer: Jim Fitzgerald  
 Secretary: Dan Allen



## La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month  
 La Jolla Recreation Center, 615 Prospect Street

**Thursday, 04 August 2011**

### FINAL MINUTES – REGULAR MEETING

Present: Dan Allen, Cynthia Bond, Devin Burstein, Laura Ducharme Conboy, Dan Courtney, Michael Costello, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Nancy Manno, Phil Merten, Rob Whittemore, Ray Weiss.  
 Absent: Tom Brady, Tim Lucas

1. **Welcome and Call To Order: Tony Crisafi**, President, at 6:05 PM
2. **Adopt the Agenda**

#### **Approved Motion: Motion to Adopt the Agenda, (Costello/Merten, 11-0-1).**

In favor: Allen, Bond, Burstein, Conboy, Costello, Fitzgerald, Gabsch, Little, Manno, Merten, Whittemore.  
 Abstain: Crisafi.

3. **Meeting Minutes Review and Approval: 07 July 2011**

#### **Approved Motion: Motion to approve the Minutes of July 7<sup>th</sup> 2011, (Bond/Fitzgerald, 10-0-2).**

In favor: Allen, Bond, Burstein, Conboy, Costello, Fitzgerald, Gabsch, Manno, Merten, Whittemore.  
 Abstain: Little, Crisafi.

4. **Elected Officials Report - Information Only**

- A. Council District 2 - Councilmember Kevin Faulconer  
 Rep: Katherine Miles, 619.236.6622, [kmiles@sandiego.gov](mailto:kmiles@sandiego.gov)

Ms. Miles was not present.

- B. Council District 1 - Councilmember Sherri Lightner  
 Rep: Erin Demorest, 619.236.7762, [edemorest@sandiego.gov](mailto:edemorest@sandiego.gov)

On the topic of City Council redistricting, **Ms. Demorest** advised of a target 25 August of the final district map which will go into effect 25 September if not challenged. She also reported that the medical marijuana ordinance is rescinded on account of a successful petition drive for a referendum; enforcement of present regulation is ineffective; the City Council plans to revisit the issue in a year, which is as soon as allowed by the procedures concerning referenda. Councilmember Lightner has prepared a draft comprehensive city water policy, which has been endorsed by the Chamber of Commerce and various environmental groups.

- C. Council District 5 - Councilmember Carl DeMaio

**Ashley Simmons** announced a "3-1-1" application for smartphones to report problems with city services.

**Planning Commission, (Little/Courtney, 8-4-1).**

In favor: Allen, Bond, Courtney, Costello, Gabsch, Little, Merten, Weiss.  
Against: Burstein, Conboy, Fitzgerald, Manno.  
Abstain: Whittemore.  
Recused - out of room: Crisafi.

***At this point President Crisafi returned to chair the meeting and invited Trustee LaCava to announce the result of the special trustee election.***

**Trustee LaCava** announced, with pleasure, that **Cynthia Thorsen** had been unanimously elected to serve as a LJCPA Trustee. The Trustees and Members enthusiastically welcomed **Ms.Thorsen**. **Ms.Thorsen** will be sworn in at the September LJCPA Meeting.

**13. Herschel Ave. Mixed Use Lofts**

7844 Herschel Avenue - CDP, SDP & Map Waiver to waive the requirements of a TM to create 6 residential condos and 1 commercial condo by converting a portion of existing commercial space to 3 residential units and 1 commercial unit and construct 3 residential units on a 0.16 acre site  
*DPR Action June 2011: Motion to approve Coastal Development Permit, Site Development Permit & Map Waiver to create 5 residential condos and 1 commercial unit at 7844 Herschel Ave. 3-2-0*  
*PDO Action May 2011: The Committee found the project in conformance with the PDO, 7-0-0.*  
*Previous LJCPA action July 2011: Pulled for review*

**Allen DiDenado**, architect for the developer, presented.

**Trustee Merten** stated that the only significant issue is the manner in which the project is providing parking. **Trustee Costello** elaborated that question is the security of parking arranged in the building next door. **Mr. DiDenado** stated that 11 of the 13 required spaces are granted by easement that runs with title granted by the adjoining project in 1975 to the project HOA. The easement expires in 2075. He notes also that the project is now for five residential condominiums and not six residential and one commercial condominium.

**Trustee Gabsch** asked several questions having reviewed the easement documentation. **Mr. DiDenado** and LJCPA member **Claude-Anthony Marengo** responded. **President Crisafi** and **Trustees Merten, Conboy** and **Courtney** participated in additional discussion.

**Approved Motion: To approve the project, (Conboy/Costello, 14-0-1).**

In favor: Allen, Bond, Burstein, Conboy, Courtney, Costello, Fitzgerald, Gabsch, LaCava, Little, Manno, Merten, Whittemore, Weiss.  
Abstain: Crisafi.

**14. Consideration of the issue concerning citywide floor area ratios of Chapter 13 of the San Diego Municipal Code applying in the La Jolla Shores Planned District.**

Incorporate the citywide floor area ratios of Chapter 13 of the San Diego Municipal Code to the La Jolla Shores Planned District, in addition to all the other development criteria currently specified in the LJSPDO and the LJ Community Plan.

*Previous LJSPRC action June 2011: The PRC Committee recommends the LJCPA have a full hearing and discussion on whether the underlying citywide FARs in all zones should be confirmed as applying in the La Jolla Shores Planned District. 5-0-1.*

*Previous LJCPA action July 2011: Moved to schedule for this meeting to review*

**Trustee Whittemore** made a presentation about floor area ratios (FARs) and distributed a written historical discussion of the La Jolla Shores Planned District and Planned District Ordinance (PDO) as related to the City's Land Development Code.

PLANNING COMMISSION RESOLUTION NO. XXXXXX  
Coastal Development Permit No. 797273  
**HERSCHEL MIXED USE LOFTS PROJECT NO. 223788 (MMRP)**

WHEREAS, HERSCHEL LOFTS L.L.C., a California limited liability Company, Owner and Permittee, filed an application with the City of San Diego for a permit to create five residential and one 3,168 square-foot commercial condominium units by remodeling the existing two story, 6,072 square-foot building, and construct an additional two story, 5,091 square-foot residential building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 797273), on portions of a 0.16-acre site;

WHEREAS, the project site is located at 7844 Herschel Avenue in the La Jolla Planned District Ordinance Zone 1 and the Coastal Overlay (Non-Appealable Area 2), Coastal Height Limitation Overlay, Transit Area Overlay, Residential Tandem Area Overlay, and Parking Impact Overlay (Coastal) zones of the La Jolla Community Plan and Local Coastal Program area;

WHEREAS, the project site is legally described as Lots 29 and 30 in Block 39 of La Jolla Park, City of San Diego, County of San Diego, State of California, according to Map No. 352, filed in the Office of the County Recorder of San Diego County, March 22, 1887;

WHEREAS, on February 2, 2012, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 797273 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 February 2, 2012.

FINDINGS:

Coastal Development Permit – Municipal Code Section 126.0708

**A. Finding for all Coastal Development Permits**

**1. The proposed coastal development will not encroach upon any existing physical access way 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 proposed project is located at 4887 Herschel Avenue within an urbanized and fully developed neighborhood in the La Jolla Planned District Zone 1 area of the La Jolla Community Plan and the Local Coastal Program. The site is not located on the ocean and does not include any existing physical access way or proposed access way to the coast. Likewise, due to the location of the project the proposed development would not block any public view to the ocean or other scenic coastal areas as specified in the La Jolla Community Plan and the Local Coastal Program.

**2. The proposed coastal development will not adversely affect environmentally sensitive lands.** The proposed project is located at 4887 Herschel Avenue in the La Jolla Planned District Zone 1 area of the La Jolla Community Plan and the Local Coastal Program within an urbanized and fully developed neighborhood in the La Jolla community. There are no environmentally sensitive lands located on the subject property or identified in the immediate area. Therefore, the proposed development would not adversely affect any environmentally sensitive lands.

**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 proposed project is located at 4887 Herschel Avenue in the La Jolla Planned District Zone 1 area of the La Jolla Community Plan and the Local Coastal Program within an urbanized and fully developed neighborhood in the La Jolla community. The proposed development is consistent with the recommended Office/ Commercial designation in the La Jolla Community Plan (LJCP). The Commercial Element of the LJCP recommends the, "...continuation of small lot commercial retail development along the major retail-oriented streets, such as...Herschel Avenue." In addition, the Element also recommends mixed-use development in all commercial areas of the community. Therefore, the proposed residential/commercial mixed-use project conforms with the identified land use in the La Jolla Community Plan and the Local Coastal Program, the certified Implementation Program, and the La Jolla Planned District Ordinance Zone 1 regulations.

**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 proposed project is located at 4887 Herschel Avenue in the La Jolla Planned District Zone 1 area of the La Jolla Community Plan and the Local Coastal Program within an urbanized and fully developed neighborhood in the La Jolla community. The project is not located between the nearest public road and the shoreline and would have no impact on the public access or recreation policies of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 797273 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 797273, a copy of which is attached hereto and made a part hereof.

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Tim Daly  
Development Project Manager  
Development Services

Adopted on: February 2, 2012

Internal Order No. 24001270

DRAFT



**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**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001270

Coastal Development Permit No. 797273  
**HERSCHEL MIXED USE LOFTS PROJECT NO. 223788 (MMRP)**  
Planning Commission

This Coastal Development Permit No. 797273 is granted by the Planning Commission of the City of San Diego to Herschel Lofts L.L.C., a California limited liability company, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.16 -acre site is located at 7844 Herschel Avenue in the La Jolla Planned District Ordinance Zone 1 and the Coastal Overlay (Non-Appealable Area 2), Coastal Height Limitation Overlay, Transit Area Overlay, Residential Tandem Area Overlay, and Parking Impact Overlay (Coastal) zones of the La Jolla Community Plan and Local Coastal Program area. The project site is legally described as: Lots 29 and 30 in Block 39 of La Jolla Park, City of San Diego, County of San Diego, State of California, according to Map No. 352, filed in the Office of the County Recorder of San Diego County, March 22, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to create five residential and one 3,168 square-foot commercial condominium units by remodeling the existing two story, 6,072 square-foot building, and construct an additional two story, 5,091 square-foot residential building as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated (INSERT date), on file in the Development Services Department.

The project shall include:

- a. Remodel the existing two story, 6,072 square-foot building and provide an additional 737 square feet to the second floor area and construct an additional new two story, 5,091 square-foot residential building;
- 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 [INSERT date including the appeal time].
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.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 233788, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 233788, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for archaeological issues.

**AFFORDABLE HOUSING REQUIREMENTS:**

14. Prior to the issuance of any construction permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

**ENGINEERING REQUIREMENTS:**

15. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb with City standard curb and gutter, along the project frontage on Herschel Avenue, per Standard Drawing G-2 and SDG-100, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the replacement of the damaged alley with full width City standard concrete alley, adjacent to the project site, per Standard Drawing G-21, satisfactory to the City Engineer.

17. 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.

18. 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 the pad elevation based on USGS datum is consistent with Exhibit 'A', satisfactory to the City Engineer.

19. 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 Municipal Code, into the construction plans or specifications.

20. 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 Appendix E of the City's Storm Water Standards.

**LANDSCAPE REQUIREMENTS:**

21. Prior to issuance of any construction permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted 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 (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.
22. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account 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.
23. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, 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."
24. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted 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 Office of the Development Services Department. Construction plans shall take into account a 40 square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC sec. 142.0403(b)5.
25. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
26. The Permittee or subsequent Owner(s) shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual; Landscape Standards.
27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc...) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced 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.
28. 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.

**PLANNING/DESIGN REQUIREMENTS:**

29. Owner/Permittee shall maintain a minimum of twelve off-street parking spaces (includes one van accessible space for residential, one van accessible space for commercial, three motorcycle spaces, and three bicycle spaces with racks) on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.
30. 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.
31. All loading activities shall be arranged so that all loading activities take place from the alley only.
32. 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.
33. 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.
34. 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.
35. All fences and retaining walls shall comply with the San Diego Municipal Code Section 142.0301.
36. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
37. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.
38. 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**

39. The Owner/Permittee provides three parking spaces on site at 7844 Herschel Avenue and eleven parking spaces at 7850 Herschel Avenue's parking structure for a total of fourteen spaces.
40. Prior to the issuance of any construction permit for a residential building, the Owner/Permittee shall provide an updated shared parking agreement for a minimum of eleven parking spaces between Herschel Mixed Use project and the property at 7850 Herschel Avenue, satisfactory to the City Engineer.
41. Signs shall be placed and maintained at the entrance booth of the parking structure located at 7850 Herschel Avenue clearly indicating that parking spaces are available for 7840-7844 Herschel Avenue.
42. All residential parking spaces shall be clearly marked and reserved for the residents only.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

43. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s), if required outside of any driveway, and the disconnection at the water main of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
44. Prior to the issuance of any construction 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.
45. Prior to the issuance of any Certificates of Occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
46. 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 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 of the City of San Diego on [INSERT Approval Date] and [INSERT Approved Resolution Number].

DRAFT



Permit Type/PTS Approval No.: CDP No. 797273  
Date of Approval: (INSERT)

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
Tim Daly  
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.**

**[NAME OF COMPANY]**  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

**[NAME OF COMPANY]**  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

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

PLANNING COMMISSION RESOLUTION NUMBER PC-XXXXX

TENTATIVE MAP NO. 924629, HERSCHEL MIXED USE  
LOFTS - PROJECT NO. 223788 [MMRP].

WHEREAS, Herschel Lofts L.L.C., a California limited liability company, Subdivider, and Christensen Engineering and Surveying, Surveyor, submitted an application to the City of San Diego for a tentative map (Tentative Map No. 924629) for the creation of five residential and one commercial condominium units by remodeling and additions to the existing two story, 6,072 square-foot commercial building, construct an additional two story, 5,091 square-foot residential building, and to waive the requirement to underground existing offsite overhead utilities for the Herschel Mixed Use Lofts project. The project site is located at 7844 Herschel Avenue in the La Jolla Planned District Ordinance Zone 1 and the Coastal Overlay (Non-Appealable Area 2), Coastal Height Limitation Overlay, Transit Area Overlay, Residential Tandem Area Overlay, and Parking Impact Overlay (Coastal) zones of the La Jolla Community Plan and Local Coastal Program area.. The property is legally described as Lots 29 and 30 in Block 39 of La Jolla Park, City of San Diego, County of San Diego, State of California, according to Map No. 352, filed in the Office of the County Recorder of San Diego County, March 22, 1887; and

WHEREAS, the Map proposes the Subdivision of a 0.161-acre site into one (1) lot for a five (5) unit residential units and one (1) commercial condominium unit; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is six (6); and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that the development involves a short span of overhead facility (less than a full block in length) and it has been determined that such development is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area.; and

WHEREAS, on \_\_\_\_\_, the Planning Commission of the City of San Diego considered Tentative Map No. 924629, the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, 144.0240, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 924629:

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

The project site is located in the La Jolla Planned District Ordinance (LJPDO), Zone 1 area within the La Jolla Community Plan (LJCP) area. The LJCP designates the site as Office Commercial. The Commercial Element of the LJCP recommends the, "...continuation of small lot commercial retail development along the major retail-oriented streets, such as...Herschel Avenue." In addition, the Element also recommends

mixed-use development in all commercial areas of the community. Therefore, the proposed residential/commercial mixed-use project conforms with the identified land use in the La Jolla Community Plan.

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

The proposed development complies with applicable regulations for parking, height, setbacks, and the maximum building floor area ratio density bonus for a mixed use development within the La Jolla Planned District Ordinance Zone 1. The project does not propose any deviations.

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

The project is located on a flat topography graded, 0.161-acre site with an existing two-story commercial building that fronts Herschel Avenue. The rear of the building site has an asphalt parking area (46' x 50') with ten parking spaces that abuts an unnamed public right of way alley. The renovation of the commercial building to add two residential units on the second floor and construct a new residential building with three units over parking upon the previous parking area meets the maximum building floor area ratio density bonus for a mixed use development within the La Jolla Planned District Ordinance (LJPDO) Zone 1. The proposed project complies with the applicable LJPDO regulations, provides residential and commercial uses within the community, and remains physically suitable for the development.

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

The project's prepared Mitigated Negative Declaration proposes mitigation measures for potential impacts on archeological sites. This potential impact will be fully mitigated by these measures and therefore the project will not cause any substantial environmental damage. The site is currently fully developed. There is no fish or wildlife habitat on or adjacent to the site.

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

The proposed development requires a Coastal Development Permit to allow the mixed use development and conditions the project for compliance with all applicable building, mechanical, electrical, plumbing and fire codes. Strict application of these conditions will contribute to the public safety, health and welfare. Furthermore, the proposed development will obtain a bonded engineering permit for the required public improvements proposed for this project and all public work will conform to the

requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. All infrastructure improvements will be constructed and operationally complete prior to occupancy of any structures to assure water, wastewater, electrical, gas, and telephone services will be provided to the development. Prior to construction all structures will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

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

There are no easements that have been acquired by the public at large for access through or use of property within the proposed subdivision, therefore the design of the subdivision will not conflict.

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

The proposed project is sited with direct orientation to the northeast/southwest, which accommodates natural airflow and makes passive design achievable. The site is oriented such that there is a direct, ideal solar exposure to the west, southwest for the collection of solar energy. In addition, the site's orientation is ideal for capturing predominant winds from the Pacific Ocean to the west.

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

The project complies with all subgroup and Land Development Code regulations as to use, size/area, improvements, and design. No floodwater drainage control, road, sewer, or water issues. The project is located along an improved central business district street and the development of the property as proposed is planned and anticipated by the adopted community plan as far as utilization of existing streets, sewer and water availability are concerned. A Mitigated Negative Declaration has been prepared for the project to mitigate concerns for potential impacts to archaeological resources. This potential impact will be fully mitigated by these measures and therefore the project will not cause any substantial environmental impacts.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 924629, is hereby granted to Herschel Lofts L.L.C., a California limited liability company, subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Tim Daly  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24001270

PLANNING COMMISSION  
CONDITIONS FOR TENTATIVE MAP NO. 924629, HERSCHEL MIXED USE  
LOFTS - PROJECT NO. 223788 [MMRP]

ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Tentative Map will expire XXXXXXXX.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Final Map shall conform to the provisions of Coastal Development Permit No. 797273.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 223788  
TM No. 924629

**ENGINEERING**

7. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
8. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
11. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

12. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
13. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."

Project No. 223788  
TM No. 924629



14. The Final Map shall:
- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

**INFORMATION:**

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24001270

DRAFT

Project No. 223788  
TM No. 924629

RESOLUTION NUMBER PC-XXXXX  
ADOPTED ON FEBRUARY 2, 2012

WHEREAS, on October 26, 2010, Kim Cwynar, submitted an application to the Development Services Department for a COASTAL DEVELOPMENT PERMIT AND TENTATIVE MAP

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on February 2, 2012; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 223788 NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 223788 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission; directing staff to file a Notice of Determination.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By:

Tim Daly, Development Project Manager

ATTACHMENT: Exhibit A. Mitigation Monitoring and Reporting Program

## EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM  
 COASTAL DEVELOPMENT PERMIT AND TENTATIVE MAP  
 PROJECT NO. 223788

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 223788) shall be made conditions of Coastal Development Permit and Site Development Permit as may be further described below.

V. MITIGATION, MONITORING AND REPORTING PROGRAM: To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures shall be the responsibility of the applicant. The mitigation measures are described below.

A. GENERAL REQUIREMENTS – PART I

**Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **“ENVIRONMENTAL/MITIGATION REQUIREMENTS.”**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs.

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

**B. GENERAL REQUIREMENTS – PART II**

**Post Plan Check (After permit issuance/Prior to start of construction)**

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

*Qualified Archaeologist*

*Qualified Native American Monitor*

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call RE and MMC at **858-627-3360**

- 2. MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 223788, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

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

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

*Not Applicable for this project.*

- 4. MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site

plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

**Document Submittal/Inspection Checklist**

*[List all and only project specific required verification documents and related inspections table below]*

<i>Issue Area</i>	<i>Document submittal</i>	<i>Assoc Inspection/Approvals/ Notes</i>
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General Meeting	Consultant Const. Monitoring Exhibits	Prior to or at the Pre-Construction Meeting
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Bond Release	Request for Bond Release letter	Final MMRP Inspections prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**HISTORICAL RESOURCES (ARCHAEOLOGY)**

**1. Prior to Permit Issuance**

**A. Entitlements Plan Check**

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

**B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources

Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## 2. Prior to Start of Construction

### A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
  - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

## 3. During Construction

### A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety**

**concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section 3.B-C and 4.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

**B. Discovery Notification Process**

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

**C. Determination of Significance**

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section 4 below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**4. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

**A. Notification**

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

**B. Isolate discovery site**



1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner. THEN,
  - c. In order to protect these sites, the Landowner shall do one or more of the following:
    - (1) Record the site with the NAHC;
    - (2) Record an open space or conservation easement on the site;
    - (3) Record a document with the County.
  - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

## 5. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
  - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.
  - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections 3 - During Construction, and 4 - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section 3 - During Construction and 4- Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section 3-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

6. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued

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

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

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

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred,

verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section 4 – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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DRAFT



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

# Ownership Disclosure Statement

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

**Project Title**

Herschel Lofis

Project No. For City Use Only

023788

**Project Address:**

7844 Herschel Avenue San Diego, CA 92037

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached  Yes  No

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Project Title:

Herschel Lofts

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation  Limited Liability -or-  General) What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_

Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached  Yes  No

Corporate/Partnership Name (type or print):

Herschel Lofts LLC

Owner  Tenant/Lessee

Street Address:

7844 Herschel Avenue

City/State/Zip:

San Diego, CA 92037

Phone No:

(858) 456-6300

Fax No:

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

Benjamin Vilenski

Title (type or print):

Manager

Signature :

Date:

10-13-10

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Herschel Mixed Use Lofts	
<b>PROJECT DESCRIPTION:</b>	Remodel and additions to the existing commercial building and construct an additional building to create five residential and one commercial condominium units.	
<b>COMMUNITY PLAN AREA:</b>	La Jolla	
<b>DISCRETIONARY ACTIONS:</b>	Coastal Development Permit and Tentative Map	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Office Commercial	
<b><u>ZONING INFORMATION:</u></b>		
<b>ZONE:</b> La Jolla Planned District Ordinance Zone 1 <b>HEIGHT LIMIT:</b> 30 maximum height limit <b>LOT SIZE:</b> Min. 2,500 square feet; 7,000 square feet existing <b>FLOOR AREA RATIO:</b> 1.7 max. w/ density bonus for mixed use; 1.7 provided <b>STREET SETBACK:</b> Min. 16 feet; 16 feet provided <b>ALL OTHER SETBACKS:</b> None required <b>PARKING:</b> 12 parking spaces required; 14 provided		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Office Commercial; LJPDO Zone 1	Commercial/Parking Structure
<b>SOUTH:</b>	Office Commercial; LJPDO Zone 1	Commercial/Retail
<b>EAST:</b>	Office Commercial; LJPDO Zone 1	Commercial/Retail
<b>WEST:</b>	Office Commercial; LJPDO Zone 1	Commercial/Retail
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On August 4, 2011, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the proposed project with no additional conditions.	

DEVELOPMENT SERVICES  
**Project Chronology**  
**Herschel Mixed Use Lofts - PTS# 223788**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
11/2/10	First Submittal	Project Deemed Complete		
12/13/10	First Assessment Letter		41 days	
3/21/11	Second Submittal			98 days
5/9/11	Second Review Complete		49 days	
8/3/11	Third Submittal			86 days
9/9/11	Third Review Complete		37 days	
11/21/11	Draft MND		73 days	
1/6/12	Final MND		46 days	
2/2/12	PC Hearing		27 days	
<b>TOTAL STAFF TIME</b>			<b>273 days</b>	
<b>TOTAL APPLICANT TIME</b>				<b>184 days</b>
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Planning Commission	<b>15 months</b>	