



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** April 9, 2015 **REPORT NO.** PC-15-031

**ATTENTION:** Planning Commission, Agenda of April 16, 2015

**SUBJECT:** WHITNEY MIXED USE - Project No.182513  
Process 3

**REFERENCES:**

1. Report to Planning Commission No. PC-10-079, Sept. 2, 2010.
2. City Council Item No. 330, Nov. 16, 2010.
3. Report to Planning Commission No. PC-11-012, Jan. 20, 2011.
4. City Council Item No. 333, May 3, 2011.

**OWNER/** Playa Grande L.L.C., Owner  
**APPLICANT:** Tim Martin, Martin Architecture, Applicant

### SUMMARY

**Issue(s):** Should the Planning Commission Planning approve a Coastal Development Permit, Site Development Permit, and Tentative Map Waiver to demolish an existing mixed-use building and to construct a new three-story mixed-use condominium building in the La Jolla Community Plan area?

### **Staff Recommendations:**

1. **Certify** Environmental Impact Report No. 182513, and **Adopt** the Mitigation, Monitoring, and Reporting Program; and
2. **Approve** Coastal Development Permit No. 662551, Site Development Permit No. 662678, and Tentative Map Waiver No. 683254.

**Community Planning Group Recommendation:** On December 5, 2013, the La Jolla Community Planning Association voted 13-3-2 to recommend denial of the proposed project (Attachment 11).

**La Jolla Shores Advisory Board:** On November 19, 2013, the Board voted 5-0 to make no recommendation on the project (Attachment 12).

**Environmental Review:** Environmental Impact Report No. 182513 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) 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 demolish an existing single family residence and retail store, and to construct a new mixed use development consisting of two residential and one commercial condominium unit. The proposed project is located within the La Jolla Shores Planned District area's Commercial Center (CC) Zone of the La Jolla Community Plan which allows for community-serving commercial services, retail uses, and dwelling units with a minimum of 400 square feet. The proposed two residential units of 3,179 square feet and 2,780 square feet will meet the minimum square footage requirement and would provide a net gain of one additional unit. Also, prior to recordation of the Parcel Map, the applicant shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations.

## **BACKGROUND**

The Whitney Mixed Use Project is an application for a Coastal Development Permit, Site Development Permit, and Tentative Map Waiver to demolish an existing single-story residence and ground floor retail store, and to construct a new mixed use development of approximately 8,518 square feet. The proposed project includes a new three-story building, with a maximum height of 30 feet, consisting of two residential condominium units on the second and third floors, basement parking, and 1,867 square feet of commercial space on the ground floor. The project site is located on a 0.09-acre lot at 2202 and 2206 Avenida de la Playa (Attachment 1), on the northeast corner of El Paseo Grande and Avenida de la Playa, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Non-appealable Area 2), Coastal Height Limit Overlay Zone, Residential Tandem Parking Overlay Zone, and the Parking Impact Overlay Zone (Beach Impact Area) of the La Jolla Community Plan area.

The site is designated by the La Jolla Community Plan for commercial and mixed uses (Attachment 3). The purpose of the CC zone is to accommodate community-serving commercial services and retail uses. The project site is specifically located along Avenida de la Playa in La Jolla Shores and the specific recommendations for the various commercial areas are regulated and detailed in the La Jolla Shores Planned District Ordinance. The CC Zone allows for 100 percent lot coverage, zero setbacks, and no Floor Area Ratio (FAR) restriction. Also, commercial services on the ground floor area of a development shall not exceed 6,000 square feet and dwelling units require a minimum floor area of 400 square feet.

On July 28, 2010, the Hearing Officer of the City of San Diego approved the development's Coastal Development Permit, Site Development Permit, Tentative Map Waiver, removed the Variance along with the associated findings, and added conditions for additional offsets along the building's east elevation and stipulation for compliance with La Jolla Community Plan's Commercial Development Recommendations. Thereafter, the La Jolla Community Planning Association, Bernard Segal, and La Jolla Shores Tomorrow filed appeals of the Hearing Officer's decision.



On September 9, 2010 the Planning Commission of the City of San Diego considered the appeal issues as identified in the Report to the Planning Commission No. PC-10-079 (Attachment 12). The Planning Commission voted 5-1-1 to certify Mitigated Negative Declaration No. 182513 and adopt the Mitigation, Monitoring, and Reporting Program; and denied the appeals and upheld the Hearing Officer's decision to approve the development permits.

On September 22, 2010, La Jolla Shores Tomorrow, care of Julie Hamilton, Esq., and on September 23, 2010, Bernard Segal filed separate appeals to City Council regarding the Planning Commission's environmental determination for the Whitney Mixed Use Project's Mitigated Negative Declaration (MND) No. 182513. On November 16, 2010, the City Council considered the appeal issues of the environmental determination as identified in City Council Item 330 (Attachment 13). The City Council voted 5-3-0 to grant the appeal; denying certification of Mitigated Negative Declaration No. 182513; setting aside the environmental determination and remanded the matter back to the Planning Commission.

On January 20, 2011, the Planning Commission of the City of San Diego considered the City Council's remand as identified in the Report to the Planning Commission No. PC-11-012 (Attachment 14), and voted 5-0-0 to again certify MND No. 182513, adopt the MMRP, and approved the development permits and map. The Planning Commission's environmental determination for the project's MND No. 182513 was again appealed to the City Council by the La Jolla Community Planning Association (LJCPA).

On May 3, 2011, the City Council considered the appeal issues of the environmental determination as identified in the City Council Item 333 (Attachment 15). The City Council voted 6-1-1 to grant the appeal; again denying certification of Mitigated Negative Declaration No. 182513; and found that an MND could not be certified for the project because the record contained substantial evidence to support a fair argument that the Whitney Mixed Use Project may have a significant effect on the environment, and requires an Environmental Impact Report.

Subsequently and in response to City Council's Resolution No. 306794 to deny the MND (Attachment 16), the applicant made revisions to their project and on June 24, 2011, the City of San Diego, as Lead Agency, posted the Public Notice of Preparation of a Draft Environmental Impact Report (DEIR). The project changes included the new design of a mat slab foundation for the building structure. This project feature would not require the previous designed caissons, which would have potentially impacted paleontological resources. In order to accommodate the mat slab, the ramp entry to the subterranean resident parking area has been eliminated and replaced with two car elevators. Further design changes to the project have been undertaken to better reflect the existing character of the La Jolla Shores community. The multiple patios of the second and third floors have been consolidated into wrap-around lanais, affording greater outdoor space and offering greater setbacks. Additionally, a ground floor veranda has been added to the retail component of the proposed project. Project square footage has been reduced from 8,950 square feet to 8,518 square feet. Project Floor Area Ratio (FAR) has been further reduced from 2.26 to 2.16. These refinements to the project design create greater outdoor/open space and further reduce the bulk and scale of the proposed project in an effort to achieve greater cohesion with the existing community.

On October 28, 2013, the City of San Diego, as Lead Agency, posted the Public Notice of a Draft Environmental Impact Report (DEIR) and on February 18, 2015, the City of San Diego, as Lead Agency, completed project's Final Environmental Impact Report No. 182513, and



## Mitigation, Monitoring, and Reporting Program.

### DISCUSSION

#### Project Description:

The project site is located on a 0.09-acre lot at 2202 and 2206 Avenida de la Playa, on the northeast corner of El Paseo Grande and Avenida de la Playa and proposes the demolition of the existing one single-story residence and one ground floor retail store, and the construction of a new mixed use development on site. The new development would be a new three-story building, with a maximum height of 30 feet, consisting of two residential condominium units on the second and third floors, basement parking, and 1,867 square feet of commercial condominium unit space on the ground floor. The development's gross floor area will be approximately 8,518 square feet. Proposed work in the public right-of-way would also include new accessible ramps installed at two intersections at Avenida de la Playa and El Paseo Grande, and Calle Clara and El Paseo Grande.

The 1,867 square-foot commercial unit requires two off-street parking spaces and will be located in the rear of the property on Calle Clara. Access to the basement parking garage with the six residential parking spaces would be from a parking elevator at the rear of the site, on the north side of the development along Calle Clara. The project would feature hardscape/permeable surface similar to the current development. Drought tolerant landscaping is also proposed. Roof drains and sheet flow from the site would be directed to proposed landscaped areas and to existing non-contiguous sidewalk landscape areas for natural filtration prior to discharge into existing street storm drains surrounding the site. The topography of the site ranges from approximately 11 feet above mean sea level (AMSL) at the southwest portion of the site and 14 feet AMSL at the northeast corner.

Grading on the 0.091 acre site would cover the entire site with a total excavation of 1,700 cubic yards to a depth of 14 feet. All cut soils would be exported off-site and no fill soils would be required. Retaining walls would be in the basement only with a maximum height of 10 feet (below the current grade). The finished basement will be of a tight-seal construction to avoid any groundwater intrusion. During construction, any groundwater encountered will not be discharged to the municipal storm drain system, but disposed of in accordance with all applicable regulations.

#### Transportation Analysis:

Calle Clara, a public right-of-way street abutting the north side and rear of the project site, was established along with the original block's Subdivision Map No. 1913, La Jolla Shores Unit No. 1, on June 1, 1926, with the dedication of 10 feet for an unnamed public right-of-way (approximately 1/2 width of an alley) between Paseo del Ocasco and El Paseo Grande. Typical of an alley, the project site's entire block is currently developed with zero lot line development along the unnamed alley. Later, Subdivision Map No. 2061, La Jolla Shores Unit No. 3, Sept. 26, 1927, was recorded for the proposed subdivision on the north side of this unnamed alley. This subdivision map required the additional dedication of 20 feet of public right of way (approximately 1/2 width of a street) and identified the total 30 feet of public right of way as "Calle Clara." This subsequent subdivision's development produced street side features such as curb and gutter along portions of the north side of Calle Clara. The combination of the two



subdivision requirements has created a public right-of-way street with both street and alley features and does not meet the standards in the City's Street Design Manual.

City staff's Deputy City Engineers, under the delegated authority of the City Engineer, requested the applicant provide adequate sight distance at the northwest corner of their development where Calle Clara and El Paseo Grande intersect for vehicles entering and exiting off-street parking spaces on the premises. As shown on the development's site plan (with a 10 feet by 10 feet visibility triangle) and by the photo simulation exhibits by the applicant (Attachment 17), the project was able provide adequate sight distance for the proposed development. The project is consistent with the applicable base zone allowing zero lot line development, and be consistent with the off street parking requirements for similar uses and the neighborhood in the La Jolla Shores Planned District (SDMC section 1510.0310(c)(2)). Therefore consistent with SDMC section 129.0104(b)(5), City staff has reviewed the project as proposed and allowed modifications to measuring visibility area at the intersection of streets (SDMC section 113.0273(a)) and driveways (SDMC section 142.05609(j)(6)) in conformance with the purpose and intent of the SDMC, and that the modifications will negatively impact any fire protection requirements or any degree of public safety.

#### Community Plan Analysis:

The project site is within the Commercial Center (CC) Zone of the La Jolla Shores Planned District in the adopted La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) area. The LJCP identifies the site for commercial and mixed use. The La Jolla Shores Planned District Ordinance, as codified in the San Diego Municipal Code, establishes the zoning regulations to implement the policies of the General Plan and the LJCP. The purpose of the CC zone is to accommodate community-serving commercial services, and retail uses. The project site is specifically located along Avenida de la Playa in La Jolla Shores and the specific recommendations for the various commercial areas are regulated and detailed in the La Jolla Shores Planned District Ordinance.

The LJCP's Commercial Land Use Element provides goals to maintain a diversified, yet balanced land use pattern which includes providing adequate levels of commercial retail services, residential development and cultural opportunities within existing commercial areas, while limiting additional office use within commercially designated districts. The Element also visualizes the revitalization of commercial retail areas to strengthen, reinforce and unify existing retail districts within La Jolla. Also, it also promotes pedestrian-oriented features to improve pedestrian safety, access and ease of movement through all the commercial areas and also promotes mixed-use residential and commercial development along transit corridors and encourages affordable housing opportunities. Consistent with the aforementioned goals, the Element also includes overall Commercial Development Recommendations (pages 102 and 103) and specific Area Recommendations to implement the Element's goals. The project site is located in the specific recommendation area of Avenida de la Playa – Community Commercial (page 107).

Consistent with the LJCP's Land Use Element goals and recommendations, the project incorporates the commercial goals and recommendations by avoiding abrupt transition in scale with adjacent residential areas, providing building design articulation on the ground floor and step-backs on the upper floors to minimize bulk through the use of the development, extending the existing brick paving pattern from the east in the parkway to the front of the project site and



planting a new mature Jacaranda tree to match the existing street trees that would provide common pedestrian space already defined by existing improvements and development to the east, locating off-street parking to the rear of the development, storage areas and mechanical equipment screened from public view, and utilizing energy efficient technology to promote green and clean use for the duration of the development. Also, the development retains retail and visitor oriented commercial areas in proximity to the beach and coastline parks in order to maintain a high degree of pedestrian activity and access to coastal resources. Finally, the project would adhere to policies and objectives established by the LJCP in that the design of the proposed structure does not affect 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.

In conclusion, the project continues to be consistent with the Commercial Center (CC) Zone designation of the La Jolla Shores Planned District (LJSPD) in the LJCP and Local Coastal Land Use Plan area. The development's draft permit resolution contains the required findings related to conformity to the City's General Plan and the adopted community plan and local coastal program land use plan. The development also complies with the specific recommendations for this commercial area as regulated and detailed in the La Jolla Shores Planned District Ordinance.

#### Environmental Analysis:

Environmental Impact Report (EIR) No. 182513 has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). The City of San Diego conducted an Initial Study which determined that the proposed project could have significant environmental affects to historical resources (archaeological) resources. Specific mitigation is identified in the EIR to address those impacts, 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.

#### Conclusion:


City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted Land Use Plans, City Council policies, and regulations of the Land Development Code. City staff has provided the draft findings to support approval of the proposed development, draft conditions of approval, and draft map waiver resolution and conditions. Therefore, City staff is recommending the Planning Commission certify the Environmental Impact Report No. 182513 and adopt Mitigation, Monitoring, and Reporting Program, and approve the development permits and map waiver.

#### ALTERNATIVES

1. **Approve** Coastal Development Permit No. 662551, Site Development Permit No. 662678, and Tentative Map Waiver No. 683254 with modifications.
2. **Deny** Coastal Development Permit No. 662551, Site Development Permit No. 662678, and Tentative Map Waiver No. 683254 if the findings required to approve the project cannot be affirmed.

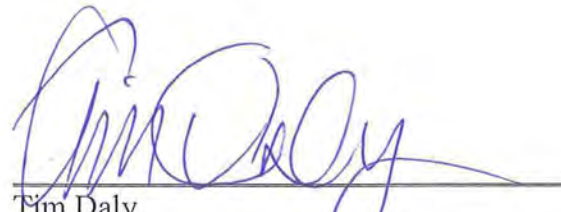


Respectfully submitted,



---

Mike Westlake  
Assistant Deputy Director  
Development Services Department



---

Tim Daly  
Development Project Manager  
Development Services Department

VACCHI/TPD

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Plans and Map Exhibit
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Draft Map Resolution with Findings
8. Draft Map Conditions
9. Draft Environmental Resolution with MMRP
10. Community Planning Group Recommendation
11. La Jolla Shores Planned District Ordinance Advisory Board Recommendation
12. Report to Planning Commission No. PC-10-079, Sept. 2, 2010,  
<http://www.sandiego.gov/planning-commission/pdf/pcreports/2010/10079.pdf>
13. City Council Item No. 330, Nov. 16, 2010,  
<http://dockets.sandiego.gov/sirepub/agdocs.aspx?doctype=agenda&itemid=50352>
14. Report to Planning Commission No. PC-11-012, Jan. 20, 2011,  
<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt1.pdf>;  
<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt2.pdf>;  
<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt3.pdf>; and  
<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt4.pdf>,
15. City Council Item No. 333, May 3, 2011,  
<http://dockets.sandiego.gov/sirepub/agdocs.aspx?doctype=agenda&itemid=59271>
16. City Council Resolution No. 306794
17. Calle Clara Photo Simulation
18. Ownership Disclosure Statement
19. Project Data Sheet
20. Project Chronology





## Project Location

Whitney Mixed Use, Project No. 182513  
2202 and 2206 Avenida de la Playa

North





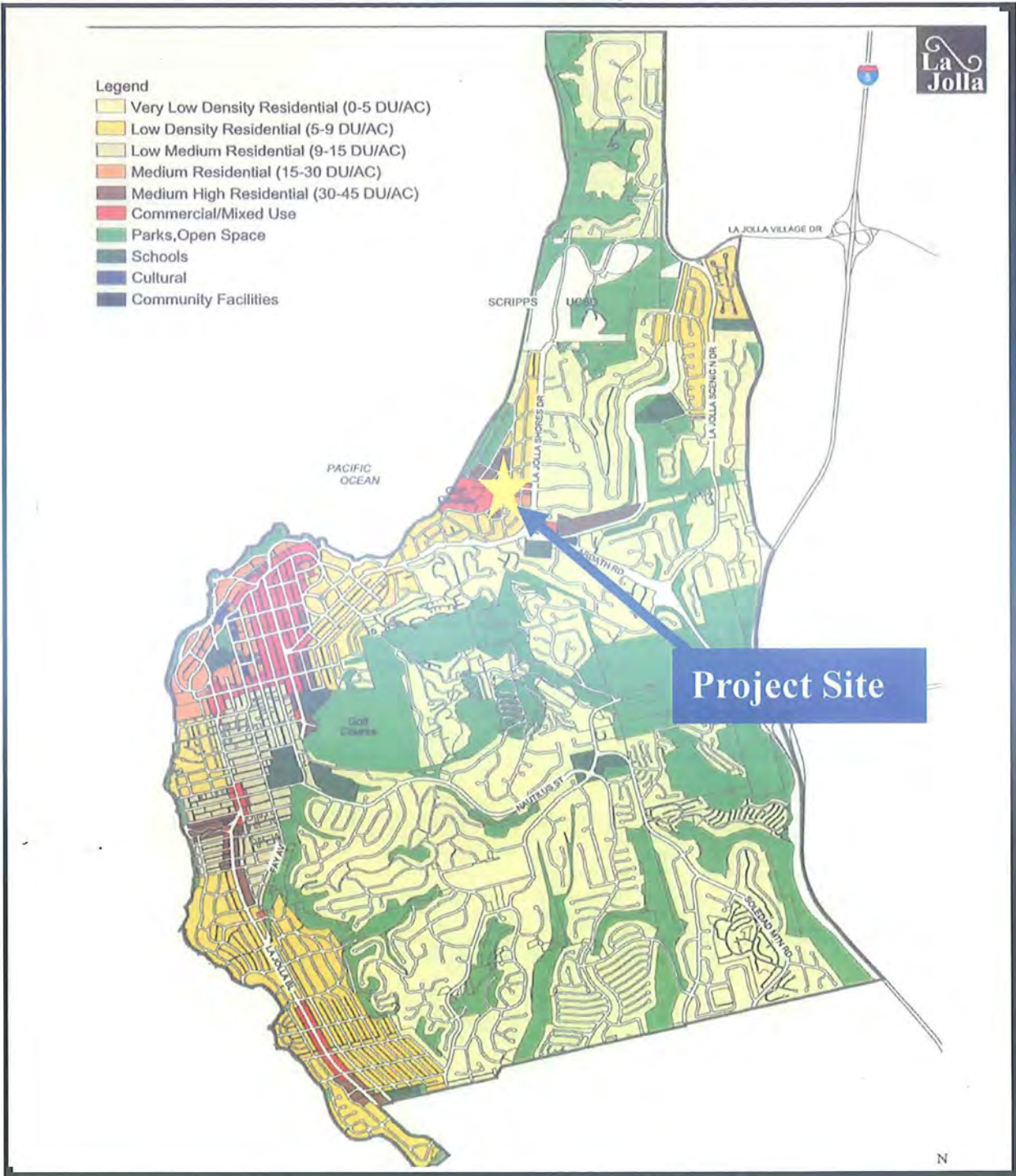


## Aerial Photo

Whitney Mixed Use, Project No. 182513  
2202 and 2206 Avenida de la Playa







## La Jolla Community Land Use Map

Whitney Mixed Use, Project No. 182513  
2202 and 2206 Avenida de la Playa







## PROJECT TEAM

PROJECT MANAGERS	PLAYA GRANDE LLC 8100 PASEO DEL OCASO SUITE C LA JOLLA CA 92037 CONTACT ROBERT WHITNEY II MARGARET WHITNEY (858) 456 2240	GEOTECHNICAL ENGINEER	GEOTECHNICAL EXPLORATION INC. 7420 TRADE STREET SAN DIEGO, CA 92121 CONTACT JAY HEISER 858-549-7222 (O)
ARCHITECT	MARTIN ARCHITECTURE 2333 STATE STREET SUITE 100 CARLSBAD, CA 92008 CONTACT TIM MARTIN 858-349-3474 (O) 760-729-3473 (F)	ARCHAEOLOGICAL CONSULTANT	AFFINIS SHADOW VALLEY CENTER 347 JAMACHA ROAD EL CAJON CA 92019 CONTACT MARY ROBBINS-WADE TEL 619-441-0144
ENGINEERING CONSULTANT	FLORES LUND CONSULTANTS 7220 TRADE STREET SUITE 120 SAN DIEGO CA 92121 CONTACT WILLIAM LUND 858-566-0626 (O) 858-566-0627 (F)	LANDSCAPE ARCHITECT	TODD FRY 7920 PRINCESS STREET LA JOLLA CA 92037 858-459-8005 (O)

## SCOPE OF WORK

NEW MIXED USE DEVELOPMENT IN THE LA JOLLA SHORES PLANNED DISTRICT CONFORMING TO THE LA JOLLA COMMUNITY PLAN RECOMMENDATIONS (THE COMMUNITY COMMERCIAL AREA - AVENIDA DE LA PLAYA). COASTAL DEVELOPMENT PERMIT & SITE DEVELOPMENT PERMIT FOR LUSD

- EXISTING / DEMOLITION**  
EXISTING ONE STORY RESIDENCE AND RETAIL STORE TO BE DEMOLISHED. SEE NOTES BELOW
- NEW BUILDING**  
NEW EXCAVATION FOR BASEMENT CAR PARK FOR RESIDENTIAL USE ONLY WITH PARKING ELEVATOR ACCESS OFF CALLE CLARA NEW 3 STORY BUILDING WITH BASEMENT PARKING PROPOSED MAIN LEVEL RETAIL STORE W/ ACCESSIBLE PARKING OFF CALLE CLARA  
TWO 3 BEDROOM CONDOMINIUM UNITS - ONE AT SECOND LEVEL AND THE OTHER AT THE THIRD LEVEL WITH ELEVATOR AND STAIRWAY PEDESTRIAN ACCESS FROM AVENIDA DE LA PLAYA  
EXCLUSIVELY RESIDENTIAL PARKING IN NEW UNDERGROUND BASEMENT PARKING ACCESSIBLE BY ELEVATOR AND STAIRWAY FROM UNITS ABOVE
- UTILITIES**  
NEW BUILDING SPRINKLER INSTALLATION AND NEW CONNECTION TO EXISTING WATER MAIN  
NEW BUILDING PLUMBING AND NEW WATER METERS @ AVENIDA DE LA PLAYA. REMOVE EXISTING METER NEW ON SITE SEWER SYSTEM CONNECTING TO EXISTING (2) LATERALS AT AVENIDA DE LA PLAYA  
NEW UPGRADED ELECTRICAL SUPPLY AND TRANSFORMER. SUPPLY UNDERGROUND FROM EXISTING POWER POLE - NEW GAS METERS - REPLACE EXISTING AT CALLE CLARA  
NEW CONNECTION TO EXISTING STORMWATER DRAIN FOR SITE DRAINAGE
- PROPOSED WORK IN ROW**  
UPGRADED ACCESSIBLE CURB RAMP AT INTERSECTIONS OF AVE. DE LA PLAYA AND EL PASEO GRANDE AND AT CALLE CLARA WITH EL PASEO GRANDE  
PROPOSED IMPROVEMENTS @ SIDEWALK, AVE. DE LA PLAYA (PROJECT NO. 162678)  
TEMPORARY SHORING

## PROJECT DATA

PROJECT NAME:	WHITNEY MIXED USE		
PROJECT ADDRESS:	2202 & 2206 AVENIDA DE LA PLAYA	LA JOLLA CA 92037	TEL (858) 344 2766
OWNER:	PLAYA GRANDE LLC 8100 PASEO DEL OCASO Suite C LA JOLLA CA 92037		
A.P.N.:	346-265-01	HW 785-02	CENSUS TRACT 8012
LOT AREA:	3,952 SF		
LEGAL DESCRIPTION:	LOTS 14 & 15 BLOCK 1 LA JOLLA SHORES UNIT NO. 1 MAP NO 1913 FILED IN OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 3rd 1926		
HISTORICAL RESOURCE SENSITIVITY AREA:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
ZONE:	LA JOLLA SHORES PLANNED DISTRICT- COMMERCIAL CENTER		
OVERLAY ZONES:	CITY COASTAL COASTAL HEIGHT LIMIT PARKING IMPACT RESIDENTIAL TANDEM PARKING		
ENVIRONMENT:	NO ENVIRONMENTAL SENSITIVE AREA		
	<u>ZONING REQUIREMENTS</u>	<u>PROPOSED</u>	
MAX HEIGHT:	30 FT	30 FT	
LOT COVERAGE:	100% MAXIMUM	94%	
FLOOR AREA RATIO:	NO MAXIMUM	2.16 (SEE F.A.R. CALC. THIS SHEET)	
SETBACKS:			
FRONT / STREET SIDEYARD	NO REQUIREMENT	0.0 FT	
SIDE / REAR YARD	NO REQUIREMENT	0.0 FT	
GROSS FLOOR AREA	NO MAXIMUM	8,518 SF	
MIN FLOOR AREA:	400 SF PER DWELLING UNIT	3,000 SF PER DWELLING UNIT	
GROUND FLOOR AREA	6,000 SF MAXIMUM	2,833 SF MAIN LEVEL	

PROJECT NAME  
WHITNEY MIXED USE  
CDP# 662551, SDP# 662678  
TMR 663254

PROJECT ADDRESS  
2202 / 2206 AVENIDA DE LA PLAYA  
LA JOLLA CA 92037

SHEET TITLE  
SITE PLAN

DRAWING SCALE  
1/8" = 1 FT

ORIGINAL DATE 05/19/2009

REVISION 1 05/19/2009

REVISION 2 10/16/2009

REVISION 3 12/14/2010

REVISION 4 5/3/2010

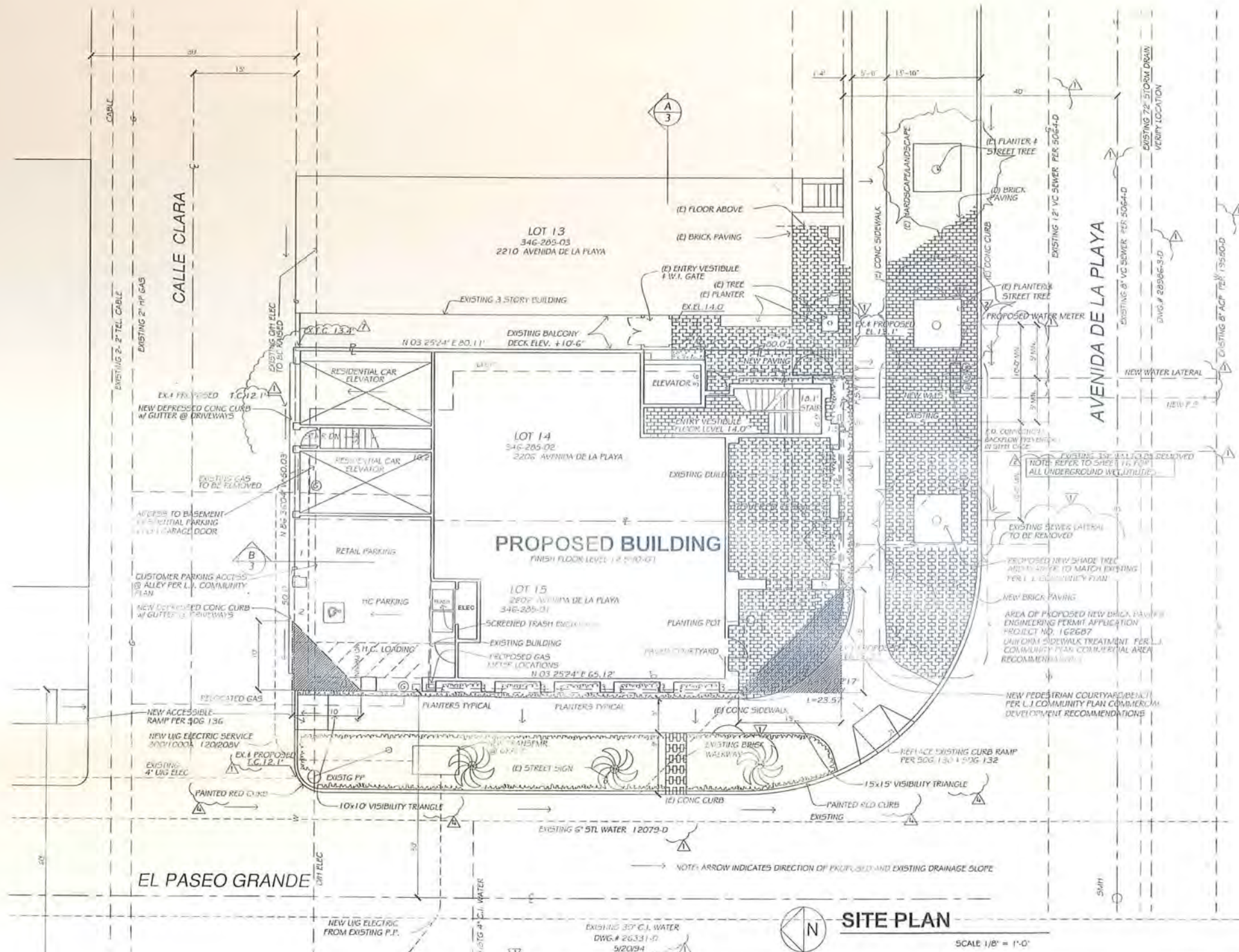
REVISION 5 5/26/2010

REVISION 6 12/12/2012

REVISION 7 3/2/2015

REVISION 8 3/11/2015

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.



## SITE PLAN

SCALE 1/8" = 1'-0"

## GENERAL NOTES

- ALL DAMAGED PORTIONS OF THE SIDEWALK SHALL BE REPAIRED, MAINTAINING THE EXISTING SCORED PATTERN AND PRESERVING ANY CONTRACTORS STAMP ADJACENT TO THE SITE ON AVENIDA DE LA PLAYA AND EL PASEO GRANDE
- PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER / PERMITTEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ON GOING PERMANENT BMP MAINTENANCE AS WELL AS 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 SPECS
- PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER / PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPPC).
- ALL PROPOSED BMP'S SHALL BE LOCATED WITHIN THE PROJECT SITE
- BUILDING ADDRESS NUMBERS ARE TO BE VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-00-6 (UFC 901.4.4). ALSO FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS / ACCESS SIDE OF THE STRUCTURE. UFC 1001.4
- NO TREES OR SHRUBS EXCEEDING 3' IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN 10' OF ANY PUBLIC SEWER FACILITY
- ALL ON SITE SEWER FACILITIES TO BE PRIVATE, DESIGNED & CONSTRUCTED PER REQUIREMENTS OF CA UNIFORM PLUMBING CODE AND CITY OF SD SEWER DESIGN GUIDELINES
- PER LA JOLLA SHORES PDD SECTION 1510.0403, NO SUBSURFACE WATERS SHALL BE DISCHARGED ONTO PUBLIC STREET OR INTO STORM DRAIN SYSTEM. TEMP. DEWATERING TO BE DISCHARGED INTO STATIONARY SEWER. BUILDING FOUNDATION TO BE WATERPROOFED AND DESIGNED TO WITHSTAND HYDROSTATIC PRESSURE FROM SUB-SURFACE WATER. NO PERMANENT DEWATERING REQUIRED.

## EXISTING BUILDINGS

2202 AVENIDA DE LA PLAYA	2206 AVENIDA DE LA PLAYA
FLOOR AREA 1,538 SF	FLOOR AREA
CONSTRUCTION 2-B	CONSTRUCTION
OCCUPANCY RETAIL	OCCUPANCY
14 FT MAX SINGLE STORY	
DATE BUILT 1955	DATE BUILT
EXISTING F.A.R. 0.68 FOR COMBINED LOTS	
EXISTING LOT COVERAGE 68%	

## FLOOR AREA RATIO

PARKING BASEMENT EXEMPT (MAIN LEVEL @ GRADE)	
MAIN FLOOR AREA 2,559 SF (81% SF CARPORT & TERRACE EXEMPT)	
SECOND FLOOR AREA 3,179 SF	
THIRD FLOOR AREA 2,780 SF	
GROSS FLOOR AREA 8,518 SF	
LOT AREA 3,952 SF	PROPOSED F.A.R. 2.16

## BUILDING DATA

TYPE OF CONSTRUCTION: ☒ YES ☐ NO  
SPRINKLERED: ☒ YES ☐ NO  
OCCUPANCY CLASSIFICATION(S):  
RETAIL M, RESIDENTIAL R3, GARAGE S-2, CARPORT U  
SEE SHEET 6 FOR BUILDING FLOOR AREAS BY OCCUPANCY  
NUMBER OF STORIES: 3 STORY w/ BASEMENT  
BUILDING HEIGHT: 30 FT  
GOVERNING CODES: 2007 C.B.C., CFC, CMC, CPC, NEC  
FLOOR AREAS:  
BASEMENT 3,257 SF (3,257 SF EXEMPT FAR TOTAL)  
MAIN LEVEL 2,559 SF (836 SF EXEMPT FAR TOTAL)  
2ND LEVEL 3,179 SF  
3RD LEVEL 2,780 SF

## PARKING REQUIREMENTS

REQUIRED	PROPOSED
1 SPACE PER 1000 SF RETAIL AREA	1,867 SF RETAIL AREA 2 SPACES (1 H.C. VAN ACCESSIBLE)
2-3 SPACES PER 3 BEDROOM DWELLING UNIT	2-3 BEDROOM DWELLING UNITS 5 SPACES
	TOTAL 7 SPACES PROVIDED

## SHEET INDEX

- SITE PLAN
- NEIGHBORHOOD SITE PLAN
- SITE SECTIONS A, B
- STREET ELEVATIONS AVE. DE LA PLAYA
- MAIN LEVEL PLAN
- BASEMENT PLAN
- SECOND LEVEL PLAN
- THIRD LEVEL PLAN
- EXTERIOR ELEVATIONS
- EXTERIOR ELEVATION / SECTION C
- PERSPECTIVE VIEWS
- ROOF PLAN / BUILDING HEIGHT PLAN
- TOPOGRAPHICAL PLAN / TENTATIVE MAP WAIVER EXHIBIT
- SCHEMATIC LANDSCAPE PLAN
- EXISTING SITE CONDITIONS & DEMO PLAN
- GRADING, PAVING & UTILITY PLAN
- BMP AND EROSION CONTROL PLAN

## MITIGATION MONITORING REQUIREMENTS

- PRIOR TO ISSUANCE OF A BUILDING OR GRADING PERMIT, THE OWNER SHALL RETAIN THE SERVICES OF A QUALIFIED ARCHEOLOGIST AND NATIVE AMERICAN MONITOR FOR ARCHEOLOGICAL MONITORING PER AN APPROVED TREATMENT PROGRAM DURING ALL GRADING AND EXCAVATION.

## GENERAL NOTES

- UTILITY LOCATIONS PER IMPROVEMENT PLANS REFERENCE DRAWING NOS. 26512-2-D, 26332-7-D
- SEE SHEET 2 NEIGHBORHOOD PLAN FOR FIRE HYDRANT LOCATIONS
- SEE SHEET 2 FOR VICINITY MAP
- SEE SHEET 2 FOR NEIGHBORHOOD PLAN AND TYPICAL AREA INFORMATION ALSO BOOKLET FOR INFORMATION ON EXISTING PROPERTIES WITHIN 300 FT RADIUS OF SITE
- SEE SHEET 13 FOR TOPOGRAPHICAL PLAN / SURVEY
- SEE SHEET 14 FOR SCHEMATIC LANDSCAPING PLAN
- GROUND FLOOR RETAIL SHALL BE CONSISTANT WITH THE PERMITTAL USES IN THE COMMERCIAL CENTER ZONE AS LISTED IN SDMC SECTION 1510.0309(d)
- ALL SIGNAGE PROPOSED ON THE PREMISES SHALL COMPLY WITH THE SIGN REGULATIONS OF THE LA JOLLA SHORES PLANNED DISTRICT, PER SECTION 1015.0310(a)





# WHITNEY FAMILY RESIDENCES

2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN M ARCHITECTURE

Tim Martin A.I.A.

2333 State Street Suite 100 Carlsbad, CA 92008

760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)

tim@martinarchitecture.com

SHEET NO.

2

OF SHEETS

## SITE ANALYSIS

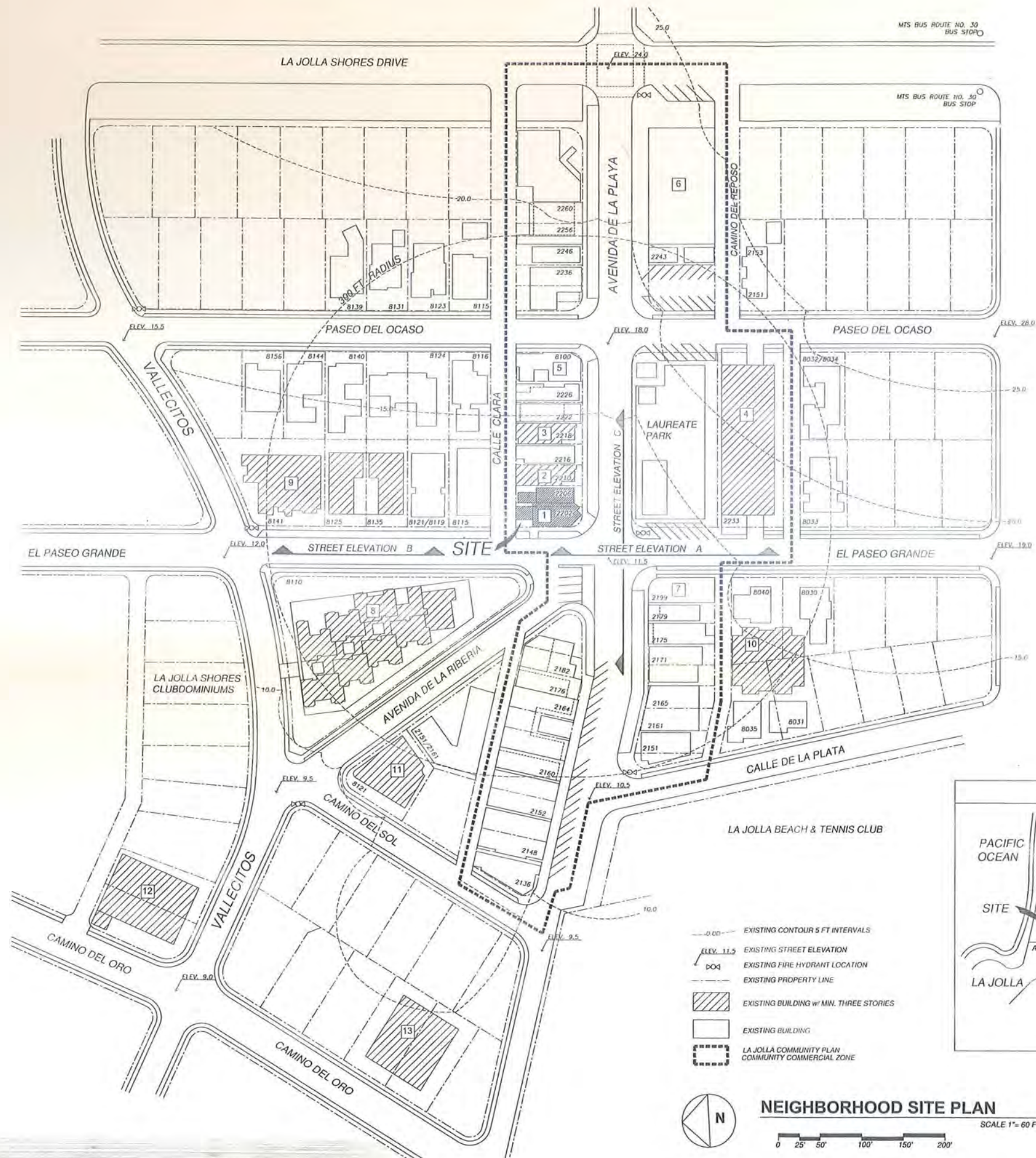
### COMPARABLE FLOOR AREA RATIOS

#### L.J.P.D. COMMERCIAL CENTER

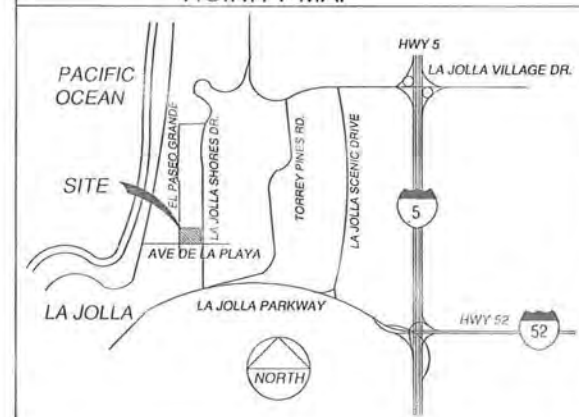
1	PROPOSED BUILDING 2202/2206 AVENIDA DE LA PLAYA EXISTING BUILDING FAR 0.67	RETAIL / RESIDENTIAL	3 STORY	FAR 2.16
2	SHOPKEEPER TOWNHOMES 2210 AVENIDA DE LA PLAYA	RETAIL / RESIDENTIAL	3 STORY 1990	FAR 1.83
3	SHOPKEEPER TOWNHOMES 2218 AVENIDA DE LA PLAYA	RETAIL / RESIDENTIAL	3 STORY	FAR 1.83
4	EXISTING BUILDING 2223 AVENIDA DE LA PLAYA	OFFICE / PARKING	5 STORY 1970	FAR 3.6
5	EXISTING BUILDING 8100 PASEO DEL OCASO	OFFICE	2 STORY	FAR 1.8
6	KELLOG BUILDING 2255 AVENIDA DE LA PLAYA	RETAIL	2 STORY	FAR 2
7	EXISTING BUILDING 2199 AVENIDA DE LA PLAYA	RETAIL	2 STORY	FAR 2

#### L.J.P.D. MULTI FAMILY RESIDENTIAL

8	LA JOLLA CLUBDOMINIUMS 8110 EL PASEO GRANDE	CONDOMINIUMS	4 STORY	FAR 2.32
9	EL PASEO GRANDE CONDOMINIUMS 8141 EL PASEO GRANDE	CONDOMINIUMS	3 STORY 1989	FAR 1.4
10	SEACREST VILLAS 8035 CALLE DE LA PLATA	CONDOMINIUMS	3 STORY	FAR 2.1
11	VILLAS DE LA PLAYA 8121 CAMINO DEL SOL	CONDOMINIUMS	3 STORY 1980	FAR 1.9
12	LA JOLLA WINDIGO 2120 VALLECITOS	CONDOMINIUMS	3 STORY	FAR 1.8
13	EXISTING BUILDING 8115 CAMINO DEL ORO	APARTMENTS	5 STORY	FAR 1.9



### VICINITY MAP



PROJECT NAME  
**WHITNEY FAMILY RESIDENCES**

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**NEIGHBORHOOD SITE PLAN**

DRAWING SCALE  
1" = 60 FT

ORIGINAL DATE: 05/19/2009

REVISION 1 4/10/13

REVISION 2

REVISION 3

REVISION 4

REVISION 5

REVISION 6

REVISION 7

REVISION 8

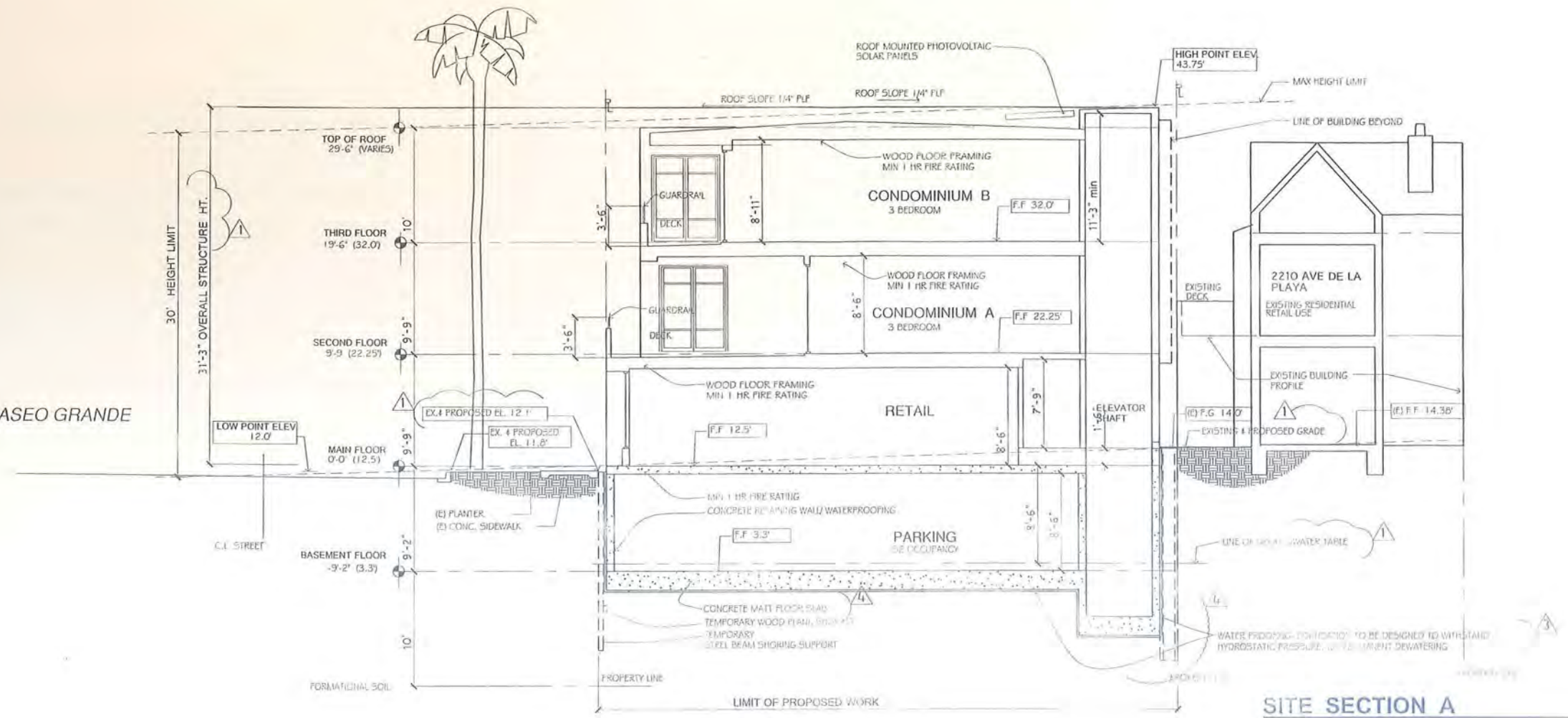
COASTAL DEVELOPMENT PERMIT  
PROJECT NO.



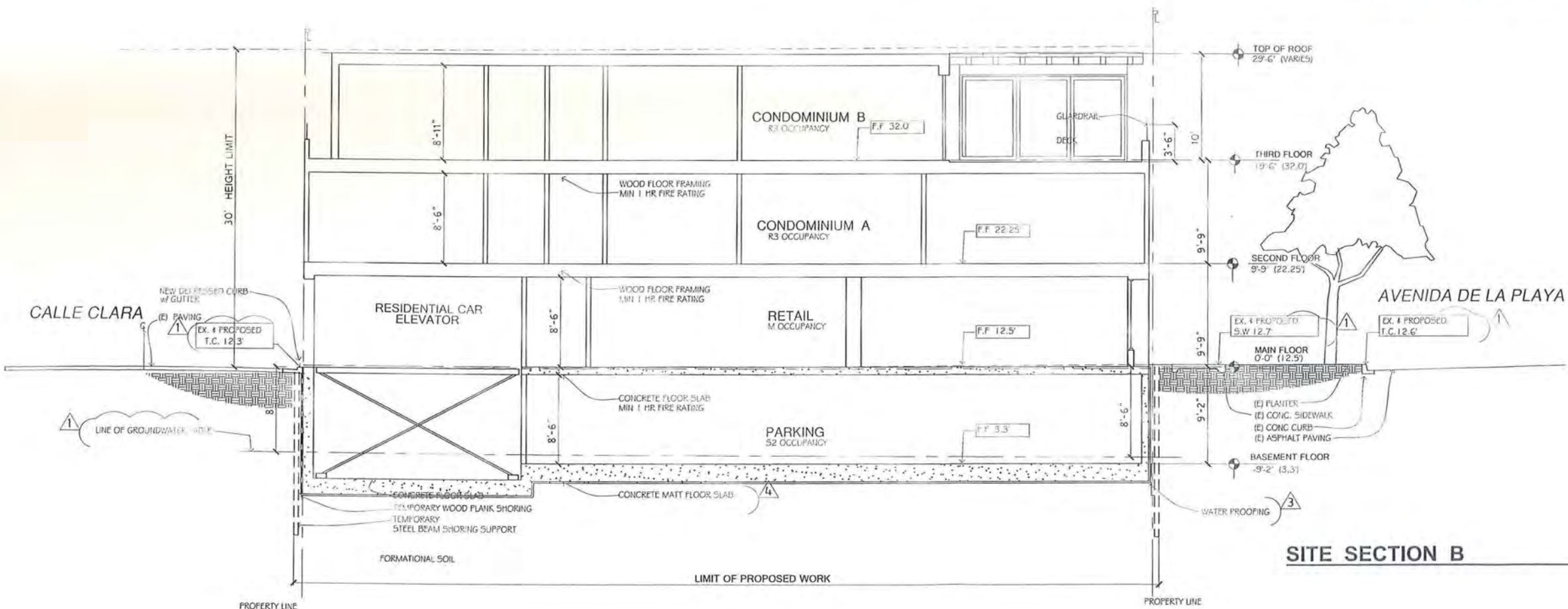


**Shopkeeper / Whitney Family Residences**  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

EL PASEO GRANDE



**SITE SECTION A**



**SITE SECTION B**

PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 662551 SDP# 662676  
TM# 663254

PROJECT ADDRESS  
2202 / 2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**SITE SECTIONS**

DRAWING SCALE  
3/16" = 1 FT

ORIGINAL DATE	05/19/2009
REVISION 1	8/11/2009
REVISION 2	10/16/2009
REVISION 3	5/3/2010
REVISION 4	12/12/2012
REVISION 5	
REVISION 6	
REVISION 7	
REVISION 8	

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO.

**3a**

**MARTIN M ARCHITECTURE**  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com





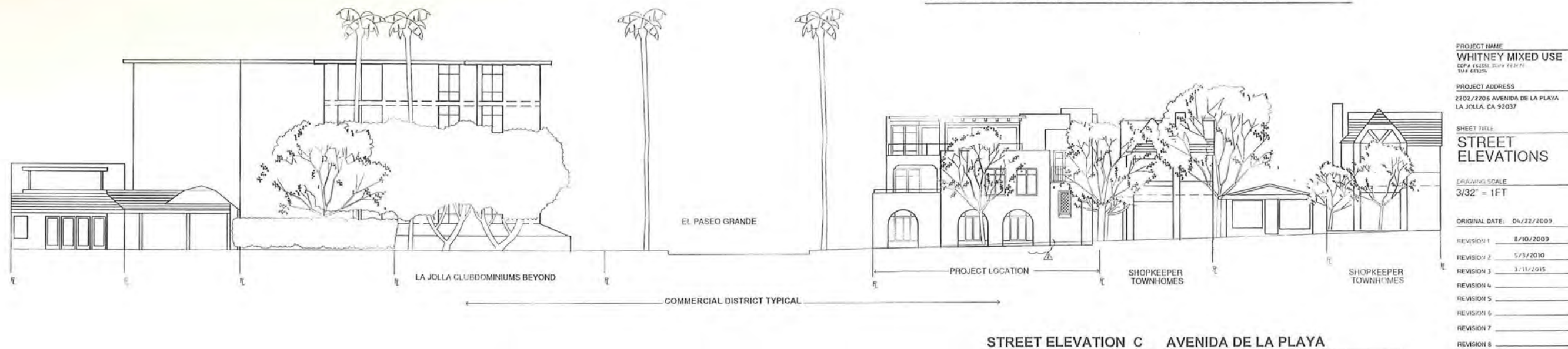
Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN ARCHITECTURE  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3475 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

SHEET NO.

4

OF 15 SHEETS



PROJECT NAME	WHITNEY MIXED USE
CPA # 65151, CLPA # 65151	
PROJECT ADDRESS	2202/2206 AVENIDA DE LA PLAYA LA JOLLA, CA 92037
SHEET TITLE	STREET ELEVATIONS
DRAWING SCALE	3/32" = 1' FT
ORIGINAL DATE	04/22/2009
REVISION 1	8/10/2009
REVISION 2	5/3/2010
REVISION 3	3/11/2015
REVISION 4	
REVISION 5	
REVISION 6	
REVISION 7	
REVISION 8	
COASTAL DEVELOPMENT PERMIT	
PROJECT NO.	





**Shopkeeper / Whitney Family Residences**  
(A Mixed Use Project)

2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

**MARTIN ARCHITECTURE**  
Tim Martin A.I.A.

2333 State Street Suite 101 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-344-3474 (C)  
tim@martinarchitecture.com

PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 662551 SDP# 662678  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**MAIN LEVEL PLAN**

DRAWING SCALE  
3/16" = 1' FT

ORIGINAL DATE 05/19/2009

REVISION 1 8/10/2009

REVISION 2 10/15/2009

REVISION 3 5/3/2010

REVISION 4 5/26/2010

REVISION 5 12/12/2012

REVISION 6 5/6/2013

REVISION 7 3/2/2015

REVISION 8

COASTAL DEVELOPMENT PERMIT

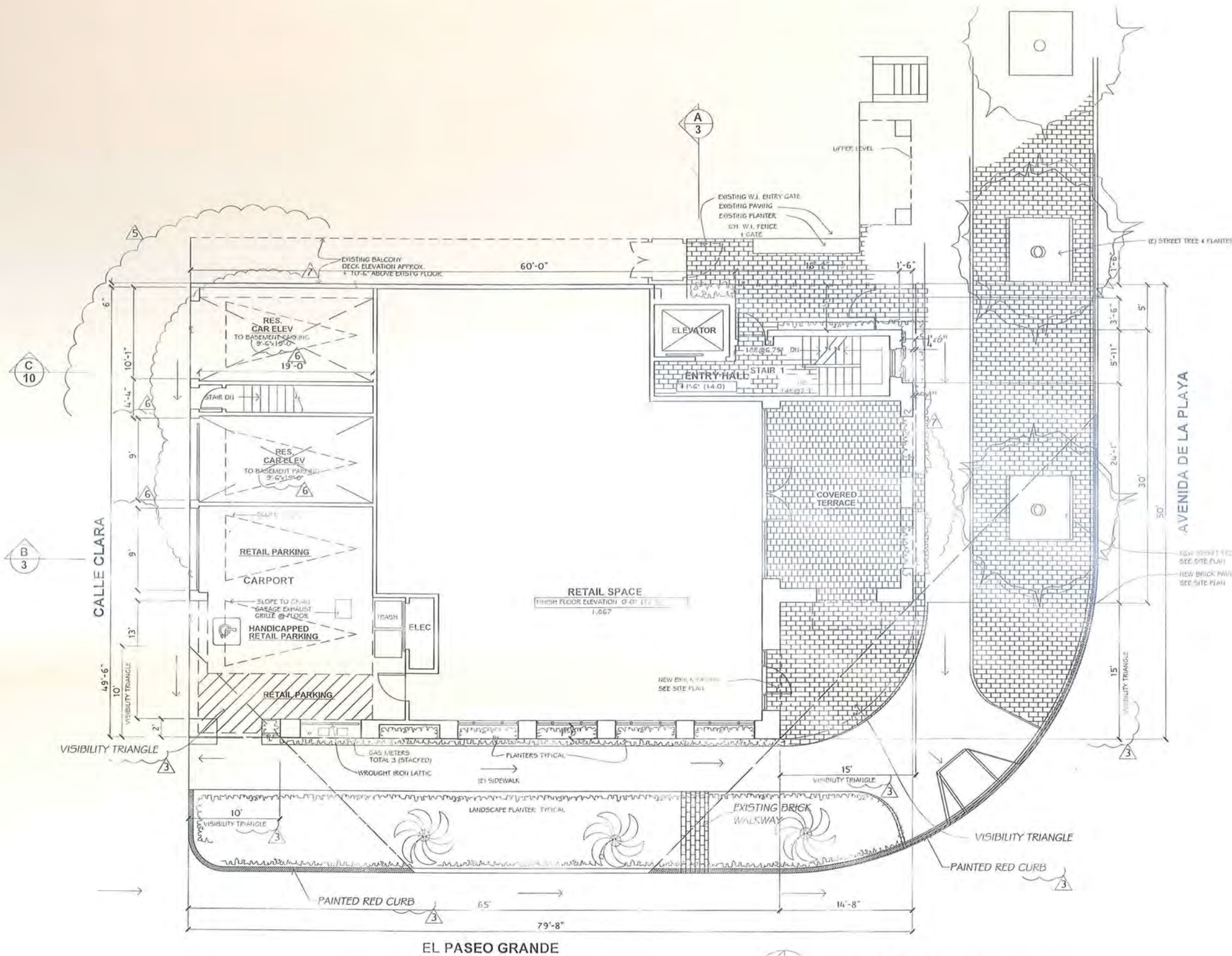
PROJECT NO.

ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO.

**5a**

OF 17 SHEETS



**MAIN LEVEL PLAN**

SCALE 3/16" = 1' FT

**ALLOWABLE AREAS**

OCCUPANCIES	M (RETAIL)	R-3	S-2 (PARKING)	U (CARPORT)
BASIC AREA SF	9,000 SF 1 STORY	U/L 3 STORY	13,500 SF 2 STORY	5,500 SF 1 STORY
ALLOWABLE AREA INCREASED 69% FOR YARDS 200% FOR SPRINKLERS	33,210 SF	U/L 3 STORY	48,315 SF	20,295 SF
AREA RATIO MIXED OCCUPANCY TOTAL LESS THAN 1 PER SECT. 508.3.3.3	0.067	0.0	0.08	0.03

**FLOOR AREAS PER OCCUPANCY:**

OCCUPANCIES	M (RETAIL)	M (COV TERRACE)	R-3 (RES)	S-2 (GARAGE)	U (CARPORT)	SUM / FLOOR
FLOORS	ft <sup>2</sup>	ft <sup>2</sup>	ft <sup>2</sup>	ft <sup>2</sup>	ft <sup>2</sup>	ft <sup>2</sup>
BASEMENT				3,257 SF		3,257 SF
MAIN	1,867 SF	266 SF	322 SF	370 SF	570 SF	3,395 SF
SECOND			3,179 SF			3,179 SF
THIRD			2,780 SF			2,780 SF
SUM / OCCUPANCY	1,867 SF	266 SF	6,281 SF	3,627 SF	570 SF	





Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN ARCHITECTURE  
Tim Martin A.I.A.  
1333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO.

6a

BASEMENT FLOOR AREAS	
TOTAL FLOOR AREA	3,257 SF

PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 662551, SDP# 662678  
TM# 683254

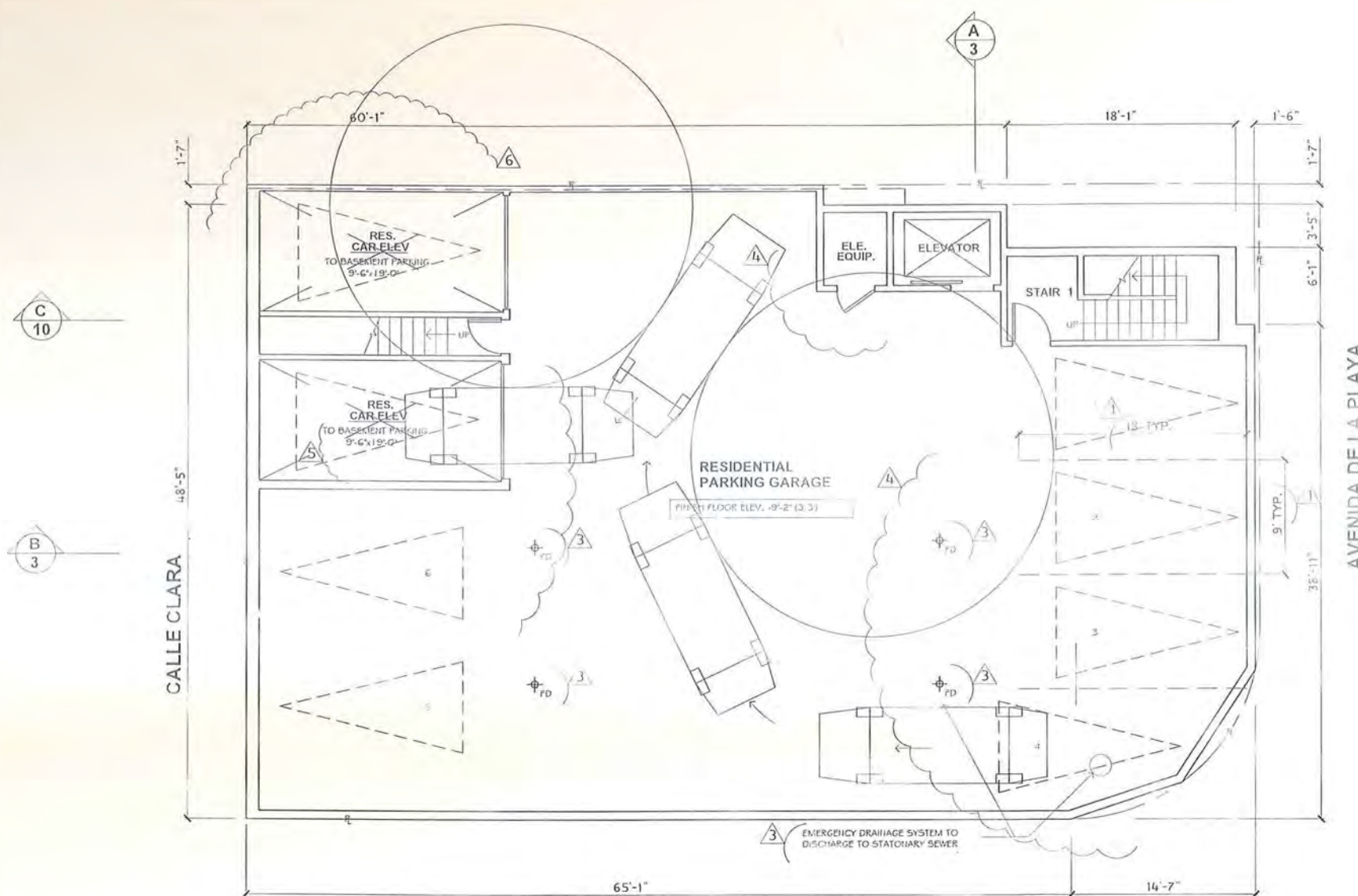
PROJECT ADDRESS  
2202 / 2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**BASEMENT  
FLOOR PLAN**

DRAWING SCALE  
3/16" = 1 FT

ORIGINAL DATE	04/22/2009
REVISION 1	5/10/2009
REVISION 2	10/16/2009
REVISION 3	5/3/2010
REVISION 4	12/12/2012
REVISION 5	5/6/2013
REVISION 6	2/27/2015
REVISION 7	3/11/2015
REVISION 8	

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.



**BASEMENT FLOOR PLAN**

SCALE 3/16" = 1 FT





Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN ARCHITECTURE  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-49-3474 (C)  
tim@martinarchitecture.com

PROJECT NAME  
WHITNEY MIXED USE  
CDP# 662551 SDP# 662678  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
SECOND LEVEL  
FLOOR PLAN

DRAWING SCALE  
3/16" = 1 FT

ORIGINAL DATE 05/19/2009

REVISION 1 8/10/2009

REVISION 2 5/3/2010

REVISION 3 12/12/2012

REVISION 4

REVISION 5

REVISION 6

REVISION 7

REVISION 8

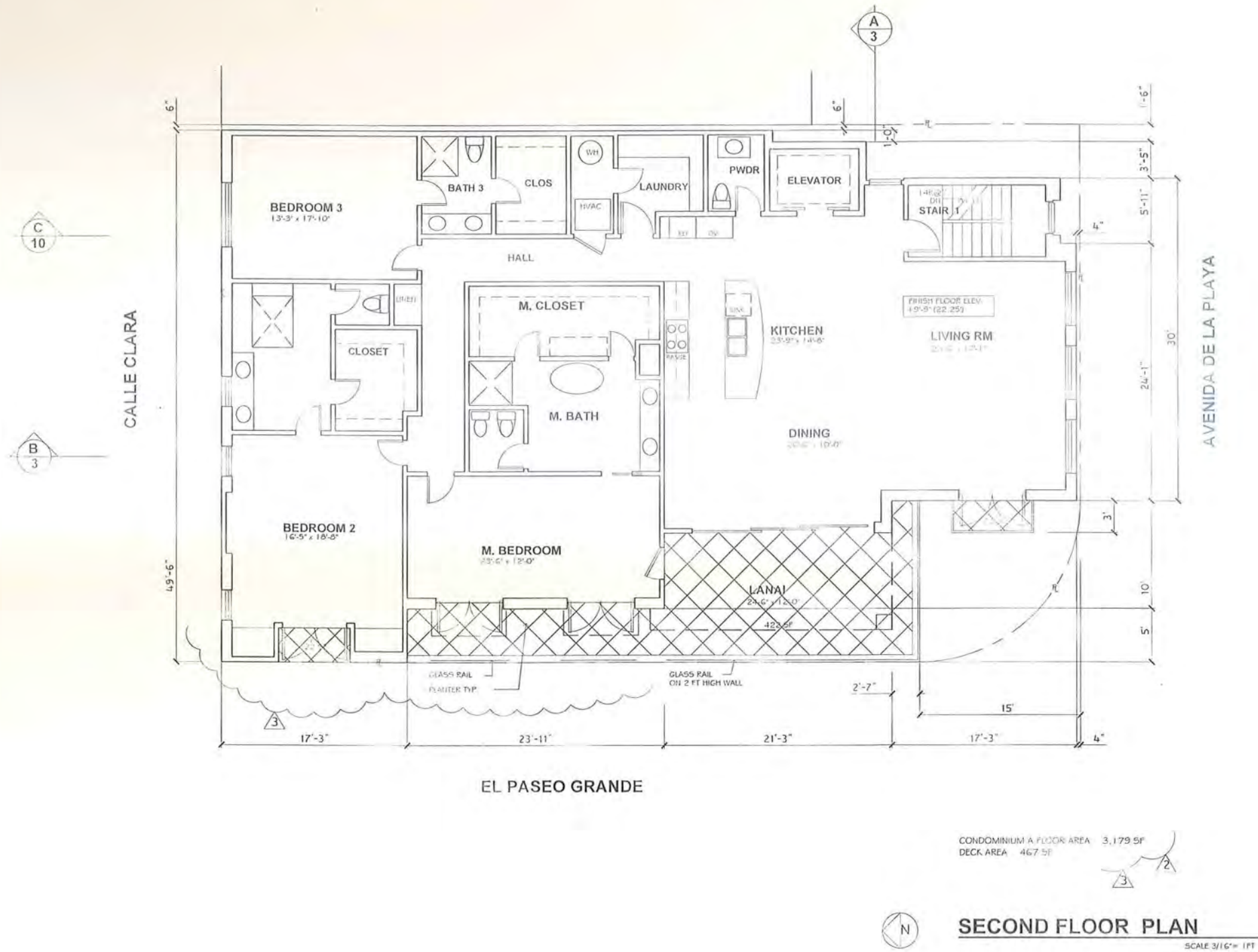
COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

3  
ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN,  
REDUCED DEVELOPMENT V  
MATT SLAB FOUNDATION

SHEET NO.

7a

OF 17 SHEETS



CONDOMINIUM A FLOOR AREA 3,179.5 SF  
DECK AREA 467.5 SF

SECOND FLOOR PLAN

SCALE 3/16" = 1 FT





Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN ARCHITECTURE  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

PROJECT NAME  
WHITNEY MIXED USE  
CDP# 662551 SDP# 662678  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
THIRD LEVEL FLOOR PLAN

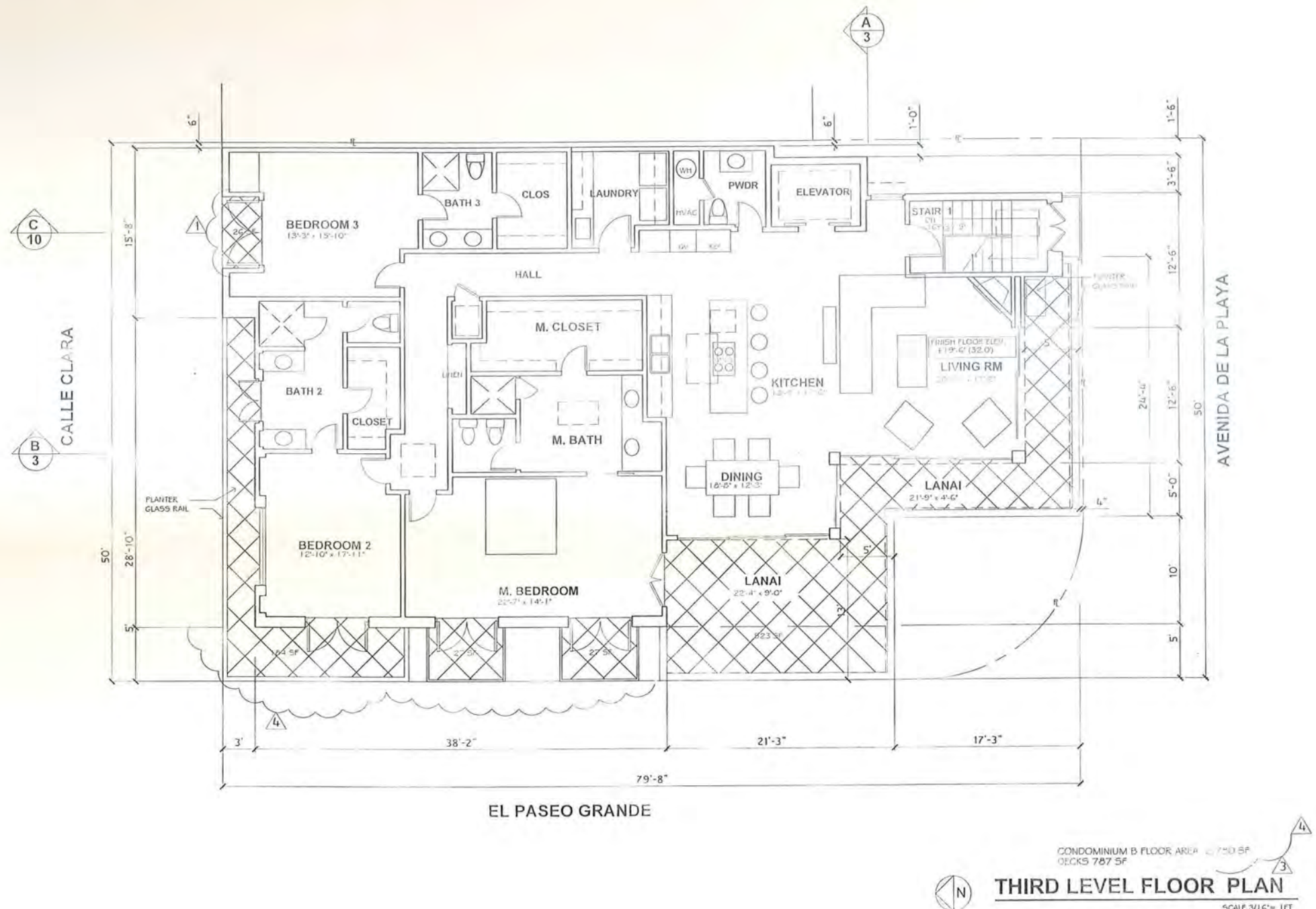
DRAWING SCALE  
3/16" = 1' FT

ORIGINAL DATE	05/19/2009
REVISION 1	08/10/2009
REVISION 2	10/30/2009
REVISION 3	5/3/2010
REVISION 4	12/12/2012
REVISION 5	
REVISION 6	
REVISION 7	
REVISION 8	

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO.  
8a







Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN M ARCHITECTURE  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-549-3474 (C)  
tim@martinarchitecture.com



PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 662551; SDP# 662678  
TIM# 683254  
PROJECT ADDRESS  
2202 / 2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037  
SHEET TITLE  
**BUILDING  
ELEVATIONS**  
DRAWING SCALE  
**3/16" = 1FT**  
ORIGINAL DATE: 05/19/2009  
REVISION 1 03/10/2009  
REVISION 2 03/24/2010  
REVISION 3 05/13/2010  
REVISION 4 12/12/2012  
REVISION 5 2/23/2015  
REVISION 6  
REVISION 7  
REVISION 8  
COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

4  
ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION



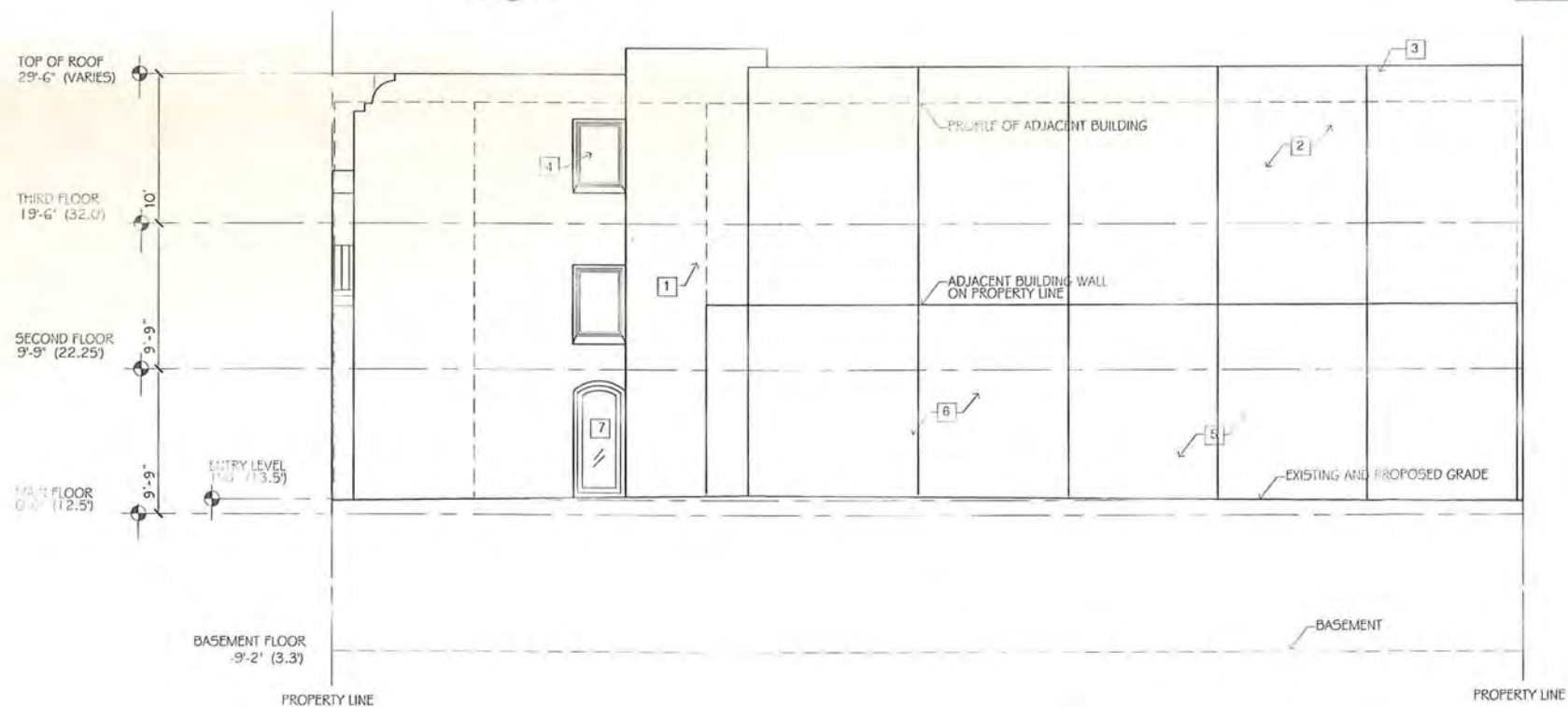
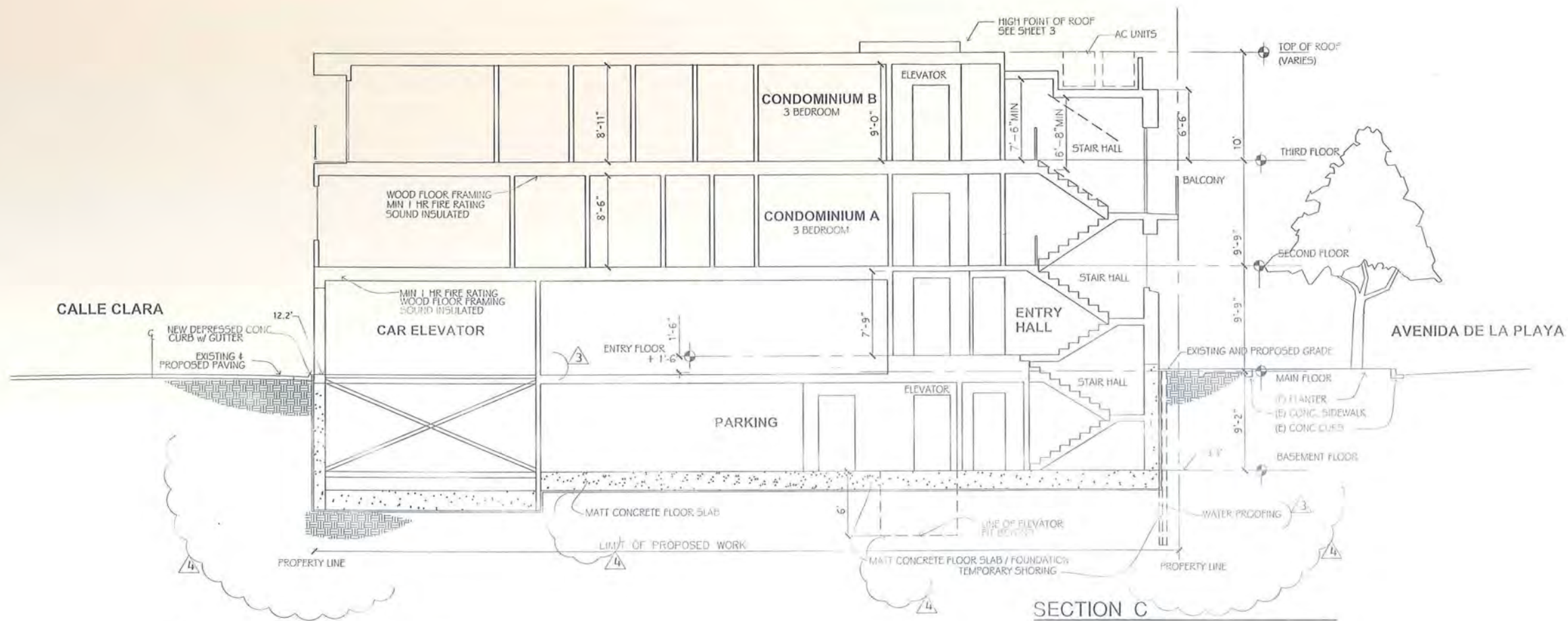


**Shopkeeper / Whitney Family Residences**  
(A Mixed Use Project)

2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

**MARTIN M ARCHITECTURE**  
Tim Martin A.I.A.

2333 State Street Suite 100 Carlsbad, CA 92008  
Tel: 760-729-3470 (C) 760-729-3473 (F) 858-319-3474 (C)  
tim@martinarchitecture.com



LEGEND	
1	STUCCO WALL FINISH
2	PREFABRICATED STUCCO PANELS- 1 HOUR FIRE RATING
3	STUCCO PARAPET @ ROOF
4	ALUMINUM CLAD WOOD FRAME WINDOW
5	CONCRETE/ CONCRETE BLOCK WALL
6	DECORATIVE W.I. SCREEN
7	W.I. ENTRY DOOR

PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 662551, SDP# 662674  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**BUILDING ELEVATIONS/ SECTION**

DRAWING SCALE  
3/16" = 1'-0"

ORIGINAL DATE	05/19/2009
REVISION 1	08/10/2009
REVISION 2	10/16/2009
REVISION 3	5/3/2010
REVISION 4	12/12/2012
REVISION 5	3/11/2015
REVISION 6	
REVISION 7	
REVISION 8	

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

4  
ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO.

10a

OF 17 SHEETS





NORTH WEST VIEW



SOUTH EAST VIEW



SOUTH WEST VIEW

PROJECT NAME  
WHITNEY FAMILY  
RESIDENCES  
PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
PERSPECTIVE  
VIEWS

DRAWING SCALE  
NO SCALE

ORIGINAL DATE: 04/20/2009

REVISION 1 \_\_\_\_\_  
REVISION 2 \_\_\_\_\_  
REVISION 3 \_\_\_\_\_  
REVISION 4 \_\_\_\_\_  
REVISION 5 \_\_\_\_\_  
REVISION 6 \_\_\_\_\_  
REVISION 7 \_\_\_\_\_  
REVISION 8 \_\_\_\_\_

COASTAL DEVELOPMENT PERMIT  
PROJECT NO. \_\_\_\_\_

MARTIN M ARCHITECTURE

Tim Martin A.I.A.

2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

SHEET NO.

11

OF SHEETS

Shopkeeper / Whitney Family Residences

(A Mixed Use Project)

2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

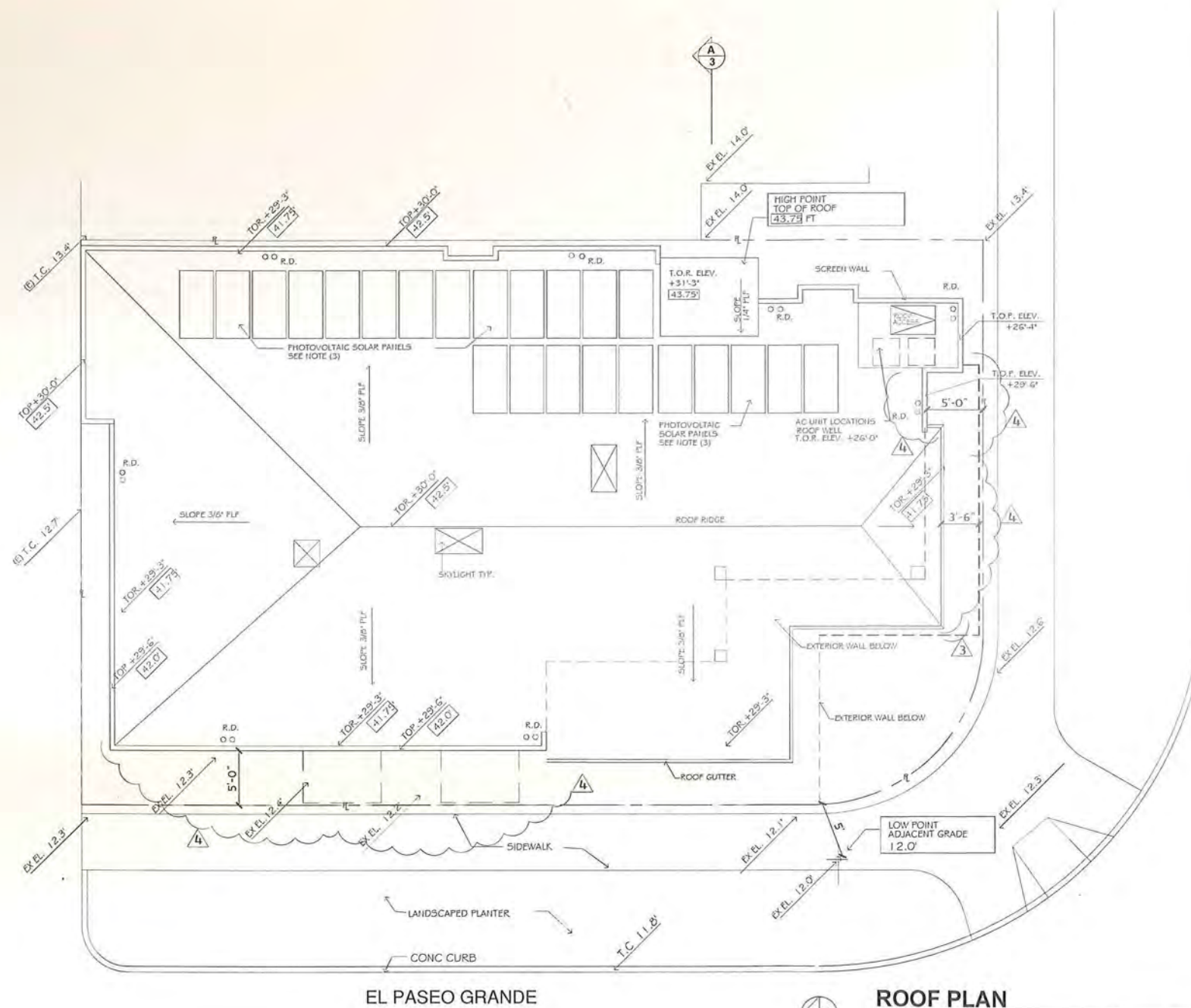




**Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)**  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

**MARTIN ARCHITECTURE**

Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com



**ROOF PLAN**

SCALE 3/16" = 1'-0"

LEGEND	
T.O.R.	TOP OF ROOF
T.O.P.	TOP OF PARAPET
T.C.	TOP OF EXISTING CURB
+24'-9"	DISTANCE ABOVE MAIN FLOOR LEVEL (0'-0")
24'-9" A.G.	ELEVATION ABOVE GRADE BELOW
81.0	PROPOSED SPOT ELEVATION ABOVE SEA LEVEL SEE DATUM BELOW
EX. EL. 7.5'	EXISTING SPOT ELEVATION
←	DIRECTION OF ROOF SLOPE
R.D.	ROOF DRAIN AND OVERFLOW

**NOTES**

- EXISTING TOPOGRAPHIC INFORMATION BASED ON SURVEY BY LANDMARK CONSULTING DWG NO. 137-4 DATED 08-29-07 SEE TOPOGRAPHICAL PLAN SHEET 1A
- BASIS OF ELEVATIONS/ DATUM FOR SURVEY: NORTHEAST BRASS PLUG AVENIDA DE LA PLAYA & EL PASEO GRANDE ELEVATION 11.81' M.S.L.
- ALTERNATIVE ENERGY TECHNOLOGY TO BE INCORPORATED INTO PROJECT PER LA JOLLA COMMUNITY PLAN RECOMMENDATIONS FOR MIXED USED COMMERCIAL DEVELOPMENT PROJECTS

PROJECT NAME  
**WHITNEY MIXED USE**  
COP# 662551, SDP# 662678  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**ROOF PLAN**

DRAWING SCALE  
3/16" = 1FT

ORIGINAL DATE 05/19/2009  
REVISION 1 08/10/2009  
REVISION 2 10/16/2009  
REVISION 3 5/3/2010  
REVISION 4 12/12/2012  
REVISION 5  
REVISION 6  
REVISION 7  
REVISION 8

COASTAL DEVELOPMENT PERMIT  
PROJECT NO

4 ALTERNATIVE 4 -  
ALTERNATIVE SITE DESIGN/  
REDUCED DEVELOPMENT W/  
MATT SLAB FOUNDATION

SHEET NO

**12a**

OF 17 SHEETS



# TENTATIVE MAP WAIVER # 683254 WHITNEY MIXED USE

## LEGEND:

AC	= ASPHALT
BFP	= BACK FLOW PREVENTER
CL	= CURB INLET
CB	= CATCH BASIN
CONC	= CONCRETE
EL	= ELEVATION
FF	= FINISH FLOOR
FH	= FIRE HYDRANT
G	= GAS
IRG	= IRRIGATION
IRGV	= IRRIGATION VALVE
LT	= LIGHT
MH	= MAN HOLE
PB	= PULL BOX
PED	= PEDESTAL
R	= PROPERTY LINE
PP	= POWER POLE
SCO	= SEWER CLEANOUT
SOC&E	= SAN DIEGO GAS & ELECTRIC CO
SD	= STORM DRAIN
S	= SEWER
TELE	= TELEPHONE
TRAN	= TRANSFORMER
TS	= TRAFFIC SIGNAL
(TYP)	= TYPICAL
UC	= UNDERGROUND POWER/CAS
W	= WATER
WM	= WATER METER
WV	= WATER VALVE
WY	= PROPERTY LINE
(PRO)	= PROPOSED
(E)	= EXISTING
F.S.	= FIRE SERVICE

## TITLE REPORT

FIRST AMERICAN TITLE INSURANCE COMPANY  
PRELIMINARY REPORT  
#NCS-399390-SO, DATED 5-26-2009

## DEVELOPMENT SUMMARY:

EXISTING CONDITIONS:  
EXISTING ONE STORY RESIDENCE AND RETAIL STORE TO BE DEMOLISHED  
EXISTING NUMBER OF LOTS: 2

## PROPOSED DEVELOPMENT:

PROPOSED NUMBER OF LOTS: 1  
NEW MIXED USE DEVELOPMENT IN THE LA JOLLA SHORES PLANNED DISTRICT CONFORMING TO THE LA JOLLA COMMUNITY PLAN RECOMMENDATIONS (THE COMMUNITY COMMERCIAL AREA - AVENIDA DE LA PLAYA)

COASTAL DEVELOPMENT PERMIT # 662551 & SITE DEVELOPMENT PERMIT # 662678 FOR LUSTO  
NEW EXCAVATION FOR BASEMENT CAR PARK FOR RESIDENTIAL USE ONLY WITH RAMP ACCESS OFF CALLE CLARA  
NEW 3 STORY BUILDING WITH BASEMENT PARKING PROPOSED MAIN LEVEL FOR ONE RETAIL STORE W/ACCESSIBLE PARKING OFF CALLE CLARA

TWO THREE BEDROOM CONDOMINIUM UNITS- ONE AT SECOND LEVEL AND THE OTHER AT THE THIRD FLOOR LEVEL  
WITH ELEVATOR AND STAIRWAY PEDESTRIAN ACCESS FROM AVENIDA DE LA PLAYA

EXCLUSIVELY RESIDENTIAL PARKING IN NEW UNDERGROUND BASEMENT PARKING ACCESSIBLE BY ELEVATOR AND STAIRWAY FROM UNITS ABOVE.

THIS IS A MAP OF 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 RESIDENTIAL UNITS IS 2 & TOTAL NUMBER OF COMMERCIAL UNITS IS 1.

ADDITIONAL PERMITS REQUIRED: BUILDING PERMITS  
PROPOSED MAIN LEVEL RETAIL STORE (1 COMMERCIAL UNIT)

PROPOSED 2 RESIDENTIAL CONDOMINIUMS WITH 3 BEDROOMS PER UNIT FOR 6 BEDROOMS  
PROPOSED 5 PARKING SPACES IN UNDERGROUND GARAGE FOR RESIDENTIAL USE ONLY AND 2 PARKING SPACES (1 H.C. VEH ACCESSIBLE) AT MAIN LEVEL FOR A TOTAL OF 7 PARKING SPACES.

PARKING REQUIRED: 1 SPACE PER 1,000 SQ.FT. OF RETAIL AREA  
2.5 SPACES PER 3 BEDROOM DWELLING UNIT

## PROJECT TEAM:

PROJECT MANAGERS: PLAYA GRANDE LLC  
8100 PASO DEL OCAJO, SUITE C  
LA JOLLA, CA 92037  
(650) 456 2240

ARCHITECT: MARTIN ARCHITECTURE  
2333 STATE STREET, SUITE 100  
CARLSBAD, CALIFORNIA 92008  
(760) 729 3470

ENGINEER: FLORES LIND CONSULTANTS  
7220 TRADE STREET SUITE 120  
SAN DIEGO, CA 92121-2325  
(650) 568 0626

SURVEYOR: MELCHOR LAND SURVEYING INC.  
1185 PARK CENTER DR., SUITE N  
VISTA, CA 92081  
(760) 438 1726

GEOTECHNICAL ENGINEER: GEOTECHNICAL EXPLORATION INC.  
7420 TRADE STREET  
SAN DIEGO, CA 92121  
(650) 549 7222 (O)

ARCHAEOLOGICAL CONSULTANT: ATWINS  
SHADOW VALLEY CENTER  
847 JUANITA ROAD  
EL CAJON, CALIFORNIA 92019  
(619) 441 0144

LANDSCAPE ARCHITECT: TERRY RY  
7920 FERNESS STREET  
LA JOLLA, CALIFORNIA 92037  
(650) 459 8005 (O)

## LEGAL DESCRIPTION:

LOTS 14 & 15 IN BLOCK 11 OF LA JOLLA SHORE UNIT NO. 1 MAP NO. 1913  
FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 3rd 1926

A.P.N. 346-285-01 and 346-285-02

PROJECT NAME: WHITNEY MIXED USE  
ADDRESS: 2202 & 2208 AVENIDA DE LA PLAYA LA JOLLA, CA 92037

OWNER: PLAYA GRANDE LLC  
8100 PASO DEL OCAJO SUITE C  
LA JOLLA, CALIFORNIA 92037  
(650) 344 2768

TYPE OF CONSTRUCTION (PROPOSED): TYPE II B  
OCCUPANCY CLASSIFICATION (PROPOSED): RETAIL M, RESIDENTIAL R3, GARAGE S-2, CARPORT U

HISTORICAL RESOURCE SENSITIVITY AREA: ☐ YES

EXISTING NUMBER OF LOTS: 2  
PROPOSED NUMBER OF LOTS: 1

EXISTING ZONE: LA JOLLA SHORES PLANNING DISTRICT - COMMERCIAL CENTER  
PROPOSED ZONE: LA JOLLA SHORES PLANNING DISTRICT - COMMERCIAL CENTER (NO CHANGE)

OVERLAY ZONES: CITY COASTAL COASTAL HEIGHT LIMIT PARKING IMPACT RESIDENTIAL TANDUM PARKING

ENVIRONMENT: NO ENVIRONMENTAL SENSITIVE LAND

SETBACKS: FRONT/STREET/SIDEYARD NO REQUIREMENT 0.0 FEET  
SIDE/REAR/BACK NO REQUIREMENT 0.0 FEET

GROSS FLOOR AREA (PROPOSED): 9,228 SQ. FT.  
GROSS SITE AREA: 3,960 SQ. FT. 0.091 ACRES

EXISTING USE: MIXED-USE  
PROPOSED USE: MIXED-USE DEVELOPMENT

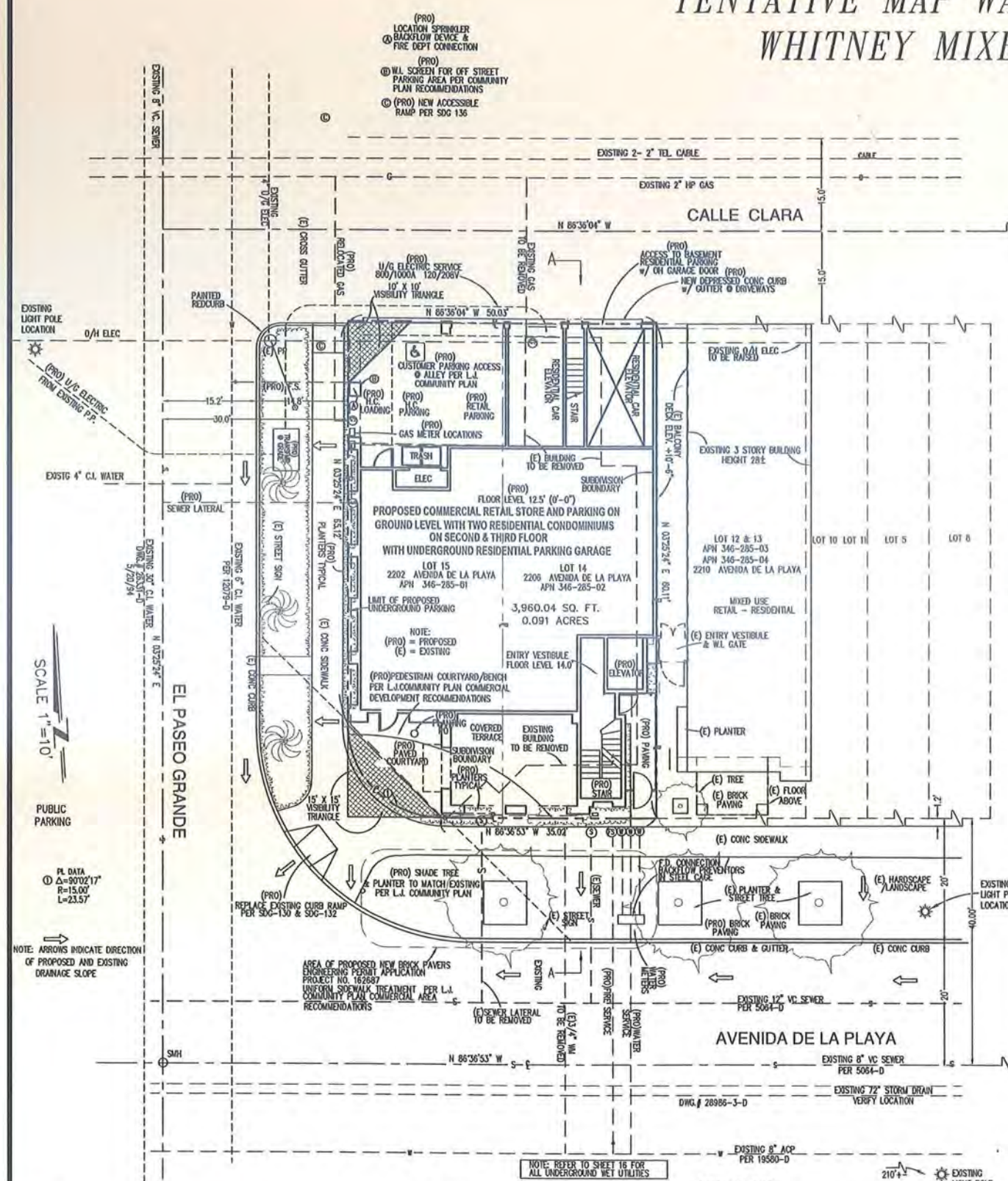
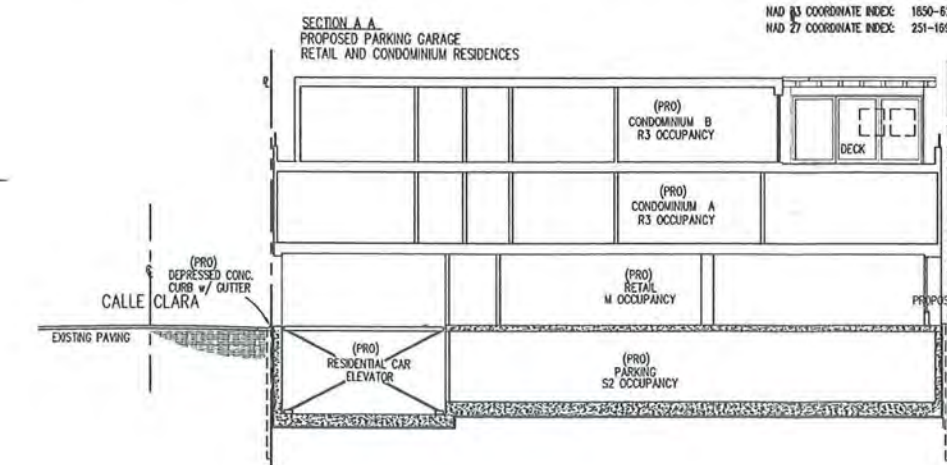
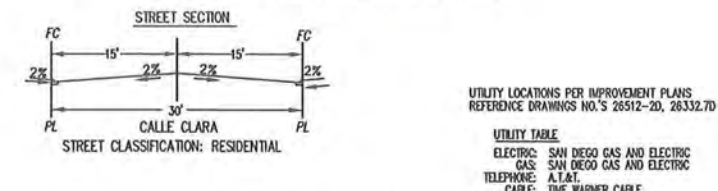
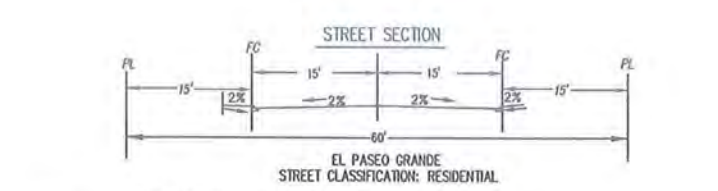
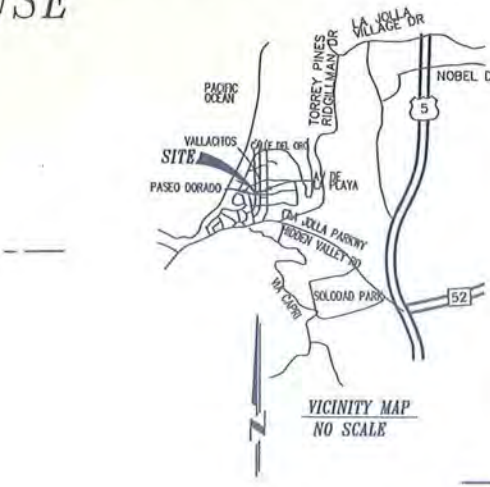
EXISTING STRUCTURES: SINGLE STORY RESIDENTIAL AND RETAIL STORE  
(2202 AVENIDA DE LA PLAYA) (2208 AVENIDA DE LA PLAYA)

MELCHOR LAND SURVEYING INC.  
5731 PALMER WAY SUITE G  
CARLSBAD, CA 92010  
TEL 760-438-1726 FAX: 760-438-3991

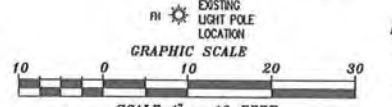
NAD 83 COORDINATE INDEX: 1650-6253  
NAD 27 COORDINATE INDEX: 251-1691

DOUGLAS R. MELCHOR, P.L.S.  
LICENSED SURVEYOR LS 4611  
REGISTRATION EXPIRES 9-30-16

DATE: 03/02/2015  
DOUGLAS R. MELCHOR  
PLS #4611



MELCHOR LAND SURVEYING INC.  
1185 PARK CENTER DRIVE SUITE N  
VISTA, CALIFORNIA 92081 L.S. 4611  
(760) 727-8191 DATE 03/02/2015  
JN 3109.DWG



**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN  
CITY OF SAN DIEGO C.P.S. CONTROL POINTS 666 AND 712  
AS SHOWN ON R.O.S. 14432.  
E: N 03°15'40" E 2980.78 (GRID)

**BENCH MARK:**  
THE BENCH MARK FOR THIS SURVEY IS A CITY OF  
SAN DIEGO BENCH MARK PER CITY VERTICAL CONTROL  
NE BRASS PLUG, AVENIDA DE LA PLAYA  
AND EL PASO GRANDE  
ELEVATION = 11.81 (MEAN SEA LEVEL)



PLANT LEGEND					
SYMBOL	QUAN	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
EXISTING TREES					
		30" caliper trunk size	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	
TREES & PALMS					
JM	100%	36" box	SUCH AS: JACARANDA MIMOSIFOLIA	JACARANDA	STREET TREE 25' h. x 20' w.
SHRUBS					
SR	100%	24" box	SUCH AS: STRELITZIA REGINAE	BIRD OF PARADISE	MEDIUM ACCENT SHRUB 5' h. x 5' w.
A	100%	1 gal	SUCH AS: AGAPANTHUS AFRICANUS	LILY OF THE NILE	SMALL ACCENT SHRUB 3' h. x 3' w.
EM	100%	3 or 5 gal	SUCH AS: EUPHORBIA MILII (large-leaved) EUPHORBIA TIRUCALLI 'STICKS ON FIRE'	RED CROWN OF THORNS STICKS ON FIRE	SMALL POT SHRUB LARGE-LEAF AND FLOWER 4' h. x 3' w.
AT	100%	15 gal	SUCH AS: AGAVE ATTENUATA	NCN	MEDIUM POT SHRUB 4' h. x 6' w.
ESPALIERS / VINES					
	100%	15 gal	SUCH AS: PARTHENOCISSUS TRICUSPIDATA	BOSTON IVY	ESPALIER STAKED, TRAIN ON WALLS 12' h. x 12' w.
			TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	ESPALIER, TRAIN ON SCREENING
GROUND COVERS					
	100%	flats	SUCH AS: DROSANTHEMUM FLORIBUNDUM	ROSEA ICEPLANT	GROUND COVER planted 6" o.c.

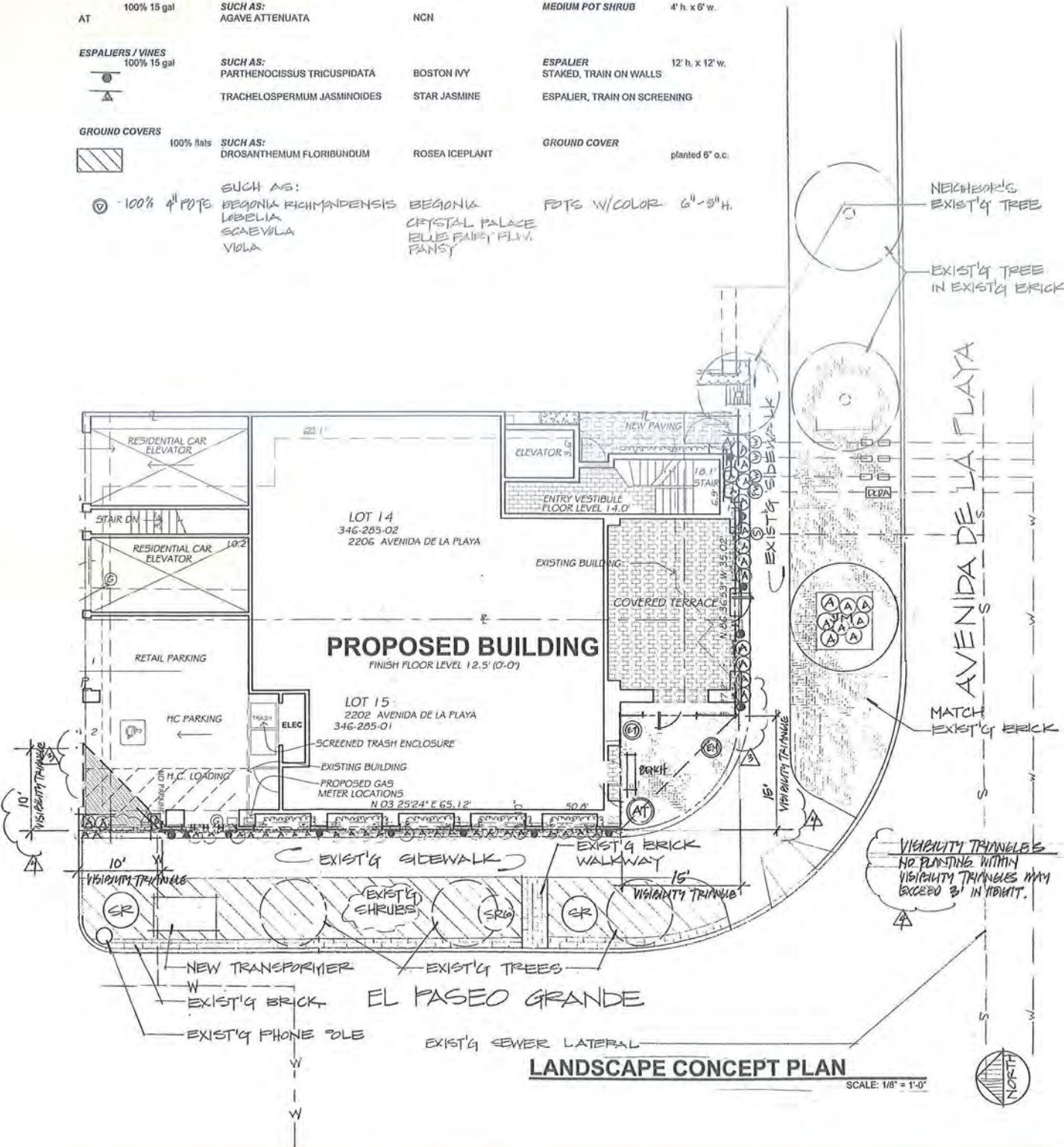
100% 4" POT SUCH AS:  
BEGONIA RICHMONDENSIS  
LOBELIA  
SCAEVOLA  
VIOLETTA  
BEGONIA  
CRYSTAL PALACE  
ELLS FAIRY PLM.  
FANSTY  
POTS W/COLOR 6"-8" H.

MINIMUM STREET TREE SEPARATION DISTANCES

IMPROVEMENT	MINIMUM DISTANCE TO STREET TREE
Traffic Signal, Stop Sign	20 feet
Underground Utility Lines	5 feet
Above Ground Utility Structure (Transformers, hydrants, utility poles, etc.)	10 feet
Driveways	10 feet
Intersections (Intersecting curb lines of two streets)	25 feet

NOTES

- Tree root barriers shall be installed where trees are placed within 5 feet of public improvements, including walks, curbs, or street pavement or where new public improvements are placed adjacent to existing trees. Root barriers will not be wrapped around root ball.
- All canopy trees shall be provided with 40 s.f. root zone and planted in an air and water permeable landscape area. The minimum dimension (width) of this area shall be 5 feet.
- Irrigation systems are to be installed in accordance with the criteria and standards of the City of San Diego Landscape Ordinance section 142.0403 and the City of San Diego Land Development Manual Landscape Standards.
- All Landscape and Irrigation shall conform to the standards of the City-Wide Landscape Regulations, The City of San Diego Land Development Manual Landscape Standards and other Landscape related City and Regional standards.
- Maintenance: All required landscape areas shall be maintained by property management company. Landscape and irrigation areas in the public ROW shall be maintained by property management company. 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 per the conditions of the permit.



PREPARED BY  
TODD FRY LANDSCAPE ARCHITECT  
7920 PRINCESS STREET  
LA JOLLA, CA 92037  
858.459.8005

PROJECT NAME  
WHITNEY MIXED USE

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
LANDSCAPE CONCEPT  
PLAN

DRAWING SCALE  
1/8" = 1'-0"

ORIGINAL DATE 5/19/09

REVISION 1 8/10/09  
REVISION 2 10/14/09  
REVISION 3 6/3/10  
REVISION 4 6/10/10  
REVISION 5  
REVISION 6  
REVISION 7  
REVISION 8

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

TODD FRY LANDSCAPE ARCHITECT A.S.L.A.  
(858) 459-8005  
Calif. Lic. # 1370  
Hawaii Lic. #8878  
7920 Princess St.  
La Jolla, CA 92037

Shopkeeper/Whitney  
Family Residences  
(A Mixed Use Project)  
2202/2206 AVENIDA DE LA PLAYA

Written permission on these drawings shall have precedence over scaled dimensions: contractors shall verify, and be responsible for, all dimensions and be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

All ideas, designs, arrangements and plans indicated or represented by this drawing are owned by, and property of, Todd Fry Landscape Architect A.S.L.A. and shall be used by or disclosed to any person, firm or corporation without the written permission of Todd Fry Landscape Architect A.S.L.A.

Sheet No. 14

OF 17 SHEETS

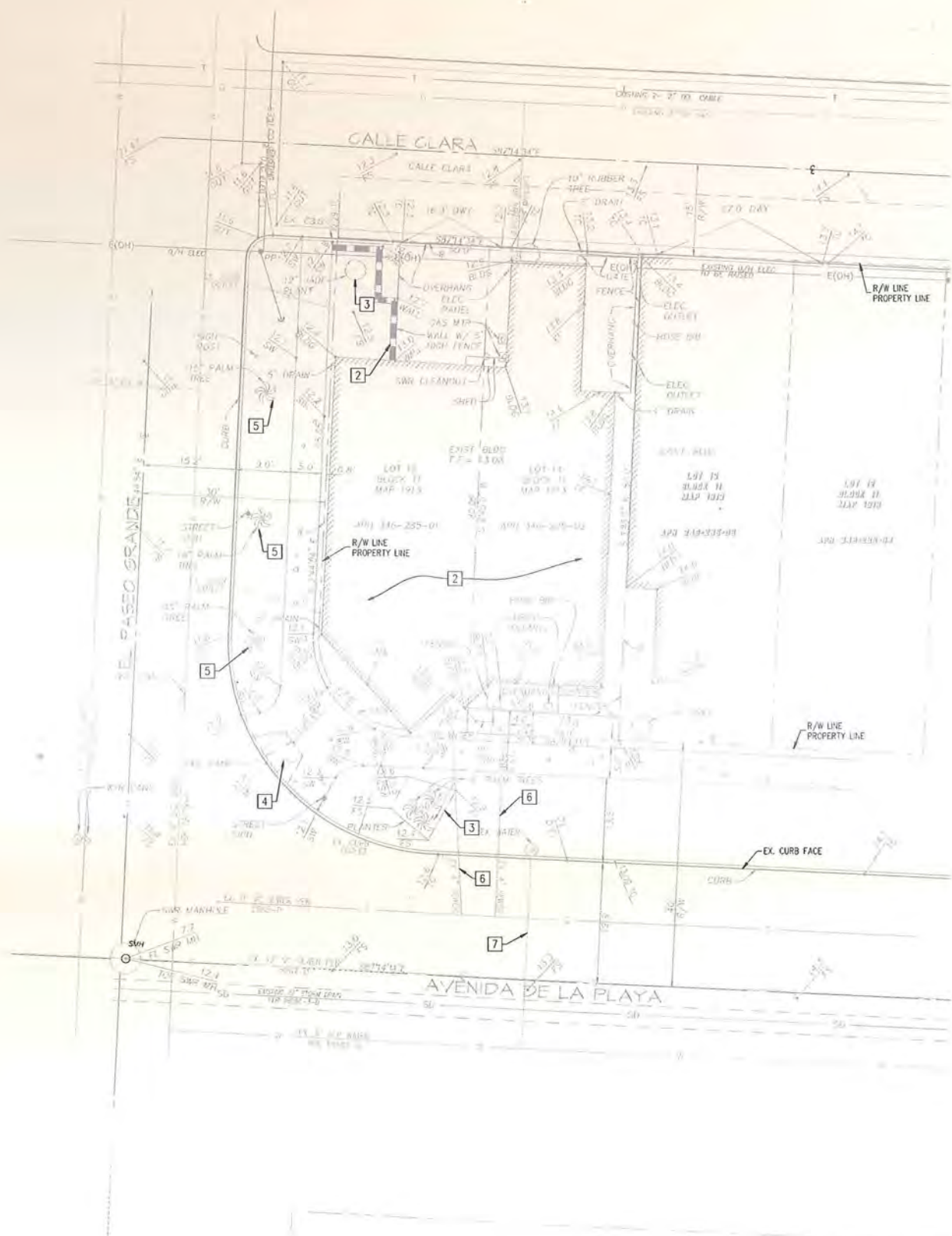




Shopkeeper / Whitney Family Residences  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

MARTIN M ARCHITECTURE  
Tim Martin A.I.A.  
2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

SHEET NO.  
**15**  
(C-1)  
OF 17 SHEETS



- LEGEND:
- AC = ASPHALT
  - BFP = BACK FLOW PREVENTER
  - CI = CURB INLET
  - CB = CATCH BASIN
  - CONC = CONCRETE
  - CL = CENTERLINE
  - ELE = ELECTRIC
  - FF = FINISH FLOOR
  - FF = FINISH FLOOR
  - IG = TOP OF GRATE
  - FH = FIRE HYDRANT
  - G = GAS
  - IRG = IRRIGATION
  - IRGV = IRRIGATION VALVE
  - LT = LIGHT
  - MH = MAN HOLE
  - OH = OVERHEAD
  - PED = PEDASTAL
  - PL = PROPERTY LINE
  - PP = POWER POLE
  - SCO = SEWER CLEANOUT
  - SDG&E = SAN DIEGO GAS & ELECTRIC CO
  - SD = STORM DRAIN
  - S = SEWER
  - TRANS = TRANSFORMER
  - TELE = TELEPHONE
  - (TYP) = TYPICAL
  - UG = UNDERGROUND POWER/GAS
  - W = WATER
  - WM = WATER METER
  - WV = WATER VALVE
  - PL = PROPERTY LINE

LEGAL DESCRIPTION  
LOTS 14 AND 15 IN BLOCK 11 OF LA JOLLA SHORES  
UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY  
OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING  
TO MAP THEREOF NO. 1913, FILED IN THE OFFICE  
OF THE COUNTY RECORDER OF SAN DIEGO COUNTY,  
JUNE 03, 1926.

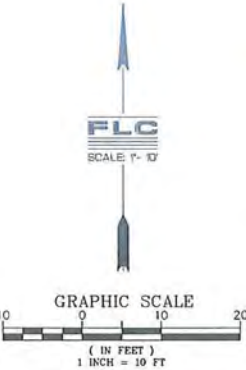
BENCHMARK:  
NORTHEAST BRASS PLUG AVENIDA DE LA  
PLAYA AND EL PASEO GRANDE  
ELEVATION = 11.811 M.S.L.

DATE OF SURVEY  
08/24/2007

TOPOGRAPHICAL SOURCE:  
LANDMARK SURVEYING 9555 GENESEE  
AVENUE, STE. 200 SAN DIEGO, CA  
92121, 858.587.8070  
ATTN: MARK A. BRENCICK

NOTE:  
BOUNDARY ANNOTATION IS BASED  
UPON RECORD INFO AND A  
PRELIMINARY MONUMENTATION SEARCH  
AND IS FOR REFERENCE ONLY.

DEMOLITION KEY NOTES	
1	DEMOLISH AND REMOVE EXISTING BUILDING.
2	DEMOLISH AND REMOVE EXISTING PLANTER RETAINING WALL.
3	DEMOLISH AND REMOVE EXISTING TREES, REFER TO LANDSCAPE PLAN.
4	SANICUT, DEMOLISH AND REMOVE CURB RAMP, REPLACE PER SHEET C-3.
5	PROTECT IN PLACE
6	EX. SEWER LATERAL TO BE CUT AND PLUGGED AT THE PROPERTY LINE (ABANDON IN PLACE)
7	EX. WATER LATERAL TO BE DEMOLISHED AND REMOVED.



PROJECT NAME  
**WHITNEY MIXED USE**  
CDP# 682551; SDP# 662678  
TM# 683254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**EX. SITE CONDITIONS  
AND DEMOLITION  
PLAN**

DRAWING SCALE  
**1" = 10'**

ORIGINAL DATE:	05/19/2009
REVISION 1	08/10/2009
REVISION 2	10/16/2009
REVISION 3	01/14/2010
REVISION 4	05/03/2010
REVISION 5	04/22/2013
REVISION 6	03/02/2015
REVISION 7	
REVISION 8	
COASTAL DEVELOPMENT PERMIT	
PROJECT NO.	

*William Ryan Lund*  
WILLIAM RYAN LUND R.C.E. NO. 36812 EXP. 06-30-2016 DATE 03/03/2015

**PRELIMINARY-NOT FOR CONSTRUCTION**

**BergerABAM**  
10525 Vista Serrento Parkway, Suite 350, San Diego, CA 92121  
506 West Graham Avenue, Suite 104, Lake Elsinore, CA 92530  
(858) 500-4500 Fax: (858) 500-4501

DATE:	03/03/15
PROJECT NO.	11-03-1
PROJECT NO.	A13.0334-020913
DESIGN BY:	AAK
CHECKED BY:	AAK
REVIEWED BY:	WRL

REGISTERED PROFESSIONAL ENGINEER  
WILLIAM RYAN LUND  
No. 36812  
Expires 6/30/2016  
CIVIL  
STATE OF CALIFORNIA

IF SHEET SIZE IS LESS THAN 24" X 36" IT IS A REDUCED PRINT- SCALE ACCORDINGLY





**Shopkeeper / Whitney Family Residences**  
(A Mixed Use Project)  
2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

**MARTIN A.I.A. ARCHITECTURE**

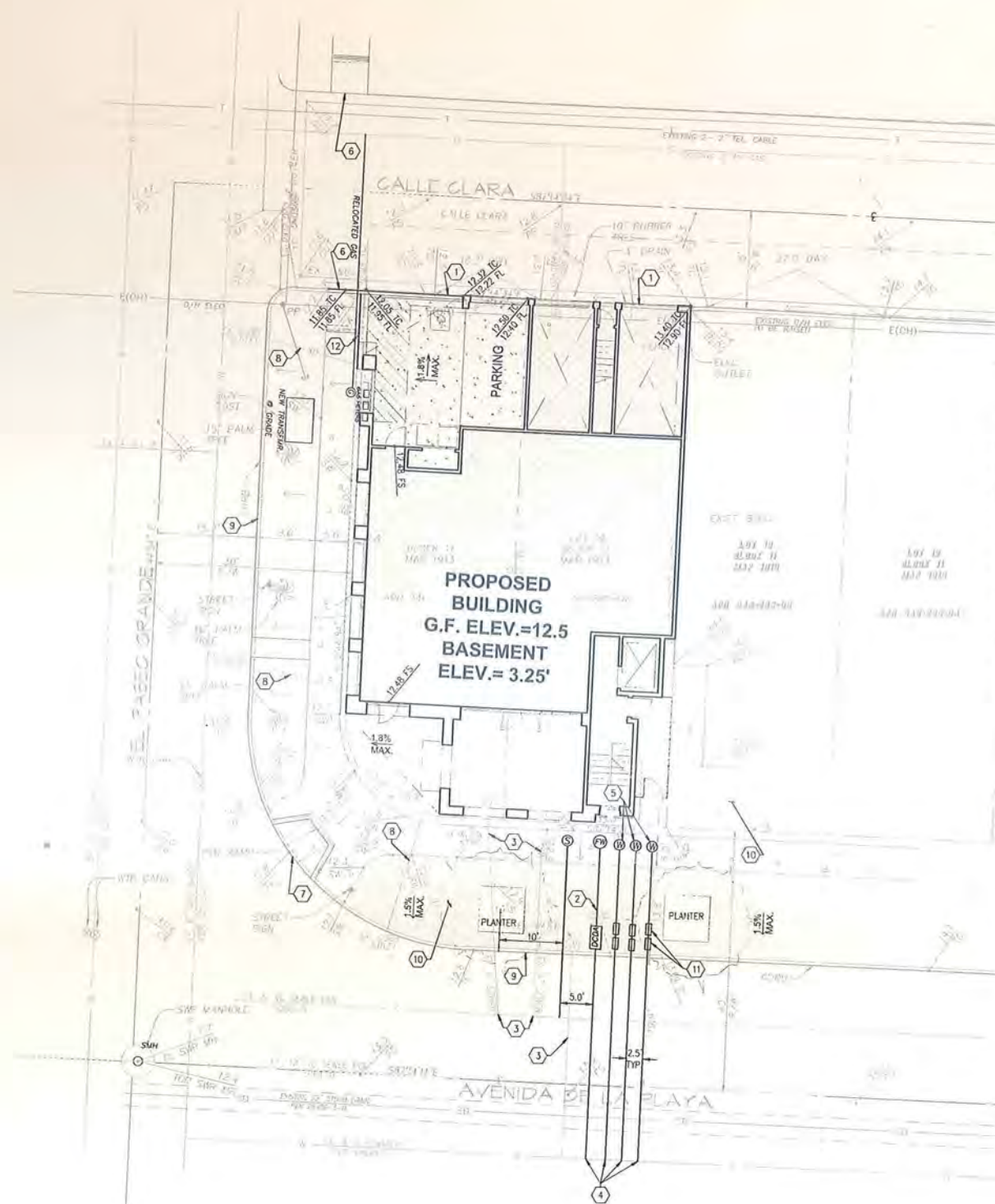
Tim Martin A.I.A.

2333 State Street Suite 100 Carlsbad, CA 92008  
760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
tim@martinarchitecture.com

SHEET NO.

**16**  
(C-2)

OF 17 SHEETS



KEYNOTES	
1	NEW DEPRESSED CURB FOR ENTRANCE ALONG PARKING AND ACCESS TO BASEMENT.
2	PROPOSED 4" FIRE SERVICE WITH 4" DCA AND 2-PORT FDC MOUNTED ON THE INSIDE END OF DCA. FINAL SIZING PER SPRINKLER DESIGNER.
3	EX. LATERAL TO BE ABANDONED. SEE SHEET 15 FOR INFORMATION.
4	CONNECT TO EXISTING WATER MAIN.
5	NEW WATER LATERAL FOR WATER SERVICE WITH WATER METERS AND BACKFLOW DEVICES. WATER LATERAL AND METER SIZE TO BE DETERMINED.
6	ACCESSIBLE RAMP PER SDG-136.
7	ACCESSIBLE RAMP PER SDG-130 AND 132.
8	PROTECT IN PLACE EXISTING SIDEWALK UNDERDRAINS. CONNECT TO NEW BUILDING ROOF DRAINS. INSTALL ROOF DRAIN FILTERS, KRISTAR OR EQUAL.
9	SANITARY AND REPLACE ANY DAMAGED SIDEWALK, CURB OR CUTTER ALONG SITE FRONTAGE TO THE SATISFACTION OF RESIDENT ENGINEER (TYP.).
10	NEW BRICK PAVERS PER PROJECT NUMBER 162687 AND L.A. COMMUNITY PLAN GROUP RECOMMENDATIONS. (TYP.)
11	NEW WATER METER AND BACKFLOW DEVICE. (TYP.)
12	NEW 6" HIGH CURB.

LEGEND	STD. DWG.	SYMBOL
EXISTING WATER MAIN		
EXISTING CURB & PAVING		
EXISTING STORM DRAIN		
EXIST. CONCRETE		
EXIST. SEWER LINE		
NEW BUILDING		
DIRECTION OF FLOW AND SLOPE		
TOP OF CURB ELEVATION		
FINISH SURFACE ELEVATION		
FLOW LINE ELEVATION		
PROPERTY LINE		
NEW PAVEMENT		
PROPOSED PEDESTRIAN RAMP		
	TYPE "SDG-132"	

**SEWER NOTE:**

ALL ON SITE SEWER FACILITIES TO BE PRIVATE, DESIGNED AND CONSTRUCTED PER REQUIREMENTS OF THE CALIFORNIA UNIFORM PLUMBING CODE AND CITY OF SAN DIEGO SEWER DESIGN GUIDELINES.

**DRAINAGE BMP NOTE:**

ALL ON SITE STORM DRAIN ROOF LEADERS TO HAVE FILTRATION SYSTEM, KRISTAR OR APPROVED EQUAL.

GRADING DATA	
TOTAL SITE AREA	3954.85 S.F. OR 0.0910 AC.
TOTAL AMOUNT OF SITE TO BE GRADED:	0.010 ACRE
PERCENT OF TOTAL SITE GRADED:	100%
AMOUNT OF SITE WITH 25% SLOPES OR GREATER:	0.00 ACRE (EXISTING)
PERCENT OF TOTAL SITE WITH 25% SLOPES OR GREATER:	0.0% (EXISTING)
	0.0% (PROPOSED)
AMOUNT OF SITE WITH SLOPES THAT ARE SUBJECT TO ESL REGS:	0.0 ACRES
PERCENT OF SITE WITH SLOPES THAT ARE SUBJECT TO ESL REGS:	0%
*AMOUNT OF CUT: 1,400 CUBIC YARDS AND MAX. DEPTH OF CUT: 14.0 FEET	
*AMOUNT OF FILL: 0 CUBIC YARDS AND MAX. DEPTH OF FILL: 0.0 FEET	
MAXIMUM HEIGHT OF FILL SLOPE(S): 0 FEET, SLOPE RATIO: 0	
MAXIMUM HEIGHT OF CUT SLOPE(S): 0 FEET, SLOPE RATIO: 0	
*AMOUNT OF EXPORT SOIL: 1,200 CUBIC YARDS	
BASEMENT RETAINING WALLS: LENGTH: 220 FEET MAXIMUM HEIGHT: 10 FEET	
SITE RETAINING WALLS: NONE	
NOTE: EARTHWORK QUANTITIES ARE PRELIMINARY AND DO NOT ACCOUNT FOR SOIL CONDITIONS AT THE SITE. QUANTITIES HAVE BEEN PROVIDED FOR CITY REVIEW PURPOSES ONLY. THE ENGINEER DOES NOT CERTIFY TO THE QUANTITIES SHOWN HEREON.	

**LEGEND:**

AC	= ASPHALT
BFP	= BACK FLOW PREVENTER
C.I.	= CURB INLET
CB	= CATCH BASIN
CONC	= CONCRETE
CL	= CENTERLINE
ELE	= ELECTRIC
FF	= FINISH FLOOR
FF	= FINISH FLOOR
TO	= TOP OF GRADE
TH	= FIRE HYDRANT
G	= GAS
IRG	= IRRIGATION
IRV	= IRRIGATION VALVE
LT	= LIGHT
MH	= MAN HOLE
OH	= OVERHEAD
PED	= PEDESTAL
R	= PROPERTY LINE
PP	= POWER POLE
SCO	= SEWER CLEANOUT
SDG&E	= SAN DIEGO GAS & ELECTRIC CO.
SD	= STORM DRAIN
S	= SEWER
TRAN	= TRANSFORMER
TELE	= TELEPHONE
(TYP)	= TYPICAL
UG	= UNDERGROUND POWER/GAS
W	= WATER
WM	= WATER METER
WV	= WATER VALVE
	= PROPERTY LINE

**LEGAL DESCRIPTION**

LOTS 14 AND 15 IN BLOCK 11 OF LA JOLLA SHORES UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1913, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 03, 1926.

**BENCHMARK:**

NORTHEAST BRASS PLUG AVENIDA DE LA PLAYA AND EL PASEO GRANDE ELEVATION = 11.811 M.S.L.

**DATE OF SURVEY**

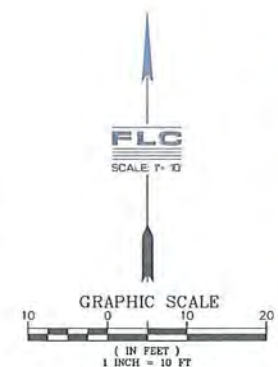
08/24/2007

**TOPOGRAPHICAL SOURCE:**

LANDMARK SURVEYING 9555 GENESEE AVENUE, STE. 200 SAN DIEGO, CA 92121, 858.587.8070  
ATTN: MARK A. BRENNICK

**NOTE:**

BOUNDARY ANNOTATION IS BASED UPON RECORD INFO AND A PRELIMINARY MONUMENTATION SEARCH AND IS FOR REFERENCE ONLY.



PROJECT NAME  
**WHITNEY MIXED USE**  
COP# 662551; SOP# 662678  
TM# 663254

PROJECT ADDRESS  
2202/2206 AVENIDA DE LA PLAYA  
LA JOLLA, CA 92037

SHEET TITLE  
**GRADING, DRAINAGE  
AND UTILITY PLAN**

DRAWING SCALE  
1" = 10'

ORIGINAL DATE: 05/19/2009

REVISION 1 08/10/2009

REVISION 2 10/16/2009

REVISION 3 01/14/2010

REVISION 4 05/03/2010

REVISION 5 04/22/2013

REVISION 6 03/02/2015

REVISION 7

REVISION 8

COASTAL DEVELOPMENT PERMIT  
PROJECT NO.

WILLIAM RYAN LUND  
R.C.E. NO. 36812  
EXP. 05-30-2016  
DATE 03/03/2015

**PRELIMINARY-NOT FOR CONSTRUCTION**

**BergerABAM**

10525 Vista Serrento Parkway, Suite 350, San Diego, CA 92121  
506 West Graham Avenue, Suite 104, Lake Elsinore, CA 92530  
(858) 500-4500 Fax: (858) 500-4501

DATE	03/03/15
PLOTTED	11:04 A
PROJECT NO.	A13.0334/CC/913
DESIGN BY	A.R.
DRAWN BY	A.R.
REVIEWED BY	W.R.



IF SHEET SIZE IS LESS THAN 24" X 36" IT IS A REDUCED PRINT - SCALE ACCORDINGLY





**Shopkeeper / Whitney Family Residences**  
**(A Mixed Use Project)**  
 2202 / 2206 AVENIDA DE LA PLAYA LA JOLLA

**MARTIN ARCHITECTURE**

Tim Martin A.I.A.

2333 State Street Suite 100 Carlsbad, CA 92008  
 760-729-3470 (O) 760-729-3473 (F) 858-349-3474 (C)  
 tim@martinarchitecture.com

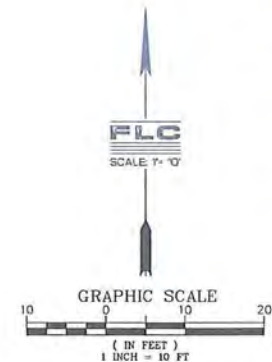
SHEET NO.

**17**  
 (C-3)

OF 17 SHEETS

EROSION CONTROL NOTES	
1.	THE CONTRACTOR SHALL OBTAIN, READ, AND IMPLEMENT ALL PORTIONS OF THE STORM WATER POLLUTION CONTROL PLAN (SWPCP).
2.	THE CONTRACTOR IS RESPONSIBLE FOR DOING WEEKLY, PRE-STORM, MID-STORM, AND POST-STORM INSPECTIONS IN ACCORDANCE WITH THE SWPCP.
3.	THE CONTRACTOR IS RESPONSIBLE FOR TRAINING SUBCONTRACTORS AT LEAST ONCE A MONTH OR AS NEW SUBCONTRACTORS MOBILIZE ON-SITE. TRAINING SHALL BE RECORDED IN THE SWPCP.
4.	PRIOR TO THE START OF DEMOLITION OR EARTHMOVING ACTIVITIES, THE CONTRACTOR SHALL INSTALL ALL PERMETER CONTROLS AND THE CONSTRUCTION ENTRANCE PER THE PLANS.
5.	THE CONTRACTOR SHALL INSTALL PROTECTION AROUND ANY EXISTING INLETS WITHIN THE PROJECT AREA AND PUBLIC RIGHT-OF-WAY.
6.	DURING THE NON-RAINY SEASON, THE CONTRACTOR SHALL STORE ADEQUATE SEDIMENT CONTROL MATERIALS ON-SITE TO CONTROL DISCHARGES AT THE DOWNGRADE PERMETER AND OPERATIONAL INLETS IN THE EVENT OF A PREDICTED STORM.
7.	EQUIPMENT AND WORKERS SHALL BE AVAILABLE FOR EMERGENCY WORK AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON-SITE AT CONVENIENT LOCATIONS TO FACILITATE THE RAPID INSTALLATION/CONSTRUCTION OF TEMPORARY EROSION CONTROL MEASURES WHEN RAIN IS IMMINENT.
8.	CLEARING AND GRUBBING SHALL BE DONE ONLY IN AREAS WHERE EARTHWORK WILL BE PERFORMED AND ONLY IN AREAS WHERE CONSTRUCTION IS PLANNED TO COMMENCE WITHIN 14 DAYS AFTER CLEARING AND GRUBBING OPERATIONS HAVE CEASED.
9.	DISTURBED AREAS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE CEASED FOR MORE THAN 14 DAYS SHALL BE TEMPORARILY STABILIZED WITH HYDROSEEDING, HYDROMULCHING, OR WITH A BIODEGRADABLE FIBER MATRIX.
10.	THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION CONTROL MEASURES AS NEEDED OR AS REQUESTED BY REGULATORY AGENCY INSPECTOR.
11.	THE CONTRACTOR SHALL BE RESPONSIBLE AND TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS INTO AREAS WHERE IMPOUNDED WATERS CREATE A HAZARDOUS CONDITION.

SPECIAL NOTE:  
 PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE.



PROJECT NAME  
**WHITNEY MIXED USE**  
 CDP# 662551; SDP# 662678  
 TM# 683254

PROJECT ADDRESS  
 2202/2206 AVENIDA DE LA PLAYA  
 LA JOLLA, CA 92037

SHEET TITLE  
**BMP AND EROSION  
 CONTROL PLAN**

DRAWING SCALE  
**1" = 10'**

ORIGINAL DATE: 05/19/2009

REVISION 1 08/10/2009

REVISION 2 10/16/2009

REVISION 3 01/14/2010

REVISION 4 05/03/2010

REVISION 5 04/22/2013

REVISION 6 03/02/2015

REVISION 7

REVISION 8

COASTAL DEVELOPMENT PERMIT

PROJECT NO.

WILLIAM RYAN LUND R.C.E. NO. 36812 EXP. 06-30-2016 DATE 03/03/2015

**PRELIMINARY-NOT FOR CONSTRUCTION**

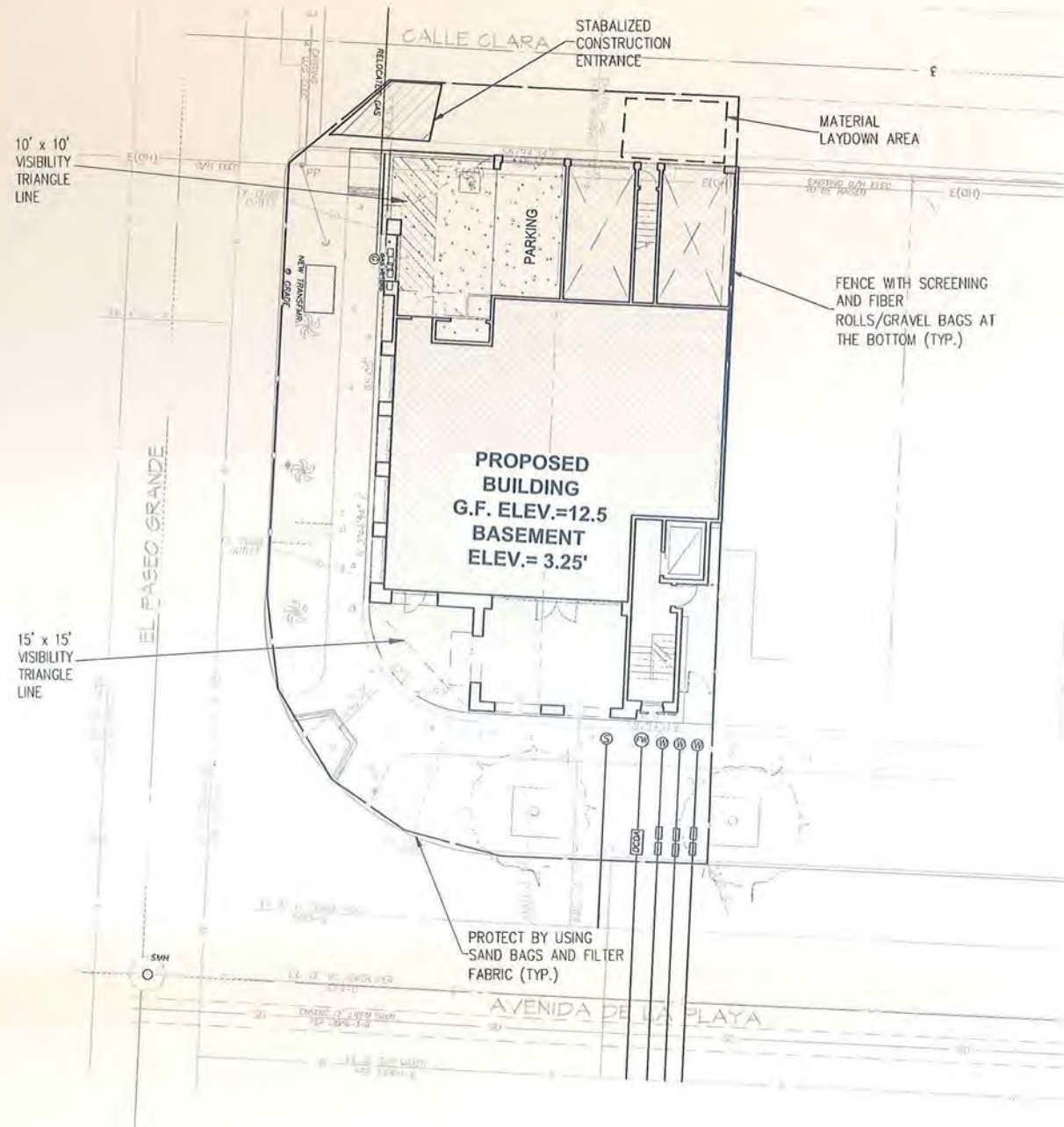
**BergerABAM**

10525 Vista Serrento Parkway, Suite 350, San Diego, CA 92121  
 506 West Graham Avenue, Suite 104, Lake Elsinore, CA 92530  
 (858) 500-4500 Fax: (858) 500-4501

DATE: 03/03/15  
 PLOTTED: 11:04 A  
 PROJECT NO: A13.0334/C0913  
 DESIGN BY: AAK  
 DRAWN BY: AAK  
 REVIEWED BY: VARL



IF SHEET SIZE IS LESS THAN 24" X 36" IT IS A REDUCED PRINT- SCALE ACCORDINGLY





PLANNING COMMISSION RESOLUTION NO. XXXX  
COASTAL DEVELOPMENT PERMIT NO. 662551  
SITE DEVELOPMENT PERMIT NO. 662678  
WHITNEY MIXED USE PROJECT NO. 182513 [MMRP]

WHEREAS, PLAYA GRANDE, a Limited Liability Corporation, Owner/Permittee, filed an application with the City of San Diego for Coastal Development Permit No. 662551 and Site Development Permit No. 662678 to demolish existing structures and construct a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 662551 and 662678), on portions of a 0.09 acre site;

WHEREAS, the site is located at 2202 and 2206 Avenida de la Playa in the Commercial Center (CC) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Residential Tandem Parking Overlay Zone, and the Parking Impact Overlay Zone (Beach Impact Area) of the La Jolla Community Plan;

WHEREAS, the site is legally described as Lots 14 and 15, Block 11 of La Jolla Shores Unit No. 1, Map No. 1913 filed in the Office of County Recorder of San Diego County, June 3, 1926;

WHEREAS, on April 16, 2015, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 662551 and Site Development Permit No. 662678, pursuant to the Land Development Code of the City of San Diego;

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 April 16, 2015.

FINDINGS:

**Coastal Development Permit - Section 126.0708**

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 project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District within the La Jolla Community Plan (LJCP) area. The project site does not contain any existing physical access way legally used by the public. Additionally, this portion of Avenida de la Playa is not identified as a physical accessway or public view corridor in the Local Coastal Program. The project will not encroach into any public accessway or public view corridor and will retain public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.



**2. The proposed coastal development will not adversely affect environmentally sensitive lands.** The project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District in the La Jolla Community Plan (LJCP) area. The subject site is an urbanized and developed property surrounded by commercial and mixed use development with all proposed development occurring on private property. The site is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area, coastal bluff, beach, or any other environmentally sensitive lands. There are no sensitive habitats or species located on the site. Since no environmentally sensitive lands are present on the site, the proposed development will not adversely affect 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 project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District (LJSPD) in the La Jolla Community Plan and Local Coastal Land Use Plan (Plan) area. This plan presents the coastal issues that have been identified for the community; it proposes policies and recommendations in the various elements of the community plan to address those issues.

Consistent with the Plan's Commercial Land Use Element, the proposed development retains retail and visitor oriented commercial areas in proximity to the beach and coastline parks in order to maintain a high degree of pedestrian activity and access to coastal resources. The retail/residential mix of uses helps maintain a diversified and balanced land use pattern by providing residential development within existing commercial area rather than additional office use. Additionally, the project will help revitalize the commercial area. By using an architectural style that is prevalent throughout La Jolla and activating an important corner in the La Jolla Shores commercial district, the project will strengthen, reinforce and unify the district. Finally, the project will promote pedestrian-oriented features to improve safety and ease of movement along the commercial street. A series of small scale arches in two-foot thick walls would front both primary streets, creating a pedestrian scale and rhythm. The enclosed stair serving the upper level residences is setback from the street and the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building and adding to a sense of space separating the buildings. The existing brick paving in the parkway to the east would be extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees would be provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east. Additional planting is proposed to climb and clad the building, adding further texture and softening the building at the pedestrian level.

The Plan's Residential and Commercial Elements recommends the encouragement for the development of more affordable housing units. The project proposes to demolish the existing single story residential unit and retail store and provide two new residential units and a commercial space. Along with providing an additional unit, the project is conditioned to comply



with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations.

For all new development and redevelopment in the Plan area, the Community Facilities, Parks and Services Element contains references to the City of San Diego's nonpoint source pollution from urban runoff management strategy. This strategy is to identify, prevent and control nonpoint source pollution associated with urban runoff, and identifies associated policies and recommendations to ensure the protection of water resources in the La Jolla community. The project includes specific conditions for compliance with Storm Water Management and Discharge Control Ordinance and Storm Water Runoff and Drainage Regulations to comply with the City's Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit to preserve local water resources and ensure that all applicable construction and permanent storm water requirements are implemented on the project site.

In addition, the project would adhere to policies and objectives established by the community plan in that the design of the proposed structure does not affect 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. Furthermore the proposed project will have a harmonious physical and aesthetic relationship with other existing structures in the neighborhood. Therefore, the proposed project will be consistent with the Plan's policies and objectives, the project is in conformity with the certified Local Coastal Program Land Use Plan, and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District (LJSPD) in the La Jolla Community Plan and Local Coastal Land Use Plan (Plan) area. The project site is not located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Therefore, the proposed project to construct an 8,518 square-foot mixed use development will have no affect upon public access and the recreation policies of Chapter 3 of the California Coastal Act and therefore would be in conformance with such Act.

#### Site Development Permit - Section 126.0504

1. The proposed development will not adversely affect the applicable land use Plan. The project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District in the La Jolla Community Plan (LJCP) area. The La Jolla Community Plan's Land Use Map identifies the site for commercial and mixed use. The La Jolla Shores Planned District Ordinance, as codified in the San Diego Municipal Code, establishes the zoning regulations to implement the policies of the General Plan and the La Jolla Community



Plan. The purpose of the CC zone is to accommodate community-serving commercial services, and retail uses. The project site is specifically located along Avenida de la Playa in La Jolla Shores and the specific recommendations for the various commercial areas are regulated and detailed in the La Jolla Shores Planned District Ordinance. The CC Zone allows for commercial services on the ground floor area of a development that does not exceed 6,000 square feet and dwelling units with a minimum floor area of 400 square feet.

In addition to the La Jolla Shores Planned District Ordinance, the La Jolla Community Plan's Commercial Land Use Element includes Commercial Development Recommendations (pages 102 and 103) of which this project is consistent and specifically applies the following:

- The project avoids abrupt transition in scale with adjacent residential areas. Residential projects adjacent to the La Jolla Shores commercial district are multifamily structures, many of which are taller and bulkier than the commercial development. This project is located on the corner of El Paso Grande and Avenida de la Playa which leads directly into a residential area of large bulky multi-unit projects. The project is smaller in scale than the multi-unit projects to the west and north. The project creates visual interest and creates a sense of enclosure for pedestrians by continuing the existing development pattern with minimal to zero-foot setback from the sidewalk. At the same time, the portion of the building facing the corner of Avenida de la Playa and El Paseo Grande offers a welcoming entrance to the commercial retail space on the ground floor, providing a courtyard with an overhead balcony. The design reduces the apparent bulk through the use of building articulation on the ground floor and step-backs on the upper floors. Landscaping is provided to add texture to blank walls, soften edges and provide a sense of pedestrian scale. A series of small scale arches in two-foot thick walls front both primary streets, creating a pedestrian scale and rhythm. The enclosed stair serving the upper level residences is setback from the street and the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building, adding to a sense of space separating the buildings. The existing brick paving in the parkway to the east is extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east. Additional planting is proposed to climb and clad the building, adding further texture and softening the building at the pedestrian level;
- The plaza/courtyard at the corner of the building provides an overhead balcony. A bench is proposed within the plaza leading into the retail space on the ground floor;
- The existing brick paving in the parkway to the east is extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east;
- A street tree consistent with the overall master plan will be planted along Avenida de la Playa. A new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east;



- The project site does not contain an established transit stop however, as a pedestrian node along Avenida de la Playa, the project proposes additional brick paving and a new shade tree for this street;
- The off-street parking area is located behind the building along Calle Clara consistent with the existing subdivision's block pattern of development as well as the LJSPDO. The parking areas will be screened from El Paseo Grande with a planted wrought iron lattice;
- No mechanical equipment will be visible from public view. Storage areas are enclosed. Mechanical equipment is either inside the building or placed in sunken roof top wells, all screened from public view;
- Onsite signs will be tasteful and refined;
- The framed view corridor to the west of the project along Avenida de la Playa is not affected by this project. No view corridor is identified adjacent to the project;
- The project is a mixed use development in a commercial area of La Jolla as recommended in the Community Plan;
- Energy efficient appliances and technology will be used in the project; and
- Photovoltaics are incorporated into the project.

The project is consistent with the Goals of the Commercial Land Use Element of the Community Plan. First, the retail/residential mix of uses helps maintain a diversified, yet balanced land use pattern by providing residential development within existing commercial area rather than additional office use. Second, the project will help revitalize the commercial area. By using an architectural style that is prevalent throughout La Jolla and activating an important corner in the La Jolla Shores commercial district, the project will strengthen, reinforce and unify the district. Third, the project will promote pedestrian-oriented features to improve safety and ease of movement along the commercial street. A series of small scale arches in two-foot thick walls front both primary streets, creating a pedestrian scale and rhythm. The enclosed stair serving the upper level residences is setback from the street and the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building, adding to a sense of space separating the buildings. The existing brick paving in the parkway to the east is extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east. Additional planting is proposed to climb and clad the building, adding further texture and softening the building at the pedestrian level.

The project is consistent with recommendations specific to the Avenida de la Playa Community Commercial area which promote a focus on pedestrian-related amenities such as sidewalk surface treatments and street trees, both of which will be consistent with existing patterns of development. The scale of the project is consistent with existing development which allows and encourages a zero foot front yard and 100 percent building coverage. Being determined that the proposed uses and design of the development are consistent with the community plan and zoning regulations, the proposed development will not adversely affect the applicable land use plan.



**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The development will completely demolish the existing single-story residential unit and retail store and construct a new three-story building consisting of two residential condominium units on the second and third floors, basement parking, and 2,000 square feet of commercial condominium unit space on the ground floor for a total building floor area of approximately 8,518 gross square feet. The proposed development requires a Coastal Development Permit and Site 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 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.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The project is a mixed use development with approximately 2,000 square feet of ground floor commercial/retail uses and two residential units of approximately 3,200 and 2,800 square feet respectively above the retail. The property is located at 2202 and 2206 Avenida de la Playa, the corner of Avenida de la Playa and El Paseo Grande, in the Commercial Center (CC) Zone of the La Jolla Shores Planned District (LJSPD) in the La Jolla Community Plan and Local Coastal Land Use Plan (Plan) area.

The proposed development requires a Coastal Development Permit for development in the coastal zone area and a Site Development Permit for any new building or structure, or remodeling, alteration, addition, or demolition of any existing building or structure within the La Jolla Shores Planned District or any building which is moved into the La Jolla Shores Planned District or any grading or landscaping. The project will comply with all applicable regulations of the Land Development Code and does not propose any deviations. Therefore, the project will comply with all applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 662551 and Site Development Permit No. 662678 are 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. 662551 and Site Development Permit No. 662678, a copy of which is attached hereto and made a part hereof.



---

Tim Daly  
Development Project Manager  
Development Services

Adopted on: April 16, 2015

Internal Order No. 23432518



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: 23432518

COASTAL DEVELOPMENT PERMIT NO. 662551  
SITE DEVELOPMENT PERMIT NO. 662678  
WHITNEY MIXED USE PROJECT NO. 182513; MMRP  
Planning Commission

This Coastal Development Permit No. 662551 and Site Development Permit No. 662678 is granted by the Planning Commission of the City of San Diego to Playa Grande, a Limited Liability Corporation, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0701 and 126.0501. The 0.09-acre site is located at 2202 and 2206 Avenida de la Playa in the Commercial Center (CC) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Residential Tandem Parking Overlay Zone, and the Parking Impact Overlay Zone (Beach Impact Area) of the La Jolla Community Plan area. The project site is legally described as Lots 14 and 15, Block 11 of La Jolla Shores Unit No. 1, Map No. 1913 filed in the Office of County Recorder of San Diego County, June 3, 1926.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to demolish the existing structures and construct a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 16, 2015, on file in the Development Services Department.

The project shall include:

- a. The demolition of the existing single-story residential unit and retail store and the construction of a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor;



- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking with depressed concrete curb and gutter driveways along Calle Clara;
- e. New pedestrian accessible ramps installed at two intersections where Avenida de la Playa and Calle Clara meet El Paseo Grande; and
- f. 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 April 30, 2018.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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



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

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

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

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

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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



11. Prior to issuance of any construction permit for any building, the Owner/Permittee shall be required to pay the Development Impact Fee (DIF), Regional Transportation Fee (RTCIP), Housing Trust Fund (HTF) fees, and any other applicable development impact fees for this project.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. 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.

13. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No.182513, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No.182513, 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 Historical Resources.

AFFORDABLE HOUSING REQUIREMENTS:

15. Prior to the issuance of any building 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:

16. The Coastal Development Permit and Site Development Permit shall comply with the conditions of Tentative Map Waiver No. 683254.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practice maintenance, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

19. Prior to the issuance of any construction permits, 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, satisfactory to the City Engineer.



20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the replacement of damaged portions of sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on El Paseo Grande and Avenida De La playa, satisfactory to the City Engineer.
21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the reconstruction and installation of three City Standard curb ramps; one at the northeast corner of the intersection of El Paseo Grande and Avenida de la Playa, and two at the northeast and southeast corners of the intersection of El Paseo Grande and Calle Clara, satisfactory to the City Engineer.
22. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for the brick pavers, planter, landscaping and appurtenances within the Avenida de la Playa right-of-way, satisfactory to the City Engineer.
23. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is in accordance with the approved plans.
24. This project proposes to export 1,700 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit pursuant to SDMC section 141.0620(i).
25. The drainage system proposed for this development is private and subject to approval by the City Engineer.
26. Prior to the issuance of a construction permit for grading or building for the new structure, the Owner/Permittee shall detail on plans the compliance with all the requirements of SDMC section 1510.0403 for their structure below the water table.

**GEOLOGY REQUIREMENTS:**

27. Prior to the issuance of a construction permit for grading, the Owner/Permittee shall submit a geotechnical report prepared in accordance with the City of San Diego "Guidelines for Geotechnical Reports" satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

28. Prior to issuance of any construction permits for structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager 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 section 142.0403(b)(5).

29. Prior to Final Inspection, the Permittee or subsequent Owner shall 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.

30. 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.

31. The Permittee or subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. The Owner/Permittee shall submit a Landscape Maintenance Agreement for review and approval by the Development Services Department, Landscape Section.

32. 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, whichever occurs earlier.

#### PLANNING/DESIGN REQUIREMENTS:

33. Owner/Permittee shall maintain a minimum of 5 residential parking spaces and 2 commercial spaces for a total of 7 spaces, including 1 accessible space. The Owner/Permittee is providing 6 residential parking spaces and 2 commercial spaces for a total of 8 spaces, including 1 van accessible space, pursuant to the approved Exhibit "A" plans. Parking spaces shall be maintained on the property at all times in the approximate locations shown on Exhibit "A." All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

34. 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.

35. Prior to the issuance of a construction permit for any building, the Owner/Permittee shall incorporate the adopted 2004, La Jolla Community Plan and Local Coastal Program Land Use Plan's Commercial Development Recommendations within the final design, construction, and daily mixed-use functions of the development.



36. Any retail uses proposed on the ground level shall be consistent with the permitted uses of the Commercial Center (CC) zone of the La Jolla Shores Planned District as listed in SDMC section 1510.0309(a).
37. All signage proposed on the premises shall comply with the Sign Regulations contained in the Commercial Center (CC) zone, Development Regulations of the La Jolla Shores Planned District pursuant to SDMC section 1510.0310(e), in addition to all other applicable sign laws and regulations.
38. The Owner/Permittee shall post a copy of each approved discretionary permit and/or map approval in its sales office for consideration by each prospective buyer.
39. 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:**

40. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the replacement of damaged portions of sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, along the project on El Paseo Grande and Avenida de la Playa, satisfactory to the City Engineer.
41. The Owner/Permittee shall provide and maintain a fifteen-foot visibility triangular area along the property line as set forth in the SDMC section 113.0273(d) at the intersection of El Paseo Grande and Avenida De La Playa. No solid fencing or landscaping higher than 36-inches shall be located within this area.
42. The Owner/Permittee shall provide and maintain a ten-foot visibility triangular area along the property line as set forth in the SDMC section 113.0273(b) at the intersection of El Paseo Grande and Calle Clara. No solid fencing or landscaping higher than 36-inches shall be located within this area.
43. The Owner/Permittee shall provide depressed concrete curb and gutter at the driveway entrances along Calle Clara, satisfactory to the City Engineer.

**PUBLIC UTILITIES REQUIREMENTS:**

44. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
45. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide.
46. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities.



47. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, satisfactory to the Director of Public Utilities and the City Engineer.

48. 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), satisfactory to the Director of Public Utilities and the City Engineer.

49. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational satisfactory to the Director of Public Utilities and the City Engineer.

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

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on April 16, 2015,  
Resolution No. XXXXXXXX-PC.



**Attachment 6**

Permit Type/PTS Approval No.: Coastal Development Permit No. 662551  
Site Development Permit No. 662678  
Date of Approval: April 16, 2015

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.

Playa Grande, a Limited Liability Corporation  
Owner/Permittee

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

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



RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
ADOPTING THE FINDINGS AND APPROVING MAP  
WAIVER NO. 683254 FOR WHITNEY MIXED USE –  
PROJECT NO. 182513; MMRP

WHEREAS, Playa Grande, a Limited Liability Corporation, Subdivider, and Douglas R. Melchior, Surveyor, submitted an application with the City of San Diego for Map Waiver No. 683254, to waive the requirement for a Tentative Map to demolish the existing structures and construct a new 8,518 square-foot, three-story building consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor, and to waive the requirement to underground existing offsite overhead utilities. The project site is located east of El Paseo Grande, north of Avenida de la Playa at 2202 and 2206 Avenida de la Playa in the Commercial Center (CC) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Residential Tandem Parking Overlay Zone, and the Parking Impact Overlay Zone (Beach Impact Area) of the La Jolla Community Plan area. The property is legally described as Lots 14 and 15, Block 11 of La Jolla Shores Unit No. 1, Map No. 1913 filed in the Office of County Recorder of San Diego County, June 3, 1926; and

WHEREAS, the Map proposes the subdivision of a 0.091-acre site into one lot for a two units residential and one unit commercial condominium development; and



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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351(f) and filed pursuant to the Subdivision Map Act. The total number of residential condominium dwelling units is two and total number of commercial units is one for the total of three condominium units; and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utility facilities may be considered in accordance with San Diego Municipal Code section 144.0242(c), because the conversion involves a short span of overhead facility, less than a full block in length, and would not represent a logical extension to an underground facility as the conversion would represent an isolated undergrounding with a minimum probability of extension in the future; and

WHEREAS, on April 16, 2015, the Planning Commission of the City of San Diego considered Map Waiver No. 683254, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0123 and 144.0242 of the San Diego Municipal Code 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 Map Waiver No. 683254:

**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.**

The project is a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor. The property is located in the La Jolla Community Plan (LJCP) area. The LJCP identifies the property as part of the Commercial Center (CC) area of the La Jolla Shores Planned District Ordinance (LJSPDO).

The project is consistent with the goals of the Commercial Land Use Element of the LJCP. First, the retail/residential mix of uses helps maintain a diversified, yet balanced land use pattern by providing residential development within existing commercial area and not providing office use. Second, the project will help revitalize the commercial area. The commercial area in La Jolla Shores has aged and many of the smaller retail buildings are worn and dated. By using an architectural style that is prevalent throughout La Jolla and activating an important corner in the La Jolla Shores commercial district, the project will strengthen, reinforce and unify the district. Third, the project will promote pedestrian-oriented features to improve safety and ease of movement along the commercial street. A series of small scale arches in two-foot thick walls front both primary streets, creating a pedestrian scale and rhythm. The enclosed stair serving the upper level residences is setback from the street and the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building, providing a sense of space separating the buildings. The existing brick paving in the parkway to the east is extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east. Additional planting is proposed to climb and clad the building, adding further texture and softening the building at the pedestrian level.

The project is consistent with the Community Plan Recommendation for Commercial Development. In general, the project maintains the village character of what is called the Shores Center in the La Jolla Shores Precise Plan which is acknowledged in the Community Plan as a document contributing to its policies and recommendations.

- The project avoids abrupt transition in scale with adjacent residential areas. Residential projects adjacent to the La Jolla Shores commercial district are multifamily structure, many of which are taller and bulkier than the commercial development. This project is located on the corner of El Paso Grande and Avenida de la Playa which leads directly into a residential area of large bulky multi-unit projects. The project is smaller in scale than the multi-unit projects to



the west and north. The project creates visual interest and creates a sense of enclosure for pedestrians by continuing the existing development pattern with minimal to zero setback from the sidewalk. At the same time, the portion of the building facing the corner of Avenida de la Playa and El Paseo Grande offers an entrance to the commercial retail space on the ground floor, providing a courtyard with an overhead balcony. The design reduces the apparent bulk through the use of building articulation on the ground floor and step-backs on the upper floors. Landscaping is provided to add texture to blank walls, soften edges and provide a sense of pedestrian scale. A series of small scale arches in 2 foot thick walls front both primary streets, creating a pedestrian scale and rhythm. The enclosed stair serving the upper level residences is setback from the street and the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building and adding to a sense of space separating the buildings. The existing brick paving in the parkway to the east is extended to the front of the project site, and a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east. Additional planting is proposed to climb and clad the building, adding further texture and softening the building at the pedestrian level.

- The plaza/courtyard at the corner of the building provides an overhead balcony.
- The existing brick paving in the parkway to the east is extended to the front of the project site, and a new Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east.
- Street trees consistent with the overall master plan will be planted along a new mature Jacaranda tree to match the existing street trees is provided thereby continuing the existing sense of enclosure and pedestrian space already defined by existing improvements and development to the east.
- The off-street parking area and access to the underground parking is located on the rear of the development along Calle Clara consistent with the existing block's pattern of development.
- No landscape mechanical equipment will be visible from public view. Storage areas are enclosed. Mechanical equipment is either inside the building or placed in sunken roof top wells, all screened from public view.
- The framed view corridor to the west of the project along Avenida de la Playa is not affected by this project. No view corridor is identified adjacent to the project.
- The project is a mixed use development in a commercial area of La Jolla as recommended in the Community Plan.



- Photovoltaics are incorporated into the project.

The project is consistent with recommendations specific to the Avenida de la Playa Commercial Center area which promote a focus on pedestrian-related amenities such as sidewalk surface treatments and street trees, both of which will be consistent with existing patterns of development. The scale of the project is consistent with existing development which allows and encourages a zero front yard setback and 100% building coverage. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use 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 mixed use project is consistent with the regulations of the La Jolla Shores Planned District Ordinance (LJSPDO) and the San Diego Municipal Code (SDMC). The project does not propose any deviations to the Land Development Code. The project is consistent with all development regulations regarding height, setbacks, coverage and parking. It is consistent with the character of the area as described in the LJSPDO with its use of decks which facilitate the “inside-outside” orientation. The project implements the theme of “unity with variety.” Pursuant to the LJSPDO “no structure shall be approved which is substantially like any other structure located on an adjacent parcel.” The project produces an architectural style with the use of stucco and clean lines rather than mimic adjacent structures. However, it does not deter in the quality, form, materials, color, and relationship as to disrupt the architectural unity of the area. A variety of materials and colors characterize the commercial area of La Jolla Shores and the development’s architecture with deep recessed arched windows, the use of neutral colors and an abundance of landscaping blends with the existing development.

The proposed project complies with LJSPDO development regulations regarding scale, architectural articulation, landscaping and decks and pedestrian scale consistent with LJSPDO’s SDMC section 1510.0301(c) such that:

- Building materials and roof pitches are consistent with the LJSPDO requirements.
- The white or natural earth color stucco exterior is consistent with the LJSPDO.
- Public views are not impacted by the project.
- Any exterior lighting is unobtrusive and shielded so as to not fall on adjacent properties.
- All roof top appurtenances are enclosed or shielded from public view.



Therefore, 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.

**3. The site is physically suitable for the type and density of development.**

The development will completely demolish the existing single-story retail store and construct a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor. The property is located in the La Jolla Community Plan (LJCP) area. The LJCP identifies the property as part of the Commercial Center (CC) Zone area of the La Jolla Shores Planned District Ordinance (LJSPDO).

Consistent with LJSPDO SDMC section 1510.0309, the proposed mixed use development will provide retail goods and consumer services, not to exceed 6,000 square feet of ground floor area, and is conditioned in the Coastal Development Permit and Site Development Permit to provide specific services in accordance with SDMC sec. 1510.0309(a). In addition, the two dwelling units will each exceed the required minimum 400 square feet floor area requirement and the overall height of the development shall not exceed the established coastal height limit of 30 feet. The CC zone allows commercial structures to occupy 100 percent of the lot area and the proposed project will encompass approximately 94 percent. Therefore, this proposed development is consistent with the type of commercial with residential development that exists within the La Jolla Shores CC zone area and does not exceed the allowed density of the site.

**4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The project's prepared Environmental Impact Report No. 182513 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. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare.**

The development will completely demolish the existing single-story retail store and construct a new 8,518 square-foot, three-story, mixed use development consisting of two residential condominium units on the second and third floors, basement parking, and commercial condominium unit space on the ground floor. The proposed development requires a Coastal Development Permit and Site 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. 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.**

There are no public easements on the existing site and therefore, the development would not conflict with any easements acquired by the public at large for access through or use of property within the proposed subdivision.

**7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.**

The project proposes the use of photovoltaics and is designed to take advantage of natural heating and cooling opportunities, with large overhangs over the west facing openings and operable windows for natural light and ventilation. Therefore, the design of the proposed subdivision provides, to the extent feasible, future passive or natural heating and cooling opportunities.

**8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.**

The two residential units will replace a single residential unit currently on the site, and the retail space will replace existing retail space. Therefore, the impacts of the proposed subdivision on the housing needs of the region will be minimal. Such needs and how those needs are balance against the needs for public services and the available fiscal and environmental resources have been considered.

That said 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, Map Waiver No. 683254, including the waiver of the



requirement to underground existing offsite overhead utilities; is hereby granted to Playa Grande, a Limited Liability Corporation, Subdivider, 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: Map Waiver Conditions  
Internal Order No. 23432518



PLANNING COMMISSION  
CONDITIONS FOR MAP WAIVER NO. 683254  
**WHITNEY MIXED USE - PROJECT NO. 182513; MMRP**  
ADOPTED BY RESOLUTION NO. XXXX ON APRIL 16, 2015

GENERAL

1. This Map Waiver will expire on April 30, 2018.
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 Parcel Map unless otherwise noted.
3. Prior to the Tentative Map Waiver expiration date, a Parcel 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 Parcel 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 Parcel Map shall comply with the provisions of Coastal Development Permit No. 662551 and Site Development Permit No. 662678.
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 the Subdivider of any claim, action, or proceeding, or if the 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 bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.



## ENGINEERING

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. 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.
9. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver 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

10. "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).
11. "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."
12. Every Parcel 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 meridian (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 Map Waiver 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 U.S.C. § 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 Map Waiver 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 Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver 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. 23432518



## I. INTRODUCTION

### A. Findings of Fact

The California Environmental Quality Act (CEQA) (Pub. Res. Code §§ 21000 *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regs §§ 15000 *et seq.*) promulgated thereunder, require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.



- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Guidelines Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Having received, reviewed, and considered the Final Environmental Impact Report for the Coastal Development Permit, Site Development Permit, and Tentative Map Waiver for the Whitney Mixed use Project, City of San Diego Project No. 182513/State Clearinghouse No. 2011061077 (Final EIR), as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) are hereby adopted by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed project.

## **B. Record of Proceedings**

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP), dated June 21, 2011, and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR circulated for public review on October 28, 2013;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;



- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All written and verbal public testimony presented during any noticed public hearing(s) for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The Final EIR for the proposed project;
- The reports and technical memoranda included or referenced in Responses to Comments and in the Final EIR;
- All documents, studies, EIRs, and other materials incorporated by reference in the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e);
- All ordinances and resolutions adopted in connection with the Whitney Mixed Use Project; and
- All project application materials.

### **C. Custodian and Location of Records**

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Development Services Center, 1222 First Avenue, Record Section, San Diego, CA 92101. The City's Development Services Center is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Development Services Department. This information is provided in compliance with CEQA Section 21081.6(a)(2) and Guidelines Section 15091(e).



## II. PROJECT SUMMARY

### A. Project Location

The regional and local settings of the project are discussed in Section 2.0, *Environmental Setting*, of the Final EIR. The Whitney Mixed Use Project site is located at 2202 and 2206 Avenida de la Playa in the La Jolla Community Plan area. Situated north of Avenida de la Playa, east of El Paseo Grande, west of Paseo del Ocaso, and south of Calle Clara, the Whitney Mixed Use Project site encompasses approximately 0.09 acres. Mixed-use development is located east of the project site and commercial development is located west of the project site. Multi-family residential development is located north of the project site, and an office building is located south of the project site. Vehicular access to the project site is provided off Calle Clara.

### B. Project Background

The Whitney Mixed Use Project site is the location of existing development on two lots in the form of a single-story commercial unit and a previously conforming single-story residential unit. The project requires discretionary approvals including: a Coastal Development Permit, Site Development Permit, and Tentative Map Waiver.

### C. Project Description

The Whitney Mixed Use Project proposes demolition of existing previously conforming 1,519-square-foot single-story residential and 1,538-square-foot single-story commercial structures on the 0.09-acre site and the construction of a new three-story 8,518-square-foot mixed-use building with one commercial and two residential (three-bedroom) condominiums. The project site is located within the City of San Diego Coastal Overlay Zone, which requires a Coastal Development Permit from the City of San Diego for the demolition and new construction. The project is located in the La Jolla Shores Planned District area, which requires a Site Development Permit for compliance with the La Jolla Shores Planned District Ordinance. The project also requires a Tentative Map Waiver for the consolidation of the 0.09-acre site from two lots into one lot for two residential and one commercial condominium units, and to waive the requirement to underground existing off-site overhead utility facilities.

The Whitney Mixed Use Project proposes the construction of a single structure with articulation both horizontally and vertically, to create visual interest. The primary street façades would have both one- and two-story elements, with setbacks from the property lines ranging from four inches to 20 feet. Third floor setbacks ranging from two feet at the stairwell to 38 feet on the patio would be arranged in multiple offsetting planes. Occupying a corner lot, project design responds to the street corner, with a 15-foot by 15-foot entry plaza cut away from the building's mass, relating to the pedestrian, the crosswalks, and the building occupying the opposite corner. A series of small-scale Irving Gill-inspired arches in two-foot-thick walls front both primary streets of Avenida de la Playa and El Paseo Grande; additionally, a covered terrace would be provided on the ground floor. All doors and windows would be deep set with balconies located at the second and third floors, adding further articulation through their projection and recession. An



open carport screened by landscaping and wrought-iron embellishment occupies the northwest corner of the site, with building mass carved away at the pedestrian level.

The proposed project is a composition of different elements. The street-level entry to the enclosed residential stairs and elevator serving the upper level residences is set back from the southerly property line by 20 feet and by five feet from the easterly property line. The proposed project would be set back by ten feet from the adjacent building at the southeast corner, creating an entry corridor opposite the adjacent building's entry, separating the proposed three-story mixed-use building and the existing three-story mixed-use building to the east. The existing brick paving in the parkway to the east would be extended to front the project site; and a new, mature Jacaranda tree would be planted to match the existing street trees along Avenida de la Playa. Additionally, vertical landscaping is proposed to climb and add visual relief to the first and second floor exterior walls of the building, to add texture and soften the building at the pedestrian level.

Street level parking occurs along Calle Clara and would be screened from El Paseo Grande with a planted wrought iron lattice. Two solid-construction garage doors matching the theme and style of the development would secure underground residential parking. Street level parking would be screened by an integrated carport and would serve the retail use and would be accessed from Calle Clara. Underground parking to serve the residential uses would be accessed off Calle Clara through mechanical garage doors and two car elevators down to the subterranean parking area. Mechanical equipment would be either inside the building or placed in sunken roof top wells, all screened from public view.

#### **D. Discretionary Actions**

For the Whitney Mixed Use Project, the following discretionary actions are required:

- **Coastal Development Permit** – The project site is located within the non-appealable area of the City of San Diego's Coastal Zone. Due to demolition and construction aspects of the project within the Coastal Zone, a Coastal Development Permit is required from the City of San Diego.
- **Site Development Permit** – The project site is located within the City of San Diego's La Jolla Shores Planned District Ordinance (LJSPDO) area. A Site Development Permit is required for proposed development within the LJSPDO due to its site, location, size, or some other characteristic, may have significant impacts on resources or on the surrounding area, even if developed in conformance with all regulations. The intent of the Site Development Permit is to apply site-specific conditions as necessary to assure that the development does not adversely affect the applicable land use plan and to help ensure that all regulations are met.
- **Tentative Map Waiver** – A Tentative Map Waiver is required for the consolidation of the 0.09-acre site from two lots into one lot for two residential and one commercial condominium units, and to waive the requirement to underground existing off-site overhead utility facilities.



- **Environmental Impact Report** – An EIR has been prepared in accordance with the provisions of CEQA. The EIR (SCH No. 2011061077) evaluates the potential environmental impacts that would result from the Whitney Mixed Use Project. Review and certification of this EIR and adoption of the MMRP by the decision maker would complete the environmental review for the project in accordance with CEQA and City regulations.

In accordance with the SDMC, including SDMC Section 129.0104, the City Engineer has the authority to interpret, administer and enforce the provisions of the Land Development Code, and to grant modifications to the Land Development Code for individual cases when there are practical difficulties involved in carrying out the applicable provisions of the SDMC. Moreover, while visibility triangles can be imposed by the City Engineer to address safety concerns, no provision of the SDMC specifically requires visibility triangles of any particular size for this project. In this regard, the City of San Diego City Engineer has determined that a variance is not required with regards to Calle Clara, which forms the project site's northern property boundary. Calle Clara is 30 feet wide. Pursuant to the definition of an alley in the San Diego Municipal Code, Section 113.0103, an alley is a maximum of 25 feet wide. However, pursuant to the City's Street Design Manual, an alley is 20 feet wide, but may be wider to accommodate utilities. Utilities are located in Calle Clara. Accordingly, the fact that Calle Clara is 30 feet wide is not the only factor to be used in determining whether it is an alley. The narrowest double-loaded street as defined in the City's Street Design Manual is a minimum of 30 feet from curb-to-curb, with a minimum 50-foot right-of-way plus sidewalks. Calle Clara does not have a 50-foot right-of-way; nor does it have sidewalks or curbs on the south side where the project is located. Technically, the northern "half" of Calle Clara is 20 feet wide while the southern "half" is only 10 feet wide. There are curbs along a small portion of the northern side of Calle Clara, but not on the south side. Development along the southern side observes a zero-foot setback as allowed in the LJSPDO. Garage doors for all development on the south side of Calle Clara are located on the property line, and none observe the visibility triangles required in Municipal Code Section 113.0273. Calle Clara, therefore, does not meet the minimum requirements for classification as a street, and has traditionally functioned as an alley.

Calle Clara's public right of way, on the north side and rear of the project site, was established along with the original block's Subdivision Map No. 1913, La Jolla Shores Unit No. I, June 1, 1926, with the dedication of 10 feet for an unnamed public right of way (approximately 1/2 width of an alley) between Paseo del Ocaso and El Paseo Grande. Typical of an alley, the project site's entire block is currently developed as such with zero lot line development along the alley. Later, Subdivision Map No. 2061, La Jolla Shores Unit No. 3, Sept. 26, 1927, was recorded for the subdivision on the north side of this unnamed alley. This subdivision map required the additional dedication of 20 feet of public right of way (approximately 1/2 width of a street) and identified the total 30 feet of public right of way as "Calle Clara." This subsequent subdivision's development produced street side features such as curb and gutter along portions of the north side of Calle Clara. The combination of these subdivision requirements has created a unique situation in which the existing Calle Clara has dual street and alley features, and Calle Clara does not meet the City's Street Design Standards.



Considering the unique situation and the existing development all along the southern side of Calle Clara observing a zero-foot setback as allowed in the LJSPDO, the City Engineer and City staff have reviewed the project as proposed with zero-setback, have determined that Calle Clara does not meet the minimum requirements for classification as a street, and consider Calle Clara to be functioning as an alley rather than a street. Therefore, SDMC section 113.0273(a) would not be applicable to the project. Nevertheless, considering development along Calle Clara as an “alley,” the visibility areas at the intersection of a street and alley (El Paseo Grande and Calle Clara) would be provided as a 10 feet by 10 feet visibility triangle area pursuant to section 113.0273(b).

As described in Section 1.4, *Responsible and Trustee Agencies*, of the Final EIR, for the Whitney Mixed Use project, there are no Responsible or Trustee agencies. According to Section 126.0710 of the City of San Diego Land Development Code, City Coastal Development Permits that are appealed to the Coastal Commission and are found to have a substantial issue become the responsibility of the Coastal Commission. The project site is located in a non-appealable area of the Coastal Overlay Zone. As a result, the project’s Coastal Development Permit may not be appealed to the Coastal Commission. Thus, the Coastal Commission is not a Responsible Agency for the Whitney Mixed Use Project.

#### **E. Statement of Project Purpose and Objectives**

##### **Project Purpose**

The purpose of the Whitney Mixed Use Project is to create a viable mix of commercial retail and residential condominium units. The project’s location and proposed uses would expand residential opportunities proximate to urban commercial uses.

##### **Project Objectives**

The project objectives associated with the Whitney Mixed Use Project are as follows:

- Create a coherent and cohesive design to enhance existing community character in the La Jolla community.
- Maximize efficiency in use of project site.
- Create a mixed-use development within walking distance of lifestyle amenities, such as restaurants, retail, employment, and parks/open space, as well as multi-modal transportation options.
- Provide for a mix of commercial and residential uses within the same vertical footprint.
- Utilize architecture and design elements to ensure high quality design and aesthetics.
- Provide quasi-public space for community use in the form of a pedestrian plaza/bench area.
- Implement pedestrian transportation improvements that would improve operations of the pedestrian network and would encourage pedestrian use.
- Create additional retail and job opportunities in the La Jolla community.



- Remove an existing previously conforming use and redevelop the project site with uses consistent with the La Jolla Community Plan and Local Coastal Program Land Use Plan and La Jolla Shores Planned District Ordinance.



### III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City determined that the proposed project may have a significant effect on the environment and that an EIR should be prepared to analyze the potential impacts associated with approval and implementation of the proposed project. In accordance with CEQA Guidelines Section 15082(a), a Notice of Preparation (NOP), dated June 24, 2011, was prepared for the project and distributed to other agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR for the proposed Whitney Mixed Use Project. A copy of the NOP and letters received during its review are included in Appendix A to the EIR. Based on an initial review of the project and comments received, the City of San Diego determined that the EIR for the proposed project should address the following environmental issues: Land Use; Transportation/Traffic Circulation/Parking; Visual Quality/Neighborhood Character; Air Quality; Global Climate Change; Energy; Noise; Historical Resources (Archaeological Resources and Historical Resources); Geologic Conditions, Paleontological Resources; Hydrology/Water Quality; Public Services and Facilities; Public Utilities; Growth Inducement; and Cumulative Effects.

The Draft EIR for the proposed project was then prepared and circulated for review and comment by the public, agencies and organizations for a 30-day public review period that began on October 28, 2013 and ended on November 29, 2013. The public review period was extended two weeks, ending on December 13, 2013. The Draft EIR and technical appendices were also directly sent to all applicable local and State agencies and the Native American Heritage Commission. A notice of availability of the Draft EIR for review was mailed to residents in the vicinity of the project site and any parties expressing an interest in the project. The notice of availability was also filed with the City Clerk and posted in the San Diego Daily Transcript and on the City's web page, and the required notice was provided to the public.

As noted, the public comment period on the Draft EIR concluded on November 29, 2013. The public review period was extended two weeks, ending on December 13, 2013. The City received 11 letters of comment on the proposed project. The City prepared responses to those comments, which are incorporated into the Final EIR. On [date], the City of San Diego Planning Commission held a public hearing to consider the project and, by a [ ] vote, certified the Final EIR, adopted these findings of fact, and approved the Whitney Mixed Use Project.



#### IV. GENERAL FINDINGS

The City hereby finds as follows:

- The City is the “Lead Agency” for the proposed project evaluated in the Final EIR.
- The Draft EIR and Final EIR were prepared in compliance with CEQA and the Guidelines.
- The City has independently reviewed and analyzed the the Final EIR, and these documents reflect the independent judgment of the City of San Diego.
- The City of San Diego’s review of the Draft EIR and the Final EIR is based upon CEQA, the CEQA Guidelines, and the City of San Diego California Environmental Quality Act Significance Determination Thresholds – Development Services Department (January 2011) (CEQA Significance Determination Thresholds).
- A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed project, which the City has adopted or made a condition of approval of the proposed project. That MMRP is included as Section 11.0 of the Final EIR, is incorporated herein by reference and is considered part of the record of proceedings for the proposed project.
- The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The City will serve as the MMRP Coordinator.
- In determining whether the proposed project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2.
- The impacts and potential impacts of the proposed project have been analyzed to the extent feasible at the time of certification of the Final EIR.
- The City has reviewed the comments received on the Draft EIR and Final EIR and the responses thereto and has determined that, in accordance with CEQA Guidelines Section 15088.5, neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR or Final EIR, no new impacts and/or mitigation measures have been identified, and that recirculation of the EIR is not necessary. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR. The City has included new information in the Final EIR, but the new information merely clarifies and amplifies the information in the Draft EIR. This new information does not alter the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect. No significant new information is provided by the inclusion of this information that would require recirculation of the EIR.
- The City has made no decisions that constitute an irretrievable commitment of resources toward the proposed project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed project;
- Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials; and



- Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the proposed project and finds as stated in these Findings.



## V. SUMMARY OF IMPACTS

Section 5.0 of the Final EIR presents the *Environmental Analysis* of the proposed project. Based on the analysis contained in Section 5.0 of the Final EIR, the Final EIR concludes that the proposed Whitney Mixed Use Project will have **no significant impacts** and require no mitigation with respect to the following issues:

- Land Use
- Transportation/Traffic Circulation/Parking
- Visual Quality/Neighborhood Character
- Air Quality
- Global Climate Change
- Energy
- Noise
- Geological Conditions
- Paleontological Resources
- Hydrology/Water Quality
- Public Services and Facilities
- Public Utilities

Potentially **significant impacts of the proposed project will be mitigated to below a level of significance** with respect to the following issues:

- Historical Resources (Archaeological Resources and Historical Resources) (direct)

**The project would not result in any significant unmitigated impacts.**



## VI. FINDINGS REGARDING IMPACTS

### A. Historical (Archaeological Resources and Historical Resources) Resources

**Environmental Impact:** The proposed project could result in direct impacts to unknown subsurface archaeological resources as a result of excavation and trenching for the project.

**Finding:** Changes or alterations have been required in the project which mitigate the project's potential impact on archaeological resources.

**Facts in Support of Finding:** The project site is located in an area where important cultural resources are known to occur. No cultural resources have been identified on the project site. Additionally, the project site has been graded and developed in accordance with previous approvals, leaving the Whitney Mixed Use Project site in a completely altered state. However, project development involves grading that may have the potential to unearth unknown subsurface archaeological resources in this sensitive area. This would be regarded as a potentially significant direct impact. Implementation of Mitigation Measure MM 5.4-1 would be required and would ensure that the development of the Whitney Mixed Use Project would mitigate direct project impacts to cultural resources to below a level of significance.

**Reference:** Final EIR § 5.4.



## VII.

### FINDINGS REGARDING CHANGES OR ALTERATIONS THAT ARE WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY

There are no changes or alterations that are within the responsibility and jurisdiction of another public agency and not the agency making the finding.

## VIII.

### FINDINGS REGARDING ALTERNATIVES

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice."

The City, having reviewed and considered the information contained in the Final EIR, finds pursuant to CEQA Section 21081(a)(3) and Guidelines Section 15091(a)(3) that the alternatives presented and considered in the Final EIR constitute a reasonable range of alternatives necessary that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project to permit a reasoned choice among the options available to the City and/or the project proponent. The CEQA Section 21081 and Guidelines Section 15019(a)(3) provide economic, legal, social, technological or other considerations may form the basis for a finding of infeasibility. Case law makes clear that an alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

Pursuant to Guidelines Section 15126.6(1), the Final EIR examines project alternatives in terms of their ability to meet most of the basic objectives of the Project and reduce significant environmental impacts. As presented in the Final EIR, the following is a list of the project objectives:

- Create a coherent and cohesive design to enhance existing community character in the La Jolla community.
- Maximize efficiency in use of project site.
- Create a mixed-use development within walking distance of lifestyle amenities, such as restaurants, retail, employment, and parks/open space, as well as multi-modal transportation options.
- Provide for a mix of commercial and residential uses within the same vertical footprint.
- Utilize architecture and design elements to ensure high quality design and aesthetics.
- Provide quasi-public space for community use in the form of a pedestrian plaza/bench area.
- Implement pedestrian transportation improvements that would improve operations of the pedestrian network and would encourage pedestrian use.



- Create additional retail and job opportunities in the La Jolla community.
- Remove an existing previously conforming use and redevelop the project site with uses consistent with the La Jolla Community Plan and Local Coastal Program Land Use Plan and La Jolla Shores Planned District Ordinance.

The impacts of each alternative are analyzed Section 10.0 of the EIR. The review of alternatives includes an evaluation to determine if any specific environmental characteristic would have an effect that is “*substantially less*” than the proposed project. A significant effect is defined in Section 15382 of the CEQA Guidelines as “*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.*” The significant impacts that apply to this project are: Historical Resources (Archaeological Resources and Historical Resources) (direct).

Two Alternatives were considered for the Whitney Mixed Use Project as discussed in the EIR, including the “No Project” alternative that is mandated by CEQA and other alternatives that were developed in the course of project planning and environmental review for the proposed project. Specifically, the following project alternatives are addressed in the EIR:

1. Alternative 1 – No Project/No Build
2. Alternative 2 – All Commercial Development

As required in CEQA Guidelines Section 15126.6(a), in developing the alternatives to be addressed in EIR, consideration was given regarding an alternative’s ability to meet most of the basic objectives of the proposed project. Because the proposed project could cause unavoidable significant environmental effects related to Historical Resources (Archaeological Resources and Historical Resources) (direct), the project would implement Mitigation Measure MM 5.4-1 to avoid significant effects on the environment.

In accordance with CEQA Guidelines Section 15091(a), if one or more significant effects on the environment would occur if a project is approved, the lead agency must make one or more of the following findings:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. ☐
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. ☐
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. ☐

Pursuant to Section VI. of these Findings, a finding is made that significant environmental impacts relative to Historical Resources (Archaeological Resources and Historical Resources)



have been mitigated. No other significant environmental impacts would result from implementation of the proposed project. Therefore, no further findings regarding alternatives are required.



**IX.**  
**ENVIRONMENTAL ISSUES DETERMINED**  
**NOT TO BE POTENTIALLY AFFECTED BY THE PROJECT**

The City determined that the environmental analysis contained in the Final EIR for agricultural resources and forestry, biological resources, health and safety, mineral resources, population and housing, and recreation had “no impact” or had a “less than significant impact,” and, therefore, did not warrant further consideration in the Final EIR. No substantial evidence has been presented to or identified by the City that will modify or otherwise alter the City’s “no impact” or “less-than-significant” determination for these environmental issues.

**X.**  
**FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE**  
**ENVIRONMENTAL CHANGES**

Guidelines Section 15126(c) requires that an EIR describe any significant irreversible environmental changes that would be involved in the proposed project should it be implemented. Section 15126.2(c) indicates that:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.

The same section further indicates that:

Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Development would occur on the project site as a result of the proposed project, which would entail the commitment of energy and natural resources. The primary energy source would be fossil fuels, representing an irreversible commitment of this resource. Construction of the project would also require the use of construction materials, including cement, concrete, lumber, steel, etc., and labor. These resources would also be irreversibly committed.

Once constructed, use of the Whitney Mixed Use Project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the proposed structures are likely to have a useful life of 20 to 30 years or more. However, as discussed in Section 5.10, *Energy*, of the EIR, the impacts of increased energy usage are not considered significant adverse environmental impacts.



**EXHIBIT B****MITIGATION MONITORING AND REPORTING PROGRAM****COASTAL DEVELOPMENT PERMIT NO. 662551, SITE DEVELOPMENT PERMIT  
NO. 662678, AND TENTATIVE MAP WAIVER NO. 683254  
WHITNEY MIXED USE - PROJECT NO. 182513**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 182513 shall be made conditions of Coastal Development Permit No. 662551, Site Development Permit No. 662678, and Tentative Map Waiver No. 683254 as may be further described below.

**I. Prior to Permit Issuance****A. Entitlements Plan Check**

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

**II. Prior to Start of Construction****A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search (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 ¼ 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.

**III. 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 III.B-C and IV.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 (CSVSR). The CSVSR'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 IV 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.

#### **IV. 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.

## **V. 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 CSV 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 III - During Construction, and IV – 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 III - During Construction and IV-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 III-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.

## VI. 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 IV – 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.

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





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

## La Jolla Community Planning Association

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

President: Tony Crisafi  
 Vice President: Joe LaCava  
 Second Vice President: Patrick Ahern  
 Treasurer: Jim Fitzgerald  
 Secretary: Helen Boyden

Thursday, 5 December 2013

### Final Minutes -- Regular Meeting

Trustees Present: Patrick Ahern, Cynthia Bond, Helen Boyden, Tom Brady, Bob Collins, Dan Courtney, Tony Crisafi, Janie Emerson, Jim Fitzgerald, Gail Forbes, Joe LaCava, David Little, Nancy Manno, Phil Merten, Myrna Naegle, Bob Steck, Ray Weiss, Frances O'Neill Zimmerman

**1. Welcome and Call To Order:** Tony Crisafi, President, at 6:08PM

**2. Adopt the Agenda**

Approved Motion: To approve the agenda as posted: (LaCava, Weiss: 14-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Little, Manno, Merten, Naegle, Steck, Weiss  
 Abstain: Crisafi (Chair)

**3. Meeting Minutes Review and Approval**

Approved Motion: To approve the Minutes of 7 November 2013 as presented in the Public Document (Fitzgerald, Collins: 12-0-3)

In favor: Ahern, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Little, Merten, Naegle, Steck, Weiss  
 Abstain: Bond (absent), Crisafi (Chair), Manno (absent)

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

**A. Council District 1 – Council President Pro Tem Sherri Lightner**

Rep: Erin Demorest, 619.236.7762, [edemorest@sanidiego.gov](mailto:edemorest@sanidiego.gov) reported that 1) the relocation of the main entrance of the Venter Institute from Torrey Pines Road to Expedition Way was approved by the Coastal Commission; 2) the Avenida de la Playa Storm Drain, Sewer and Water project is under way; 3) Recirculation of the Hillel dEIR with comments due by January 28<sup>th</sup> has been noticed.

**B. 39<sup>th</sup> Senate District – State Senator Marty Block**

Rep: Allison Don, 619-645-3133, [Allison.don@sen.ca.gov](mailto:Allison.don@sen.ca.gov) was not present

**C. 78<sup>th</sup> Assembly District Majority Leader Toni Atkins**

Rep: Toni Duran, 619-645-3090, [Toni.Duran@asm.ca.gov](mailto:Toni.Duran@asm.ca.gov) was not present.

**5. Non-Agenda Public Comment - Issues not on the agenda and within LCPA jurisdiction, two (2) minutes or less**

UCSD - Planner: Robert Clossin, [rclossin@ucsd.edu](mailto:rclossin@ucsd.edu), <http://commplan.ucsd.edu/> also mentioned the Coastal Commission approval of the Venter Driveway relocation. The SIO Coastal Meander Trail—a 400 foot pedestrian trail with coastal outlooks is being funded by UCSD and the Coastal Conservancy.

Member Mike Costello presented a draft of a letter he had prepared for Trustee consideration urging the City to institute a comprehensive study of all La Jolla Beaches and Rocky Shores rather than taking a piecemeal approach, i.e., not considering only the Children's Pool as is currently being done.

Member Sally Miller urged trustees not to recommend approval of any sidewalk café with less than 8' feet of public sidewalk remaining.



2,000 sq. ft. of commercial space with basement parking on a 0.09 acre site at 2202 and 2206 Avenida De La Playa in the CC Zone of the La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking.

*PRC Motion (Nov 2013): Findings can not be made for a Site Development Permit or a Coastal Development Permit based on the excessive upper floor building area, which is out of character in form and relationship with the other mixed use buildings in the area. 4-0-2*

Trustee Naegle abstained and left the table to participate as a neighbor for items 15, 16, and 17

Architect Tim Martin presented the changes made to the project since the previous LJCPA review. The basement parking is now accessed by two car elevators instead of a ramp. One residential parking space has been gained underground. An open-on-two-sides, covered courtyard has been created adjacent to the parkway, decreasing the GFA. Upper story setbacks have been increased on the north, south and west sides resulting in a very articulated building that is reduced in bulk and scale. There is no setback at any level on the east side. Commercial structures can build to the lot line. The FAR is now 2.16. The foundation design has been changed to a mat slab, eliminating the need for deep caissons. There will be temporary shoring while the basement is being built. Streets usually follow these configurations: Residential: 10-28-10; commercial: 10-40-10. Alleys are 20'-25' with no parkway. Calle Clara is 30' with no parkway. Vertical landscaping will soften lines. [DPM Tim Daly later stated that buildings on the north side of Calle Clara were built with it designated a street. Structures on the south side of Calle Clara were built under "alley regulations." The City Engineer has determined that Calle Clara is an alley and adjacent construction does not need to follow the restrictions such as visibility triangles and curb cuts that are required for streets.]

Those commenting against: Julie Hamilton, Attorney for La Jolla Shores Tomorrow and Mike McCormack commented on size of projects. Member Bernard Segal commented on street vs. alley designation. Members Althea Brimm and Dolores Donovan commented on changes in La Jolla Shores. Member Peggy Davis commented on ground water, soil and project size. Abstaining Trustee Naegle, adjacent resident: commented as a neighbor on prior plans for walls facing the side edges of property.

Those commenting in favor: Applicant Bob Whitney: noted FAR's, pre PDO buildings, City response to request for a variance, building setbacks, characteristics and post construction changes to other structures in area. Member Michael Morton: noted changes in La Jolla Shores; role and character of the LJS commercial area. Member CA Marengo: commented on the project articulation and street vs. alley issues. Bobby Whitney, son of applicant: noted landscaping options and ground water solutions.

Trustee questions and comments (any response in parentheses): Trustee Brady: Stop signs (at east end but not west); Trustee Ahern: elevator noise (underground not an issue); Trustee Forbes: Bicycle element (will do in front setback); Trustees Boyden, Collins and Zimmerman noted setback, continuing change in the Shores, and light and air concerns. Trustee LaCava had talked to Whitney and PRC members. He commented on light and air concerns, prior existing buildings and conditions when the applicant purchased the property. He stated that he could support the project if there was a 5' setback on the east side at the 2<sup>nd</sup> and 3<sup>rd</sup> floor.

**Approved Motion: To support the PRC Motion that : Findings cannot be made for a Site Development Permit or a Coastal Development Permit based on the excessive upper floor building area, which is out of character in form and relationship with the other mixed use buildings in the area. (Zimmerman, Manno: 13-3-2 )**

In favor: Bond, Boyden, Collins, Courtney, Emerson, Fitzgerald, Forbes, Little, Manno, Merten, Steck, Weiss, Zimmerman

Opposed: Ahern, Brady, LaCava

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

#### **16. Whitney Mixed Use – Draft Environmental Impact Report**

The proposed project is a SITE DEVELOPMENT PERMIT and COASTAL DEVELOPMENT PERMIT to demolish existing previously conforming 1,519-square foot single-story residential and 1,538-square foot single-story commercial structures and construct a new three-story 8,518-square foot mixed-use building with commercial and residential condominiums. The 0.09-acre project site is located at 2202 and 2206 Avenida de la Playa within the La Jolla Shores Planned District area of the La Jolla community.

*PRC Motion (Dec. 2013): The PRC committee approves in concept the responses to the Draft Environmental Impact Report for the Whitney Mixed Use Project as were discussed and agreed upon by the Committee on December 3, 2013. 5-0-2*



**NOTE: The DRAFT Environmental Impact Report is available online at:**

[http://google.sannet.gov/search?partialfields=&sort=date%3AD%3A%3Ad1&proxyreload=1&num=100&requiredfields=STARTED:T RUE.ENDED:FALSE.PATH:CEQA&layout\\_type=datetitlelink&getfields=DOCUMENT URL.TITLE.DOC DATE&output=xml no dtd&ie=UTF8&client=scs ocd&filter=0&site=documents&config=ceqa.js&proxystylesheet=scs ocd&q=](http://google.sannet.gov/search?partialfields=&sort=date%3AD%3A%3Ad1&proxyreload=1&num=100&requiredfields=STARTED:T RUE.ENDED:FALSE.PATH:CEQA&layout_type=datetitlelink&getfields=DOCUMENT URL.TITLE.DOC DATE&output=xml no dtd&ie=UTF8&client=scs ocd&filter=0&site=documents&config=ceqa.js&proxystylesheet=scs ocd&q=)

**Public Comment:**

**Julie Hamilton:** cited document flaws; urged the LJCPA, as the recognized planning group experts, to comment on the dEIR and possibly ask for additional time. An opinion, even if handed in late, is in the public record and will be considered by the decision maker. **Member Dolores Donovan:** urged asking for extra time. **Bernard Segal:** Section 6.2.2 does not deal with future cumulative effects. **Kim Whitney, Applicant,** felt additional time would add to their already considerable expense. Member **Michael Morton** inquired as to where the PRC comments were. [They were part of the Public Documents which had been prematurely removed from the table.]

**Trustee Emerson, PRC member,** feels that the motion does not correctly characterize the PRC process, but the PRC comments as expressed are valid. She decried the expense to the applicant of producing such an inadequate document. **Trustee Merten** outlined the PRC process; shortness of time; that a first draft had supporting statements based on SDMC. **Trustee Boyden** noted lack of alternatives as prescribed by CEQA, citing **Attorney Hamilton's** written remarks. **Trustee LaCava** said LJCPA should not ask for more time, but agreed that many resources had been wasted. He and **Trustees Merten and Fitzgerald** said we should offer an opinion on the adequacy of the document.

**Approved Motion: The La Jolla Community Planning Association finds that the Whitney dEIR is inadequate and disagrees with its conclusions that the project is in conformance with the La Jolla Shores PDO, the La Jolla Shores PDO Design Manual and the San Diego Municipal Code. (Fitzgerald, Zimmerman: 10-3-1)**

In favor: Bond, Boyden, Brady, Emerson, Fitzgerald, Little, Manno, Merten, Steck, Zimmerman

Opposed: Ahern, LaCava, Forbes,

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

**Failed Motion: To send Trustee Merten's comments on the dEIR to the City under the LJCPA letterhead and signed by the LJCPA President (Boyden, Little: 6-7-1)**

In favor: Bond, Boyden, Fitzgerald, Little, Merten, Zimmerman

Opposed: Ahern, Brady, Emerson, Forbes, LaCava, Manno, Steck

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

**17. Adjourn at 9:55 PM to next Regular Monthly Meeting, January 2, 2014 6:00 pm.**



## LA JOLLA SHORES PLANNED DISTRICT

Applicant: Martin Aramian Item: 5 WATERWAY MIXED USE  
 Date: Nov. 19, 2013

To: Planning Director  
 From: La Jolla Shores Planned District Advisory Board  
 Subject: Proposal Within La Jolla Shores Planned District

The La Jolla Shores Planned District Advisory Board has reviewed the applicant for:

No recommendation can be made on  
the EIR

located \_\_\_\_\_

and recommends:

- ☐ A. Approval because of conformity to criteria and design standards adopted by the City Council
- ☐ B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)
- ☐ C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ D. Denial because of lack of four affirmative votes.

☒ No recommendation  
 Board Signatures

Approving Item: #5

Disapproving Item: 0

[Signature]  
[Signature]  
[Signature]

Absentees

[Signature]

[Signature]

Chairman



## LA JOLLA SHORES PLANNED DISTRICT

Applicant: Martin ArchitectureItem: S. Whitney Mixed UseDate: November 19, 2013Building

To: Planning Director  
 From: La Jolla Shores Planned District Advisory Board  
 Subject: Proposal Within La Jolla Shores Planned District

The La Jolla Shores Planned District Advisory Board has reviewed the applicant for:

This Board Does Not Make a Recommendation  
on this project.

located \_\_\_\_\_

and recommends: Review/ Fixtures

- ☐ A. Approval because of conformity to criteria and design standards adopted by the City Council
- ☐ B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)
- ☐ C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.

- ☐ D. Denial because of lack of four affirmative votes.

☒ No recommendation  
5 Board Signatures

Approving Item: \_\_\_\_\_

Disapproving Item: \_\_\_\_\_

[Signatures]  
Dan Halse  
Dave Pottle  
Suzanne Weissman

Absentees: \_\_\_\_\_

[Signature]  
 Chairman



Report to Planning Commission No. PC-10-079,  
Sept. 2, 2010, see City webpage:  
[http://www.sandiego.gov/planning-  
commission/pdf/pcreports/2010/10079.pdf](http://www.sandiego.gov/planning-commission/pdf/pcreports/2010/10079.pdf)



City Council Item No. 330, Nov. 16, 2010, see City  
webpage:

<http://dockets.sandiego.gov/sirepub/agdocs.aspx?doctype=agenda&itemid=50352>

Report to Planning Commission No. PC-11-012, Jan. 20, 2011, see City webpages:

<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt1.pdf>;

<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt2.pdf>;

<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt3.pdf>; and

<http://www.sandiego.gov/planning-commission/pdf/pcreports/2011/11012pt4.pdf>,



City Council Item No. 333, May 3, 2011, see City webpage:

<http://dockets.sandiego.gov/sirepub/agdocs.aspx?doctype=agenda&itemid=59271>

RESOLUTION NUMBER R- 306794

DATE OF FINAL PASSAGE MAY 03 2011

A RESOLUTION GRANTING THE APPEAL, DENYING  
CERTIFICATION OF MITIGATED NEGATIVE  
DECLARATION NO. 182513 AND MAKING CERTAIN  
FINDINGS FOR THE WHITNEY MIXED USE PROJECT.

WHEREAS, on July 28, 2010, Playa Grande, LLC, Limited Liability Company, Owners and Permittees, submitted an application to the City of San Diego (City) for a coastal development permit, site development permit, and tentative map waiver (Entitlements) to demolish an existing single-story residence and ground floor retail store, and to construct a new mixed use development of approximately 8,950 square feet; and

WHEREAS, on September 9, 2010, the Planning Commission voted 5-1-1 to deny the appeals of the Hearing Officer's decision to approve the project, and approved the project as recommended by staff with no new conditions added; and

WHEREAS, on September 22, 2010 La Jolla Shores Tomorrow, c/o Julie Hamilton, Esq., and on September 23, 2010, Bernard Segal (collectively, Appellants) filed separate appeals of the Planning Commission's decision to certify Mitigated Negative Declaration No. 182513; and

WHEREAS, on November 16, 2010, the City Council conducted a public hearing and granted the appeals filed by La Jolla Shores Tomorrow and Bernard Segal and remanded the matter to the Planning Commission in accordance with San Diego Municipal Code section 112.0520(f), to reconsider the environmental determination; and

WHEREAS, on January 20, 2011, the Planning Commission conducted a public hearing and certified Mitigated Negative Declaration No. 182513 and approved the Entitlements for the project; and



WHEREAS, on January 20, 2011, the La Jolla Community Planning Association appealed the Planning Commission's environmental determination; and

WHEREAS, on May 3, 2011, the City Council conducted a public hearing and considered the issues presented by the La Jolla Community Planning Association; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Appeal by the La Jolla Community Planning Association is hereby granted; and

BE IT FURTHER RESOLVED, that the Council finds that a Mitigated Negative Declaration cannot be certified for this project because the record contains substantial evidence to support a fair argument that the Whitney mixed use project may have a significant effect on the environment and requires an Environmental Impact Report; and

BE IT FURTHER RESOLVED, that the Council finds that substantial evidence of the project's impact on aesthetics and neighborhood character has been provided by the La Jolla Community Planning Association and local architects and residents, and all have testified that the project is not compatible with the bulk and scale of the surrounding neighborhood and is so different in form and relationship that it is not compatible with surrounding development; and

BE IT FURTHER RESOLVED, that the Council finds that substantial evidence of the project's impact on geology and soils has been provided by a registered professional engineer, Dr. Peter Geissler, who said the project could cause permanent soil subsidence due to dewatering

for drilled foundation piers, and the Council further finds the MND fails to consider or analyze these potential impacts; the applicant's soils engineer suggested mitigation measures, but they lack the specificity necessary to assure any potential impacts will be mitigated; the mitigation measures suggested by the applicant's soils engineer have not been incorporated into the Mitigation Monitoring and Reporting Program and are not binding on the applicant; and

BE IT FURTHER RESOLVED, that the Council finds that nothing in the material discusses the impact on groundwater hydrology of placing a solid 3,000 square foot barrier to groundwater flows below the water table; and

BE IT FURTHER RESOLVED, that the MND failed to consider impacts to archaeological and paleontological resources caused by drilling the foundation piers, where the appellants provided evidence from Dr. Geissler reporting that drilling foundation piers will crush any human remains, archaeological artifacts and fossils; and where the MND relies on a Mitigation Monitoring and Reporting Plan to mitigate impacts on archaeological and paleontological resources and relies on a monitor to protect artifacts discovered during excavation, the plan fails to mitigate impacts caused by drilling the foundation piers because the drilling itself will destroy any archaeological and/or paleontological resources that may be encountered; and

BE IT FURTHER RESOLVED, that the Council find that the La Jolla Community Planning Association provided substantial evidence that the project may have a significant land use impact in that the project conflicts with community character policies of the La Jolla Community Plan, the La Jolla Shores Planned District Ordinance and the La Jolla Shores Design Manual; and




(R-2011-890)  
COR.COPY

BE IT FURTHER RESOLVED, that the Council finds that the report prepared by Federhart and Associates provides substantial evidence the project may have significant impact on the safety of vehicles, pedestrians and bicycles in the area due to poor sight distance because the project fails to provide the visibility triangles required by SDMC Section 113.0273.

APPROVED: JAN I. GOLDSMITH, City Attorney

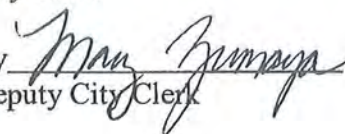
By

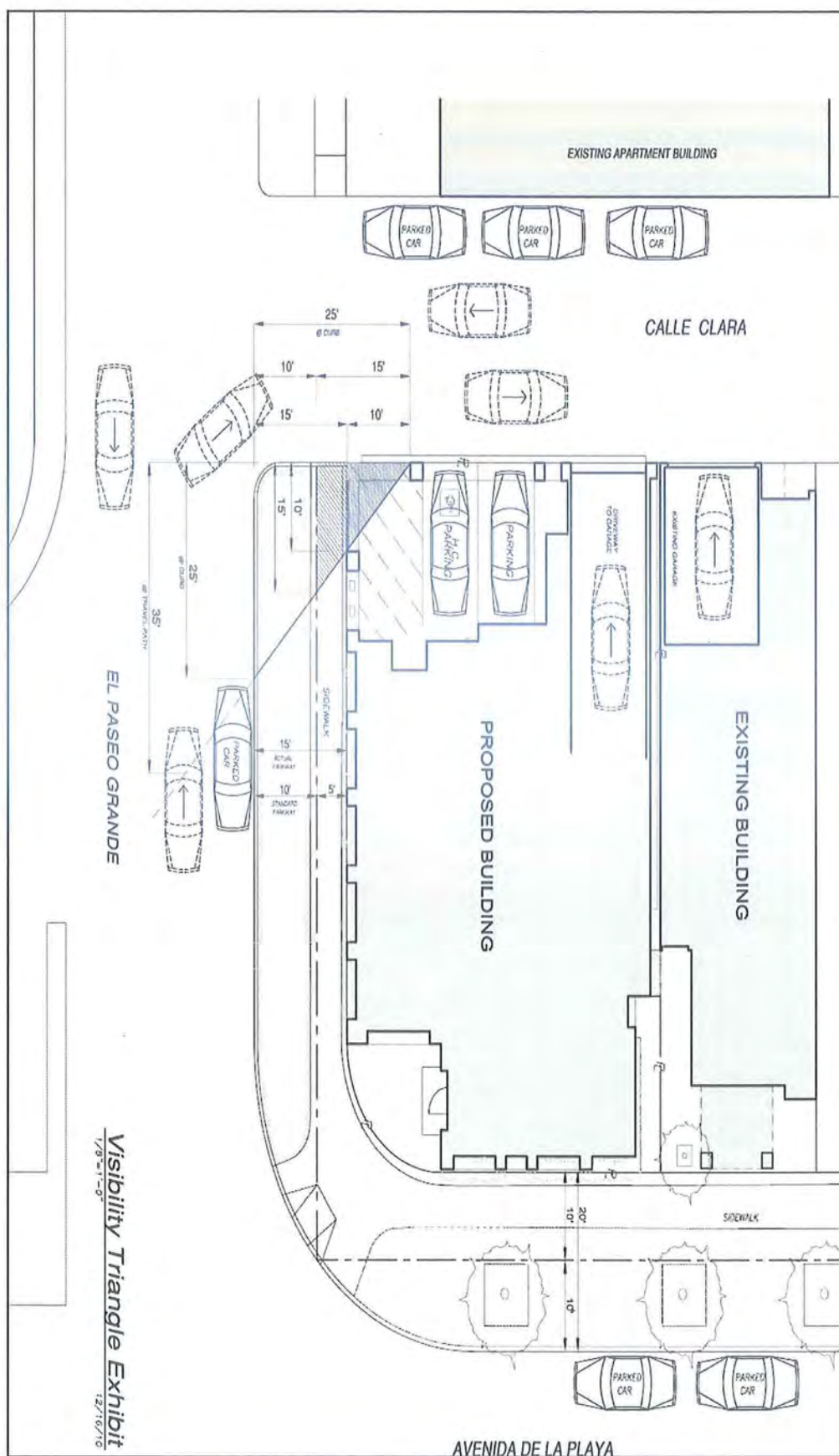
  
Andrea Contreras Dixon  
Deputy City Attorney

ACD:hm:cw  
5/5/2011  
5/18/2011 COR.COPY  
Or.Dept:DSD

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 03 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

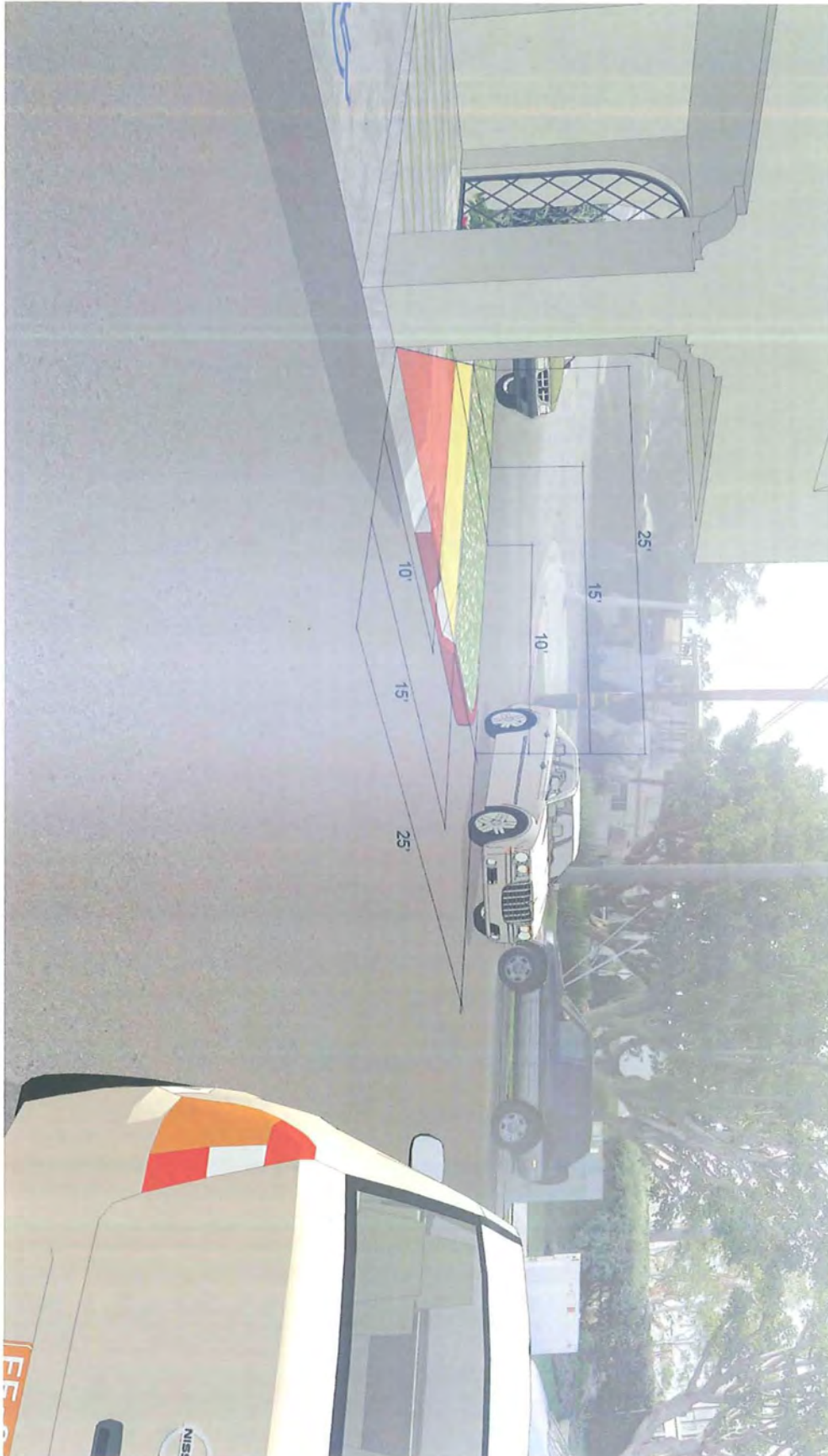












# Ownership Disclosure Statement

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

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

**Project Title**

Whitney Family Residences

**Project No. For City Use Only**

182513

**Project Address:**

2202 / 2206 Avenida De La Playa, La Jolla, Ca. 92037

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

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

**Additional pages attached** ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:



<b>Project Title:</b> Whitney Family Residences	<b>Project No. (For City Use Only)</b> 182513
--	--


  

**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): Playa Grande LLC <hr/> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: 8100 Paseo del Ocaso Suite C City/State/Zip: La Jolla, CA 92037 Phone No: (858) 456 2240    Fax No: (858) 456 0840 Name of Corporate Officer/Partner (type or print): Robert Whitney Title (type or print): President Signature:  Date: 04/28/2009	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No:    Fax No: <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature :    Date:
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No:    Fax No: <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature :    Date:	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No:    Fax No: <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature :    Date:
Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No:    Fax No: <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature :    Date:	Corporate/Partnership Name (type or print): <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> Street Address: <hr/> City/State/Zip: <hr/> Phone No:    Fax No: <hr/> Name of Corporate Officer/Partner (type or print): <hr/> Title (type or print): <hr/> Signature :    Date:

## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Whitney Mixed Use	
<b>PROJECT DESCRIPTION:</b>	Demolish the existing structures and construct a new mixed use condominium building.	
<b>COMMUNITY PLAN AREA:</b>	La Jolla	
<b>DISCRETIONARY ACTIONS:</b>	Tentative Map Waiver, Coastal Development Permit, and Site Development Permit	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Community Commercial	
<b><u>ZONING INFORMATION:</u></b> <b>ZONE:</b> La Jolla Shores Planned District, Commercial Center (CC) <b>HEIGHT LIMIT:</b> 30 maximum height limit <b>LOT SIZE:</b> No Minimum; 3,952 square feet existing <b>FLOOR AREA RATIO:</b> No Maximum; 2.16 provided <b>ALL SETBACKS:</b> 0.0 feet Minimum; 0.0 feet provided <b>PARKING:</b> 7 parking spaces required		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Low Density Residential (5 – 9 du/ac); MF2.	Multi-Family Residential
<b>SOUTH:</b>	Park; OP-1-1	Laureate Park
<b>EAST:</b>	Community Commercial; CC	Commercial/Mixed Use
<b>WEST:</b>	Community Commercial; CC	Commercial/Mixed Use
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On December 5, 2013, the La Jolla Community Planning Association voted 13-3-2 to recommend denial of the proposed project.	
<b>LA JOLLA SHORES ADVISORY BOARD RECOMMENDATION:</b>	On November 19, 2013, the Board voted 5-0 with no recommendation on the project.	



DEVELOPMENT SERVICES  
**Project Chronology**  
**Whitney Mixed Use – Project No. 182513**

Date	Action	Description	City Review Time	Applicant Response
06/18/09	First Submittal	Project Deemed Complete		
07/24/09	First Assessment Letter		37 days	
08/19/09	Second Submittal			26 days
09/30/09	Second Review Complete		43 days	
11/5/09	Third Submittal			36 days
12/15/09	Third Review Complete		39 days	
05/4/10	Fourth Submittal			140 days
06/15/10	Issues Complete		41 days	
07/6/10	Final MND			
07/28/10	HO Hearing		43 days	
09/09/10	PC Appeal Hearing		29 days	
11/16/10	Council Appeal Hearing		68 days	
01/20/11	PC Reconsideration Hearing		65 days	
05/03/11	Council Appeal Hearing		103 days	
10/28/13	Draft EIR			
02/18/15	Final EIR			
04/16/15	PC Reconsideration Hearing		1,444 days	
TOTAL STAFF TIME			1,912 days	
TOTAL APPLICANT TIME				202 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	5 years 10 months 4 days	