



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: March 16, 2017 REPORT NO. PC-17-009

HEARING DATE: March 23, 2017

SUBJECT: MCASD EXPANSION. Process Four Decision.

PROJECT NUMBER: [405930](#)

OWNER/APPLICANT: Museum of Contemporary Art San Diego (MCASD)/James Alcorn

SUMMARY:

Issue: Should the Planning Commission grant approvals to demolish an existing single-family residence and add to an existing museum, including underground parking facilities, located at 636 and 700 Prospect Street within the La Jolla Community Planning area?

Staff Recommendations:

1. ADOPT Mitigated Negative Declaration No. 405930 and ADOPT Mitigation Monitoring and Reporting Program; and
2. APPROVE Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238, (Amending Coastal Development Permit/La Jolla Planned District Permit/Special Use Permit No. 96-0257).

Community Planning Group Recommendation: On August 6, 2015, the La Jolla Community Planning Association voted 11-1-1 to recommend approval of the project and the proposed deviations with no conditions (Attachment 17).

Environmental Review: A Mitigated Negative Declaration No. 405930, was prepared for the project in accordance with the 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 below a level of significance, any potential impacts identified in the environmental review process.

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

Housing Impact Statement: The project proposes the demolition of one existing single-family residential unit at 636 Prospect Street and the construction of the Museum expansion and parking garage. The single-family residence is located in the Medium Density Residential (15-30 DU/AC) of the La Jolla Community Plan Land Use Map (Attachment 2). The proposed project is an addition to the Museum of Contemporary Art San Diego, an identified "community landmark" located in the Cultural Complex as identified by the La Jolla Community Plan. This project will result in the loss of one market rate dwelling unit. This project involves less than three dwelling units and thus is not subject to the City's Inclusionary Affordable Housing Regulations and Coastal Overlay Zone Affordable Housing Replacement Regulations.

BACKGROUND

The project is located at 636 and 700 Prospect Street and is comprised of the 2.28-acre existing Museum of Contemporary Art San Diego property and the 0.27-acre adjacent single family home site. The applicant proposes additions to the existing museum building and various site improvements. The museum site provides a surface parking area with a total of 24 off-street spaces located on the north side of the museum and a loading area located on the south side. The site is bounded by Prospect Street, Cuvier Street, and Coast Boulevard (Attachment 3). The irregularly shaped parcel is comprised of two legal lots, the larger museum lot is zoned Zone 6A: Cultural Zone of the La Jolla Planned District (LJPD); and the smaller lot containing the single-family home, is zoned ZONE 5A: Multi-Family Zone of the LJPD. The single-family lot is designated as Medium Residential (15-30 dwelling units per acre) and the museum lot is designated Medium High Residential (30-45 dwelling units per acre) within the Land Use Map of the La Jolla Community Plan (Attachment 2).

Surrounding developments along Coast Boulevard and Cuvier Street are primarily residential uses, both single-family and multi-family, and also hotel uses and a commercial residential care facility (Casa de Manana). Along Prospect Street there are Cultural Zone uses, with some multi-family residential uses and single-family residential uses. Coast Boulevard fronts the Pacific Ocean at Coast Boulevard Park, with the Children's Pool to the north and Whalewatch Point to the southwest (Attachment 1).

The site is within the Coastal Overlay Zone (appealable to the California Coastal Commission), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Transit Area Overlay Zone and the Residential Tandem Parking Overlay Zone.

The museum is currently permitted with Coastal Development Permit/La Jolla Planned District/Special Use Permit No. 96-0257 (Attachment 8), which is an amendment to Coastal Development/La Jolla Planned District/Special Use Permit No. 90-0747. The Amendment was approved by the City Council on June 3, 1997, and allowed the construction of the current Museum buildings which include Gallery and exhibit spaces, the Sherwood Auditorium, offices, workshops and storage spaces, and the Book Store and Café.

The museum building located at 700 Prospect Street would be modified. This structure is more than 45 years of age. Historic staff reviewed a Historical Resources Technical Report for the subject property, determined that it is not an individually designated resource, that it is not located within a designated historic district and concurred with the report that the property is not eligible for historical listing under any local or state criteria.

A Coastal Development Permit is required by the San Diego Municipal Code (SDMC) Section 126.0702 for the proposed demolition and construction on property within the Coastal Overlay Zone. A La Jolla Special Use Permit processed as a Conditional Use Permit is required for development located within Cultural Use Zone 6A of the La Jolla Planned District per SDMC Section 159.0210(c) and for cultural development located within Zone 5A of the La Jolla Planned District per SDMC Section 159.0302(b). The applicant is requesting a Planned Development Permit to deviate from the 30-foot building height limit and the building setback development regulations of Zones 5 and 6 of the La Jolla Planned District.

DISCUSSION

Project Description:

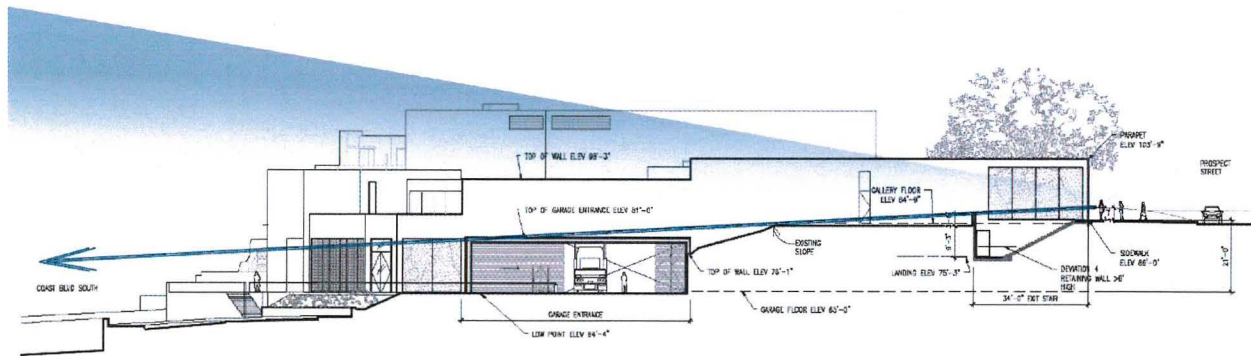
The project proposes to demolish the existing residence at 636 Prospect Street and construct a 49,444 square-foot addition/remodel to the existing 55,570 square-foot museum, resulting in a 105,014-square-foot facility. The museum will also expand exhibit space and gift shop area. All parking on the northern portion of the project site will be replaced with a new public plaza, a new pedestrian entrance and an additional book store. The front entrance to the Museum would be relocated from the north side of the facility to the east side along the Prospect Street frontage. The south side of the museum would be improved with a new underground parking garage to accommodate 41 cars, a portion via 19 parking lifts, and two motorcycle spaces; expanded office and workshop space, and an enclosed loading dock area in the garage. The garage ingress and egress driveway will remain on Cuvier Street.

Parking: Portions of the museum building were constructed in the 1950's, predating current off-street parking requirements. The previous 1997 approval required a minimum of 24 off-street parking spaces. This current proposal will expand the off-street parking from 24 spaces to 41 spaces and will also implement a Parking Management Plan (Attachment 16) to handle the expected parking demand for the proposed expanded facility and various events. Implementation and maintenance of the Parking Management Plan is required Condition No. 42 (Attachment 6) and valet parking must be provided for events with expected attendance of 320 people or greater (Condition No. 43, Attachment 6).

Demolition: The existing residence located at 636 Prospect Street would be demolished. This structure is more than 45 years of age; Historic Resources staff reviewed a Historical Resources Technical Report for the subject property, and determined that the structure is not an individually designated resource, that it is not located within a designated historic district and concurred with the report that the property is not eligible for historical listing under any local or state criteria.

Landscaping: Three street tree species alternatives are provided on the landscape plan from the City of San Diego's approved tree list to provide nursery stock selection flexibility. The project will provide a landscaped area measuring 31.4 percent of the total site area, where a minimum of 30 percent is required. Three recessed landscape areas would front Prospect Street; two existing landscape areas would be retained and enhanced, and a new landscape area would be created to the south of the new Museum entrance fronting Prospect Street. By providing these landscaped areas, the project meets the requirement of SDMC 143.0460(d), in that no wall parallel to the street exceeds 150 feet in length. An existing pine tree that overhangs into the Cuvier Street right-of-way will be moved farther north on the subject property to enhance the public view corridor through Cuvier Street. The project also includes the preservation of a large Ficus Rubiginosa tree at the entrance to Sherwood Auditorium located within the existing museum, a reconfigured Main entrance with trellis, and a canopy at the vehicle and delivery entrance fronting Cuvier Street.

Coastal Public Views/Scenic Overlook: An existing Scenic Overlook, (La Jolla Community Plan Figure E, page 149, Attachment 15), is maintained through the north end of the project site from Prospect Street, and satisfies a required Visual Access Corridor (10% of lot width or 43 feet wide). Due to the project's close proximity to the ocean, a second view corridor along the project's south side was recommended by the California Coastal Commission staff. To comply with this recommendation, the applicant will record view corridor easements on the property over both view corridors (Condition No. 36, Attachment 6). The northern view corridor easement will be approximately 43 feet wide and the southern view corridor easement will be an approximate five-foot wide. A section through the new southern Visual Access Corridor is shown:



Improvements underlying this Visual Access Corridor follow the ground surface closely, such that a sight line across the tops of the guard rail at the egress stair and the garage entrance align with the ground surface, and a view from the sidewalk at a height of 3 feet is unobstructed to the sky, as shown.

Community Plan Analysis:

The museum site is located principally in the area described as the Cultural Complex within the Cultural Zone (La Jolla Planned District Ordinance Zone 6A). The Museum of Contemporary Art San Diego is a listed community landmark in the Cultural Zone. The proposed project expands the

listed community landmark use by expanding that use into an abutting property that will be converted to the recommended use in the Cultural Zone.

The addition of the portion of land underlying the single-family residence at 636 Prospect Street (in Zone 5A - Multi-family Zone of the same LJPD), is consistent with the language and the intent of the La Jolla Community Plan (LJCP) in which the expansion for a higher use is recommended. The same LJCP has indicated that the boundary of the Cultural Complex could be adjusted over time (page 110), although that is not proposed in this application.

The Heritage Resources Element of the La Jolla Community Plan recommends protecting sites with significant archaeological value within the residential and commercial areas of La Jolla for their scientific, education and heritage values. The subject property has the potential to contain archaeological resources and the proposed development would provide for excavation to the quantity and depth that would likely encounter these resources, through archaeological monitoring during excavation as described in the Environmental Analysis below.

Appendix G, Coastal Access Subarea Maps of the Community Plan, identifies visual and pedestrian access for coastal areas.

- Figure E, page 148, "Subarea E: Coast Boulevard – Physical Access" identifies Prospect Street to the east of the site as an "Alternative Pedestrian Access", and the seaward side of Coast Boulevard is identified as a "Scenic Blufftop Walkway."
- Figure E, page 149, "Subarea E: Coast Boulevard - Visual Access" identifies Prospect Street to the east of the site as a "Scenic Roadway: Partially obstructed views over private properties and down public R.O.W.s" (Attachment 16). A "Scenic Overlook: View over private property (sic) from public R.O.W." is identified in an area that is the existing parking lot at the north portion of the Prospect Street frontage. This parking lot is to be converted in this project to a sculpture courtyard, with a Visual Access Corridor conforming to SDMC 159.0307.f.2. A "View Corridor: Unobstructed framed view down a public R.O.W." is identified at the northerly foot of Cuvier Street: this view corridor is maintained in the project design and landscape design with appropriate street tree plantings that frame the view down the public right-of-way.

As proposed, the project would implement the La Jolla Community Plan.

Environmental Analysis:

A Mitigated Negative Declaration was prepared for the project due to the potential to impact archaeological and paleontological resources. The site is underlain with potentially sensitive soils and the project proposes a total of 7,400 cubic yards of cut to a maximum depth of approximately 20 feet for site preparation and for the construction of the basements. As such, archaeological and paleontological monitoring is required. Although the cultural resources within the project area do not meet the criteria for significance under CEQA or the City's Historical Resources Guidelines,

mitigation measures have been incorporated which require that a qualified archaeologist and a Native American monitor be present during on-site grading activities in the zones with potential for archaeological resources. Implementation of the Mitigation, Monitoring and Reporting program will reduce impacts to Archaeological and Paleontology Resources to below a level of significance.

Project-Related Issues:

The applicant is requesting a Planned Development Permit to deviate from the 30-foot building height limit and the building setback development regulations of Zones 5 and 6 of the La Jolla Planned District.

Planned Development Permit Analysis:

The project deviates from development regulations by (1) exceeding 30-foot zoning height limit; (2) encroaching into the street side yard setback at Coast Boulevard South; (3) encroaching into the street side yard setback at Prospect Street; and (4) exceeding retaining wall height limit in an interior side yard setback. The Planned Development Permit (PDP) allows flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The following information summarizes the analysis of the four proposed deviations.

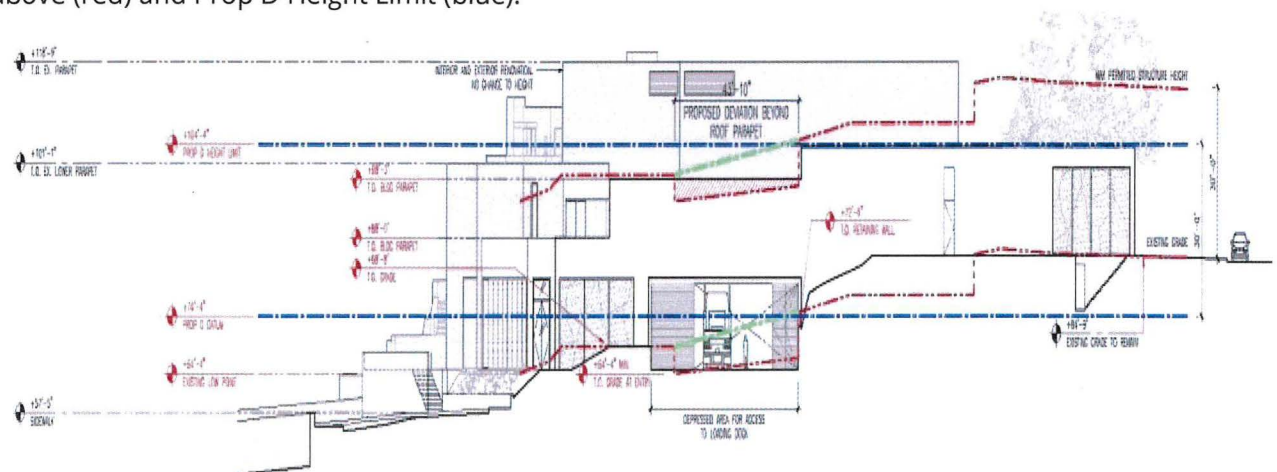
- 1. Height exceeding the 30-foot Zoning Height Limit.** The existing museum building predates Proposition D and the Certified Local Coastal Plan SDMC 113.0270(a)(2)(B), and observes a height of 54 feet 5 inches, exceeding the maximum 30-foot height "plumb line" zoning height allowed today. Note that this is not a request for a deviation to Proposition D, which addresses a measurement taken at the exterior wall of the building. The maximum zoning height, which is the limit on structure height set by City Council for base zones throughout the City, is often confused with the 30 foot coastal height limit, a voter initiative (effective December 7, 1972). However, maximum zoning height and the coastal height limit are separate requirements that are calculated and measured in significantly different ways. Through the PDP process, the City has the flexibility to allow deviations to the base zone height limits, but is unable to modify the coastal height limit provisions ("Prop D") without approval by City of San Diego voters. The proposed addition would be to south side of the existing museum building, where the existing home is to be demolished. This proposed deviation of 3 feet, 11 inches, to allow a total height of 33 feet, 11 inches, is located in a portion of the proposed addition that is directly south of the existing museum building, at an existing loading dock and truck apron area (see photo below).



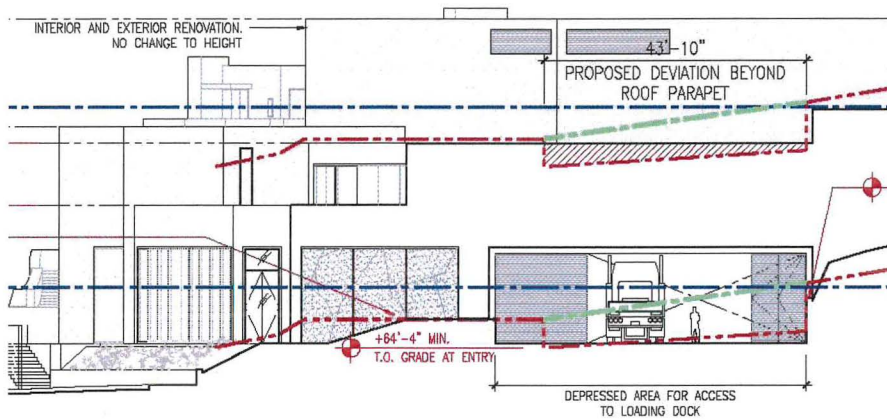
View looking north from Cuvier Street

A key part of this project is the proposal to convert the existing parking area in the northern portion of the project site into a sculpture garden. The requested deviation is essential to maximize function of the new parking garage which will replace the parking lot, and provide for an interior loading area that will accept tractor trailers as well as bobtail trucks, with level access to other parts of the museum. This deviation is essential to enhance the aesthetic appeal of the Visual Access Corridor at the north side of the property, and the functionality of the garage and basement access in the addition.

The following exhibit shows the south elevation, with the estimated grade (green) at the time of construction of the existing museum building, with the lowered grade for the basement access. Existing grade (red) with zoning 30 foot height limit above (red) and Prop D Height Limit (blue).



Garage entrance area enlarged as follows:

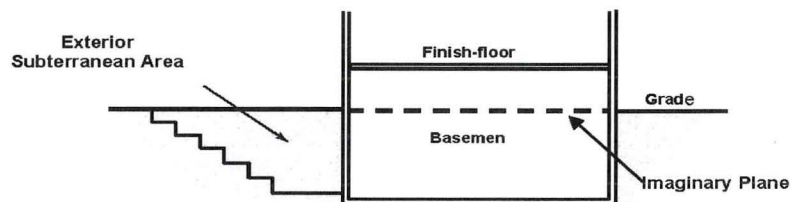


This existing truck loading area was created to provide basement access to the Museum workshops and offices, and the area excavated below the existing grade to create this access, which appears consistent with SDMC Diagram 113-0200.

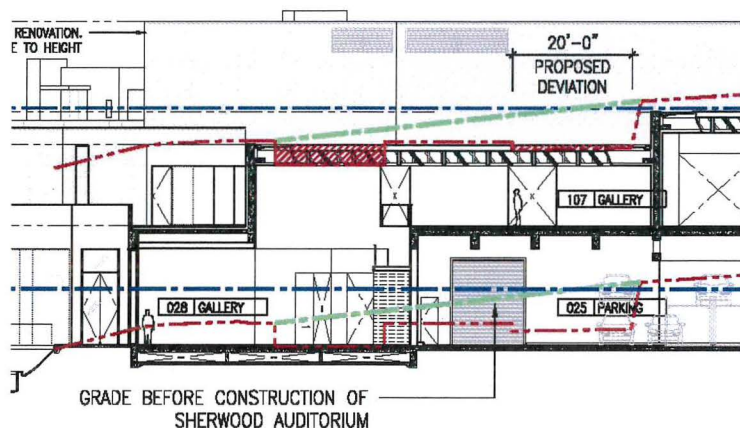
- (ii) Exterior Subterranean Areas. The overall *structure height* measurement shall not include subterranean vehicular access, exterior subterranean pedestrian access or ventilation to a *basement*. Overall *structure height* shall instead be measured from an imaginary plane connecting to the lowest *adjacent grade* immediately above the exterior subterranean space, as shown in Diagram 113-0200.

Diagram 113-0200

Access and Ventilation to Basement

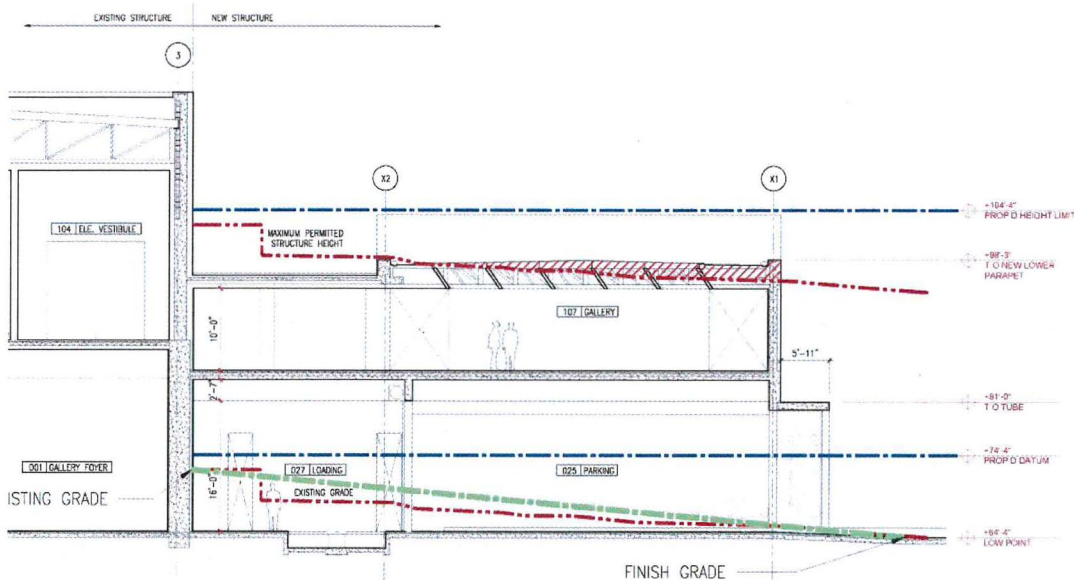


With a closer look at the affected area below:



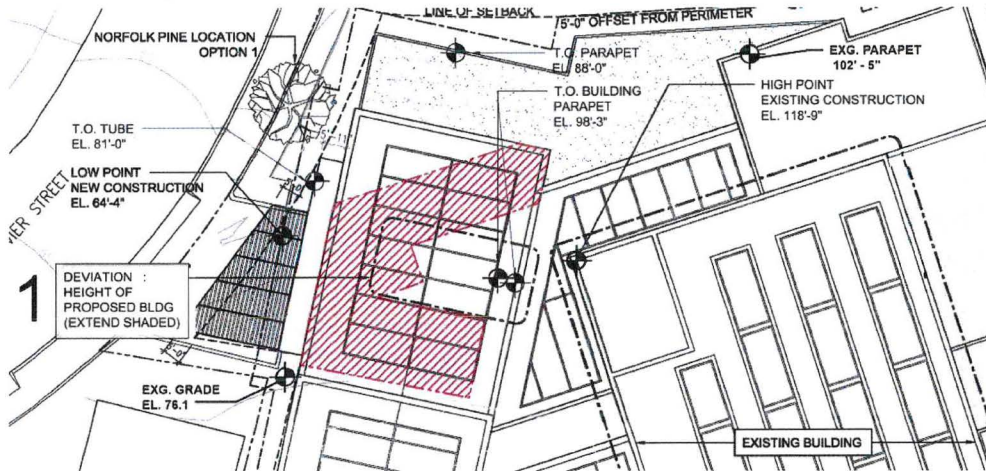
The following exhibit shows a section through the loading dock, looking east, showing the loading area in relation to the floor. Note that this is the minimum clearance for a tractor trailer, and the museum will be required to use a lift to provide access to the tractor trailer regardless. The museum is concerned about moving bulky art pieces in this area, and this is the minimum floor level that will allow the museum to do this and connect to the other floor levels in the building.

With a section in a different direction through the affected loading area shown below:



Note that the lower roof at the garage entrance, to the right in the above drawing, is 5'-11" from the face of the wall at Line X1.

The affected area at the roof is approximately 2,020 square feet: all of that area is within the building area, and at least 5 feet away from any perimeter walls of the building that would be subject to Proposition D height measurement. A detail of the affected area is as follows:



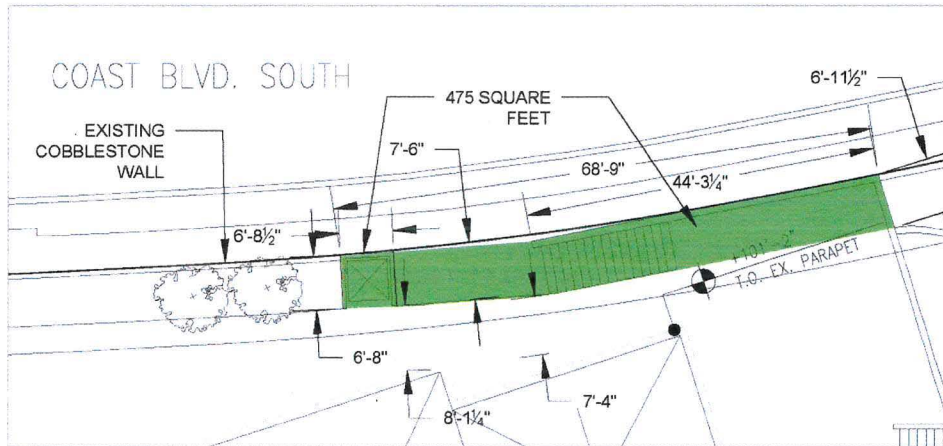
Roof Area of deviation – 2,020 square feet

With the approval of this deviation, the existing previously conforming height of the adjacent existing structure will be retained. The proposed new structure conforms to Proposition D, but the “plumb line” height in the interior of the addition does not conform to the zoning height limit at the area fronting the loading dock, as described above. It is noted that no change is proposed in the roof line in the area of the deviation. The deviation is needed to allow the drop in grade for the loading dock area. The deviation is necessary to make the proposed garage and loading area function properly with adequate ceiling to floor heights. The garage, in turn, is a valuable feature of the project because it makes possible the removal of all vehicles from the parking lot at the north side of the property to create the Visual Access Corridor on the north side of the property. The height deviation is needed to provide a uniform building height above the gallery spaces and the loading dock area of the garage. The loading dock is located in an area where the trucks can back into the garage area with enough clearance for a truck, and in which the transfer of art and equipment can adequately and safely be made indoors. The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

2. **Accessible lift and stair encroachment within the Street Yard Setback fronting Coast Boulevard.** This deviation is to the 10-foot required Street Side Yard fronting Coast Boulevard South SDMC 159.0307(b)(2)(B), to permit an elevator lift and stairs.

The lift is an essential part of the disabled accessibility program to accommodate Museum ingress/egress and to meet ADA requirements.

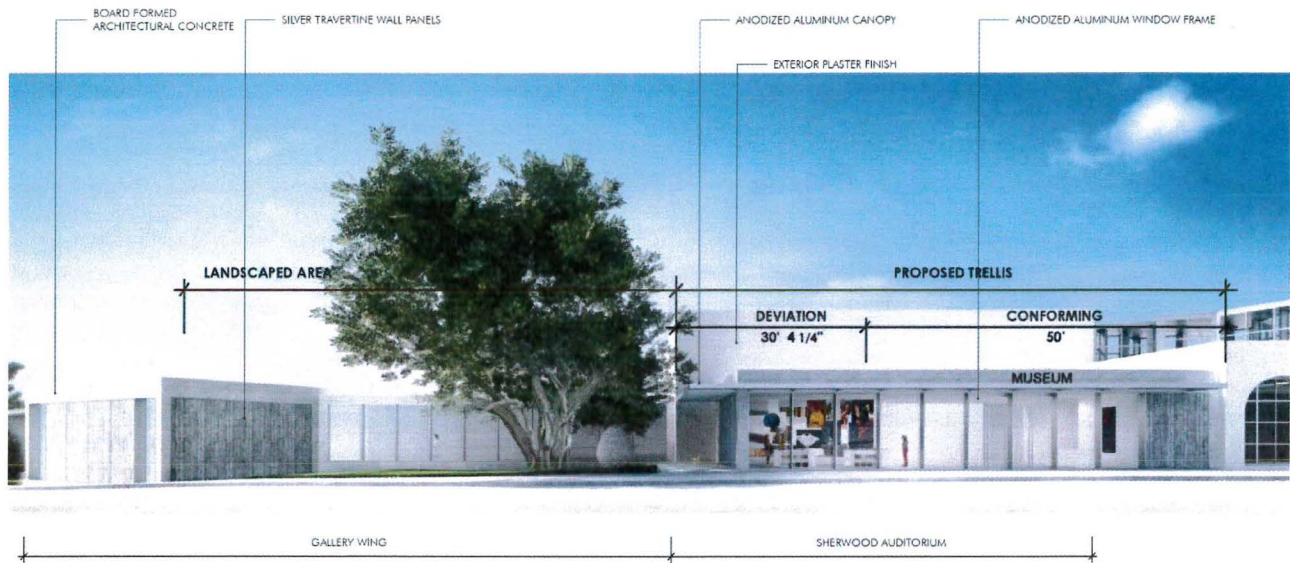
The proposed lift and stairs are to be located in the south western portion of the site, leading directly to the existing elevator lobby at that side of the Museum. This location, will minimize the disruption to the existing slope and an existing cobblestone rock wall fronting Coast Boulevard, as well as minimize excavation. The lift and stairs would encroach into the street side yard 7.5 feet over a length of approximately 69 feet. The length of the side yard is approximately 240 feet.



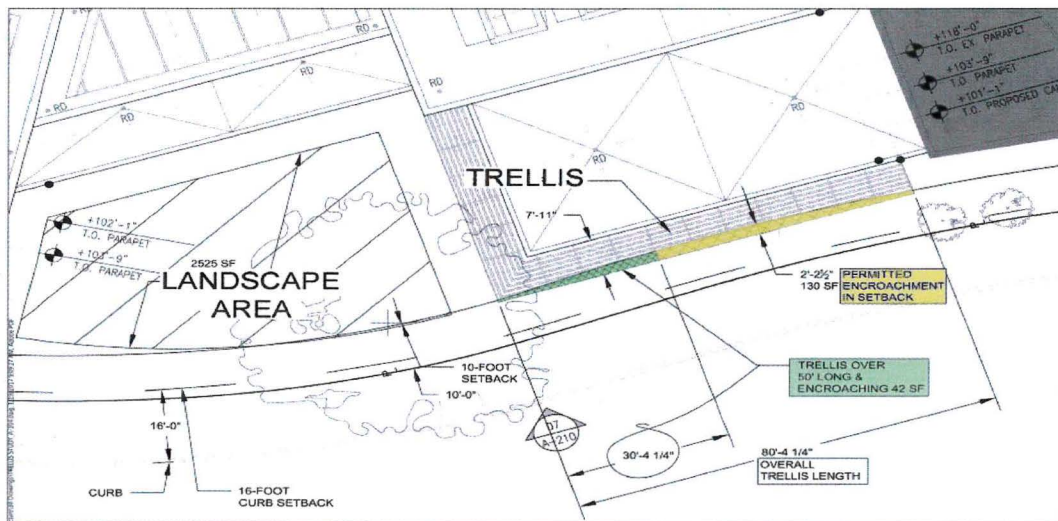
If this deviation is not approved, the accessibility path of travel to the Museum building will be located more than 80 feet to the east, and the existing walls in the sculpture garden that are not within the street side yard will be altered. The length of the accessible path of travel will be increased by roughly 150 linear feet.

The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

3. **Trellis encroachment into Prospect Street front setback.** Providing a Trellis over the entrance to the Museum is an essential design feature that relates the new entrance to the broad sidewalk and frontage on Prospect Street. The SDMC 159.0307(b)(2)(B) permits an encroachment of up to three feet in width into the right-of-way parallel to the street up to a length of 50 feet, provided an equal yard area is provided nearby of an area that is also in front of the building that is at least the same length as the encroachment area. The project proposes an 80-foot long trellis parallel to Prospect Street. This is appropriate for the scale of the existing building and design, and the scale and location of this trellis. The following rendering shows the entrance with the trellis to the right and the offsetting landscaped area to the left.



The following shows the plan view of the trellis. With an encroachment of only 2'-2 1/2", this trellis conforms to the 3-foot limit, but with an overall length of 80'-4 1/4", it is longer than the 50 feet permitted in the SDMC. The nearby offsetting yard area of 2,525 square feet is much greater than the required 42 square feet of equal area, and is immediately to the left. The offsetting yard also serves to preserve a large ficus rubiginosa tree.



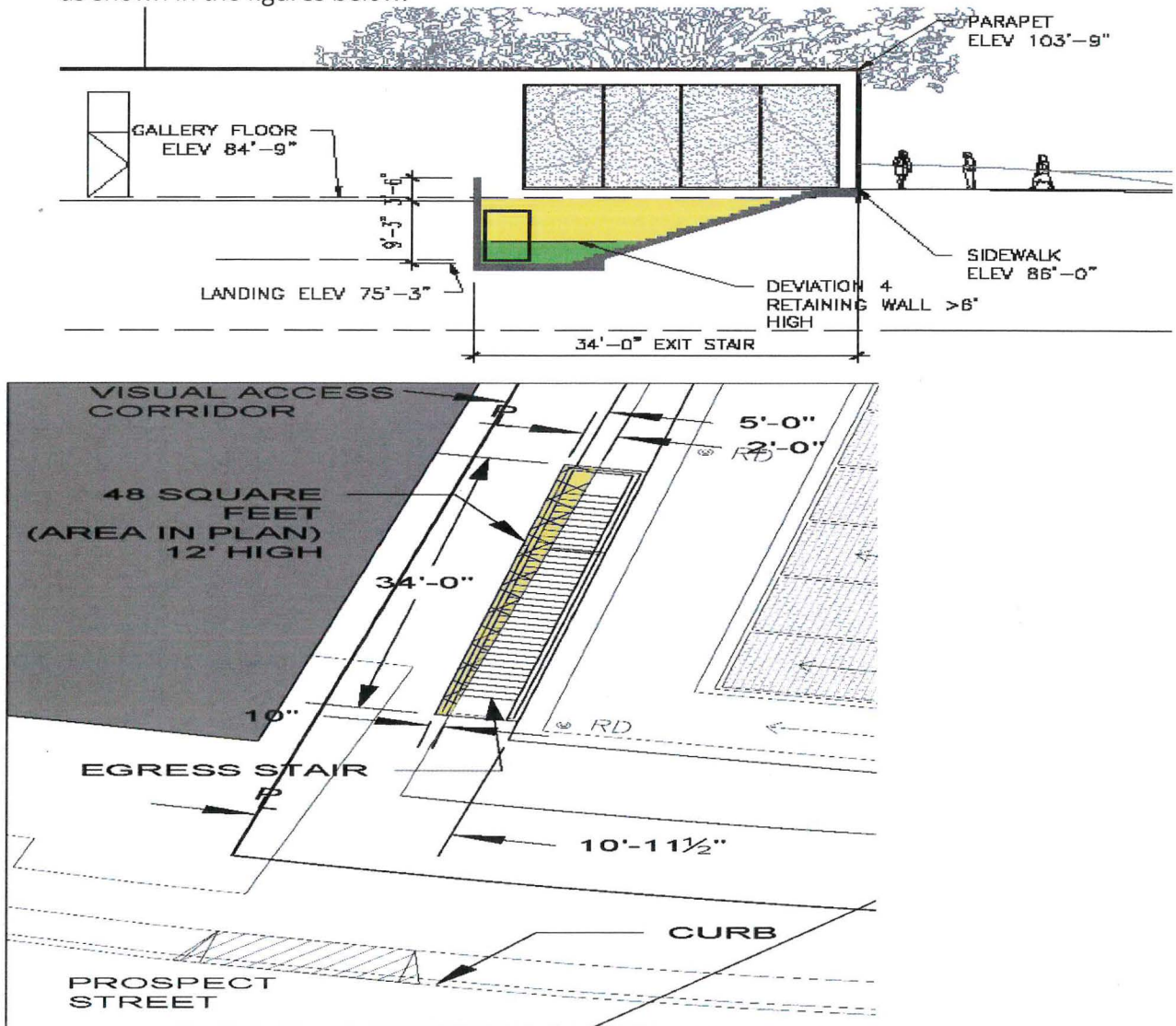
This creates an appropriately proportioned entrance, and is needed to relate and provide a transition to the scale of the building immediately behind the entrance.

The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

4. Egress stair setback within the side yard, leading to Prospect Street.

The maximum permitted height of a single retaining wall in a side yard is six feet, and above that height, multiple offset walls are required. This is ordinarily applied to a retaining wall that is oriented so that the face of the wall is outward toward adjacent properties, as shown in SDMC Diagram 142-03H.

This stair is located in a seven-foot-wide interior side yard and is part of a stair case. The face of the wall exceeding height is only visible from the interior of the lot, and in a relatively narrow well of the egress serving the underground garage, as shown in the figures below.



The encroachment into the interior side yard varies from 10 inches to 2 feet over a length of 34 feet. Without this deviation, gallery and garage area would need to be reduced to accommodate the stairs. This deviation will make it possible to create an egress stair and preserve the width of the garage below and the galleries above. Note that this subject area will also become a part of the Visual Access Corridor.

A key part of this project is the ability to convert the existing parking area in the northern portion of the project site into a sculpture garden, and to make that area an enhanced part of the Visual Access Corridor. This deviation is essential to maximize the new parking garage that replaces that parking, both in terms of the number of parking spaces as well as the ability to maneuver in the garage. Furthermore, relocating the northern parking would enhance the Visual Access Corridor at the north side of the site.

The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

Historical Background:

The site currently conforms to two conditions of the existing entitlements (Coastal Development/La Jolla Planned District/Special Use Permit No. 96-0257 – Attachment 8). In those permits, two conditions address a garden at the north portion of the site:

Condition No. 3:

The Permittee shall mount a plaque where it can be readily viewed by garden passersby along the Coast Boulevard South side of the property honoring the memory of Ellen Browning Scripps, and explaining the significance of the garden as the site of her original garden. The Museum will consult with the La Jolla Historical Society on the design of the plaque.

Condition No. 5:

The Permittee shall allow free, public access to the sculpture garden during all hours when the museum is open to the public, provided that admission of such patrons is through the main entrance to the museum. Should an appeal to the California Coastal Commission or a civil action be filed in opposition to the granting of this permit, the Permittee's acceptance of this permit condition is predicated on the entire permit, as approved by the City Council on June 3, 1997, by Resolution No. R-288754, being unchanged either by future actions by the California Coastal Commission or by a court. Further the Trustees agree to put up a sign near the gate in the sculpture garden wall along Coast Boulevard South informing the public of the free, public access policy and directing people to the main entrance. This sign shall be installed concurrently with the relocation of the fence to the south west portion of

the sculpture garden near Coast Boulevard South.

Following the issuance of those permits in 1997, a sign conforming to Condition No. 3 was developed in consultation with the La Jolla Historical Society, and was placed near the gate. Another sign conforming to Condition No. 5 was placed near the gate and both signs exist near the gate today. No change to these conditions is proposed.

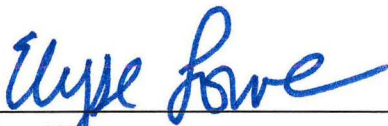
Conclusion:

The requested deviations are needed to provide flexibility in designing an addition on to an existing museum building, with an existing truck loading dock area on a project site that slopes downward approximately 32 feet from east to west. Staff has reviewed the proposed deviations and believes that these deviations will provide a better functioning museum facility for the public's use. The proposed deviations are the minimum necessary in the design of this project. This expanded facility will enhance public views to the ocean along the north and south sides of the project. Staff has provided draft findings to support approval of the project (Attachment 5) and draft conditions of approval (Attachment 6). Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238, (Amending Coastal Development Permit/La Jolla Planned District Permit/Special Use Permit No. 96-0257), with modifications.
2. Deny Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238, (Amending Coastal Development Permit/La Jolla Planned District Permit/Special Use Permit No. 96-0257), if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Elyse W. Lowe
Deputy Director
Development Services Department



Glenn R. Gargas
Development Project Manager
Development Services Department

Attachments:

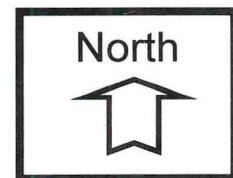
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map

4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Draft Environmental Resolution with MMRP
8. Copy of Recorded CDP, LJPDP & SUP No. 96-0257
9. Project Site Plan
10. Project Plans
11. Deviation Index and Height Deviation Location
12. Accessible lift and stair encroachment into Rear Yard Setback Deviation
13. Trellis encroachment into Front Yard Setback Deviation
14. Egress stair within Side Yard Setback Deviation
15. Visual Access, Figure E – La Jolla Community Plan
16. Parking Management Plan
17. Community Planning Group Recommendation
18. Ownership Disclosure Statement



Aerial Photo

**MCASD EXPANSION – 700 PROSPECT STREET
PROJECT NO. 405930**





Land Use Map

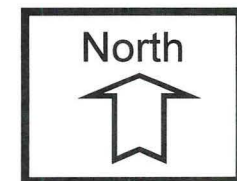
MCASD EXPANSION - 700 PROSPECT STREET
PROJECT NO. 405930 La Jolla





Project Location Map

MCASD EXPANSION - 700 PROSPECT STREET
PROJECT NO. 405930



PROJECT DATA SHEET

PROJECT NAME:	MCASD Expansion – Project No. 405930	
PROJECT DESCRIPTION:	CDP, CUP and PDP to demolish a single family residence and expand an existing museum, including underground parking located on a 2.55-acre project site.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Coastal Development Permit, Conditional Use Permit and Planned Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Medium Residential & Cultural	
ZONING INFORMATION: ZONE: Zone 6A and 5A of the La Jolla Planned District HEIGHT LIMIT: 30 foot maximum no proposed building. LOT SIZE: 2,500 square-foot minimum lot size – existing two lots total 2.55-acres. FLOOR AREA RATIO: 1.5 maximum – 0.67 proposed (0.44 currently existing) FRONT SETBACK: 15 feet minimum – 15 feet proposed SIDE SETBACK: 4 foot minimum – 4 foot proposed (with encroachment deviation) STREETSIDE SETBACK: 10 foot minimum – 0 foot (with encroachment deviation) REAR SETBACK: NA (through lot - two street frontages) PARKING: 41 total parking spaces proposed – 24 existing spaces.		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Cultural; Zone 5 La Jolla Planned District	Multi-Family Residential
SOUTH:	Medium Residential; Zones 5 & 5A La Jolla Planned District	Multi-Family Residential
EAST:	Cultural & Parks and Open Space; Zone 6 La Jolla Planned District & OP-1-1 Zone	Church and Recreation Center
WEST:	None; No Zone	Ocean
DEVIATIONS OR VARIANCES REQUESTED:	Deviations to setbacks and zoning building height.	

ATTACHMENT 4

COMMUNITY PLANNING GROUP RECOMMENDATION:	The La Jolla Community Planning Association voted 11-1-1 to recommended approval the project at their August 6, 2015 meeting.
---	---

PLANNING COMMISSION RESOLUTION NO. ____
COASTAL DEVELOPMENT PERMIT NO. 1419240, CONDITIONAL USE PERMIT NO. 1425481 AND
PLANNED DEVELOPMENT PERMIT NO. 1755238
MCASD EXPANSION - PROJECT NO. 405930 MMRP
AMENDMENT TO COASTAL DEVELOPMENT PERMIT, LA JOLLA PLANNED DISTRICT PERMIT AND
SPECIAL USE PERMIT NO. 96-0257

WHEREAS, Museum of Contemporary Art San Diego, Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing single-family residence and construct an expansion/remodel of an existing art museum (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1419240, 1425481 and 1755238), on portions of a 2.55-acre property;

WHEREAS, the project site is located at 636 and 700 Prospect Street, in 5A and 6A zones of the La Jolla Planned District, Coastal (appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact (coastal and beaches) Overlay Zone, Transit Area Overlay Zone and the Residential Tandem Parking Overlay Zone within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lots 1-10 and Lots 13-15, and street closings of Block 35 of La Jolla Park, Map No. 352, filed in the office of the County Recorder of San Diego County March 22, 1987;

WHEREAS, on March 23, 2017, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated March 23, 2017.

COASTAL DEVELOPMENT PERMIT FINDINGS:

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

The 2.55 acre site is fully developed with the existing Museum building, a single-family residence, driveways and parking lots, site walls, fencing and is located across Coast Boulevard from the coastline. No physical accessway across the property exists nor is legally used by the public.

No proposed public accessway has been identified in the La Jolla Community Plan and Local Coastal Program land use plan.

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. Appendix G, Coastal Access Subarea Maps of the La Jolla Community Plan and Local Coastal Program land use plan, identifies visual and pedestrian access for coastal areas:

- Figure E, page 148, "Subarea E: Coast Boulevard – Physical Access" identifies Prospect Street to the east of the site as an "Alternative Pedestrian Access", and the seaward side of Coast Boulevard is identified as a "Scenic Blufftop Walkway."
- Figure E, page 149, "Subarea E: Coast Boulevard - Visual Access" identifies Prospect Street to the east of the site as a "Scenic Roadway: Partially obstructed views over private properties and down public R.O.W.. A "Scenic Overlook: View over private property from public R.O.W." is identified in an area that is the existing parking lot at the north portion of the Prospect Street frontage. This parking lot is to be converted in this project to a sculpture courtyard, with a Visual Access Corridor conforming to SDMC 159.0307.f.2. A "View Corridor: Unobstructed framed view down a public R.O.W." is identified at the northerly foot of Cuvier Street: this is maintained in the design and landscape design with appropriate street tree plantings that frame the view down the public right-of-way.

This project is conditioned to record two view corridor easements. One view corridor easement, approximately 43 feet wide, will be recorded in the northern area of the project site containing the sculpture courtyard area. The second will be an approximate five-foot wide view easement through the side yard setback along the southern property line. An existing pine tree, which currently overhangs the Cuvier Street right-of-way, will be moved farther north on the subject property to enhance the public view corridor down Cuvier Street. Through the design of this project, the proposed development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

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

The 2.55 acre site is fully disturbed with garden, parking lot, courtyards, the existing Museum building, a single-family residence, and extensive landscaping, site walls, and parking and loading dock areas. The site is surrounded on all sides by paved streets that are fully developed with sidewalks, and by developed residential property. The site is separated from the Pacific Ocean by the fully-developed Coast Boulevard South right-of-way.

There are no environmentally sensitive lands on the site or abutting the site. Site drainage currently exists and is designed to drain predominately toward the public street. All surface drainage will be conveyed to Prospect. The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology), Paleontological Resources and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Archaeological Resources and

Paleontological Resources, to reduce the potential impacts to a level below significance. The project was previously graded and the proposed expansion of the museum proposes 7,400 cubic yards of cut, 0 cubic yards of fill, for a total export of 7,400 cubic yards. For these stated reasons, this proposed expansion of the existing museum facility 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 implements the La Jolla Community Plan, which is the Certified Local Coastal Program land use plan for this area. The proposed project is located principally in the area described as the Cultural Complex and as the Cultural Zone (La Jolla Planned District Ordinance Zone 6A), and the Museum of Contemporary Art San Diego is a listed community landmark in the Cultural Zone.

The proposed project expands the listed community landmark use by expanding that use into an abutting property that will converted to the recommended use in the Cultural Zone.

The addition of the portion of land underlying the single family residence at 636 Prospect Street (in Zone 5A - Multi-family Zone of the same LJPD), is consistent with the language and the intent of the La Jolla Community Plan in which the expansion for a higher use is recommended, plus the same LJCP has indicated that the boundary of the Cultural Complex could be adjusted over time (page 110), although that is not proposed in this application. The incorporation of this property to the Museum use requires a finding that the current single-family residential use is no longer feasible in this Zone 5A - Multi-family Zone.

The Heritage Resources Element of the La Jolla Community Plan recommends protecting sites with significant archaeological value within the residential and commercial areas of La Jolla for their scientific, education and heritage values. The subject property has the potential to contain archaeological resources and the proposed development would provide for excavation to the quantity and depth that would likely encounter these. A mitigation measure of this project will provide for archaeological monitoring during excavation.

The proposed expansion of the museum facility will comply with all the development regulations of zones 5A and 6A of the La Jolla Planned District, except for four requested deviations; to building height exceeding the 30-foot Zoning Height Limit, Street Yard Setback fronting Coast Boulevard for Accessible lift and stair, front setback along Prospect Street for Trellis encroachment and side yard setback for egress stairs. With the issuance of this Planned Development Permit authorizing the deviations as described, the proposed development will comply with the regulations of the Land Development Code. For these stated reasons 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.

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 2.55-acre site is currently developed with an existing Museum building and a single-family residence. The property is on the east side of the first public roadway (Coast Boulevard South) and is not located between the first public roadway and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Due to the project's location outside of this area, the project is exempt from the public access and public recreation policies of Chapter 3 of the California Coastal Act.

CONDITIONAL USE PERMIT FINDINGS:

1. The proposed development will not adversely affect the applicable land use Plan.

The project implements the La Jolla Community Plan, which is the Certified Local Coastal Program land use plan for this area. The proposed project is located principally in the area described as the Cultural Complex and as the Cultural Zone (La Jolla Planned District Ordinance Zone 6A), and the Museum of Contemporary Art San Diego is a listed community landmark in the Cultural Zone.

The proposed project expands the listed community landmark use by expanding that use into an abutting property that will be converted to the recommended use in the Cultural Zone.

The addition of the portion of land underlying the single family residence at 636 Prospect Street (in Zone 5A - Multi-family Zone of the same LJPD), is consistent with the language and the intent of the La Jolla Community Plan in which the expansion for a higher use is recommended, plus the same LJCP has indicated that the boundary of the Cultural Complex could be adjusted over time (page 110), although that is not proposed in this application. The incorporation of this property to the Museum use requires a finding that the current single-family residential use is no longer feasible in this Zone 5A - Multi-family Zone.

The Heritage Resources Element of the La Jolla Community Plan recommends protecting sites with significant archaeological value within the residential and commercial areas of La Jolla for their scientific, education and heritage values. The subject property has the potential to contain archaeological resources and the proposed development would provide for excavation to the quantity and depth that would likely encounter these. A mitigation measure of this project will provide for archaeological monitoring during excavation.

The proposed expansion of the museum facility will comply with all the development regulations of zones 5A and 6A of the La Jolla Planned District, except for four requested deviations; to building height exceeding the 30-foot Zoning Height Limit, Street Yard Setback fronting Coast Boulevard for Accessible lift and stair, front setback along Prospect Street for Trellis encroachment and side yard setback for egress stairs. With the issuance of this Planned Development Permit authorizing the deviations as described, the proposed development will

comply with the regulations of the Land Development Code. For these stated reasons 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 proposed project is an infill development within an urbanized portion of the City and will have adequate levels of essential public services available, including police, fire, and emergency medical services. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. The project will be built to all current development standards and will therefore not be detrimental to the public. The street improvements associated with this development are required to comply with City Engineering and Fire Department Standards and will improve public safety. In addition, conditions of approval require the review and approval of all construction plans by City staff prior to construction to determine the construction of the project will comply with all building code regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations.

A Mitigated Negative Declaration, was prepared for the project in accordance with the 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 below a level of significance, any potential impacts identified in the environmental review process. Therefore, the project as proposed will not be detrimental to the public health, safety, and welfare.

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

The 2.55-acre project site is currently developed with a museum facility and a single dwelling unit. The project proposes to demolish the existing residence at 636 Prospect Street and construct a 49,444 square-foot addition/remodel to an existing 55,570 square-foot museum, resulting in a new square footage total of 105,014 square-feet. The proposed expansion of the museum facility will comply with all the development regulations of zones 5A and 6A of the La Jolla Planned District, except for the following four requested deviations.

- A. Height exceeding the 30-foot Zoning Height Limit. The existing museum building predates Proposition D and the Certified Local Coastal Plan (SDMC 113.0270.a.2.B), and observes a height of 54 feet 5 inches, exceeding the maximum 30-foot height "plumb line" zoning height allowed today. Note that this is not a request for a deviation to Proposition D, which addresses a measurement taken at the exterior wall of the building. The maximum zoning height, which is the limit on structure height set by City Council for base zones throughout the City, is often confused with the 30 foot coastal height limit, a voter initiative (effective December 7, 1972). However, maximum zoning height and the coastal height limit are separate requirements that are calculated and measured in significantly different ways. Through the PDP process, the City has the flexibility to allow deviations to the base zone height limits, but is unable to modify the coastal height limit provisions ("Prop D") without approval by City of San Diego voters.

The proposed addition would be to south side of the existing museum building, where the existing home is to be demolished. This proposed deviation to a height of 33 feet, 11 inches, is located in a portion of the proposed addition that is directly south of the existing museum building, at an existing loading dock and truck apron area. A key part of this project is the proposal to convert the existing parking area in the northern portion of the project site into a sculpture garden. The requested deviation is essential to maximize function of the new parking garage which will replace the parking lot, and provide for an interior loading area that will accept tractor trailers as well as bobtail trucks, with level access to other parts of the museum. This deviation is essential to enhance the aesthetic appeal of the Visual Access Corridor at the north side of the property, and the functionality of the garage and basement access in the addition. It is recognized that this truck loading area was historically created to provide basement access to the Museum workshops and offices, and the affected area at one time was excavated below the existing grade to create this access, which appears consistent with SDMC Diagram 113-0200. Note that this is the minimum clearance for a tractor trailer, and the museum will be required to use a lift to provide access to the tractor trailer regardless. The museum is concerned about moving bulky art pieces in this area, and this is the minimum floor level that will allow the museum to do this and connect to the other floor levels in the building. Note that the clear height in the gallery space above the loading dock is 10 feet, which is also the minimum clear height for this kind of museum. With the approval of this deviation, it is recognized that the existing previously conforming height of the adjacent existing structure will be retained. The proposed new structure conforms to Proposition D, but the "plumb line" height in the interior of the addition does not conform to the zoning height limit at the area fronting the loading dock, as described above. It is noted that no change is proposed in the roof line in the area of the deviation. The deviation is necessary in order to make the proposed garage and loading area function properly with adequate ceiling to floor heights. The garage, in turn, is a valuable feature of the project because it makes possible the removal of all vehicles from the parking lot at the north side of the property to create the Visual Access Corridor on the north side of the property. If this deviation is not approved, the Loading Area will not function for transfer activities, unless additional parking spaces are deleted or museum staff will be forced to make more transfers outside of the building. The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

- B. This deviation is to the 10-foot required Street Side Yard fronting Coast Blvd (SDMC 159.0307.b.2.B) to permit an elevator lift and stair to encroach into the street side setback (Coast Boulevard), where the zone requires a minimum setback of 10 feet per SDMC Section 159.0307 (b) (2). Providing the proposed Lift and Stair, located in the south western portion of the site, will minimize the disruption to the existing slope and cobblestone rock wall fronting Coast Boulevard, as well as minimize the required excavation, and promote the accessibility between Coast Boulevard and the Museum. The encroachment into the street side yard fronting South Coast Boulevard is up to 7 feet 6 inches over a length of 68 feet 9 inches, for an area of 475 square feet. This design

will provide an improved accessible connection between the Museum and the pedestrian path of travel toward the west to the Coast Boulevard street frontage and ocean views. These are both desirable features.

- C. Providing an 80-foot long trellis parallel to Prospect Street where a maximum length of 50 feet is permitted, is appropriate for the scale and location of this trellis. The zone allows a 3-foot encroachment provided the encroachment does not exceed 50-ft in total length for any one encroachment and provided that an additional equivalent landscape area be provided directly in front of the building and behind an adjacent to the required yards with an encroachment of only 2-feet, 21/2 inches, this trellis conforms to the 3-foot limit, but at 80-feet, 41/4 inches, it is longer than 50 feet, an offsetting landscaped area is adjacent to the south which is 2525 square feet, much larger than the deviating 42 square feet of encroachment (Attachment 13). This feature is an important design element that provides a frame for the larger-scale entrance to the Museum as well as a welcome feature along the street frontage. Further, this deviation is offset by a landscaped area of equal length that is provided directly in front of the building and behind and adjacent to the required yard.
- D. The maximum permitted height of a single retaining wall in a side yard is six feet, and above that height multiple walls are required that must be offset. This is ordinarily applied to a retaining wall that is oriented so that the wall faces adjacent properties. For this project, the wall is part of a stair case. The exposed face of the wall is only visible from the interior of the lot, and in a relatively narrow well of the underground garage. The encroachment into the interior side yard varies from 10 inches to 2 feet, over a length of 34 feet, in a plan area of 48 square feet. Above grade, the wall extends to a guard rail height of 42". Without this deviation the area of gallery and garage would need to be reduced to accommodate the stair case (Attachment 14). This deviation will make it possible to create an egress stair and preserve the width of the garage below and the galleries above.

4. The proposed use is appropriate at the proposed location.

The 2.55-acre project site is currently developed with a museum and a single dwelling unit. The project proposes to demolish the existing residence at 636 Prospect Street and construct a 49,444 square-foot addition/ remodel to an existing 55,570 square-foot museum, resulting in a new square footage total of 105,014 square-feet. The project implements the La Jolla Community Plan, which is the Certified Local Coastal Program land use plan for this area. The proposed project is located principally in the area described as the Cultural Complex and as the Cultural Zone (La Jolla Planned District Ordinance Zone 6A), and the Museum of Contemporary Art San Diego is a listed community landmark in the Cultural Zone.

This museum facility is bordered to the west by open space park, single-family residential to the north, multi-family residential to the south, and to the east by a community recreation center. The proposed museum expansion would be located south of the existing facility portion of the 2.55-acre project site. The proposed expansion of the museum facility would help achieve the objective by providing an enhanced cultural facility within the Cultural Zone. The proposed expansion of the existing museum facility is appropriate at the proposed location.

PLANNED DEVELOPMENT PERMIT FINDINGS:**1. The proposed development will not adversely affect the applicable land use plan.**

The project implements the La Jolla Community Plan, which is the Certified Local Coastal Program land use plan for this area. The proposed project is located principally in the area described as the Cultural Complex and as the Cultural Zone (La Jolla Planned District Ordinance Zone 6A), and the Museum of Contemporary Art San Diego is a listed community landmark in the Cultural Zone.

The proposed project expands the listed community landmark use by expanding that use into an abutting property that will be converted to the recommended use in the Cultural Zone.

The addition of the portion of land underlying the single family residence at 636 Prospect Street (in Zone 5A - Multi-family Zone of the same LJPD), is consistent with the language and the intent of the La Jolla Community Plan in which the expansion for a higher use is recommended, plus the same LJCP has indicated that the boundary of the Cultural Complex could be adjusted over time (page 110), although that is not proposed in this application. The incorporation of this property to the Museum use requires a finding that the current single-family residential use is no longer feasible in this Zone 5A - Multi-family Zone.

The Heritage Resources Element of the La Jolla Community Plan recommends protecting sites with significant archaeological value within the residential and commercial areas of La Jolla for their scientific, education and heritage values. The subject property has the potential to contain archaeological resources and the proposed development would provide for excavation to the quantity and depth that would likely encounter these. A mitigation measure of this project will provide for archaeological monitoring during excavation.

The proposed expansion of the museum facility will comply with all the development regulations of zones 5A and 6A of the La Jolla Planned District, except for four requested deviations; to building height exceeding the 30-foot Zoning Height Limit, Street Yard Setback fronting Coast Boulevard for Accessible lift and stair, front setback along Prospect Street for Trellis encroachment and side yard setback for egress stairs. With the issuance of this Planned Development Permit authorizing the deviations as described, the proposed development will comply with the regulations of the Land Development Code. Due to these factors the proposed development will not adversely affect the City of San Diego adopted La Jolla Community Plan and Local Coastal Land Use Plan.

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

The proposed project is an infill development within an urbanized portion of the City and will have adequate levels of essential public services available, including police, fire, and emergency medical services. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. The project will be built to all current development standards and will therefore not be

detrimental to the public. The street improvements associated with this development are required to comply with City Engineering and Fire Department Standards and will improve public safety. In addition, conditions of approval require the review and approval of all construction plans by City staff prior to construction to determine the construction of the project will comply with all building code regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations.

A Mitigated Negative Declaration, was prepared for the project in accordance with the 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 below a level of significance, any potential impacts identified in the environmental review process. Therefore, the project as proposed will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b) (1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The 2.55-acre project site is currently developed with a museum facility and a single dwelling unit. The project proposes to demolish the existing residence at 636 Prospect Street and construct a 49,444 square-foot addition/remodel to an existing 55,570 square-foot museum, resulting in a new square footage total of 105,014 square-feet. The proposed expansion of the museum facility will comply with all the development regulations of zones 5A and 6A of the La Jolla Planned District, except for the following four requested deviations.

Height exceeding the 30-foot Zoning Height Limit. The existing museum building predates Proposition D and the Certified Local Coastal Plan (SDMC 113.0270.a.2.B), and observes a height of 54 feet 5 inches, exceeding the maximum 30-foot height "plumb line" zoning height allowed today. Note that this is not a request for a deviation to Proposition D, which addresses a measurement taken at the exterior wall of the building. The maximum zoning height, which is the limit on structure height set by City Council for base zones throughout the City, is often confused with the 30 foot coastal height limit, a voter initiative (effective December 7, 1972). However, maximum zoning height and the coastal height limit are separate requirements that are calculated and measured in significantly different ways. Through the PDP process, the City has the flexibility to allow deviations to the base zone height limits, but is unable to modify the coastal height limit provisions ("Prop D") without approval by City of San Diego voters.

The proposed addition would be to south side of the existing museum building, where the existing home is to be demolished. This proposed deviation to a height of 33 feet, 11 inches, is located in a portion of the proposed addition that is directly south of the existing museum building, at an existing loading dock and truck apron area. A key part of this project is the proposal to convert the existing parking area in the northern portion of the project site into a sculpture garden. The requested deviation is essential to maximize function of the new parking garage which will replace the parking lot, and provide for an interior loading area that will accept tractor trailers as well as bobtail trucks, with level

access to other parts of the museum. This deviation is essential to enhance the aesthetic appeal of the Visual Access Corridor at the north side of the property, and the functionality of the garage and basement access in the addition. It is recognized that this truck loading area was historically created to provide basement access to the Museum workshops and offices, and the affected area at one time was excavated below the existing grade to create this access, which appears consistent with SDMC Diagram 113-0200. Note that this is the minimum clearance for a tractor trailer, and the museum will be required to use a lift to provide access to the tractor trailer regardless. The museum is concerned about moving bulky art pieces in this area, and this is the minimum floor level that will allow the museum to do this and connect to the other floor levels in the building. Note that the clear height in the gallery space above the loading dock is 10 feet, which is also the minimum clear height for this kind of museum. With the approval of this deviation, it is recognized that the existing previously conforming height of the adjacent existing structure will be retained. The proposed new structure conforms to Proposition D, but the "plumb line" height in the interior of the addition does not conform to the zoning height limit at the area fronting the loading dock, as described above. It is noted that no change is proposed in the roof line in the area of the deviation. The deviation is necessary in order to make the proposed garage and loading area function properly with adequate ceiling to floor heights. The garage, in turn, is a valuable feature of the project because it makes possible the removal of all vehicles from the parking lot at the north side of the property to create the Visual Access Corridor on the north side of the property. If this deviation is not approved, the Loading Area will not function for transfer activities, unless additional parking spaces are deleted or museum staff will be forced to make more transfers outside of the building. The approval of this proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of this zone and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

This deviation is to the 10-foot required Street Side Yard fronting Coast Blvd (SDMC 159.0307.b.2.B) to permit an elevator lift and stair to encroach into the street side setback (Coast Boulevard), where the zone requires a minimum setback of 10 feet per SDMC Section 159.0307 (b) (2). Providing the proposed Lift and Stair, located in the south western portion of the site, will minimize the disruption to the existing slope and cobblestone rock wall fronting Coast Boulevard, as well as minimize the required excavation, and promote the accessibility between Coast Boulevard and the Museum. The encroachment into the street side yard fronting South Coast Boulevard is up to 7 feet 6 inches over a length of 68 feet 9 inches, for an area of 475 square feet. This design will provide an improved accessible connection between the Museum and the pedestrian path of travel toward the west to the Coast Boulevard street frontage and ocean views. These are both desirable features.

Providing an 80-foot long trellis parallel to Prospect Street where a maximum length of 50 feet is permitted, is appropriate for the scale and location of this trellis. The zone allows a 3-foot encroachment provided the encroachment does not exceed 50-ft in total length for any one encroachment and provided that an additional equivalent landscape area be provided directly in front of the building and behind an adjacent to the required yards with an encroachment of only 2-feet, 21/2 inches, this trellis conforms to the 3-foot limit, but at 80-feet, 41/4 inches, it is longer than 50 feet, an offsetting landscaped area is adjacent to the south which is 2525 square feet, much

larger than the deviating 42 square feet of encroachment (Attachment 13). This feature is an important design element that provides a frame for the larger-scale entrance to the Museum as well as a welcome feature along the street frontage. Further, this deviation is offset by a landscaped area of equal length that is provided directly in front of the building and behind and adjacent to the required yard.

The maximum permitted height of a single retaining wall in a side yard is six feet, and above that height multiple walls are required that must be offset. This is ordinarily applied to a retaining wall that is oriented so that the wall faces adjacent properties. For this project, the wall is part of a stair case. The exposed face of the wall is only visible from the interior of the lot, and in a relatively narrow well of the underground garage. The encroachment into the interior side yard varies from 10 inches to 2 feet, over a length of 34 feet, in a plan area of 48 square feet. Above grade, the wall extends to a guard rail height of 42". Without this deviation the area of gallery and garage would need to be reduced to accommodate the stair case (Attachment 14). This deviation will make it possible to create an egress stair and preserve the width of the garage below and the galleries above.

The deviations were analyzed to determine consistency with the goals and recommendations of the community plan and the purpose and intent of the Planned Development Permit Ordinance. The Land Development Code allows the applicant to request deviations through a Planned Development Permit, and other than the requested deviations, in those four areas, the project as proposed complies with all applicable regulations of the Land Development Code and will not adversely affect the Progress Guide and General Plan, the La Jolla Community Plan. The design flexibility allowed this development to include a connected addition to the existing museum building option under the circumstances. These are features that will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1419240, 1425481 and 1755238, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: March 23, 2017

IO#: 24005530

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER:24005530

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1419240 CONDITIONAL USE PERMIT NO. 1425481 AND
PLANNED DEVELOPMENT PERMIT NO. 1755238
MCASD EXPANSION - PROJECT NO. 405930 MMRP
AMENDMENT TO COASTAL DEVELOPMENT PERMIT, LA JOLLA PLANNED DISTRICT PERMIT AND
SPECIAL USE PERMIT NO. 96-0257
PLANNING COMMISSION

This Coastal Development Permit No. 1419240, Conditional Use Permit No. 1425481 and Planned Development Permit No. 1755238, Amendment to Coastal Development Permit, La Jolla Planned District Permit and Special Use Permit No. 96-0257 are granted by the Planning Commission of the City of San Diego to the Museum of Contemporary Art San Diego, Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0704, 159.0210 and 126.602. The 2.55-acre site is located at 636 and 700 Prospect Street in the 5A and 6A zones of the La Jolla Planned District, Coastal (appealable) Overlay zone, Coastal Height Limitation Overlay Zone, Parking Impact (Coastal and Beaches) Overlay Zone, Transit Area Overlay Zone and the Residential Tandem Parking Overlay Zone within the La Jolla Community Plan area. The project site is legally described as: Lots 1-10 and Lots 13-15, and street closings of Block 35 of La Jolla Park, Map No. 352, filed in the office of the County Recorder of San Diego County March 22, 1987.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing single-family residence and construct an addition/remodel of an existing art museum described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 23, 2017, on file in the Development Services Department.

The project shall include:

- a. Demolish an existing single-family residence at 636 Prospect Street and construct a 49,444 square foot addition to an existing 55,570 square-foot museum, resulting in a 105,014 square-foot museum, and construction of a new underground parking garage to accommodate 41 cars (a portion via 19 parking lifts) and two motorcycle spaces ;

- b. Deviations to building height exceeding the 30-foot Zoning Height Limit, Street Yard Setback fronting Coast Boulevard for Accessible lift and stair, front setback along Prospect Street for Trellis encroachment and side yard setback for egress stairs;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Sculpture garden, outdoor terrace, trellis and site walls; 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 (date to be determined – Appealable to California Coastal Commission) _____.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. 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.
4. 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.
5. 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.

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

7. 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.).

8. 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.

9. 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.

10. 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.

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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 Mitigated Negative Declaration No. 405930 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 Mitigated Negative Declaration No. 405930, 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 the following issue areas:

- Archaeological and Paleontological Resources

CLIMATE ACTION PLAN (CAP) REQUIREMENTS:

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

16. The Climate Action Plan strategies as identified on Exhibit "A" shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

17. The project proposes to export 7,400 cubic yards of material from the project site. All excavated material listed to be exported shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

18. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

19. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit 'A', satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet in the Coast Boulevard right-of-way.
21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the two existing driveways with current City Standards curb, gutter and sidewalk, adjacent to the site on Prospect Street, satisfactory to the City Engineer.
22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing curb and gutter, with current City Standards curb and gutter, adjacent to the site on Prospect Street, satisfactory to the City Engineer.
23. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing driveway with current City Standards 24-foot wide concrete driveway, adjacent to the site on Cuvier Street, satisfactory to the City Engineer.
24. Prior to the issuance of any building permits, the Owner/Permittee shall reconstruct the existing two curb ramps with current City Standard curb ramp per Standard Drawing SDG-130 and SDG-132 with truncated domes, adjacent to the site on Prospect Street, satisfactory to the City Engineer.
25. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP) maintenance, satisfactory to the City Engineer.
26. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
27. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
28. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.

LANDSCAPE REQUIREMENTS:

29. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Development Services Department.
30. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall

show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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

32. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

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

34. 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, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

35. 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.

36. Prior to the issuance of any construction permits, the Owner/Permittee shall record a 43-foot-wide View Corridor Easement on the north side of the project and a five-foot wide View Corridor Easement on the south side of the project as shown on Exhibit "A," in accordance with SDMC section 132.0403.

37. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations.

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

39. All terms and conditions of Coastal Development/La Jolla Planned District/Special Use Permit No. 96-0257, shall remain in effect except as modified by this approval.

TRANSPORTATION REQUIREMENTS

40. No fewer than one on-site loading area (two on-site loading areas as illustrated on Exhibit "A") shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A," in compliance with requirements of the San Diego Municipal Code (SDMC), and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

41. No fewer than 41 off-street parking spaces (with 41 on-site parking spaces provided; including 1 disabled accessible space; 19 parking lifts) and four bicycle spaces and two motorcycle spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A." Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the San Diego Municipal Code (SDMC), and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

42. Prior to building permit issuance for the expansion, the Owner/Permittee shall implement and maintain a Parking Management Plan approved by Development Services Department, to include at least the following:

- A. The Museum will continue to coordinate events with Bishops School and La Jolla Music Society.
- B. Visitors to the Museum will receive half-off admission when they show their MTS pass or receipt for that day, or ride their bicycle to the museum.
- C. The Museum will make use of valet and/or limousine and shuttle services for all meetings or events in which 320 or more attendees are expected.
- D. Museum employees will receive incentives to carpool, bicycle to work, and use public transportation. For vehicles used by carpooling employees, there will be one of the four designated carpool parking spaces onsite for the employee's carpool vehicle. The incentive for carpooling will be the use of one of the four designated carpool spaces or \$5 per day for each of the carpool drivers, up to a maximum of \$50 per month. For employees who bicycle to work or use public transportation, the incentive will be \$5 per day for each employee who bicycles to work or uses public transportation, up to a maximum of \$50 per month.
- E. The Museum shall provide 10 short-term bicycle spaces, 2 long-term bicycle spaces, and 2 motorcycle parking spaces for visitors and Museum employees onsite and as shown in Exhibit A.

- F. The Museum will maintain an information resource to provide physical and electronic information to Museum attendees to encourage alternative transportation to the Museum, including referral to alternative transportation and identification of nearby off-street public parking.
- G. The Museum will work with UCSD to investigate and explore alternative transportation in the La Jolla area to launch a shuttle service to transport visitors to the various organizations in the Cultural Zone of the La Jolla Community.

This parking management plan will be on file and available to view on request at the Museum business office during normal business hours. This parking management plan will be maintained and will be reviewed and updated, not less than once every ten years, to adapt to new conditions and the operations of the Museum, satisfactory to the Development Services Department.

43. Prior to any event at the Museum with expected attendance of 320 or more persons, the Museum shall secure and provide valet parking service with reserved off-street parking for the vehicles of event attendees.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

44. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

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

46. All public water and sewer facilities are to be in accordance with the established criteria in the most current City of San Diego Water and Sewer Design Guides.

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

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

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

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

GEOLOGY REQUIREMENTS

51. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

52. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on March 23, 2017, by Resolution No. _____

Permit Type/PTS Approval No.: CDP No. 1419240, CUP No. 1425481 and PDP No. 1755238
Date of Approval: March 23, 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas
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.

Museum of Contemporary Art San Diego
Owner/Permittee

By _____
Charles Castle, Deputy Director and COF

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

RESOLUTION NUMBER R-_____

ADOPTED ON MARCH 23, 2017

WHEREAS, on February 10, 2015, Museum of Contemporary Art San Diego submitted an application to the Development Services Department for a Coastal Development Permit, Conditional Use Permit and Planned Development Permit for the Museum of Contemporary Art San Diego Expansion Project - Project No. 405930 (Project); and

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

WHEREAS, the issue was heard by the Planning Commission on March 23, 2017; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigated Negative Declaration No. 405930 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: _____
Glenn R. Gargas, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A**MITIGATION MONITORING AND REPORTING PROGRAM**

Coastal Development Permit, Conditional Use Permit and Planned Development Permit for the
Museum of Contemporary Art Expansion Project
PROJECT NO. 405930

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 405930 shall be made conditions of Coastal Development Permit and La Jolla Planned District Special Use Permit (CUP) for the Museum of Contemporary Art Expansion Project as may be further described below.

A. GENERAL REQUIREMENTS – PART I**Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II

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

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

Qualified Archaeologist

Qualified Native American Monitor

Qualified Paleontologist

Note:

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

CONTACT INFORMATION:

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

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) #405930 and /or Environmental Document # 405930, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

Note:

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

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

Not Applicable

4. MONITORING EXHIBITS

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating

when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE:

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

5. OTHER SUBMITTALS AND INSPECTIONS:

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

<i>Issue Area</i>	<i>Document submittal</i>	<i>Assoc Inspection/Apv l</i>	<i>Notes</i>
Pre Con Meeting	Request letter	MMC approval	3 days prior to pre con
Paleontology	Paleontology Reports	Paleontology site observation	
Archaeology	Archaeology Reports	Archaeology/Historic site observation	
Final approval	Request for Final	Final inspection	1 week after request
Bond Release	Request letter	LEMA verification	2 week minimum LEMA

B. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

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

B. Letters of Qualification have been submitted to ADD

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

II. Prior to Start of Construction

A. Verification of Records Search

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

B. PI Shall Attend Precon Meetings

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

III. During Construction

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

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The 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 PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching

activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV'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 Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. **Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

- c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The 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.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)

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

ARCHAEOLOGICAL RESOURCES

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
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.
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 (CSVR). The CSVR's shall be faxed by the

CM to the RE the first day of monitoring, the last day of monitoring, monthly **(Notification of Monitoring Completion)**, and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

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

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section 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.

1038

DOC # 1997-0646790

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES

AND WHEN RECORDED MAIL TO
CITY CLERK'S OFFICE
MAIL STATION 2A.

DEC 19, 1997 9:09 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 56.00



SPACE ABOVE THIS L

CITY COUNCIL
COASTAL DEVELOPMENT/LA JOLLA PLANNED DISTRICT/SPECIAL USE
PERMIT NO. 96-0257
SAN DIEGO MUSEUM OF CONTEMPORARY ART
AMENDMENT TO COASTAL DEVELOPMENT/LA JOLLA PLANNED DISTRICT/
SPECIAL USE PERMIT NO. 90-0747

This Coastal Development/La Jolla Planned District/Special Use Permit Amendment No. 96-0257 is granted by the Council of The City of San Diego to THE SAN DIEGO MUSEUM OF CONTEMPORARY ART, a California Not-For-Profit Corporation, Owner/Permittee, pursuant to San Diego Municipal Code sections 105.0202, 103.1201 and 103.1208.

1. Permission is hereby granted to Owner/Permittee to amend Coastal Development/La Jolla Planned District/Special Use Permit No. 90-0747 for property located at 700 Prospect Street, described as Lots 1 through 10, 13, 14 and a Portion of 15, Block 35, La Jolla Park, Map No. 352, within Zone 6A of the La Jolla Planned District.
2. The facility shall consist of the following:
 - a. Renovate the existing museum, add 7,555 square feet of useable space and a security fence (six-foot-high, wrought iron fence, setback 3'-6" from property line on Coast Boulevard);
 - b. Landscaping;
 - c. Off-street parking; and
 - d. Incidental accessory uses as may be determined incidental and approved by the City Manager.
3. The Permittee shall mount a plaque where it can be readily viewed by garden passersby along the Coast Blvd. South side of the property honoring the memory of Ellen Browning Scripps, and explaining the significance of the garden as the site of her

1039

original garden. The Museum will consult with the La Jolla Historical Society on the design of the plaque.

4. The fence is to be of the design and material already exhibited to the City Council and installed elsewhere on the Museum grounds, or otherwise be of an attractive and tasteful design consistent with the "open fencing" requirements of the Municipal Code which would allow public viewing of the garden from outside the fence.

5. The Permittee shall allow free, public access to the sculpture garden during all hours when the Museum is open to the public, provided that the admission of such patrons be through the main entrance of the Museum. Should an appeal to the California Coastal Commission or a civil action be filed in opposition to the granting of this permit, the Permittee's acceptance of this permit condition is predicated on the entire permit, as approved by the City Council on June 3, 1997, by Resolution No. R-288754, being unchanged either by future actions by the California Coastal Commission or by a court. Further the Trustees agree to put up a sign near the gate in the sculpture garden wall along Coast Boulevard South informing the public of the free, public access policy and directing people to the main entrance. This sign shall be installed concurrently with the relocation of the fence.

a. This condition regarding free, public access may be reviewed five (5) years from the approval date of this permit at the Museum's request. Should the Permittee desire to amend or eliminate the free, public access condition, the burden to adequately demonstrate the need to amend or eliminate this condition will fall to the Museum Trustees.

6. Not fewer than 24 off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated February 27, 1992, on file in the office of Development Services. ~~Parking spaces shall comply with Chapter 2, Article 1, Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.~~

7. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

a. The Permittee signs and returns the permit to Development Services; and

1040

- b. The Coastal Development/La Jolla Planned District/Special Use Permit Amendment is recorded in the office of the County Recorder.

8. Before issuance of any building permits, complete grading and working drawings shall be submitted to Development Services for approval. Plans shall be in substantial conformance to Exhibit "A," dated February 27, 1992, on file in the office of Development Services. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

9. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to Development Services for approval. The plans shall be in substantial conformity to Exhibit "A," dated June 3, 1997, on file in the office of the Development Services. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.

10. The property included within this coastal development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the City Manager or the permit has been revoked by the City of San Diego.

11. This Coastal Development/La Jolla Planned District/Special Use Permit Amendment may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City of San Diego or Permittee.

12. This Coastal Development/La Jolla Planned District/Special Use Permit Amendment is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

13. The use of textured or enhanced paving shall be permitted only with the approval of the City Engineer and City Manager and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.

14. To the extent this conditions is consistent with state and local laws, this project shall comply with the standards, policies and requirements in effect at the time of approval of this project, including any successor or new policies, financing, mechanisms, phasing schedules, plans and ordinances relating to growth management adopted by the City of San Diego after

1041

January 11, 1990. The Owner/Permittee may challenge the legality of the imposition of future requirements pursuant to this conditions at the time such future requirements and their impacts on the project are defined.

15. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

16. The north end of the proposed cafe shall recess five feet southward to preserve the existing public view corridor toward the ocean.

17. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of pedestrian ramps on Prospect Street opposite from the corners of Silverado Street and at Draper Street and at the corner of Coast Boulevard and Coast Boulevard South, adjacent to this site, in a manner satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the removal of the drainage grate and high curb along the frontage on Prospect Street at the intersection with Draper Street, in a manner satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the applicant shall:

- a. Ensure that building address numbers are visible and legible from the street (UFC 10.208).
- b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
- ~~c. Post indicator valves, Fire Department connections, and alarm bell are to be located on the address/access side of the structure (UFC 10.301).~~

20. Unless appealed this Coastal Development/La Jolla Planned District Special Use Permit Amendment shall become effective on the eleventh working day following receipt by the Coastal Commission of the Notice of Final Action.

21. This Coastal Development Permit/La Jolla Planned District Permit/Special Use Permit Amendment No. 96-0257 must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 111.1122 of the Municipal Code.

1042

22. This Coastal Development Permit Amendment incorporates La Jolla Planned District and Special Use Permits. The La Jolla Planned District/Special Use Permit Amendment shall not be valid until the Coastal Development Permit Amendment becomes effective.

23. All of the conditions contained in this permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this permit be required to comply with each and every condition in order to be afforded special rights which the holder of the permit is obtaining as a result of this permit. It is the intent of the City that the owner of the property which is the subject of this permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property, or the special and extraordinary rights conveyed by this permit, but only if the owner complies with all the conditions of this permit.

In the event that any condition of this permit, on a legal challenge by the Owner/Permittee of this permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this permit shall be void. However, in such 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 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 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.

APPROVED by the Council of The City of San Diego on June 3, 1997, by Resolution No. R-288754.

1043

AUTHENTICATED BY THE CITY MANAGER

By 

Tina P. Christiansen, A.I.A.
Development Services Manager
for the City Manager

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

SAN DIEGO MUSEUM OF
CONTEMPORARY ART

Owner/Permittee

By 

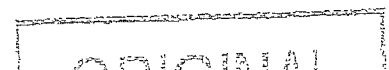
By _____

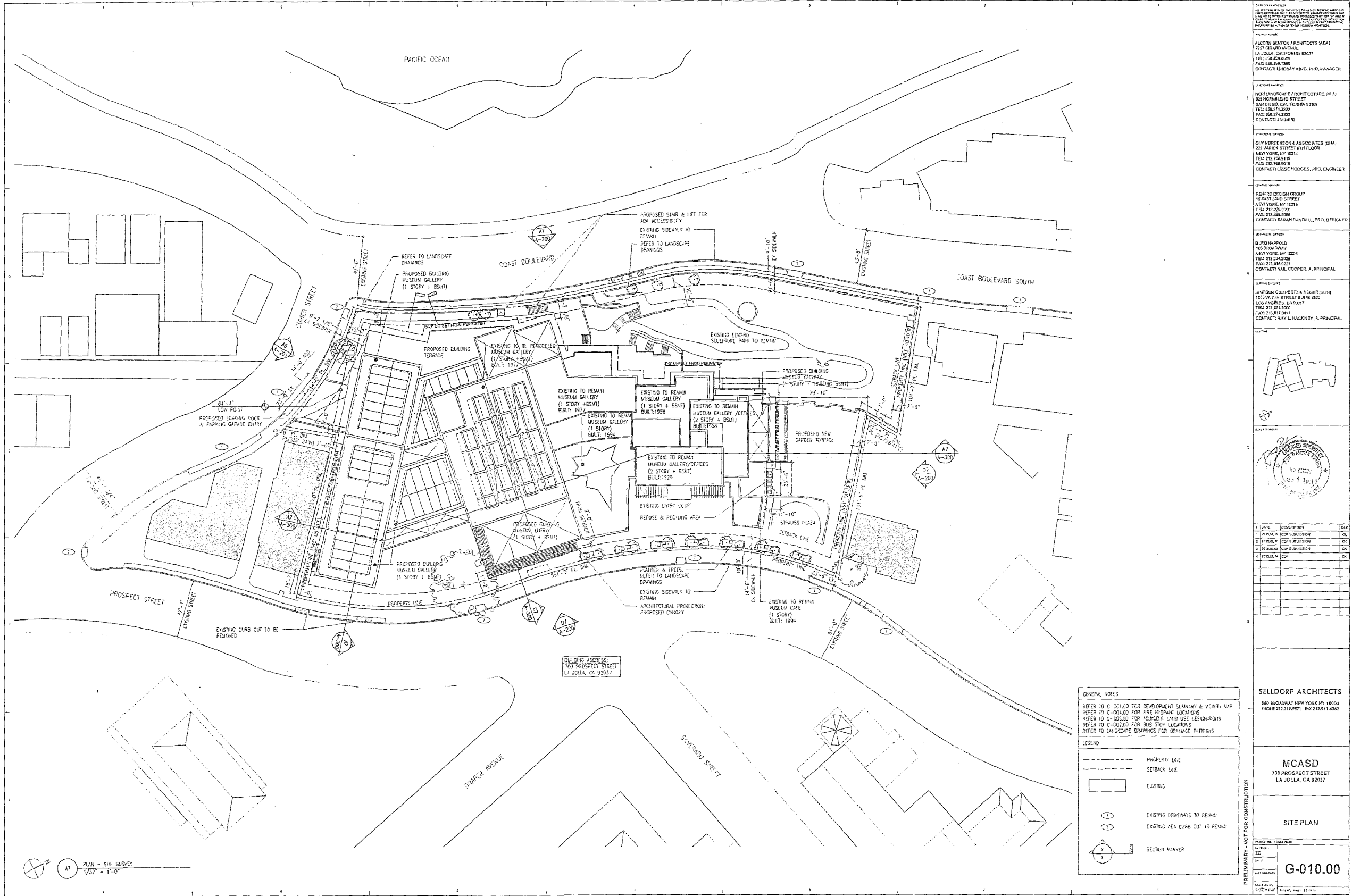
NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.

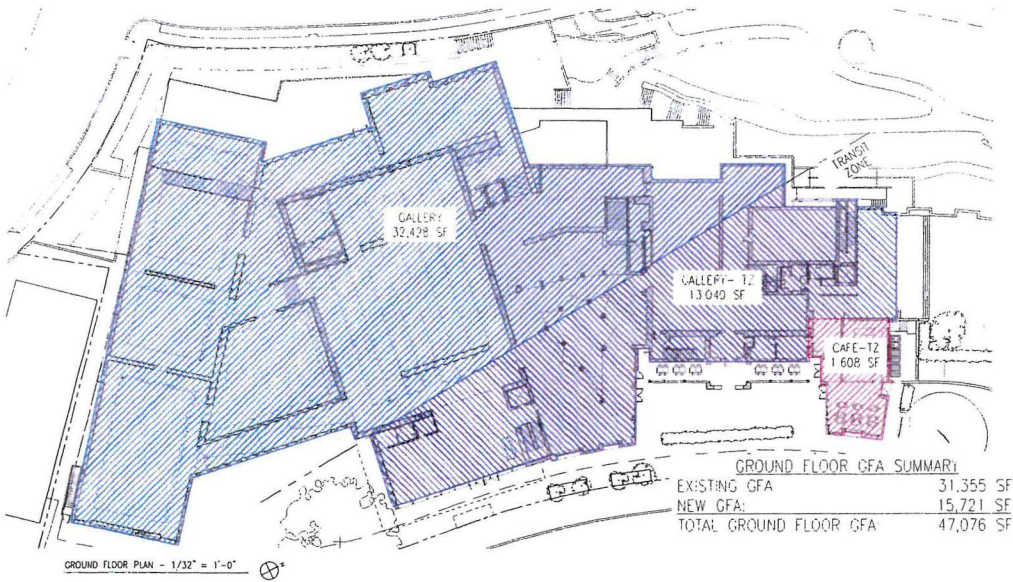
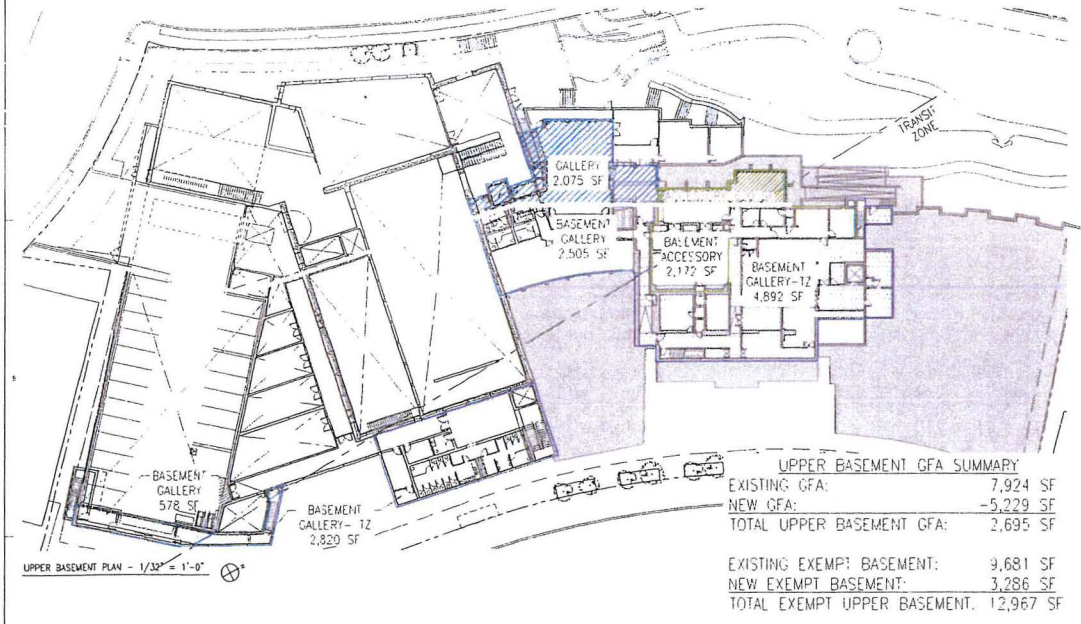
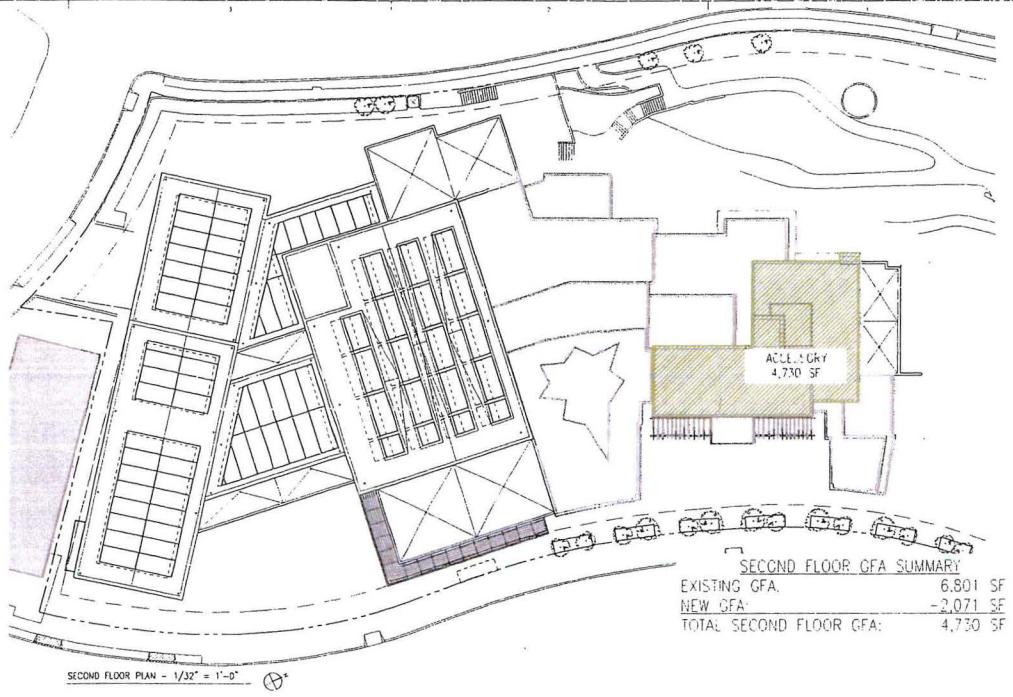
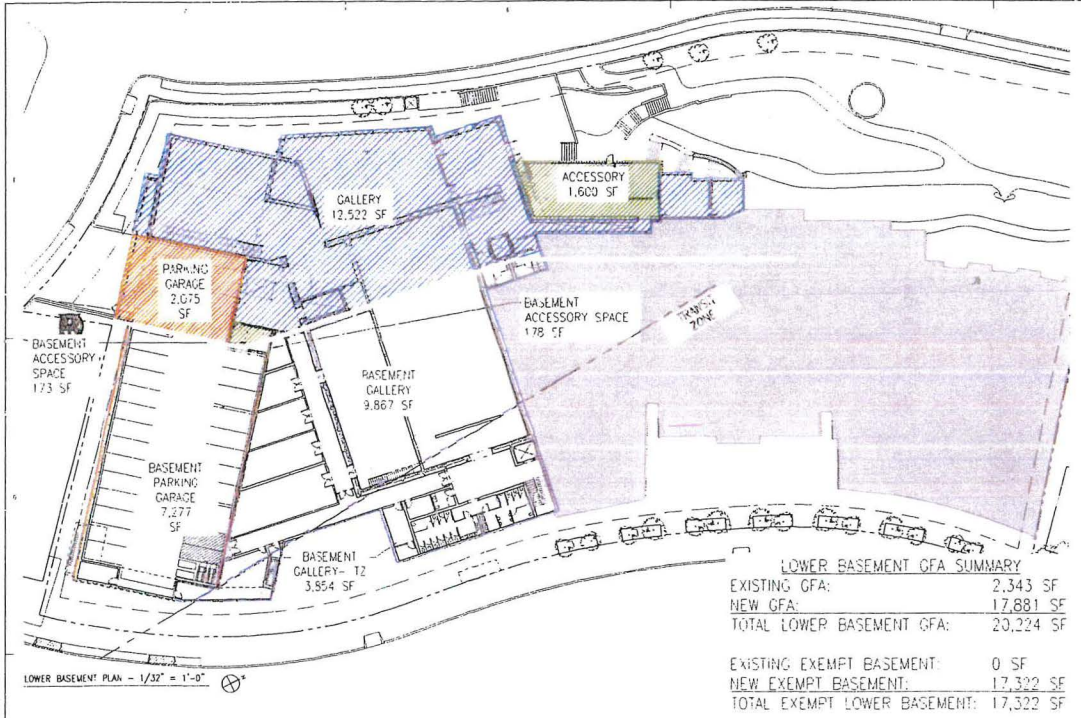
06/20/97

09/24/97 COR.COPY

LADUVERNAYPERMITS95-0257.PER







NOTE: SOME FLOOR AREAS ARE NEGATIVE DUE TO PROPOSED CHANGES IN FINISH FLOOR ELEVATIONS. WHEN THIS OCCURS, THE CORRESPONDING AREA SHIFTS AND THE SQUARE FOOTAGE IS CALCULATED ON A DIFFERENT FLOOR.

*GROSS AREAS ARE INCLUSIVE OF EXTERIOR WALLS

FLOOR AREA SUMMARY - EXISTING + NEW							
KEY	PROGRAM	AREA - SF					
		Basement - Lower Exempt from GFA	Basement - Lower	Basement - Upper Exempt from GFA	Basement - Upper	Ground Floor	Second Floor
	Gallery	9,867	12,522	3,083	2,075	32,428	0
	Gallery-Transit Zone (TZ)	0	3,854	7,712	0	13,040	0
	Cafe	0	0	0	0	1,608	0
	Accessory Use	178	1,773	2,172	620	0	4,730
	Garage	2,277	2,075	0	0	0	0
	TOTAL SF PER FLOOR	17,322	20,224	12,967	2,695	47,076	4,730
						PROPOSED GFA (MINUS EXEMPT AREAS):	74,725
						FAR:	67%

ALCORN & BENTON ARCHITECTS (ABA)
757 GRAND AVENUE
LA JOLLA, CALIFORNIA 92037
TEL: 858.458.9805
FAX: 858.458.1550
CONTACT: LINDSAY KING, PRG. MANAGER

NERI LANDSCAPE ARCHITECTURE (NLA)
808 HORNBLAND STREET
SAN DIEGO, CALIFORNIA 92108
TEL: 619.274.3223
FAX: 619.274.3223
CONTACT: JIM NERI

GUY WOODSON & ASSOCIATES (GWA)
225 MARKET STREET 8TH FLOOR
NEW YORK, NY 10014
TEL: 212.766.8118
FAX: 212.766.8118
CONTACT: LIZZIE HODGES, PRG. ENGINEER

NEVINO DESIGN GROUP
15 EAST 2ND STREET
NEW YORK, NY 10018
TEL: 212.234.8888
FAX: 212.234.8888
CONTACT: SARAH RANDALL, PRG. DESIGNER

BURD HAPPOLO
100 BROADWAY
NEW YORK, NY 10005
TEL: 212.234.3005
FAX: 212.216.8227
CONTACT: NAIL COOPER, A. PRINCIPAL

SIMPSON GUMPERTZ & HEDER (SGH)
1055 W. 7TH STREET SUITE 2500
LOS ANGELES, CA 90017
TEL: 213.271.2000
FAX: 213.271.2411
CONTACT: AMY L. HACKNEY, A. PRINCIPAL

© COPYRIGHT 2015, ALCORN & BENTON ARCHITECTS
ALL RIGHTS RESERVED

DATE DESCRIPTION CNA

1	10-12-15	100% CONCEPT DESIGN PHASE	CF
2	02-03-16	CDP SUBMITTALS	VF
3	05-05-16	CDP RE-DESIGN PHASE	VF
4	09-08-16	CDP	VF
5	09-11-16	CDP EXEMPT	VF

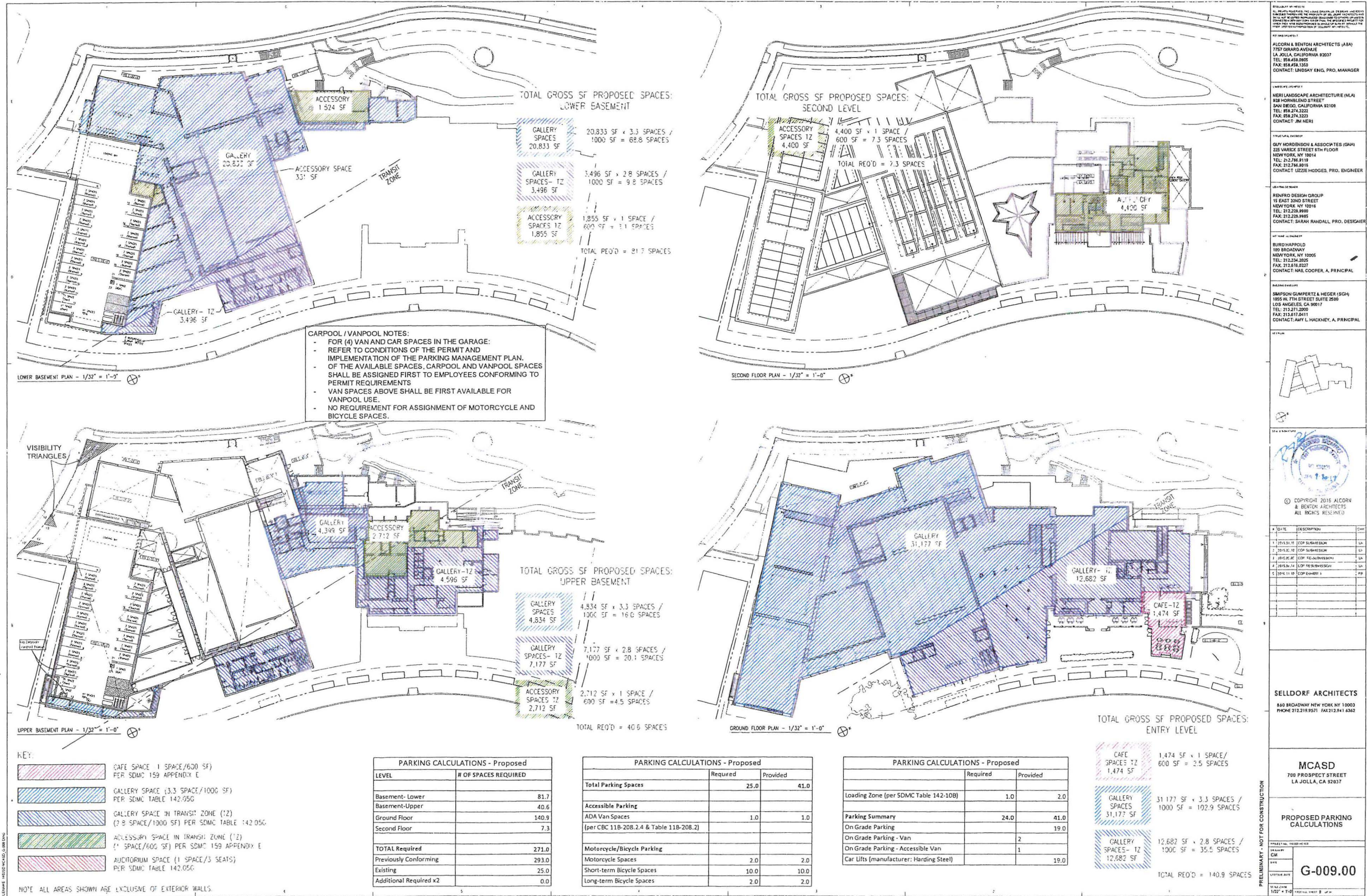
SELLDORF ARCHITECTS
840 BROADWAY NEW YORK, NY 10003
PHONE 212.219.9571 FAX 212.241.4362

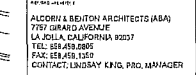
MCASD
700 PROSPECT STREET
LA JOLLA, CA 92037

GROSS FLOOR AREA SUMMARY

G-007.00







MERI LANDSCAPE ARCHITECTURE (NLA)
818 HORNBLAND STREET
SAN DIEGO, CALIFORNIA 92108
TEL: 858.274.3222
FAX: 858.274.3223
CONTACT: MERI

GUY NORDELSOHN & ASSOCIATES (GNA)
225 VARICK STREET 8TH FLOOR
NEW YORK, NY 10014
TEL: 212.768.9119
FAX: 212.768.2018

RENFRO DESIGN GROUP
15 EAST 32ND STREET
NEW YORK, NY 10016
TEL: 212.229.3990
FAX: 212.229.3495

BURO HAPPOLD
100 BROADWAY
NEW YORK, NY 10005
TEL: 212.334.2825

CONTACT: NAIL COOPER, A. PRINCIPAL

2

6:43 PM 1/21/91

SIMPSON GLAMPERTZ & HEGER (SGH)
1065 W. 7TH STREET SUITE 2500
LOS ANGELES, CA 90017
TEL: 213.231.2000

CONTACT: AMY L. HACKNEY, A. PRINCIPAL

SEAL OF THE DEPARTMENT



© COPYRIGHTS 2013 ALBERT
 & BENSON ARCHITECTS
 ALL RIGHTS RESERVED

#	DATE	DESCRIPTION	CHG.
1	01/10/2013	CDP	CA
2	01/10/2013	CDP	CA

SELDFORD ARCHITECTS
860 BROADWAY NEW YORK NY 10003
PHONE 212.219.9571 FAX 212.941.6362

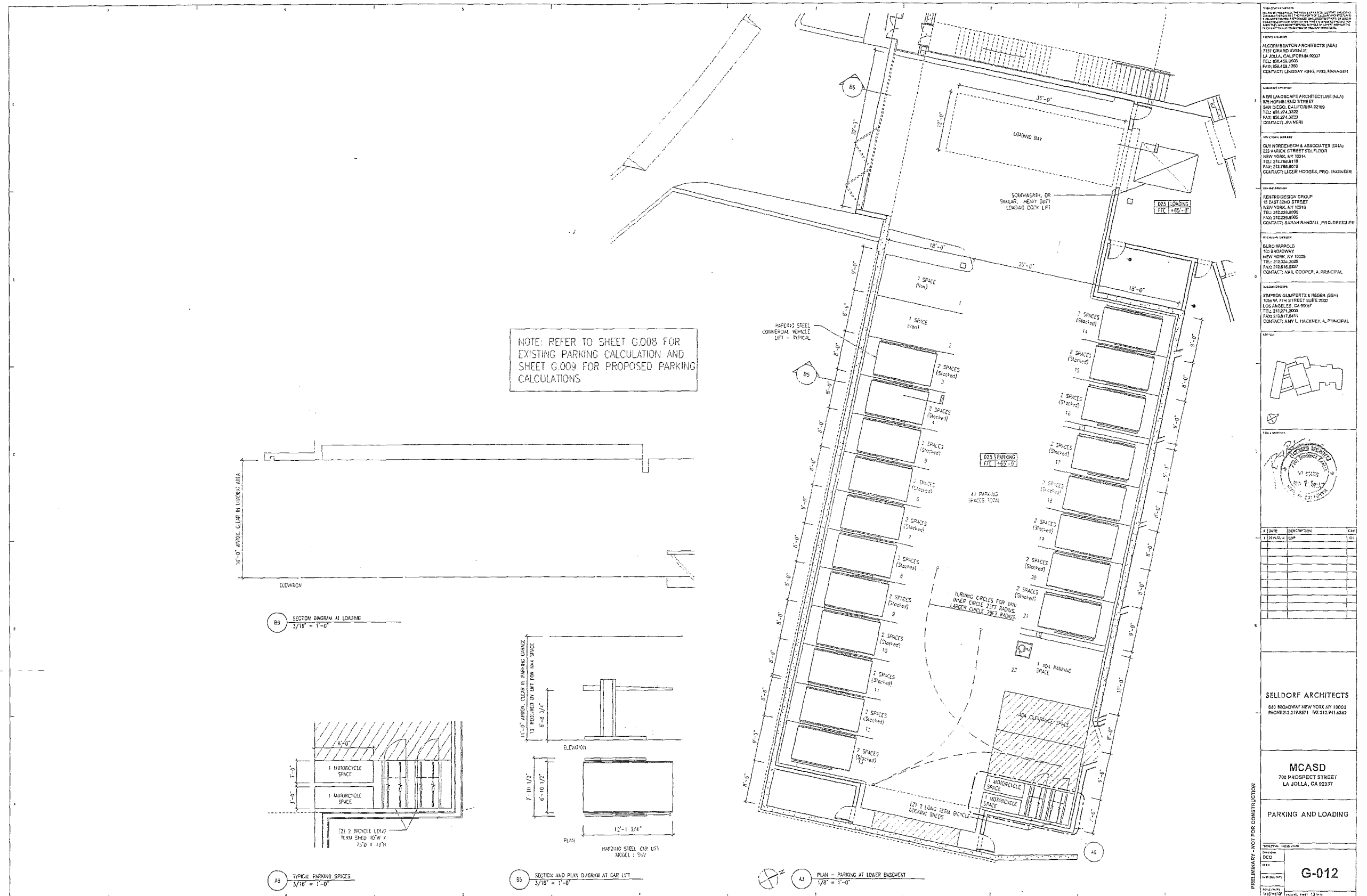
MCASD
700 PROSPECT STREET

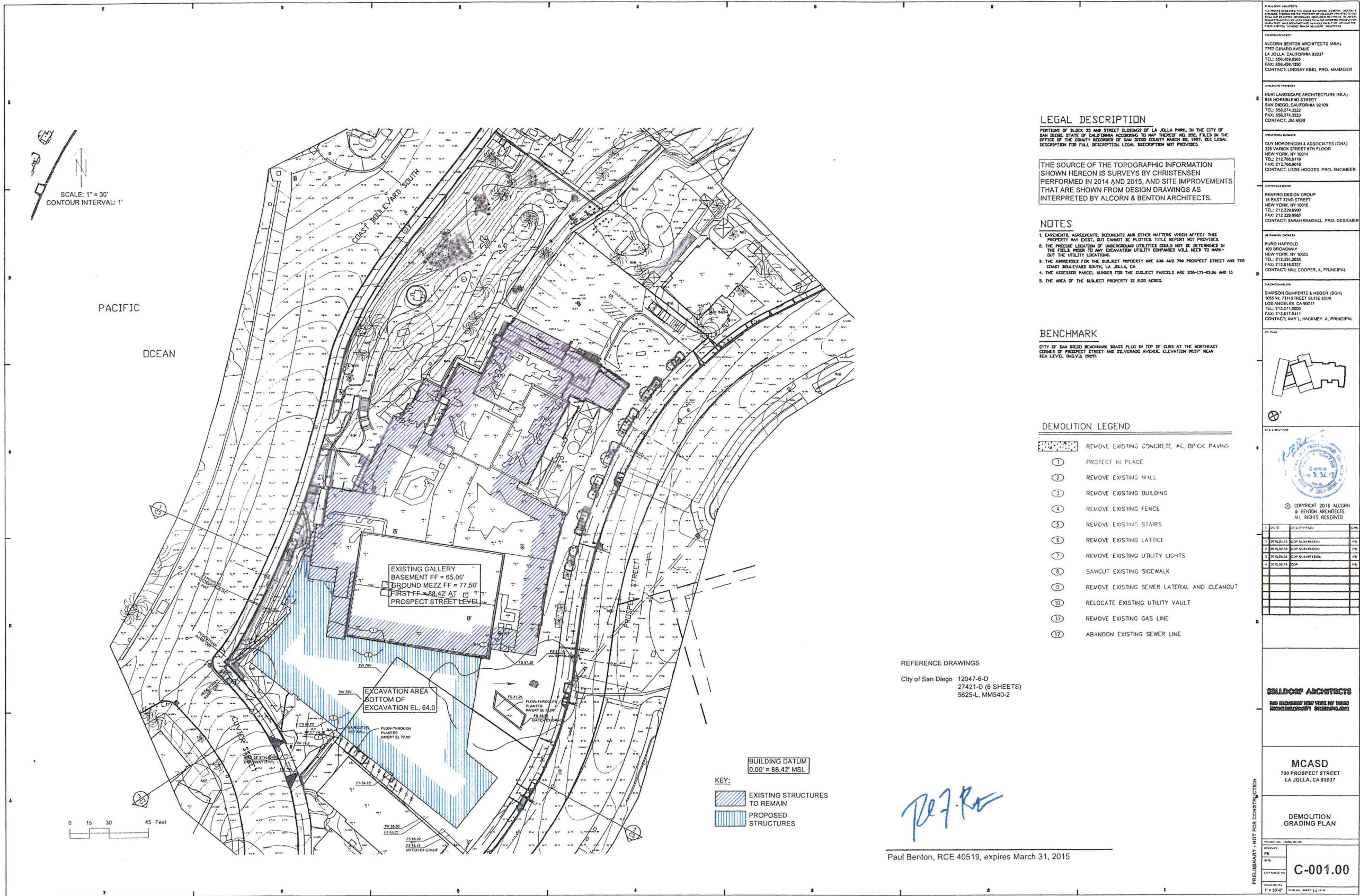
CONSTRUCTION

DEVIATION KEY PLAN

PRIMARY - NOT FOR OFFICIAL USE ONLY	FORM NO. 104-100, 1-64 (29) USE 112	
	GROUP # DO 112	6 011 00

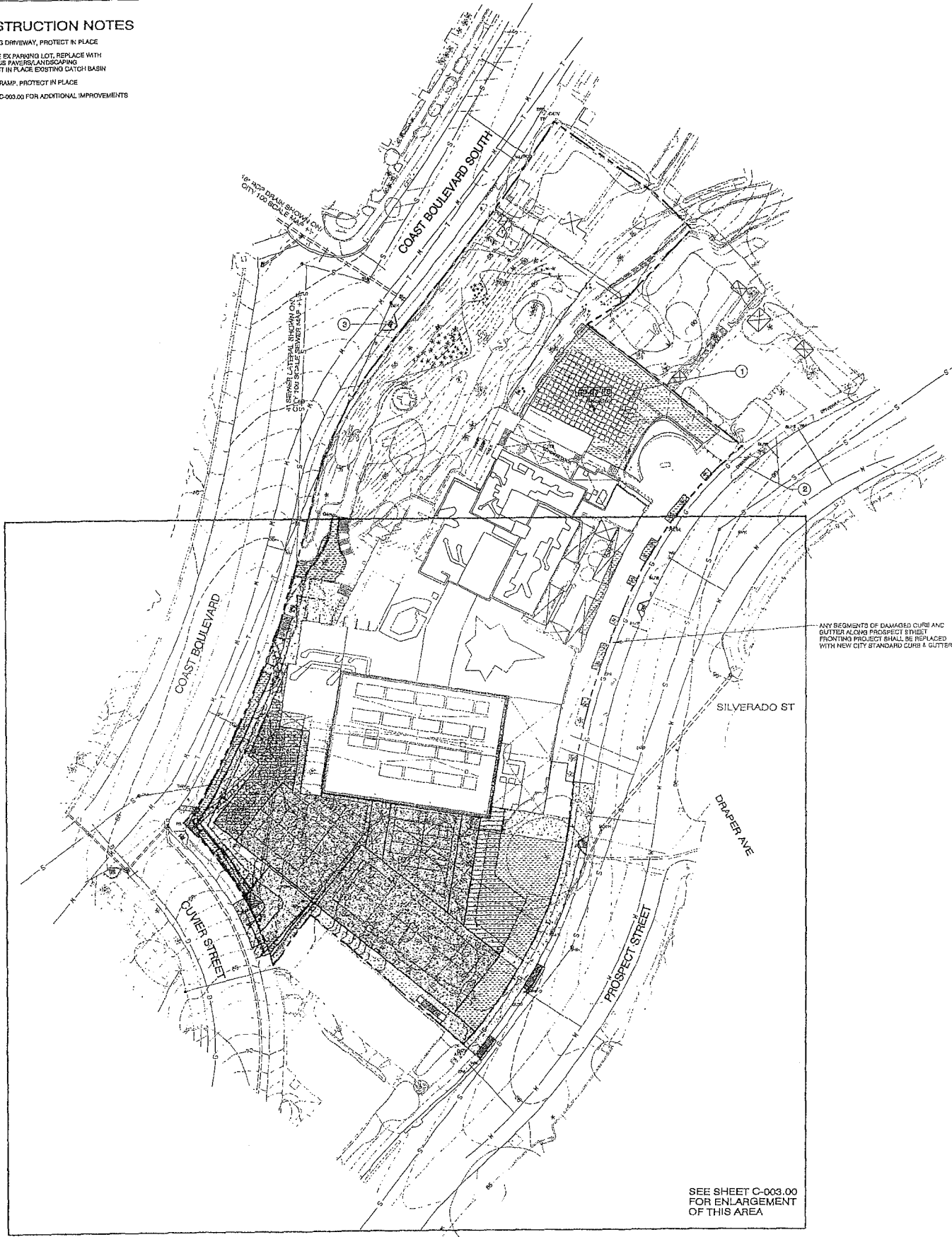
PRE	11.62 21.62	
	VARIES	11.62 21.62





CONSTRUCTION NOTES

1. EXISTING DRIVEWAY, PROTECT IN PLACE
 2. REMOVE EX. PARKING LOT, REPLACE WITH PERVIOUS PAVEMENT, LANDSCAPING, PROTECT IN PLACE EXISTING CATCH BASIN
 3. EX. PEB. RAMP, PROTECT IN PLACE
- SEE SHEET C-003.00 FOR ADDITIONAL IMPROVEMENTS



SEE SHEET C-003.00
FOR ENLARGEMENT
OF THIS AREA

LEGEND

PROPERTY LINE	---
EXISTING CONTOUR	---
EXISTING OVERHEAD UTILITY	---
EXISTING GAS LINE	---
EXISTING SEWER LINE	---
EXISTING WATER LINE	---
EX. SPOT ELEVATION	FS EL. 27.0
PROPOSED SPOT ELEVATION	27.8 PS
EXISTING RETAINING WALL	---
PROPOSED RETAINING WALL	---
AREADECK DRAIN	---
PVC DRAIN	---
FILTERPIT UNIT	---
CONCRETE SURFACE	---
DIRECTION OF DRAINAGE	---
SEWER CLEANOUT	Q SCD
LANDSCAPED SURFACE (SEE LANDSCAPE PLAN)	---
SITE WALL (NON-RETAINING)	---
CURB OUTLET	---
AREA OF D/W REMOVAL	---
LOWER LEVEL FOOTPRINT	---
ROOF DRAIN	RD
PROPOSED BACKFLOW PREVENTER	BFP

LEGAL DESCRIPTION

PORTIONS OF BLOCK 38 AND STREET CLOSING OF LA JOLLA PARK, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 362, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MARCH 22, 1987. SEE LEGAL DESCRIPTION FOR FULL DESCRIPTION. LEGAL DESCRIPTION NOT PROVIDED.

APN / ADDRESS

ASSESSOR'S PARCEL NUMBERS: 395-171-03-06 AND 10
ADDRESS: 636 AND 700 PROSPECT STREET AND 726 COAST BOULEVARD, SOUTH LA JOLLA, CA 92037

NOTES

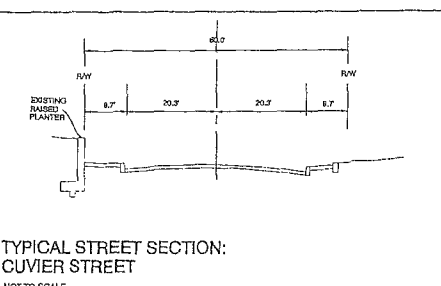
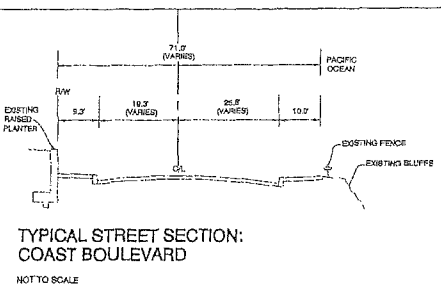
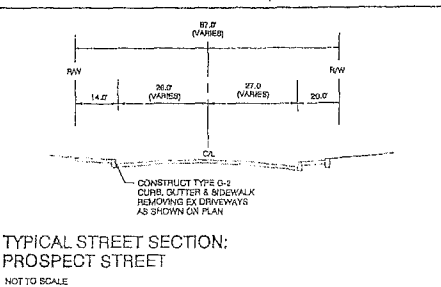
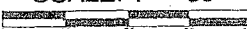
1. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS A PHOTOGRAMMETRIC AND ON THE GROUND SURVEY BY CHRISTENSEN ENGINEERING & SURVEYING IN FEBRUARY 2014 AND JANUARY 2015.
2. THE SUBJECT PROPERTY IS SERVED BY CITY OF SAN DIEGO, SANITARY SEWER LATERAL AND WATER SERVICE.
3. IT IS UNKNOWN IF EASEMENTS EXIST, TITLE REPORT NOT PROVIDED.
4. BENCHMARK: CITY OF SAN DIEGO BENCHMARK BRASS PLUG IN TOP OF CURB AT THE NORTHEAST CORNER OF PROSPECT STREET AND SILVERADO STREET, ELEVATION 90.57 MEAN SEA LEVEL (N.G.D. 1928).
5. ONLY A PORTION OF THE SITE IS TO BE DEVELOPED, AS SHOWN.

ABBREVIATIONS

- BFP BACKFLOW PREVENTER
CATV CABLE TELEVISION BOX
CB CATCH BASIN
CI CURB INLET
CONC CONCRETE
EL ELEVATION
EPB ELECTRIC PULL BOX
FDC FIRE DEPARTMENT CONNECTION
HB HEADER BOARD
P POST
PR PEDESTRIAN RAMP
S SIGN
SCD SEWER CLEANOUT
SDMH STORM DRAIN MANHOLE
SLPB STREET LIGHT PULL BOX
SMH SEWER MANHOLE
T TRANSFORMER
TB TELEPHONE BOX
TMH TELEPHONE MANHOLE
TPB TELEPHONE PULL BOX
TOP OF WALL
WM WATER METER
WV WATER VAULT



SCALE: 1" = 30'



Prepared By:
CHRISTENSEN ENGINEERING & SURVEYING
7888 SILVERTON AVENUE, SUITE 100
SAN DIEGO, CA 92126
PHONE (619) 271-9801 FAX (619) 271-9812

Project Address:
700 PROSPECT STREET
LA JOLLA, CA 92037

Project Name:
MUSEUM OF CONTEMPORARY ART
SAN DIEGO

- Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1: 07-27-15 ADDRESS CITY COMMENTS

Sheet Title:

PRELIMINARY GRADING PLAN

Original Date: APRIL 30, 2016

C-002.00



GRADING DATA

AREA OF SITE - 2.548 AC
AREA OF SITE TO BE GRADED (REDEVELOPED) - 0.836 AC
PERCENT OF SITE TO BE GRADED - 32.84%
AMOUNT OF SITE WITH 20% SLOPES OR GREATER AREA - NA
PERCENT OF TOTAL SITE - NA
AMOUNT OF SITE WITH SLOPES THAT ARE SUBJECT TO EEL REGS.
(LDC SEC. 143.0110): 0 SF (NO NATURAL SLOPES EXIST, ENTIRE SITE PREVIOUSLY DISTURBED)

AMOUNT OF CUT - 7,400 C.Y.
AMOUNT OF FILL - 0 C.Y.
AMOUNT OF EXPORT - 7,400 C.Y.
MAXIMUM HEIGHT OF FILL - 3 VERTICAL FILL (DRIVEWAY)
MAXIMUM FILL SLOPE RATIO NONE
MAXIMUM FILL SLOPE HEIGHT NONE

MAXIMUM HEIGHT OF CUT 22 VERTICAL (GARAGE)
MAXIMUM HEIGHT OF CUT SLOPE - 2
MAXIMUM CUT SLOPE RATIO - 2:1

EARTHWORK IS APPROXIMATE

LENGTH OF SITE RETAINING WALL - 240'
MAX HEIGHT OF SITE RETAINING WALL - 7.5' (WALKWAY)

IMPERVIOUSNESS:

EXISTING IN AREA TO BE DEVELOPED - 0.587 AC
PROPOSED IN AREA TO BE DEVELOPED - 0.586 AC

CONSTRUCTION NOTES

- 1 REMOVE EXISTING DRIVEWAY
REPLACE WITH CURB, GUTTER
AND SIDEWALK PER SDG-151
- 2 REMOVE EX DW
REPLACE WITH 24 DRIVEWAY
PER SDG-154
- 3 EXISTING WATER SERVICE
PROTECT IN PLACE
- 4 EXISTING SEWER LATERAL
PROTECT IN PLACE
- 5 CURB OUTLET PER D-25
Q 100 - 1.52 CFS
- 6 4" X 16" FILTERBA BIOFILTRATION UNIT
OWOV = 0.10 CFS
8.0 FL IN
9.5 FL OUT
SEE SHEET C-004.00 FOR DETAILS
- 7 AREA DRAIN
(TYPICAL)
- 8 PVC DRAIN
(TYPICAL)
- 9 EX 4" FIRE SERVICE
PROTECT IN PLACE
- 10 EX PED RAMP
PROTECT IN PLACE
- 11 EX PED RAMP
REPLACE WITH
PED RAMP PER SDG-132
- 12 PROPOSED RETAINING WALL
PROTECT IN PLACE
- 13 EX RETAINING WALL
PROTECT IN PLACE
- 14 REMOVE AND REPLACE EX CURB, GUTTER
AND SIDEWALK PER SDG-151 & SDG-155
- 15 VISIBILITY TRIANGLE
NOTHING GREATER THAN 30'
IN HEIGHT ALLOWED IN THIS AREA
- 16 PROPOSED ROOF DRAIN
(TYPICAL)
- 17 EX WATER SERVICE TO BE KILLED
- 18 PROPOSED CATCH BASIN
(TYPICAL)
- 19 PROPOSED LANDSCAPE AREA
(TYPICAL)
- 20 PROPOSED CATCH BASIN WITH DRAIN
THROUGH WALL
- 21 LIMIT LINE OF SUBTERRANEAN CONSTRUCTION
NOT BELOW BUILDING SURFACE FOOTPRINT
- 22 EX COBBLE WALL, PROTECT IN PLACE
- 23 ROOF DRAIN TIGHT LINE TO BMP TREATMENT
- 24 CONSTRUCT BACKFLOW PREVENTER ON EX
WATER SERVICE PER SDG-155
- 25 CONSTRUCT BACKFLOW PREVENTER ON EX
4" FIRE SERVICE PER SDG-155
- 26 EX 6" VC SEWER LATERAL, PROTECT IN PLACE
- 27 REMOVE AND REPLACE DAMAGED CURB & GUTTER
ALONG PROSPECT STREET FRONTING PROJECT SITE
PER SDG-151

NOTE:

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

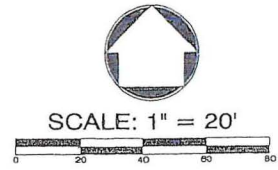
PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL
INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO
COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE
SAN DIEGO MUNICIPAL CODE INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

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

AN EMRA WILL BE REQUIRED FOR PRIVATE CURB OUTLET IN RIGHT OF WAY.

RUNOFF WILL BE TREATED BY FLOW OVER LANDSCAPING AND BY FILTERBA UNIT
BEFORE BEING CONVEYED OFFSITE, AS SHOWN ON THE PLAN AND DETAILED IN
THE WOTR.

LESS THAN 50% OF THE SITE IS TO BE REDEVELOPED AND SO NO RETROFIT TO THE
REMAINING SITE IS REQUIRED IN ACCORDANCE WITH THE STORM WATER STANDARDS
MANUAL (2012), PAGE 2.3. ONLY THE NEW IMPERVIOUS AREA MUST BE INCLUDED IN THE
BMP TREATMENT DESIGN.



ANTHONY K. CHRISTENSEN
RCE 54021
EXP. 12-31-15

DATE



Prepared By:
CHRISTENSEN ENGINEERING & SURVEYING
7884 SILVERTON AVENUE, SUITE 17
SAN DIEGO, CA 92126
PHONE (619) 271-9601 FAX (619) 271-9012

Project Address:
700 PROSPECT STREET
LA JOLLA, CA 92037

Project Name:
MUSEUM OF CONTEMPORARY ART
SAN DIEGO

- Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1: 07-27-15 ADDRESS CITY COMMENTS

Sheet Title:

PRELIMINARY GRADING PLAN

Original Date: APRIL 30, 2015

C-003.00

LANDSCAPE REGULATIONS

APPLICABILITY:

LA JOLLA PLANNED DISTRICT ZONE 5A & 6A LANDSCAPE REQUIREMENTS:
ALL REQUIRED YARDS SHALL BE FULLY LANDSCAPED IN ACCORDANCE WITH
CITY-WIDE LANDSCAPE REGULATIONS OF LAND DEVELOPMENT CODE
CHAPTER 14, ARTICLE 2, DIVISION 4 (LANDSCAPE REGULATIONS) AND LA
JOLLA PLANNED DISTRICT ORDINANCE (159.0403E, F, & H).

SEE LANDSCAPE CALCULATIONS WORKSHEET ON SHEET L-102.00

ACCORDING TO TABLE 142-04A OF THE SDMC: ADDITIONS TO STRUCTURES OR
ADDITIONAL STRUCTURES ON DEVELOPED PROPERTIES THAT EXCEED 1,000
SF FLOOR AREA SHOWN OR THAT INCREASE THE GROSS FLOOR AREA BY 10
PERCENT, AND ARE PROPOSING COMMERCIAL DEVELOPMENT SHALL COMPLY
WITH REGULATIONS 142.0403-142.0407, 142.0409, 142.0410 (A), AND 142.0413

SEE GFA CALCULATIONS ON SHEET L-102

GENERAL NOTES:

1. THE LANDSCAPE PLAN IS FOR GENERAL SITE REFERENCE ONLY. REFER TO OTHER
CONSTRUCTION DOCUMENTS FOR COMPLETE SCOPE OF WORK.

2. BEFORE COMMENCING ANY SITE EXCAVATION, VERIFY LOCATIONS OF ALL EXISTING
SITE UTILITIES, INCLUDING WATER SEWER, GAS AND ELECTRICAL LINES. FLAG OR
OTHERWISE MARK ALL LOCATIONS AND INDICATE UTILITY TYPE.

3. GRADE SITE TO DIRECT GROUND WATER AWAY FROM BUILDING AND NEW ADDITIONS
AND LANDSCAPE DRAINS SHALL BE INSTALLED AT LOW POINTS TO REDUCE RUNOFF
CROSSING PATHS AND PAVING.

4. LOCATE REFUSE BIN AT APPROVED ON-SITE LOCATION. CONTRACTOR SHALL
DISPOSE OF ALL SITE REFUSE AT CITY-APPROVED LOCATIONS.

5. ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM
DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS TO BE
PLANTED WITH GROUND COVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION
SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.

6. ALL REQUIRED TREES SHALL HAVE AT LEAST ONE WELL DEFINED TRUNK AND SHALL
NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET. ALL
PROPOSED STREET TREE PALMS SHALL HAVE A MINIMUM OF 10' BROWN TRUNK HEIGHT
(BTH).

7. PROPOSED LANDSCAPING SHALL NOT CONFLICT WITH EXISTING UTILITIES.

8. PROPOSED UTILITIES SHALL NOT CONFLICT WITH PROPOSED LANDSCAPING.

9. TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5
FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS
OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES.
THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL.

10. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE
CONTRACTOR DURING CONSTRUCTION AND MAINTENANCE PERIOD. 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.

11. THE PERMITTEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE
MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY CONSISTENT
WITH THE LA JOLLA PLANNED DISTRICT ORDINANCE.

12. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S
LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE LA JOLLA PLANNED
DISTRICT STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.

13. 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.

14. ANY MODIFICATIONS OR CHANGES TO THE "LANDSCAPE PLAN" AND EXISTING OR
PROPOSED PLANT MATERIAL, AS SHOWN ON THE APPROVED EXHIBIT "A", LANDSCAPE
DEVELOPMENT PLAN, IS PERMITTED PROVIDED THE RESULTING LANDSCAPE MEETS
THE MINIMUM AREA REQUIREMENTS OF THE LA JOLLA PLANNED DISTRICT ORDINANCE.

15. 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 FINAL INSPECTION.

16. ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY
PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND
IRRIGATED AS SHOWN IN SAN DIEGO MUNICIPAL CODE SECTION 142.0411, TABLE 142-04F
AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.

17. TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN
WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER
VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY PER
THE SAN DIEGO MUNICIPAL CODE, SECTION 142.403 (b)(10)

18. ALL REQUIRED LANDSCAPED AREAS SHALL BE PERMANENTLY IRRIGATED AND
MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND
DEVELOPMENT MANUAL.

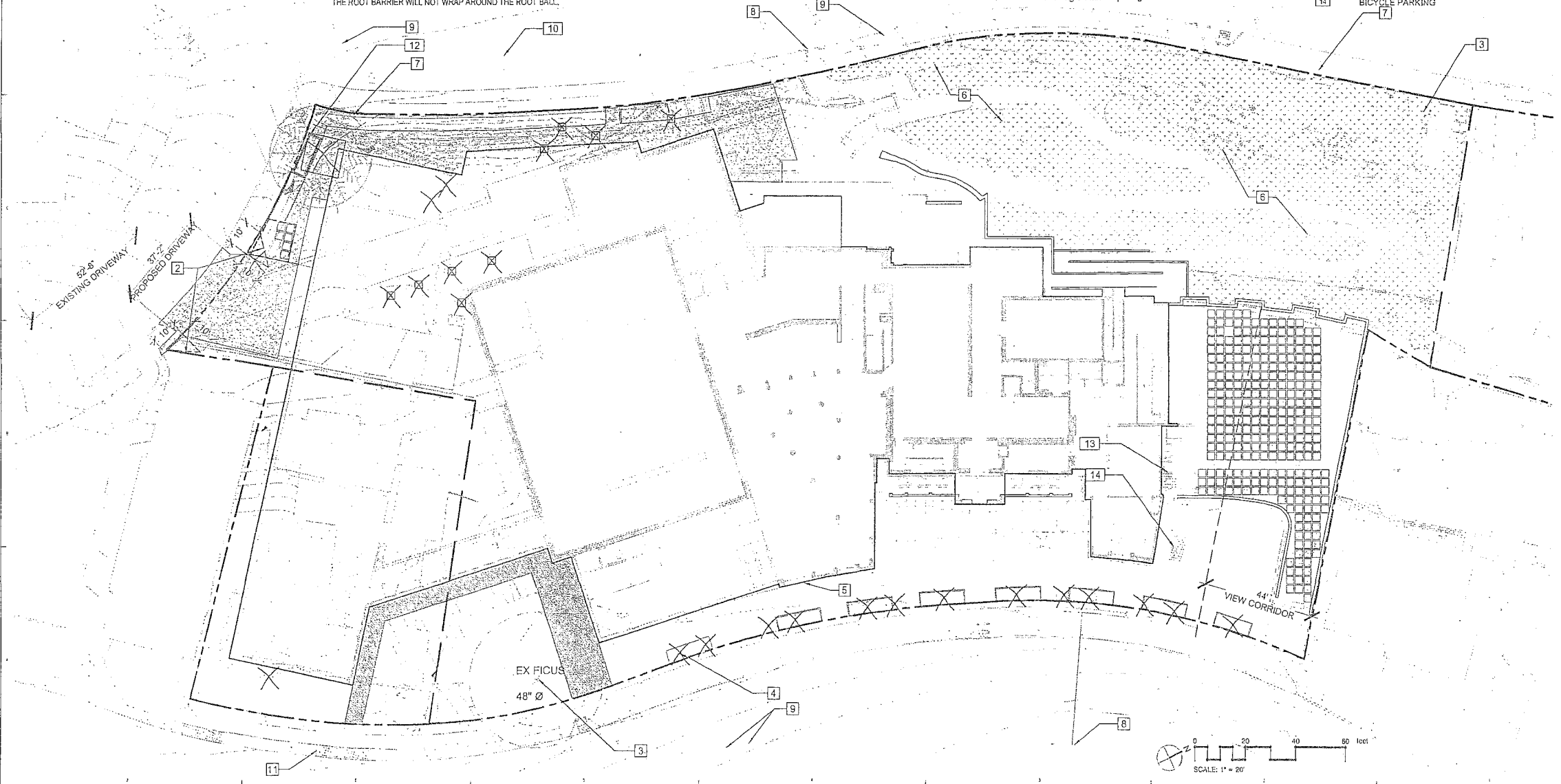
HARDSCAPE LEGEND

PROPOSED HARDSCAPE MATERIAL LEGEND:

	HARDSCAPE PAVING 'A'	4,531 SF (43%)
Non-porous pedestrian paving such as:		
"Uncolored Concrete with Sand Finish"		
"Uncolored Concrete with Broom Finish"		
	HARDSCAPE PAVING 'B'	3,520 SF (33%)
Enhanced porous pedestrian paving such as:		
"Tile Pavers with planted joints"		
"Stone Pavers with planted joints"		
"Brick Pavers with planted joints"		
	HARDSCAPE PAVING 'C'	2,581 SF (24%)
Existing enhanced paving		

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAILS
1	RIGHT OF WAY CONCRETE PAVING WITH GRID PATTERN TO MATCH EXISTING		ALCORN DESIGN ARCHITECTS (ADA) 7747 GRAND AVENUE LA JOLLA, CALIFORNIA 92037 TEL: 858.459.0205 FAX: 858.459.1350 CONTACT LINDBRAY KNOTT, PRD. MANAGER
2	10" VISIBILITY AREAS - NO OBSTRUCTION, INCLUDING LANDSCAPING OR WALLS, IN THE VISIBILITY TRIANGLE AREAS SHALL EXCEED 3 FEET IN HEIGHT.		NEHL LANDSCAPE ARCHITECTURE (HLA) 808 HORNBLAND STREET SAN DIEGO, CALIFORNIA 92109 TEL: 619.274.3222 FAX: 619.274.3223 CONTACT JIM NEHL
3	EXISTING TREE TO REMAIN, TYP SYM		
4	EXISTING PALM TO BE REMOVED, TYP SYM		
5	BUILDING SETBACK		
6	EXISTING PLANTING AREA TO REMAIN		
7	EXISTING WALL TO BE PROTECTED IN PLACE		
8	EXISTING WATER SERVICE. PROTECT IN PLACE.		
9	EXISTING SEWER LATERAL. PROTECT IN PLACE.		
10	EXISTING 4" FIRE SERVICE. PROTECT IN PLACE.		
11	EXISTING WATER SERVICE TO BE KILLED- SEE CIVIL DRAWINGS		
12	BIOFILTRATION UNIT - SEE CIVIL DRAWINGS		
13	REFUSE & RECYCLING AREA		
14	BICYCLE PARKING		



SELLDORF ARCHITECTS
840 BROADWAY NEW YORK NY 10003
PHONE 212.219.8571 FAX 212.911.6562

MCASD
708 PROSPECT STREET
LA JOLLA, CA 92037


LANDSCAPE DEVELOPMENT PLANTING PLAN

L-100.00

PRELIMINARY - NOT FOR CONSTRUCTION

LANDSCAPE CALCULATIONS WORKSHEET ZONE 6A - CULTURAL ZONE

LANDSCAPE REGULATIONS:
ALL REQUIRED YARDS SHALL BE FULLY LANDSCAPED IN ACCORDANCE WITH CITY-WIDE LANDSCAPE REGULATIONS OF LAND DEVELOPMENT CODE CHAPTER 14, ARTICLE 2, DIVISION 4 (LANDSCAPE REGULATIONS)


 City of San Diego
 Development Services
 1222 First Ave., NS-501
 San Diego, CA 92101-4154
 (619) 448-5000

Landscape Calculations Worksheet
 Industrial Development in RM and C Zones
 Commercial Development in All Zones

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

CONTROLLER #	HYDROZONE / VALVE #	PLANT FACTOR	HYDROZONE AREA IN S.F.	IRRIGATION METHOD	IRRIGATION EFFICIENCY	% OF LANDSCAPE AREA
A	A1	0.5	1,676	DRIP	.90	6 %
A	A2	0.5	4,270	DRIP	.90	15%
A	A3	0.5	880	DRIP	.90	3 %
A	A4	0.8	5,617	DRIP	.90	20%
A	A5	0.3	15,451	SPRAY	.60	56 %
TOTAL			27,904		TOTAL	100%

ETo = 41						
CONTROLLER #	HYDROZONE/ VALVE #	PLANT WATER USE TYPE	PLANT FACTOR	ETWU = (ETo)(0.62) X [(PF X H)/E] + [(0.3) (SLA)]	RESULT IN GALLONS PER YR.	
A	A1	MEDIUM	0.5	(33)(0.62) X [(5 X 1.675 / .90) + 0]	15,430	
A	A2	MEDIUM	0.5	(33)(0.62) X [(5 X 4.270 / .90) + 0]	26,075	
A	A3	MEDIUM	0.3	(33)(0.62) X [(3 X .880 / .90) + 0]	6,001	
A	A4	MEDIUM	0.5	(33)(0.62) X [(5 X 5.617 / .90) + 0]	63,546	
A	A5	MEDIUM	0.5	(33)(0.62) X [(5 X 16461 / .60) + 0]	280,660	
TOTAL					394,012	

ET₀ = EVAPORANSPIRATION (INCHES PER YEAR)
0.62 = CONVERSION FACTOR (TO GALLONS)
0.7 = EVATRANSPIRATION ADJUSTMENT FACTOR
HA = HYDROZONE AREA (SQUARE FEET)
0.3 = ADDITIONAL EVAPOTRANSPIRATION ADJUSTMENT FACTOR FOR LANDSCAPE AREA
SLA = SPECIAL LANDSCAPE AREA (SQUARE FEET)

IRRIGATION METHOD & EFFICIENCY
MP = MP ROTATORS / 0.75
D = DRIP / 0.90
S = SPRAY HEADS / 0.60

Planting Area Required [142.D.05(c)(2)]			Planting Area Provided	Excess Area Provided
Total Area	sq. ft. x 15% =	sq. ft.	sq. ft.	sq. ft.

Plant Points Required [142.D405(c)(2)]		Plant Points Provided	Excess Points Provided
Total Area	sq. ft. x 0.03 = points	points	points

Note: All required Street Yard planting areas located outside the Vehicular Use Area (VUA) except for auto service stations may consist of hardscape or unattached unit pavers, excluding the minimum area required for trees. [142.0405(C)(1)]

Planting Area Required [142.0404]		Planting Area Provided		Excess Area Provided	
Total Area	9,083 sq. ft. x 30% = 2,719 sq. ft.	6,588	sq. ft.	3,867	sq. ft.

Plant Points Required (142,040)		Plant Points Provided	Excess Points Provided
Total Area	0.063 sq. ft. \times 0.05 = 453 points	504 points	51 points

Printed on recycled paper. Visit our web site at www.spacelink.com/development-services
Upon request, this information is available in alternative formats for persons with disabilities.
CS-4 (03-06)

ES-4 (03-00)

TOTAL LANDSCAPE AREA (LA) = 27,925 SF	
SPECIAL LANDSCAPE AREA (SLA) = 0 SF	
MAXIMUM APPLIED WATER ALLOWANCE (MAWA):	
MAWA = $[(ET_0)(0.62)] / [(0.7 \times LA) + (0.3 \times SLA)]$	
$[(33)(0.62)] / [(1.7 \times 27,904) + (0.3 \times 0)]$	399,641 GAL/YR
ESTIMATED TOTAL WATER USE (ETWU):	
	394,012 GAL/YR
MAXIMUM APPLIED WATER ALLOWANCE (MAWA):	
	399,641 GAL/YR

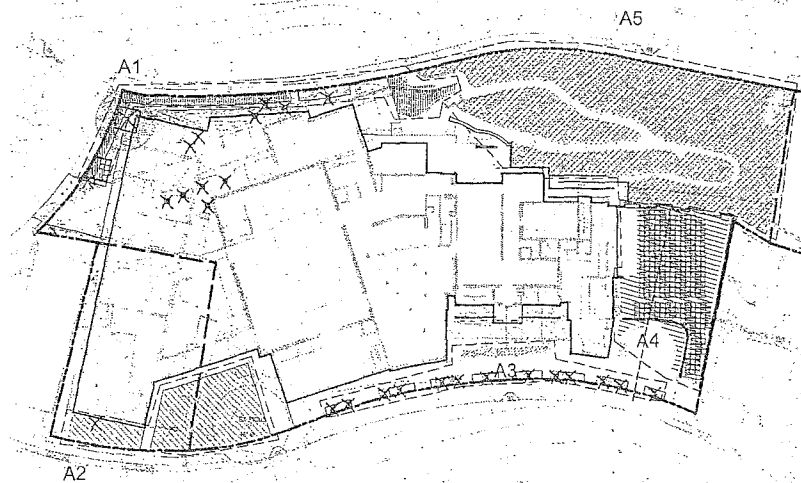
TOTAL LANDSCAPE AREA (LA) = 27,925 SF
SPECIAL LANDSCAPE AREA (SLA) = 0 SF

MAXIMUM APPLIED WATER ALLOWANCE (MAWA) = $(ET_0)(0.62)(0.7 \times LA) + (0.3 \times SLA)$

$$(33)(0.62) [(.7 \times 27,904) + (0.3 \times 0)] = 399,641 \text{ GAL/YR}$$

ESTIMATED TOTAL WATER USE (ETWU): 394,012 GAL/YR

MAXIMUM APPLIED WATER ALLOWANCE (MAWA): 399,641 GAL/YR



HYDROZONE DIAGRAM

1. ALL PLANTING AREAS SHALL BE IRRIGATED BY A DEDICATED, BACKFLOW-PREVENTED IRRIGATION SYSTEM WITH AN IRRIGATION SUB-METER, ACCORDING TO PLANT TYPE AND ENVIRONMENTAL EXPOSURE AND SHALL RECEIVE UNIFORM WATER COVERAGE BY MEANS OF A HIGH EFFICIENCY, AUTOMATICALLY CONTROLLED, ELECTRICALLY ACTUATED, UNDERGROUND PIVOT SPRINKLER SYSTEM. FOR WATER CONSERVATION AND TO MINIMIZE EROSION, STATE OF THE ART LOW PRECIPITATION RATE SPRINKLER EQUIPMENT SHALL BE USED.
- IRRIGATION MAINLINE PIPING SHALL BE P/V/C PLASTIC (TYPE 1120) CLASS 315 PRESSURE PIPE AND LATERAL LINE PIPING SHALL BE SCHEDULE 40 NON-PRESSURE PIPE. PRESSURE LINES SHALL BE INSTALLED 18" DEEP, NON-PRESSURE LINES 12" DEEP. A MASTER VALVE AND FLOW SENSOR SHALL BE INSTALLED TO MINIMIZE DAMAGE IN THE CASE OF A VALVE FAILURE OR MAINLINE BREAK. A SEPARATE HOSE BIB MAINLINE SHALL BE INSTALLED TO PROVIDE WATER TO EACH VALVE AND EACH HOSE BIB SHALL BE FITTED WITH AN ATMOSPHERIC VACUUM BREAKER.
2. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIR SENSOR SHUTOFF DEVICE.
3. EXISTING STREET TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE IRRIGATED BY A HOMEOWNER-FUNDED AND MAINTAINED, DEEP-WATERING, LOW-VOLUME BUBBLER.

1. THE DRAINAGE SYSTEM FOR THIS PROJECT SHALL BE PRIVATE AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.
2. ALL DEVELOPMENT SHALL BE CONDUCTED TO PREVENT EROSION AND STOP SEDIMENT AND POLLUTANTS FROM LEAVING THE PROPERTY TO THE MAXIMUM EXTENT PRACTICABLE.
3. ALL ROOF DRAINS AND FLATWORK SHALL DRAIN POSITIVELY INTO STORM DRAINAGE SYSTEM. SURFACE RUNOFF SHALL NOT DRAIN DIRECTLY INTO THE ADJOINING PROPERTY, AND CONSTRUCTION RUNOFF MAY NOT DRAIN INTO THE STORMWATER CONVEYANCE SYSTEM.

PRELIMINARY - NOT FOR CONSTRUCTION

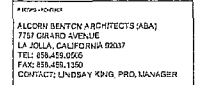
SELLDORF ARCHITECTS
860 BROADWAY NEW YORK NY 10003
PHONE 212.219.9571 FAX 212.941.6362

MCASD
700 PROSPECT STREET
LA JOLLA, CA 92037

LANDSCAPE DEVELOPMENT
PLANTING PLAN

L-102,00

LEAH, 2d 11, 12, 13.



LANDSCAPE ARCHITECTURE (NLA)
928 HORNBLOND STREET
SAN DIEGO, CALIFORNIA 92109
TEL: 858.274.3222
FAX: 858.274.3223
CONTACT: NLA@NLA.COM

STAFFING OFFICER
GUY NORDENSON & ASSOCIATES (GNA)
225 VARICK STREET 6TH FLOOR
NEW YORK, NY 10014
TEL: 212.766.9119
FAX: 212.766.0016

REINPRO DESIGN GROUP
15 EAST 32ND STREET
NEW YORK, NY 10016
TEL.: 212 200-8000

TEL: 212.229.9990
FAX: 212.229.9965
CONTACT: SARAH RANDALL, PR. DESIGNER

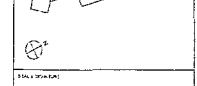
INTERNET: DESIGN

BURKHAPPOLO
100 BROADWAY
NEW YORK, N.Y. 10035

TEL: 212.334.2025
 FAX: 212.616.0227
 CONTACT: NAIL COOPER, A. PRINCIPAL

BUILDING/SOFTWARE
 SIMPSON GUMPERTZ & HEGER (SGH)
 1036 W. 7TH STREET SUITE 2500

LOS ANGELES CA 90017
TEL: 213,271,2000
FAX: 213,617,0411
CONTACT: AMY L. HACKNEY, A. PRINCIPAL



10-17

#	DATE	DESCRIPTION	C/W
1	2015.01.15	COP SUBMISSION	OL
2	2015.02.10	COP SUBMISSION	OK
3	2015.05.26	COP RE-SUBMISSION	
4	2015.05.14	COP	OK

SELLDORF ARCHITECTS
845 BROADWAY NEW YORK NY 10003

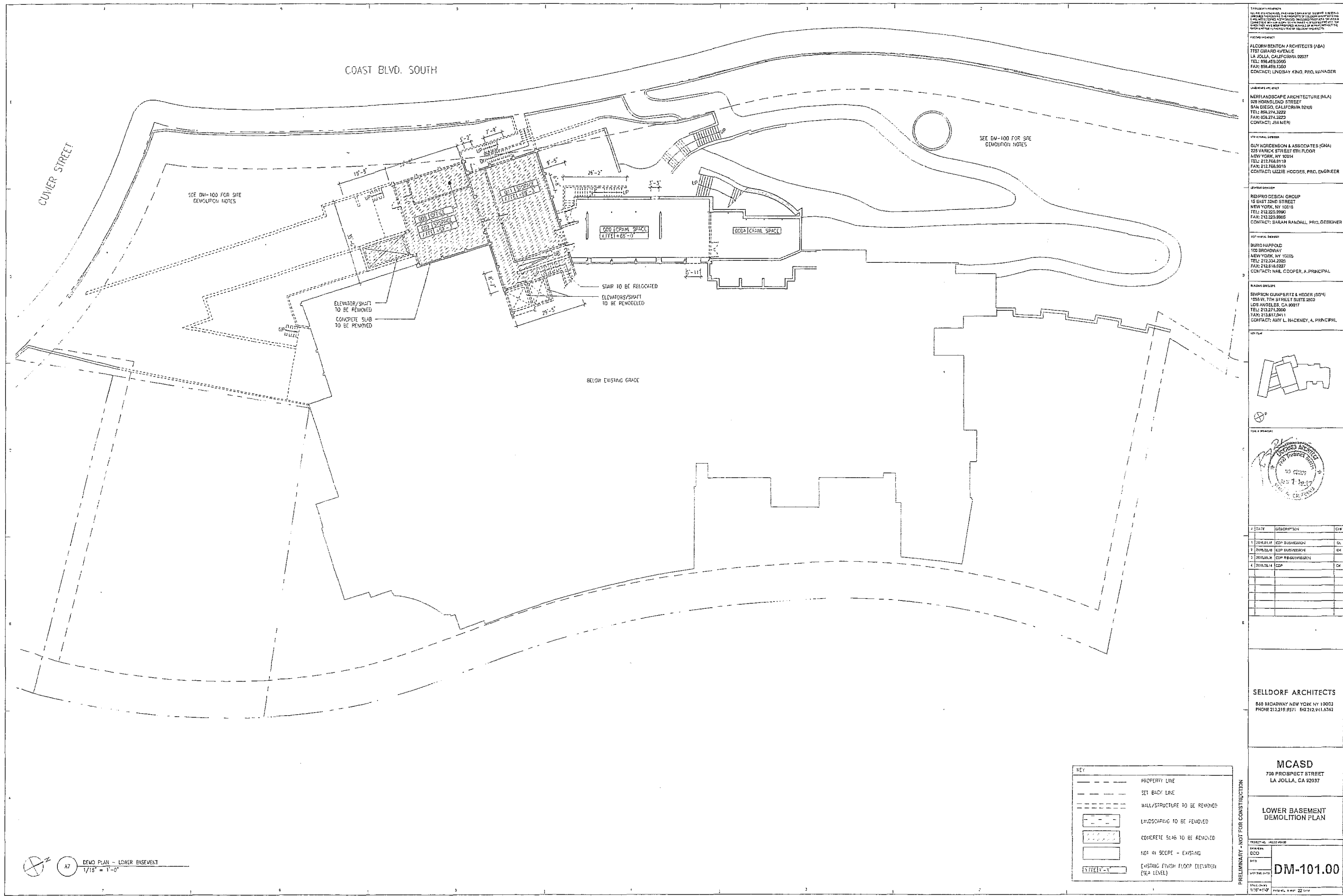
PHONE 212.219.9571 FAX 212.941.6362

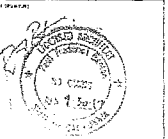
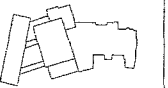
MCASD
700 PROSPECT STREET
LA JOLLA, CA 92037

SITE
DEMOLITION PLAN

TOTALING: NEED WARE	
DRIVER DCO	DM-100.00
OFF	
DATE RECEIVED	

STILL (IN) 100 100-100	FORM NO. 1-657 21 11 10
---------------------------	-------------------------





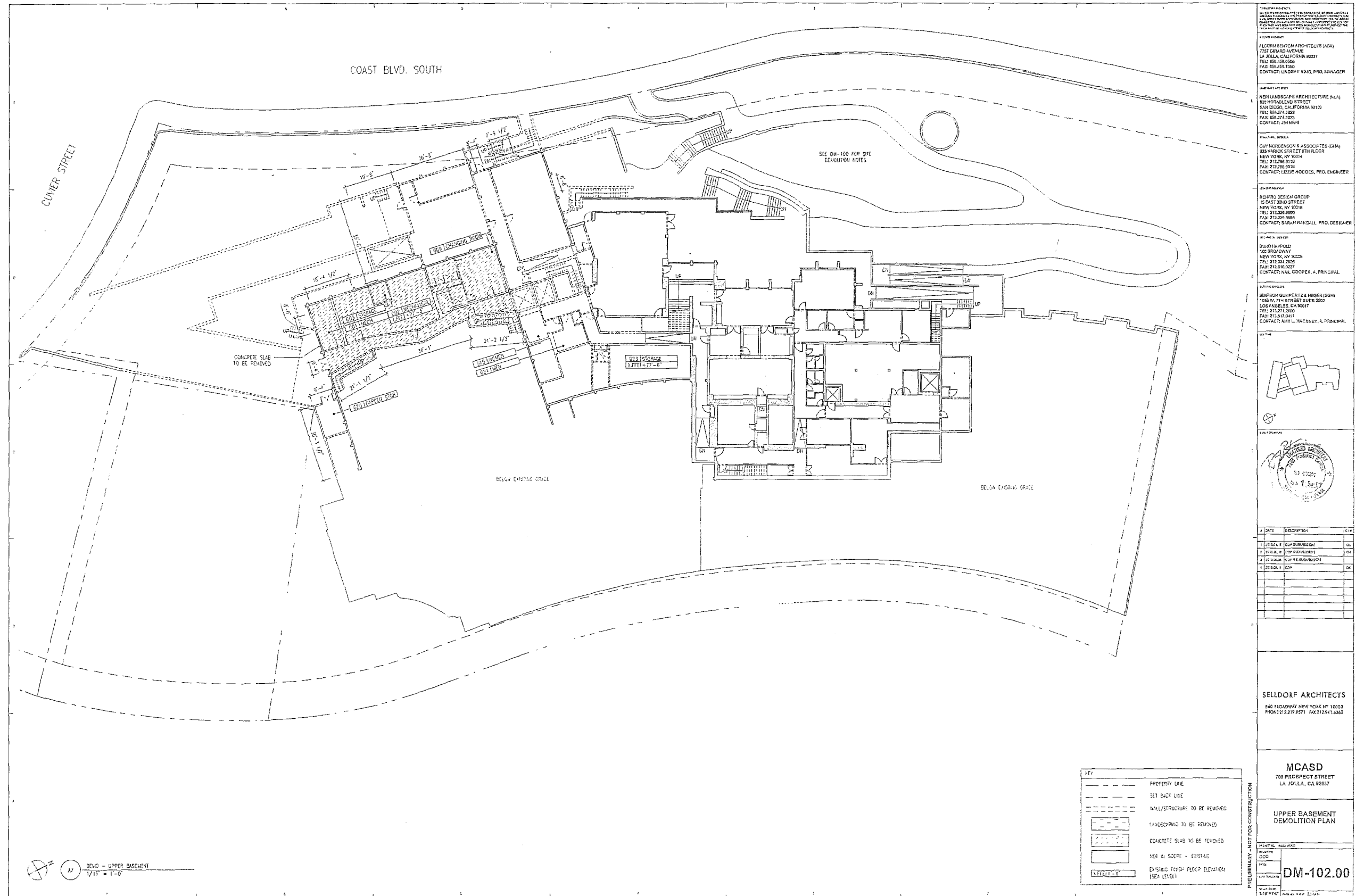
A	DATE	DESCRIPTION	CFR
1	2015.01.15	COMP SUBMISSION	OK
2	2015.03.10	COMP SUBMISSION	OK
3	2015.05.05	COMP RE-SUBMISSION	
4	2015.04.14	COMP	OK

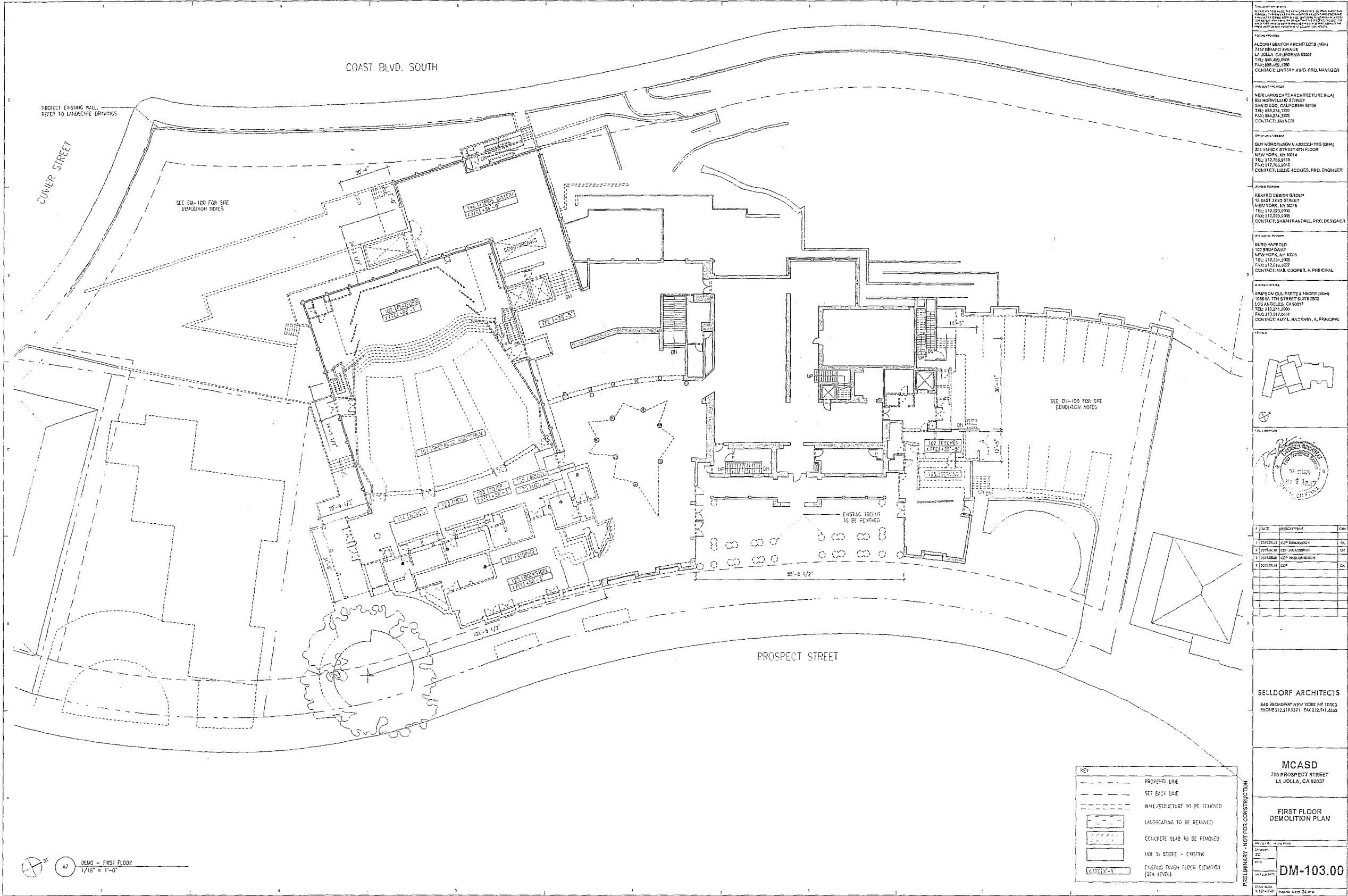
ELLDORF ARCHITECTS
360 BROADWAY NEW YORK NY 10003
PHONE 212.219.9571 FAX 212.941.6362

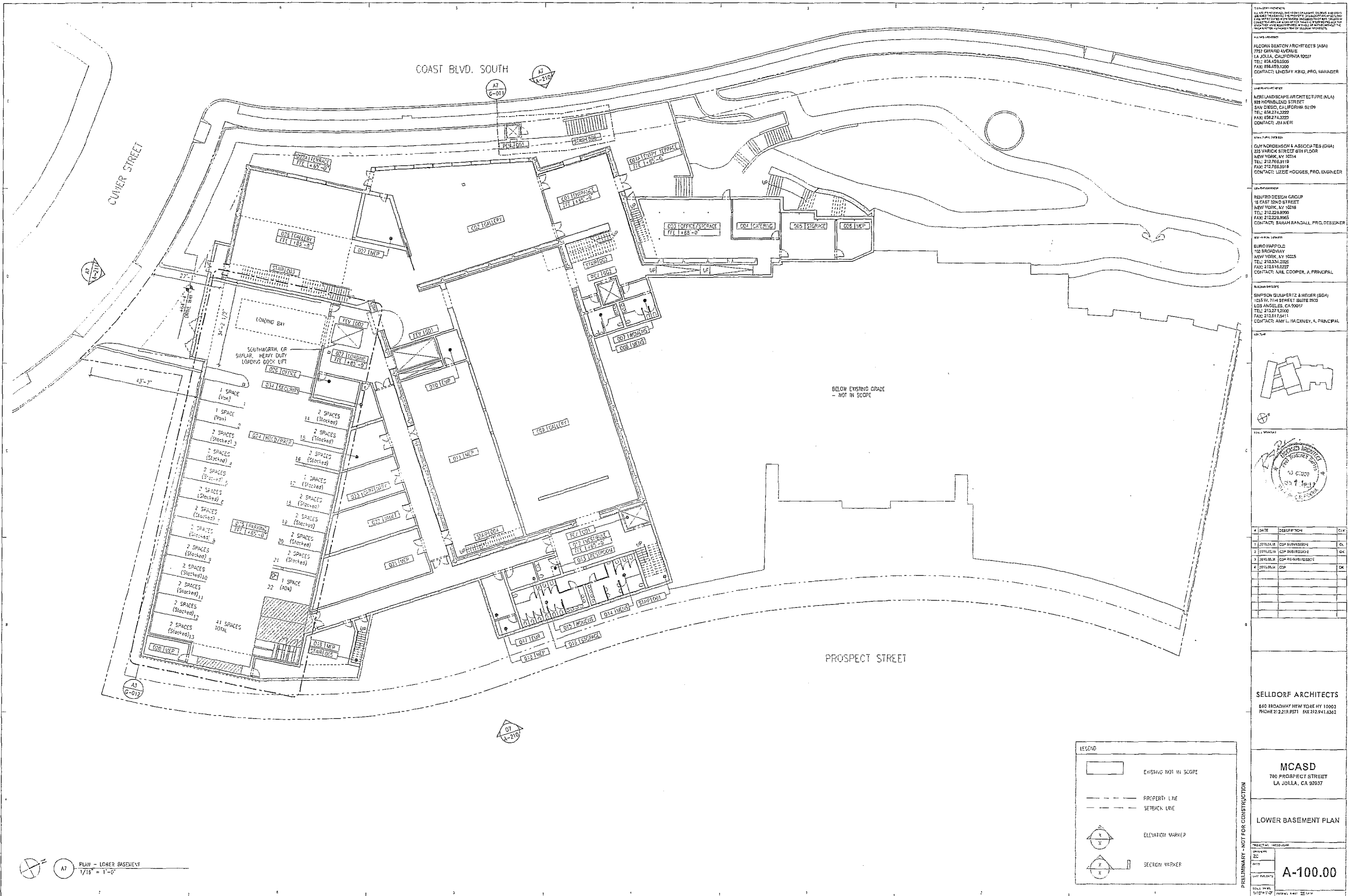
MCASD
700 PROSPECT STREET
LA JOLLA, CA 92037

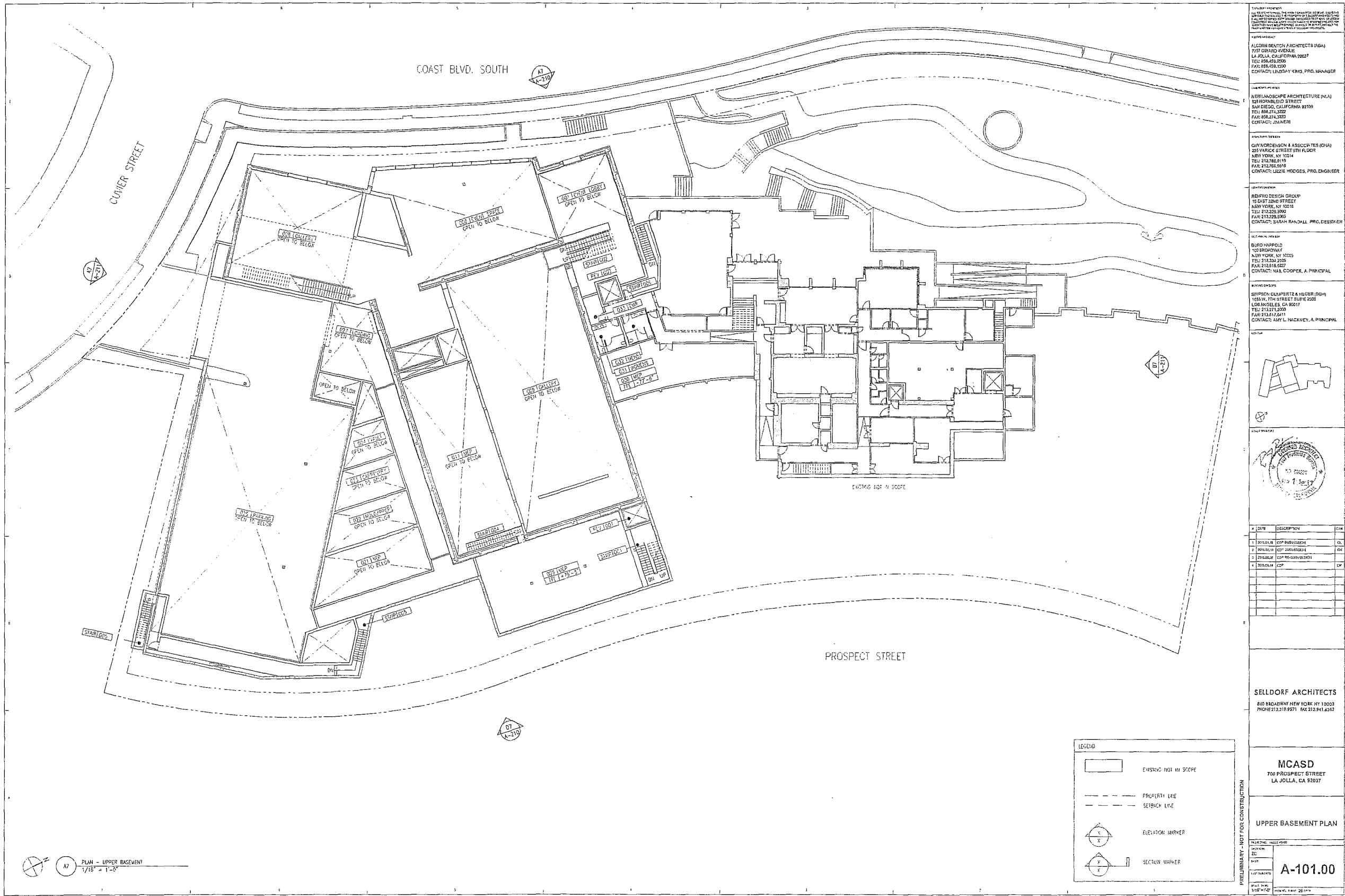
UPPER BASEMENT
DEMOLITION PLAN

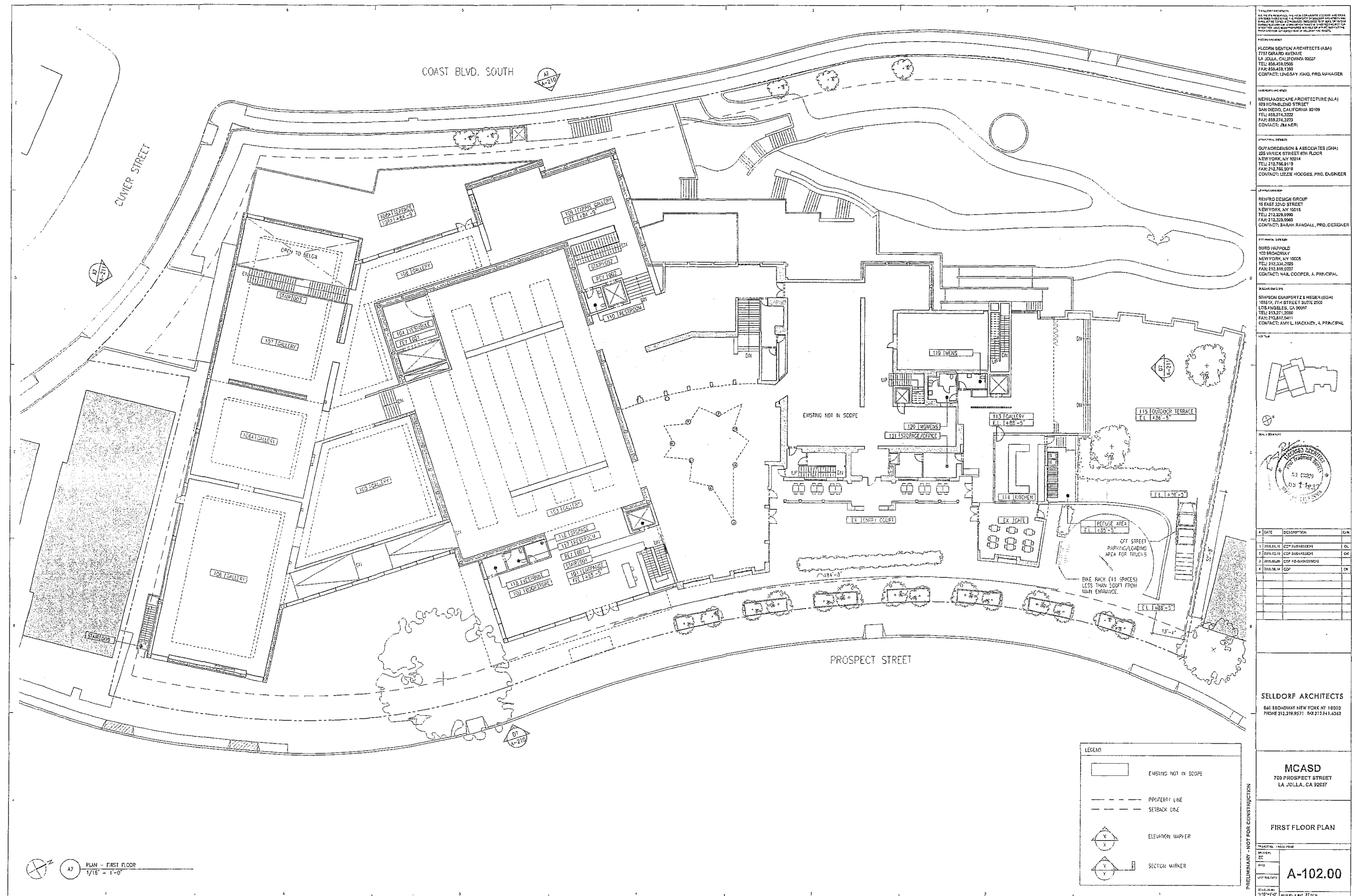
M-102.00

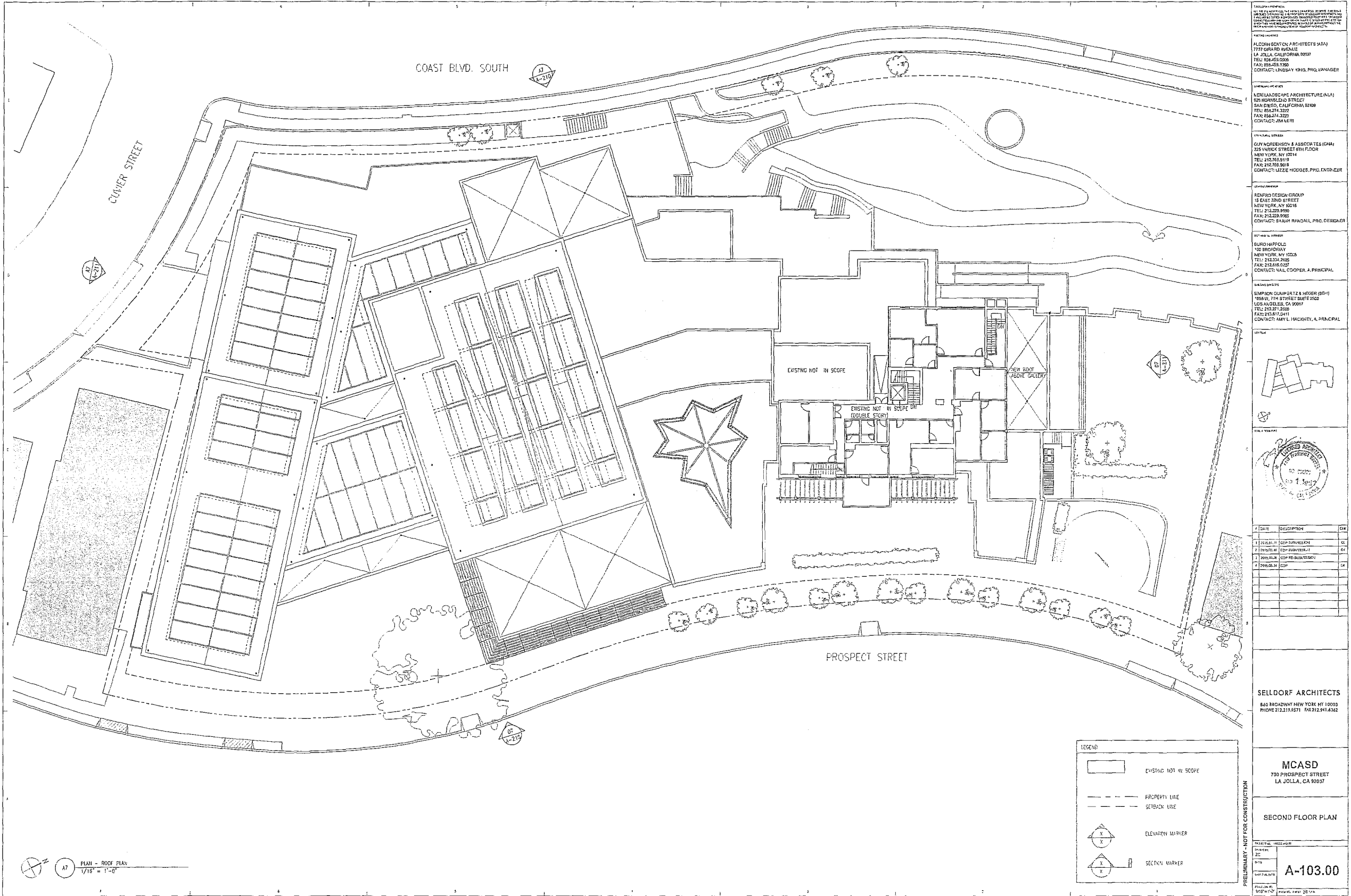


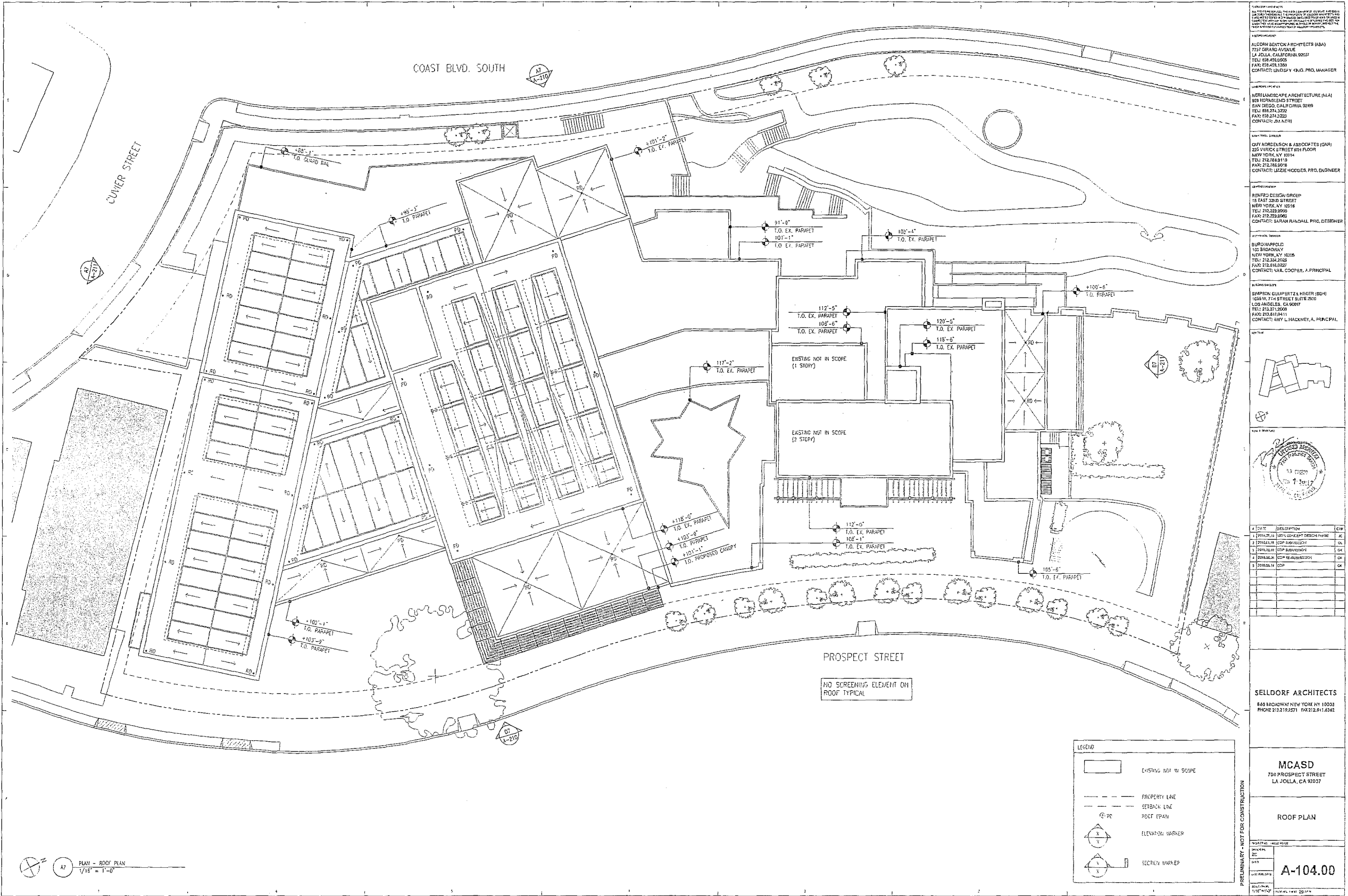


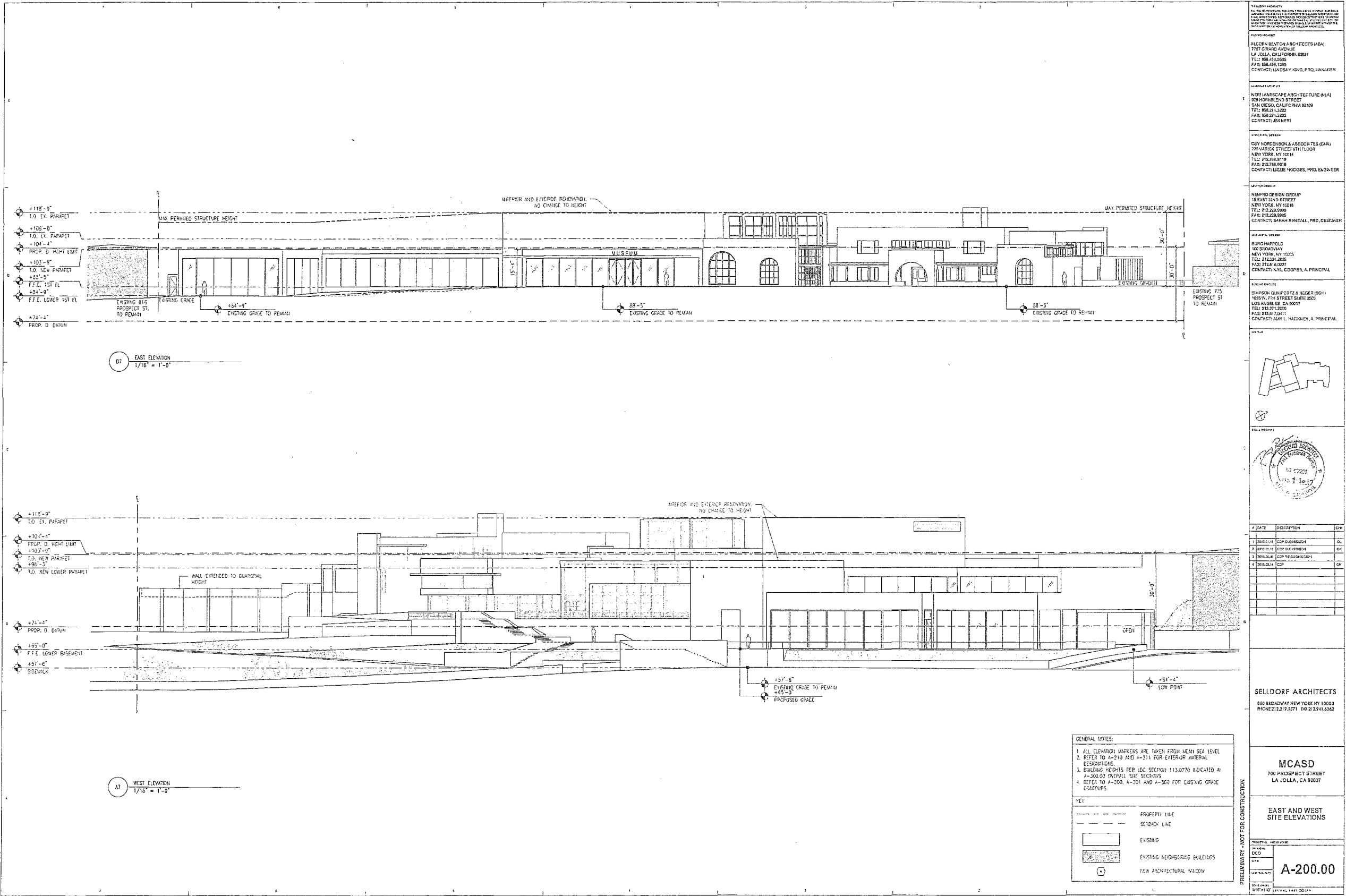


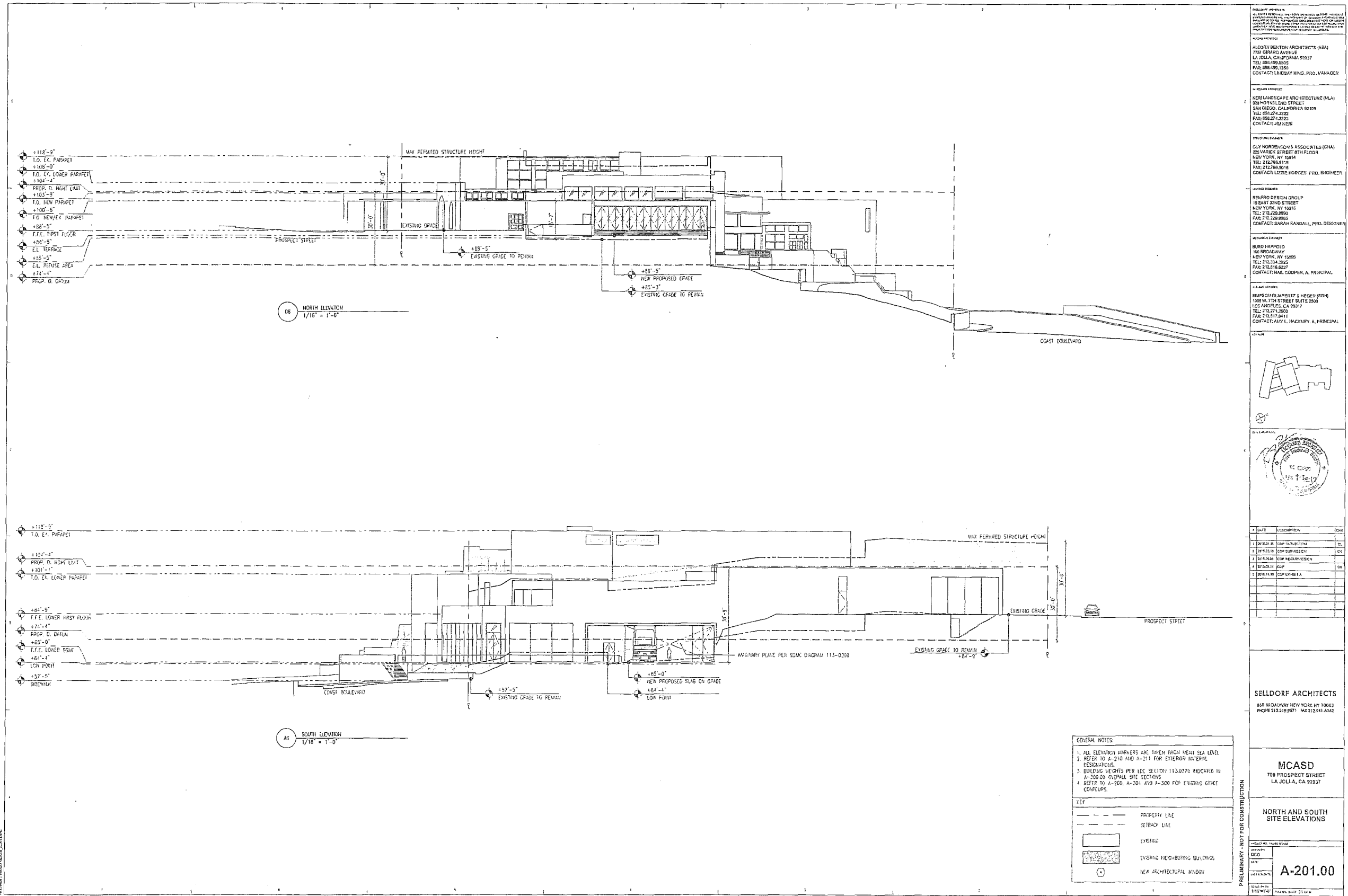


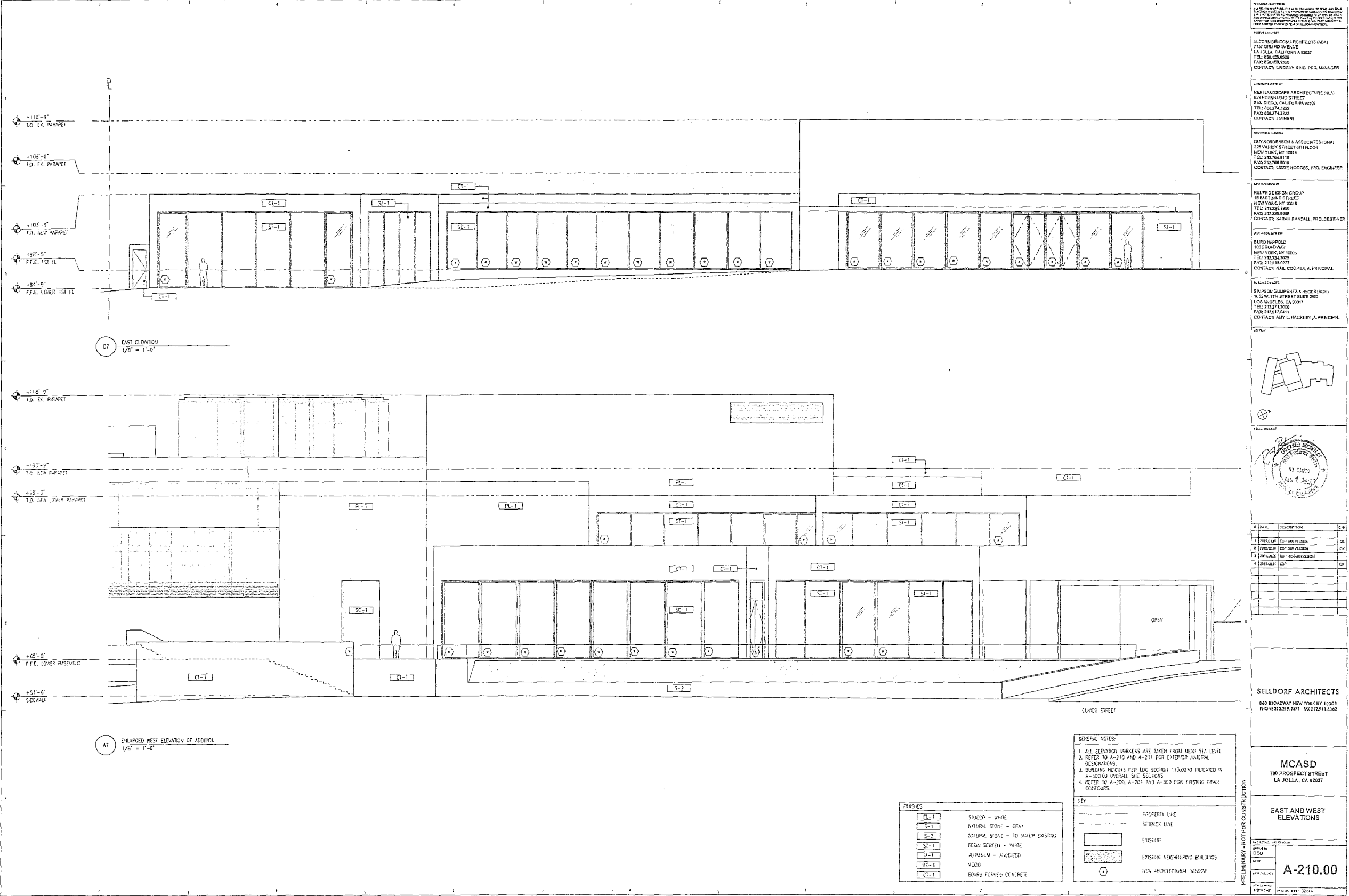


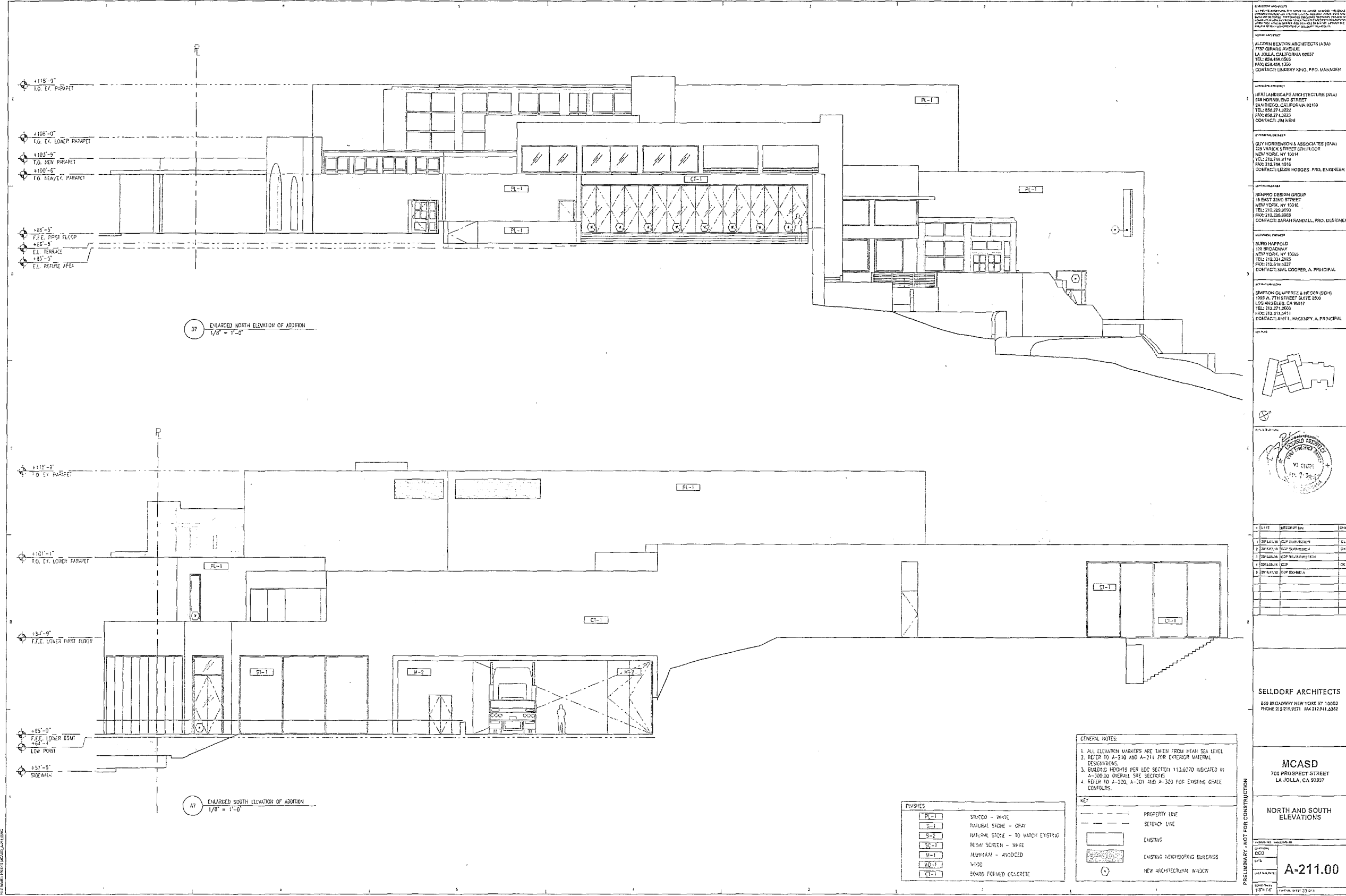


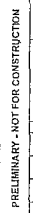


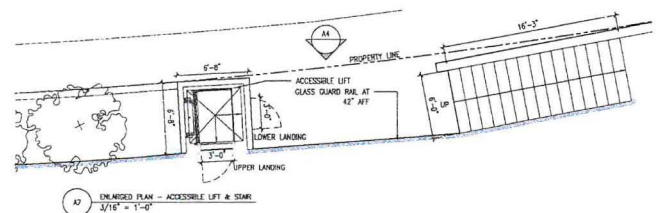
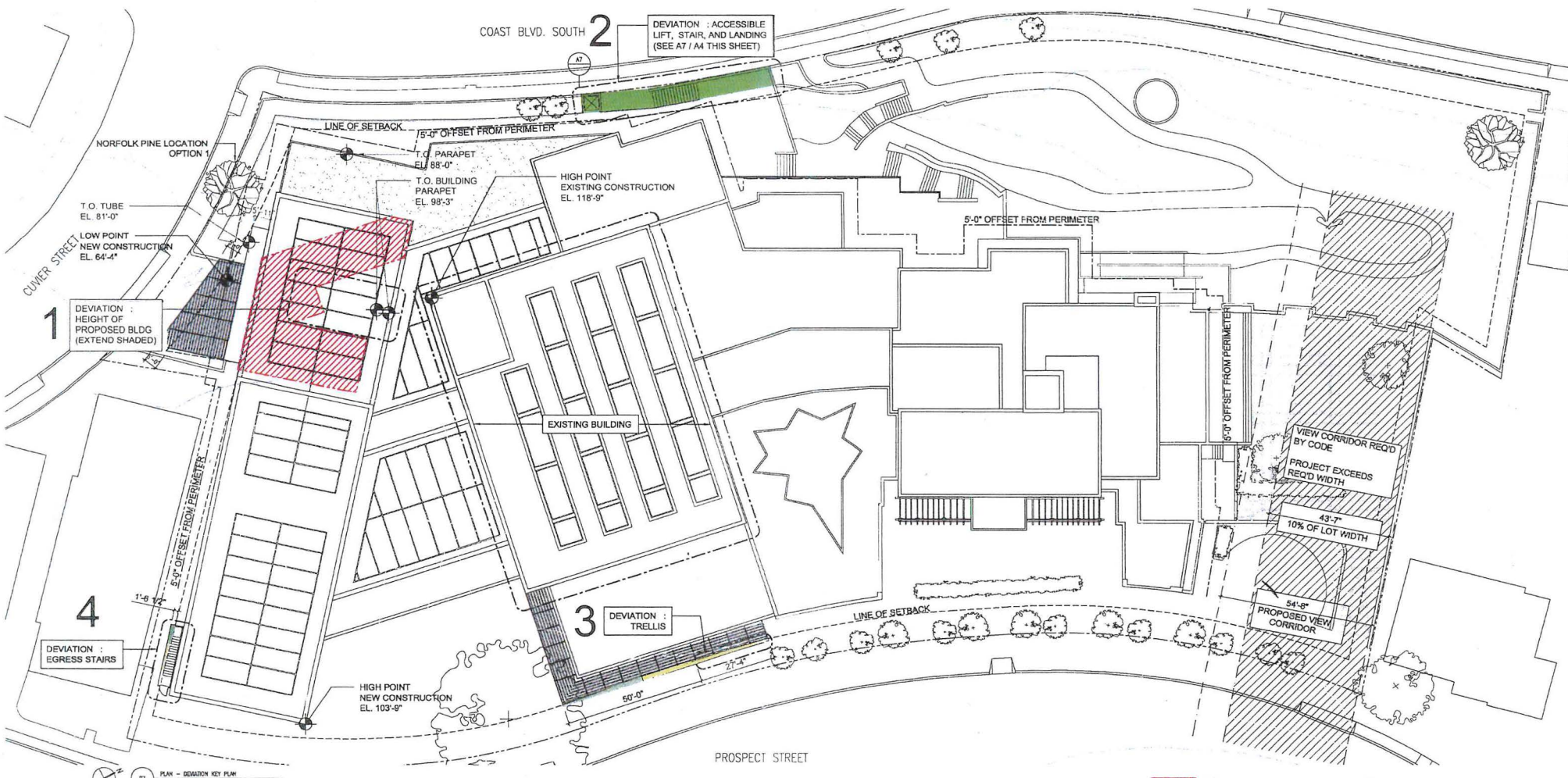






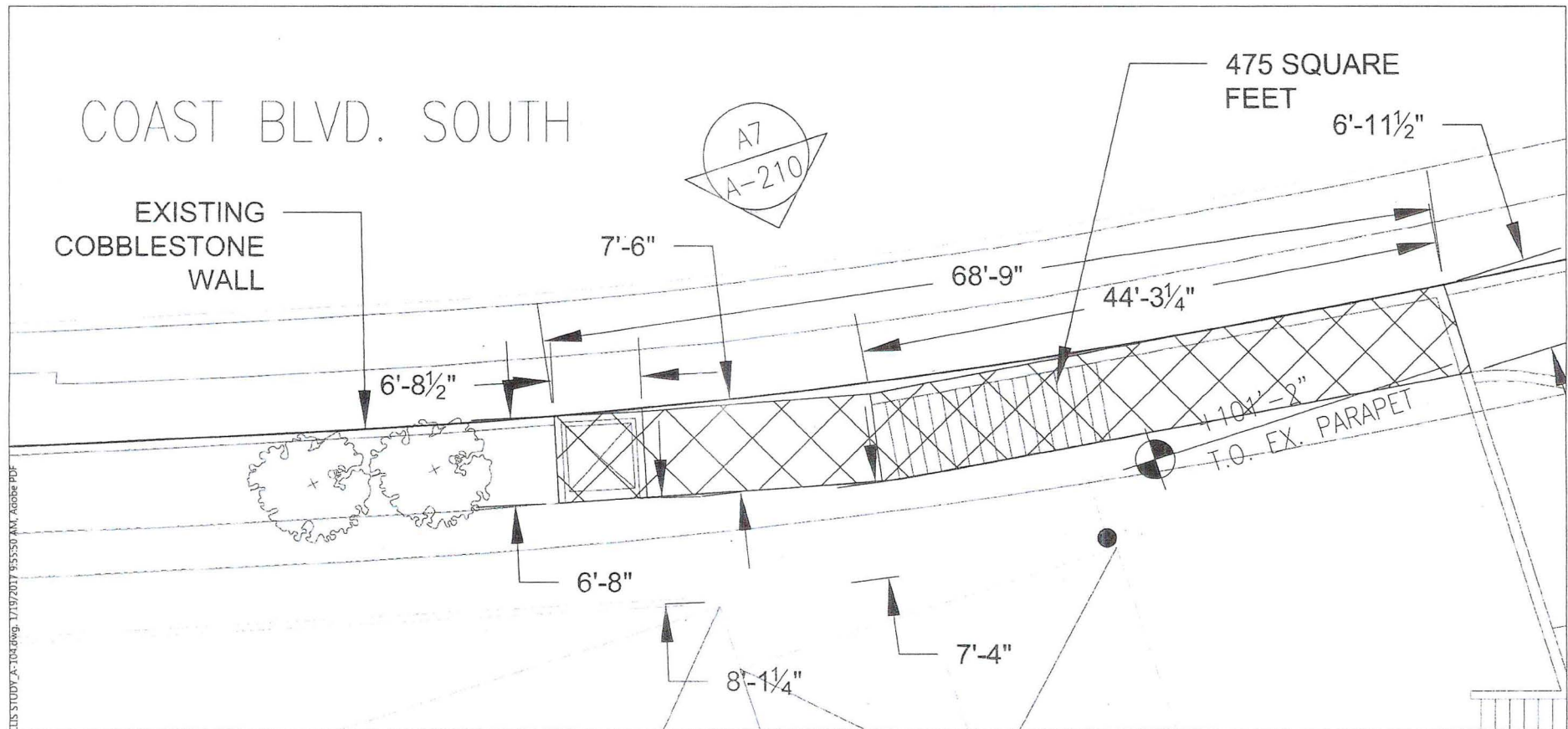


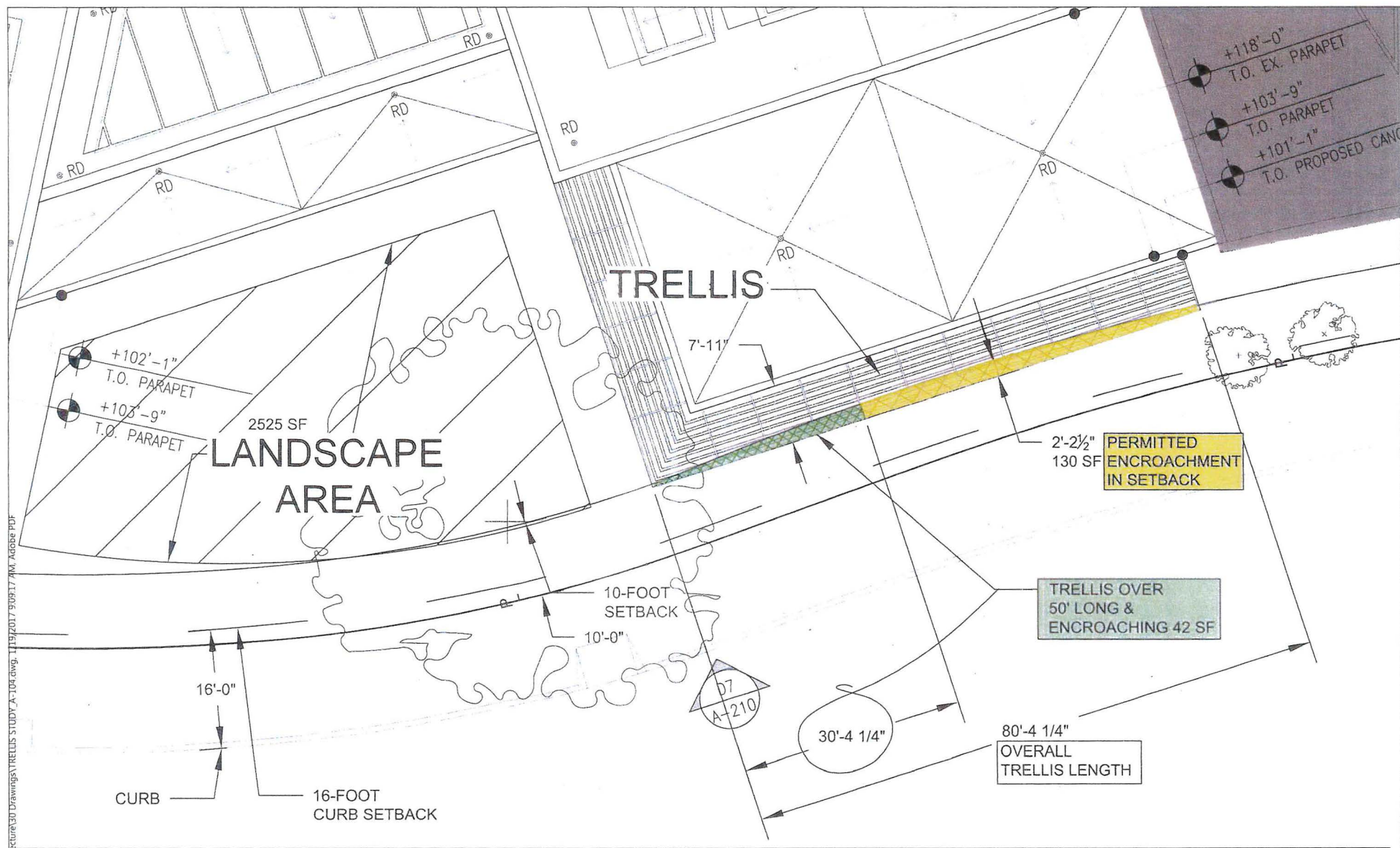




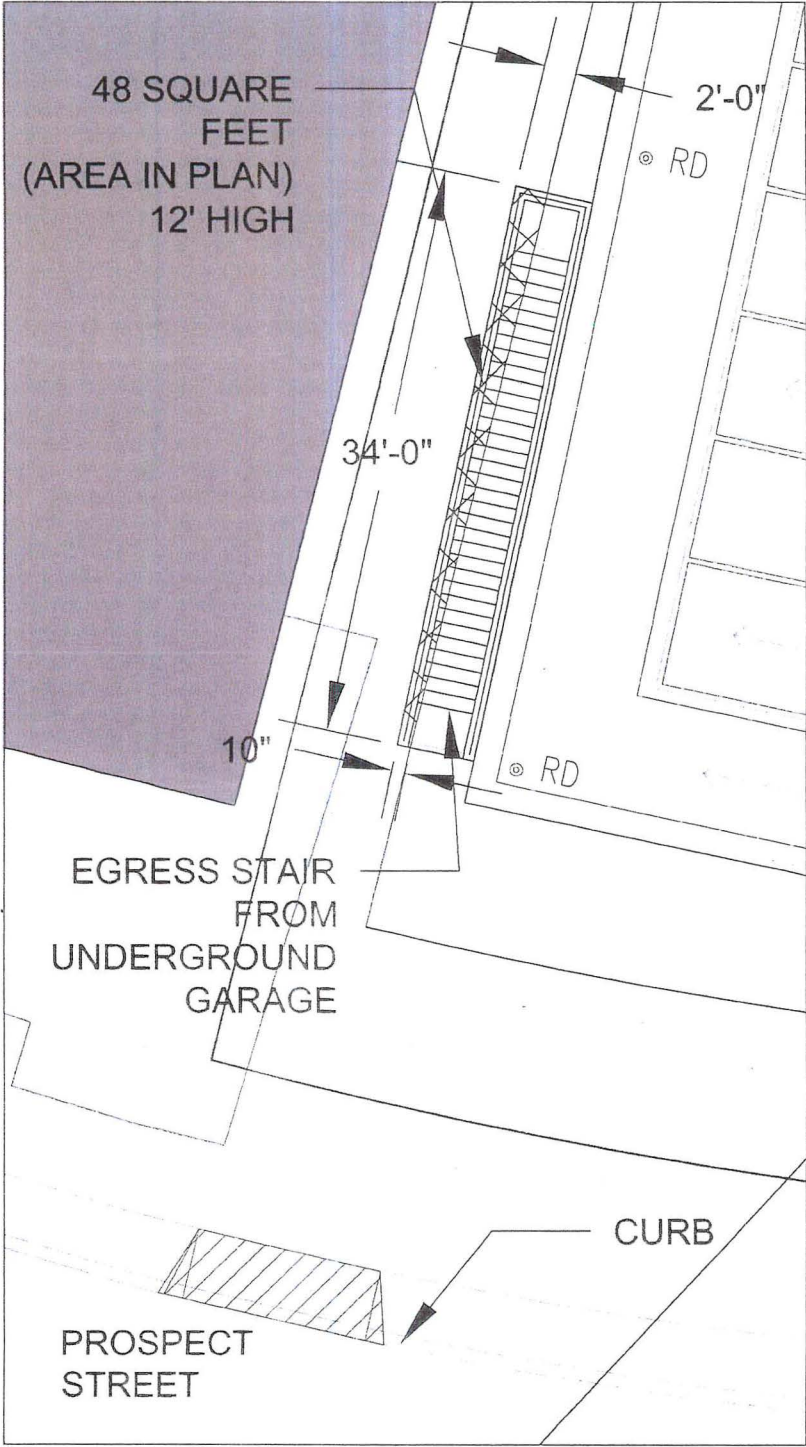
DEVIATIONS	
1. ACCESSIBLE LIFT AND STAIR ON COAST BLVD.	
2. ENTRY TRELLIS ON PROSPECT STREET	
3. HEIGHT OF PROPOSED GALLERY BUILDING	
4. EGRESS STAIR ON SOUTH END OF PROPOSED GALLERY BUILDING	
LEGEND	
	EXISTING NOT IN FUTURE
	PROPERTY LINE
	SETBACK LINE
	LINE OF VIEW CORRIDOR
	5'-0" OFFSET

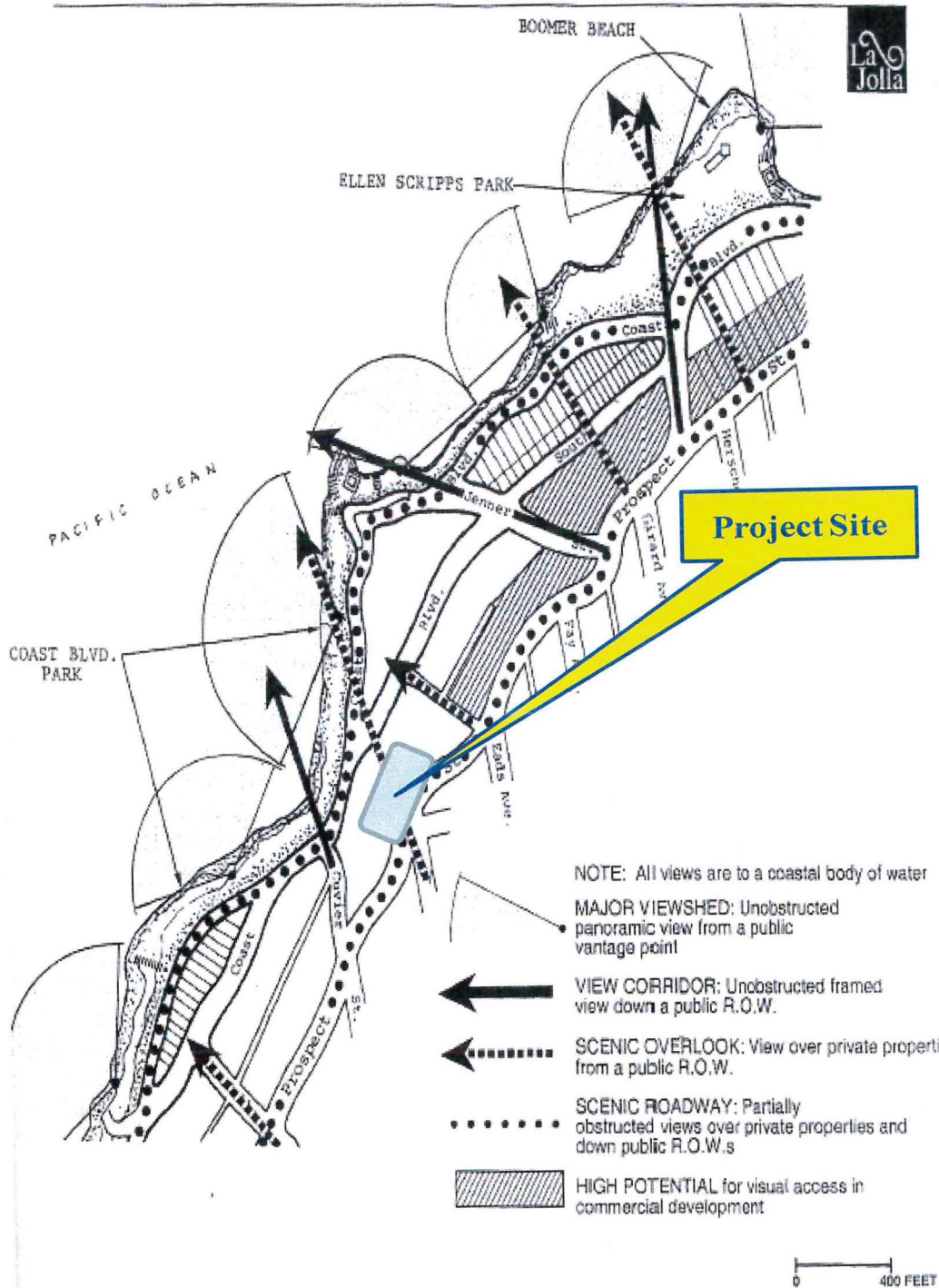
DEVIATION 2 - STAIR AND ACCESSIBLE LIFT AREA OF ENCROACHMENT





DEVIATION 4 -
GARAGE
EGRESS STAIR



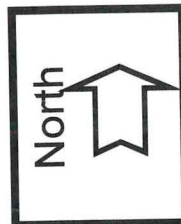


Subarea E: Coast Boulevard - Visual Access



La Jolla Community Plan
City of San Diego - Planning Department

Figure E



Visual Access

MCASD EXPANSION - 700 PROSPECT STREET
PROJECT NO. 405930



**PARKING MANAGEMENT PLAN
OF THE
MUSEUM OF CONTEMPORARY ART SAN DIEGO**

December 15, 2016

In accordance with the applicable conditions of the Coastal Development Permit and Site Development Permit in Project Number 405930, this Parking Management Plan of the Museum of Contemporary Art is adopted.

The Museum is committed to continuing to be a good neighbor to the community through the implementation of this Parking Management Plan and through affirmative steps that will improve the quality of life in the La Jolla community and manage the use of vehicles and transportation in the area. This parking management plan conforms to the La Jolla Community Plan and was developed through comments by the City of San Diego and the California Coastal Commission in its review of the proposed Museum Expansion.

Scale of Events at the Museum

The number of visitors to the Museum was analyzed both by the Museum and further in the July 14, 2015 report by Fehr & Peers. The range in attendance at the Museum varies greatly, from a typical day when there is no specific program or event, when a maximum of 100 people will visit throughout the entire day, usually averaging a 2-hour visit. This typical day presently occurs 313 days per year. Once a month and on a few other days each year, the Museum offers free admission, which increases the attendance to 180 persons for those days.

The number of full time employees is 29 plus some seasonal employees that average roughly 15 per day over the course of the year. The work assignments for these seasonal employees range from installing new exhibits or working on other short-term projects, and their working schedule frequently includes work at later shifts or at the Museum site and at the Museum shop and storage facility. Although these employees will not necessarily be present at the same time, it is true that some of these employees either park in the street or at an offsite location provided by the Museum when they are at this site.

Museum patrons currently park in the on-street spaces surrounding the site including over 150 spaces in front of the site including those on: Prospect Street (from Cuvier Street to Eads Avenue), on Draper Avenue (from Silverado/Prospect Street to Kline Street), and on Silverado Street (from Prospect Street/Draper Avenue to Eads Avenue). Depending on the day of the week and time of day, additional

spaces are available on the back side of the museum on Coast Boulevard and Coast Boulevard South in both directions.

When there is a specific program or event, such as an artist's presentation, private party, special invitation event, or other similar event, the attendance will increase.

The smaller of these specific programs or events that are typically attended by a maximum of 100 persons, occur roughly 32 days per year, and this will be unchanged with this project. From there, the next step is the medium-size events, which are attended by up to 320 people, occurring roughly 12 days per year, and this will be unchanged with this project. Note that events of this size have not made use of the auditorium that will be removed in this project, so these are events that will be continuing with the new project. Attendance at these specific programs or events, in the range from 100 to 320 attendees, are for special invitation exhibitions, private parties, and artist's presentations, which are frequently attended by school and interest groups, convention groups, as well as by the general public. Note that many of these groups arrange their own group transportation, such as a bus from a hotel or convention or a school group.

Finally, the largest events at the Museum will have over 320 attendees, and these occur a maximum of 3 or 4 days per year. For these events, the Museum will provide valet services with off-street parking as a condition of the permit, with designated vehicle drop off and pickup areas, and the Museum will make it possible that vans, limousine services, and group buses may be used by the attendees to simplify their arrival and departure.

Parking Management for Visitors

When the Museum utilizes valet parking, it contracts primarily with two valet companies—Preferred Valet and Sunset Parking. Both companies use parking garages within a five-block radius of the Museum. Preferred Valet utilizes the Remax building at 1010 Prospect for parking. This garage is accessed from South Coast Boulevard and provides plenty of parking on evenings and weekends. Sunset Parking uses two parking garages on Fay Avenue and on occasion works with Bishop's School, which allows parking in their parking structure on a per event basis.

Note that the number of the large events may be less, as Sherwood Auditorium is presently a significant attraction for almost all of the larger events, for groups as large as 500 people. The Sherwood Auditorium space will be repurposed in this project to exhibition space, and will no longer serve such large numbers of attendees. In any event, the number of events on the order of 500 attendees will continue to be limited to a maximum of 3 or 4 events each year. Further, these largest events may be subject to a Special Event Permit issued by the City of San Diego if it is desired to close parking lanes or otherwise encroach into the public right-of-way.

Summary of Events

To summarize the change in the size of events at the Museum, the following summary is offered:

EVENT SIZE by NUMBER ATTENDING	PRESENT – WITH AUDITORIUM	FUTURE
100 per day	313 days per year	313 days per year

180 per day – free admission	12 days per year	12 days per year
130 per day – weekend days	104 days per year	104 days per year
Up to 100 attending – specific program or event	32 days per year	32 days per year
100 to 320 attending – specific program or event	12 days per year	12 days per year
320 to 500 attending – specific program or event	3 to 4 days per year	3 to 4 days per year

NOTE: The number of days will total more than a year because some of the specific programs or events will occur on a day when the museum is also open to general visitors.

Multiple-purpose visitors

MCASD is positioned in the middle of La Jolla's vibrant cultural district, and the visitors to the Museum are not single-trip visitors. Surveys by the Museum, including one as recent as the summer of 2015, indicate that one quarter of visitors consider a trip to the Museum to be part of a larger excursion to the La Jolla area. These trips typically include a visit to the Museum, which is usually on the order of 2 hours, combined with a visit to the park and beach fronting the coast, and a visit to shop or take dinner or lunch elsewhere in La Jolla. This kind of visit is ideal and the intended use of the on-street or other area parking, and is consistent with the parking demand recommendations in the report by Fehr & Peers. In fact, in Fiscal Year 2015, almost 48,000 people visited MCASD's galleries. Compare that to the impressive number of visitors to the MCASD campus, which total just under 132,000. These additional visits were to the café and the garden, in addition to admission to events or exhibits at the Museum. This data points to MCASD as a community resource and a vital member of the cultural district, not just a gallery space.

These visits are consistent with the designation of the Museum of Contemporary Art as a Cultural Resource, both in the La Jolla Community Plan and the La Jolla Shores Planned District Ordinance, which are also a part of the Certified Local Coastal Program.

Transportation and Parking Demand Measures

The following numbered items are offered as incentives for employees and Museum visitors to use alternative transportation, and will be conditions of the Coastal Development Permit:

1. The Museum will continue to coordinate events with Bishops School and La Jolla Music Society.
2. Visitors to the Museum will receive half-off admission when they show their MTS pass or receipt for that day, or ride their bicycle to the Museum.
3. The Museum will make use of valet and/or limousine and shuttle services for all meetings or events in which more than 320 attendees are expected.
4. Museum employees will receive incentives to carpool, bicycle to work, and use public transportation. For vehicles used by carpooling employees, there will be one of the four designated carpool parking spaces onsite for the employee's carpool vehicle. The incentive for carpooling will be the use of one of the four designated carpool spaces or \$5 per day for each of the carpooling drivers, up to a maximum of \$50 per month. For employees who bicycle to work

or use public transportation, the incentive will be \$5 per day for each employee who bicycles to work or uses public transportation, up to a maximum of \$50 per month.

5. The Museum shall provide 10 short-term bicycle spaces, 2 long-term bicycle spaces, and 2 motorcycle parking spaces for visitors and Museum employees onsite and as shown in Exhibit A.
6. The Museum will maintain an information resource to provide physical and electronic information to Museum attendees to encourage alternative transportation to the Museum, including referral to alternative transportation and identification of nearby off-street public parking.
7. The Museum will work with UCSD to investigate and explore alternative transportation in the La Jolla area to launch a shuttle service to transport visitors to the various organizations in the Cultural Zone of the La Jolla Community Plan.
8. This parking management plan will be on file and available to view on request at the Museum business office during normal business hours. This parking management plan will be maintained in a current and usable form, which from time to time will be reviewed and updated to adapt to new conditions and the operations of the Museum, satisfactory to the Development Services Department.

Summary

The Museum believes these efforts will minimize the parking impact to the area and ensure continued operation of all organizations affected by these changes and the La Jolla community in general. Specific incentives and facilities are provided to enhance the opportunities to take advantage of alternative transportation.

The planning and management of parking for the Museum has taken into account the range of attendance that the Museum experiences at its various events, as well as the range of options that the Museum has to meet those varying demands. For the larger events, the Museum will continue to use resources that it has in the past.

These measures to reduce the parking demand in the area and the parking demand calculations by Fehr & Peers as well as the City of San Diego standards are designed to adequately meet the parking demand for this new Museum facility.

Adopted by the

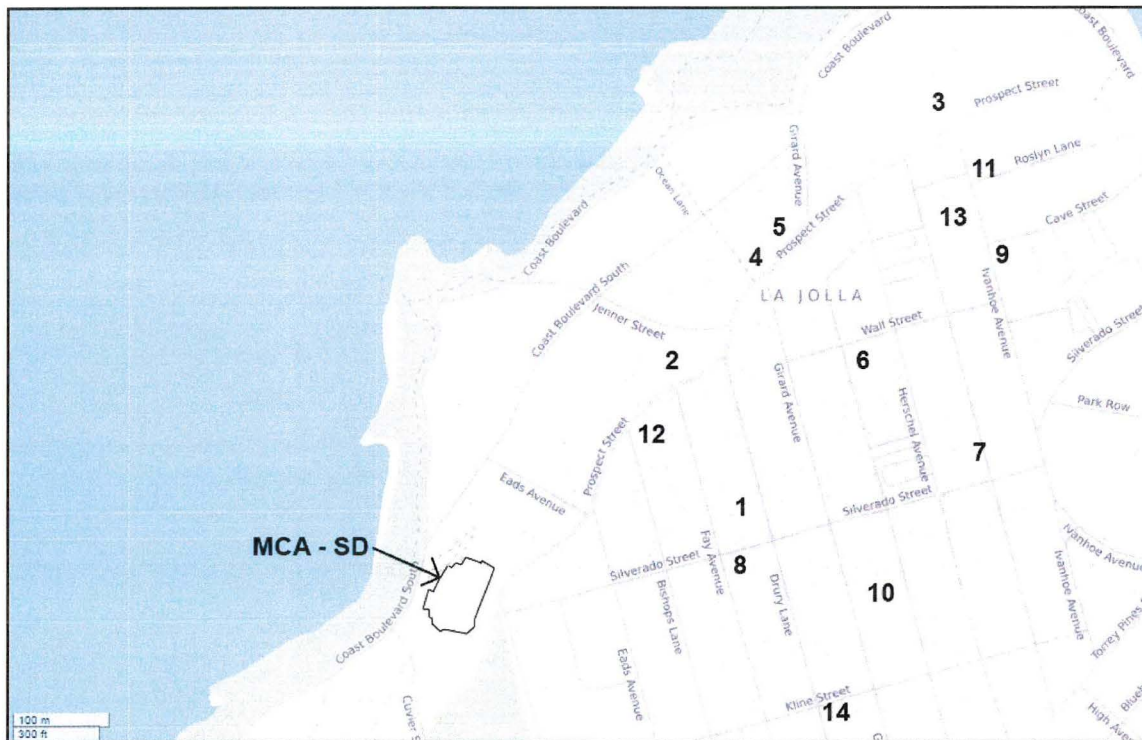
Museum of Contemporary Art San Diego

Charles Castle

Parking Garage Locations

Valet Service to MCA - SD

KEY	ADDRESS	NAME OR DESCRIPTION
1	7825 Fay	Former Hard Rock Café
2	888 Prospect	Laz Garage
3	1200 Prospect	La Jolla Financial Building
4	1010 Prospect	Living Room Building
5	1020 Prospect	
6	1055 Wall Street	Brooks Brothers
7	7818 Herschel	Union Bank lot
8	7777 Fay	Laz Garage
9	7877 Ivanhoe	Lot
10	7733 Girard	Lot
11	7979 Ivanhoe	Manchester Financial
12	875 Prospect	Roppongi building
13	7946 Ivanhoe	El Patio Building
14	955 Kline	Bank of America garage



Contract Parking locations within the vicinity of the Museum. The valet service will be able to select from these as a part of the Museum permit for large events



La Jolla Community Planning Association

Date: August 9, 2015

Subject: Museum of Contemporary Art, San Diego (MCASD) Expansion: 405930

RE: "Amendments to the Land Development Code and the City's Local Coastal Program - Spectrum Act Wireless Communications Facilities".

On August 6th 2015 at the Regular Meeting of The La Jolla Community Planning Association (LJCPA) Trustees reviewed **MCASD Expansion, 700 Prospect Street** as an Action Item.

Request: Process 4 Coastal Development Permit and La Jolla Planned District Special Use Permit (processed as a CUP), to demolish an existing residence and construct a museum addition/remodel, including underground parking facilities, totaling 53,469 square feet on a 110,983 square foot property. The project site is located at 700 Prospect Avenue (Museum of Contemporary Art San Diego) in the LJPD-6A and 5A zones of the La Jolla Planned District, Coastal Overlay Zone (Appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Overlay Zones in the La Jolla Community Plan Area.

Approved Motion: That the findings can be made for a Process 4 CDP and La Jolla Planned District Special Use Permit (processed as a CUP) to demolish an existing residence and construct a museum addition/remodel, including underground parking facilities, totaling 53,469 square feet on a 110,983 square foot property located at 700 Prospect Avenue (Museum of Contemporary Art San Diego) with the following four deviations: 1) Accessible lift and stair encroachment within the Rear Yard Setback fronting Coast Boulevard; 2) Eighty foot trellis encroachment over entrance fronting Prospect; 3) Interior Height exceeding the 30-foot Zoning Height limit and 4) Egress stair on the southeast portion of the site, within the Side Yard Setback, leading to Prospect Street.

Vote Count of La Jolla CPA Trustees: 11-1-1 (Chair Abstains).

Sincerely,

Cindy Greatrex

Chair

858-456-7900



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

Ownership Disclosure Statement

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

Project Title

MCASD Expansion

Project No. For City Use Only

Project Address:

700 Prospect Street, La Jolla CA 92037

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:


Project Title: MCASD Expansion	Project No. (For City Use Only) 405930
-----------------------------------	---

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 **FEDERAL TAX ID: 95-1855690**

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): Museum of Contemporary Art San Diego <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 700 Prospect Street City/State/Zip: La Jolla, California 92037 Phone No: (858) 454-3541 Fax No: (858) 454-6985 Name of Corporate Officer/Partner (type or print): Charles E. Castle Title (type or print): Deputy Director and CEO Signature:  Date: 1/14/15	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: