

THE CITY OF SAN DIEGO

### Report to the Planning Commission

DATE ISSUED:	April 20, 2017	REPORT NO. PC-17-031
HEARING DATE:	April 27, 2017	
SUBJECT:	HILLEL CENTER FOR JEWISH LIFE - Process Five Decision.	
PROJECT NUMBER:	221995	
REFERENCE:	Planning Commission Report No. PC-05-004 (/ Planning Commission Report No. PC-08-119 (/	•
OWNER/APPLICANT:	Hillel of San Diego and Robert Marshall, Owne Hillel of San Diego, Applicant (Attachment 14)	

#### SUMMARY:

<u>Issue</u>: Should the Planning Commission recommend approval to the City Council of a twophase development utilizing an existing residence for religious offices and the construction of a Jewish religious student center in the La Jolla Community Plan area?

#### **Staff Recommendations:**

- 1. Recommend the City Council CERTIFY Environmental Impact Report No. 212995 with Findings and ADOPT Mitigation Monitoring and Reporting Program;
- 2. Recommend the City Council APPROVE Site Development Permit No. 758098;
- 3. Recommend the City Council APPROVE Public Right-of-way Vacation No. 758099; and

<u>Community Planning Group Recommendation</u> - On June 7, 2012, the La Jolla Community Planning Association voted 10:2:1 to recommend denial of the project. For additional information please refer to Attachment 9.

<u>La Jolla Shores Advisory Board Recommendation</u> – On November 20, 2012, the La Jolla Shores Advisory Board made a motion to recommend approval of the project, yet the motion failed for a lack of four affirmative votes (Attachment 13).

<u>Environmental Review</u> - An Environmental Impact Report No. 212995 and draft Candidate Findings have been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process. <u>Fiscal Impact Statement</u> - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

<u>Housing Impact Statement</u> - The proposed Hillel Center for Jewish Life is located on parcels designated for Low Density Residential (5-9 dwelling units per acre). The site contains a portion of the adjacent public right-of-way that is proposed to be vacated as part of the project. Without the public right-of-way being vacated, the site would allow three dwelling units. With the public right-of-way being vacated, the site would allow seven dwelling units. Therefore, there would be a net loss of three to seven dwelling units on the site to allow for the proposed project.

#### BACKGROUND

The project proposes to construct a two-phase project for the development of a religious facility. The entire site is located at 8976 Cliffridge Avenue and on a vacant 0.77-acre lot at 9009 La Jolla Scenic Drive North totaling 0.98-acre within the La Jolla Community Plan area within the La Jolla Shores Planned District SF Zone (Single Family), Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone at (Attachment 1). The site is not within the Coastal Overlay Zone. The property located at 8976 Cliffridge Avenue is presently developed with a single family dwelling unit currently being utilized as a temporary Hillel Center (Attachment 2). The La Jolla Community Plan Land Use Map identifies the proposed project site for low density residential development at a density range of five to nine dwelling units per acre (Attachment 4).

In 2003, Hillel submitted applications for a Site Development Permit (SDP), a Planned Development Permit (PDP), and a public right-of-way vacation for a 12,000 square-foot Hillel Center for Jewish Life (Project PTS No. 6098). On March 3, 2005, the Planning Commission voted 5-0 to recommend the City Council deny SDP No. 158094. On May 9, 2006 the City Council voted 6-2 to approve the project by adopting Resolutions R-301432, 301437, 301433, and 301435. Due to litigation disputes, on May 28, 2010, the Superior Court of the State of California issued a Peremptory Writ commanding Resolutions R-301432, 301437, 301433, and 301435 for Project No. 6098 be rescinded.

On June 12, 2008, the applicant submitted a slightly revised Hillel Student Center under Project No. 149437. The project scope was generally the same as the 2003 submittal with the addition of 28 onsite parking spaces supplied by parking lifts. On November 8, 2008, the Planning Commission voted 4-1-1 to recommend the City Council deny the project. Subsequent to the Planning Commission hearing, Project No. 149437 was withdrawn.

#### Project Description

On July 28, 2011, Hillel submitted the current application for a Site Development Permit and a Public Right-of-Way Vacation for a two phased development (PTS No. 212995). The proposed project is a scaled-down version of the 2003 and 2008 plans and consists of a 6,479 square-foot religious facility. The existing single-family dwelling unit located at 8976 Cliffridge Avenue (Phase I), currently being used as a temporary Hillel Center for Jewish Life, is anticipated to be used for that purpose until the permanent facility in Phase II is constructed. At that time, the 8979 Cliffridge Avenue site will be converted back to a single family dwelling unit. The conversion is a requirement of the permit as identified in Condition No. 57, which indicates the temporary religious student shall be converted to a single family dwelling unit within 120 days subsequent to final Inspection of the permanent religious student center.

As indicated above, Phase I would temporarily continue the use of the existing single family dwelling unit located at 8976 Cliffridge Avenue for religious offices and related uses. Phase II would develop the vacant lot (9009 La Jolla Scenic Drive North) with a permanent 6,479 square-foot religious student center, surface parking lot for 27 vehicles; and retain 10,000 square feet for a landscaped area as a public amenity with a bike and pedestrian path from La Jolla Scenic Drive to the corner of Torrey Pines Road and La Jolla Village Drive. Upon the completion of Phase II, the temporary religious uses of the existing structure located at 8976 Cliffridge Avenue would revert back to a single family dwelling unit.

Phase II will include the development of three structures consisting of a Student Center, Library, and Professional Leadership building. The Student Center would include a lounge, meeting rooms, and restrooms on the ground floor. The second floor will include an activity room and board room. The Library will include the main library room, study/conference room, and chapel. The Professional Leadership Building will include a conference room, offices, and restrooms. The Project would incorporate several design features allowing the Phase II buildings to be complementary to the existing single family neighborhood. The buildings would utilize variations in height, sloping roof lines, a variety of materials and textures and the articulation of massing to reduce the perceived volume of the buildings. When viewed from the surrounding streets, the buildings would appear as several smaller structures rather than as one large building (Attachment 16). The articulation of the massing to reduce the perceived volume of the buildings would result in a harmony of scale between the project and the existing development pattern of single family dwellings in the neighborhood. Torrey Pine trees in a natural California landscape would be used both as street trees and in informal groupings around the periphery of the project site to further soften and screen the Phase II building at maturity. The parking area is screened from view by low walls and by locating the entrance driveway along La Jolla Scenic Way and the primary pedestrian entrance from La Jolla Village Drive, both away from the existing residential areas.

The Project's height will reach 28 feet, two feet lower than the allowed height in the SF Zone and the Coastal Height Limit Overlay Zone limit of 30 feet. The La Jolla Community Plan recommends avoiding extreme and intrusive changes to the residential scale of the neighborhoods, and promotes good design and harmony within the visual relationships and transitions between new and older structures. The proposed Project is designed to relate to the adjacent residential structures by varying the bulk and scale of the massing, and by varying the roofline.

The Project's access will be located off of La Jolla Scenic Way. This is the preferred location to enter and exit the site as it avoids the heavily traveled La Jolla Village Drive. Additionally the driveway access provides a separation between the single family residences to the south and the proposed activities on the site. The Project is consistent with the allowed uses and development regulations of the zone, as allowed through the Site Development Permit process as of the deemed complete date.

The Project's design incorporates a roof-mounted photovoltaic system consisting of solar panels and a fuel cell sufficient to generate at least 30 percent of the project's projected energy consumption. In addition, the Project proposes to meet the standards required to obtain a Leadership in Energy and Environmental Design (LEED) Silver rating.

The surrounding land uses are single family residential development to the east and south, to the west, across Torrey Pines Road are parks and open space and to the north across La Jolla Village Drive is University of California San Diego (UCSD). The University Community Plan area is north of La Jolla Village Drive and designates the land use north of La Jolla Village Drive as Public Facilities/Institutional.

The Project requires several actions to approve the development as proposed. The Planning Commission must recommend to the City Council certification of an Environmental Impact Report, and approval of both a Public Right-of-Way Vacation, and a Site Development Permit. The Public Right-of-Way Vacation is required to vacate a portion of La Jolla Scenic Drive and the Site Development Permit is required to allow development within the La Jolla Shores Planned District with deviations from the applicable development regulations for sustainable building projects (SDMC sections 125.0910(a), 1510.0201(a), and 143.0920). Supplemental Findings are required to be made to approve deviations to the development regulations for an Affordable/In-Fill Housing and Sustainable Building projects. (SDMC section 126.0504(m).)

#### SF Zone Use Change

The application for this project was deemed complete on July 28, 2011, when <u>San Diego Municipal</u> <u>Code (SDMC) section 1510.0303(e)</u> allowed by right "Churches, Temples or buildings of a permanent nature, used primarily for religious purposes" within the SF zone of the La Jolla Shores Planned District. While section 1510.0303 was later amended and no longer allows such buildings in the SF zone, it is the Development Services Department practice to apply the regulations effective on the date an application is deemed complete, and therefore this project application was processed under the version of Section 1510.0303 that was effective on July 28, 2011.

#### **Deviations**

The Project applicant requests one temporary deviation from the SDMC regulations until Phase II is completed. This includes a minimum width of a non-residential driveway. <u>SDMC section 142.0560</u> requires a 24-foot wide driveway for a non-residential use. The applicant requests a 12-foot-wide driveway for the 8976 Cliffridge Avenue/Phase I site during its temporary religious use. When Phase II is completed, the religious office and related uses at 8976 Cliffridge Avenue would move to the completed Phase II building and the temporary use of the single family residential dwelling structure would revert to its original single family use, which only requires a 12-foot curb cut and two parking spaces.

Staff supports the temporary deviation to a 12-foot wide curb cut. The narrower driveway is temporary in nature, and the structure use is expected to revert back to a single family residence. The deviation reduces the impacts to on-street parking, and allows for appropriate separation between the driveway and the required pedestrian ramp which matches the existing pedestrian ramp on the opposite side of the street.

The project is proposing as additional permanent deviation to the minimum parking requirements for the new 6,479 square-foot Hillel Center for Jewish Life. <u>SDMC Table 142-056</u> "Parking Ratios for Specified Non-Residential Uses" identifies parking requirements for "*Churches and places of religious assembly.*" This category of use considers the parking needs associated with gatherings of large numbers of people at the same time. This is demonstrated by the units of measure being "seats," "pew space" and/or "assembly area." The project does not propose pews, permanent seats for services or assembly area, therefore a Parking Deviation Request is proposed for the project. The deviation would allow the project to provide parking based on the specific needs of the facility as determined by existing comparable facilities. The results of parking surveys, including an evaluation of the number of individuals who indicated they would walk to the facility concluded that a total of 27 parking spaces would be adequate to serve the anticipated programing at the facility.

#### General Plan/Community Plan Analysis

The proposed project is located on parcels designated as Low Density Residential (5-9 dwelling units per acre) in the La Jolla Community Plan. The proposed project is subject to the La Jolla Shores Planned District Ordinance (LJSPDO) which at the time that the project application was deemed complete on July 28, 2011, allowed churches, temples or buildings of a permanent nature, used primarily for religious purposes in SF zone. (SDMC section 1510.0303(e)).

The La Jolla Community Plan encourages and promotes energy efficient building design and orientation. The project proposes solar panels and LEED certification. The La Jolla Community Plan recommends new residential development comply with the landscaping and streetscape guidelines identified in the residential element and those of Appendix E of the plan. Appendix E recommends Torrey Pines as street trees. The proposed project includes Torrey Pines as street trees as well as several new plantings in the open space area.

The City of San Diego's General Plan adopted in 2008 set forth a variety of goals and policies to implement the City of Villages Strategy. The village concept is defined as "the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated." The Project contributes towards fulfilling the concept of a village by providing a mix of uses in close proximity: UCSD, the single family dwelling units and the Hillel development. This would provide students and local residents the possibility of accessing the Hillel development on foot, or bicycle and also by car. It further contributes to a mix of uses that work together to create strong neighborhoods and communities. The proposed land use is consistent with the General Plan, La Jolla Community Plan and the La Jolla Shoes Planned District Ordinance land use designations.

#### Environmental Analysis

The environmental analysis for the Project evaluated the potential for impacts resulting from project implementation in accordance with the California Environmental Quality Act. The Environmental Impact Report (EIR) concluded the Project would result in significant and mitigated direct impacts associated with Biological Resources, Noise and Paleontological Resources. Implementation of Mitigation Monitoring and Reporting Program would reduce the environmental effects of the Project to below a level of significance. Neither the Phase I/Phase II project nor the Existing with Improvements Option would result in significant unmitigated impacts.

#### **Conclusion**

The proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the proposed Right-of-Way Vacation and proposed development. Staff is recommending the Planning Commission recommend the City Council approve the Project, Phases I and II, as proposed.

#### **ALTERNATIVES**

 Recommend the City Council CERTIFY Environmental Impact Report No. 212995 and ADOPT Mitigation Monitoring and Reporting Program; and APPROVE Site Development Permit No. 758098 and Public Right-of-way Vacation 758099, with modifications.

- 2.
- Recommend the City Council DO NOT CERTIFY Environmental Impact Report No. 212995 and DO NOT ADOPT Mitigation Monitoring and Reporting Program; and DENY Site Development Permit No. 758098 and Public Right-of-way Vacation 758099, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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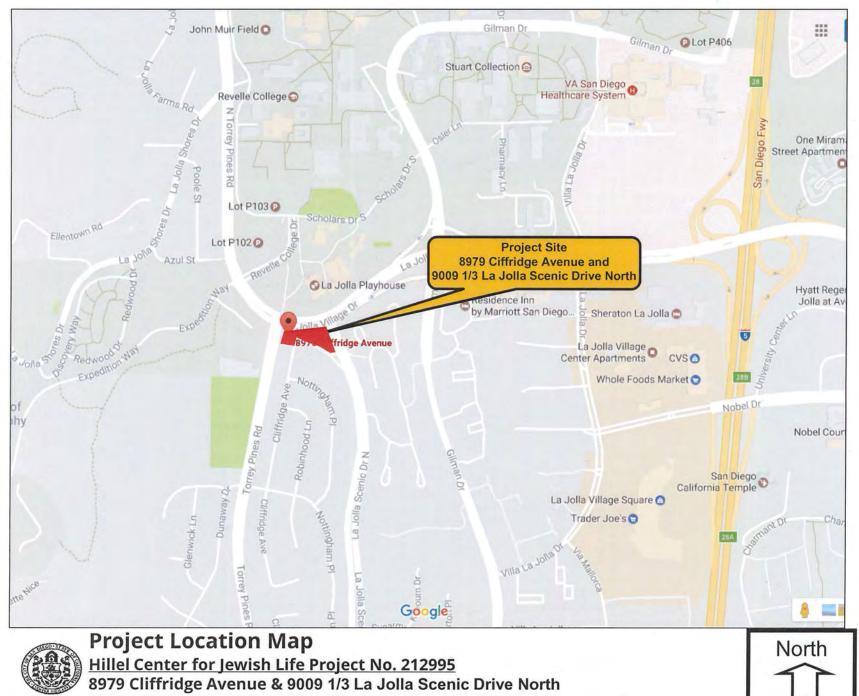
Elyse W. Lowe Deputy Director Development Services Department

William Zounes Development Project Manager Development Services Department

LOWE:WZ

#### Attachments:

- 1. Location Map
- 2. Aerial Photograph
- 3. Zoning Map
- 4. Community Plan Land Use Map
- 5. Project Data Sheet
- 6. Draft SDP Permit Resolution with Findings
- 7. Draft SDP Permit with Conditions
- 8. Draft Public Right-of-Way Resolution
- 9. Draft Environmental Resolution
- 10. Planning Commission Report No. PC-05-004
- 10a. City Manager' Report No. 05-193
- 11. Planning Commission Report No. PC-08-119
- 12. Community Planning Group Recommendation
- 13. La Jolla Shores Planned District Ordinance Advisory Board
- 14. Ownership Disclosure Statement
- 15. Public Right-of-Way Drawing No. 37432-3-C
- 16. Project Plans



Attachment 1 Project Location Map

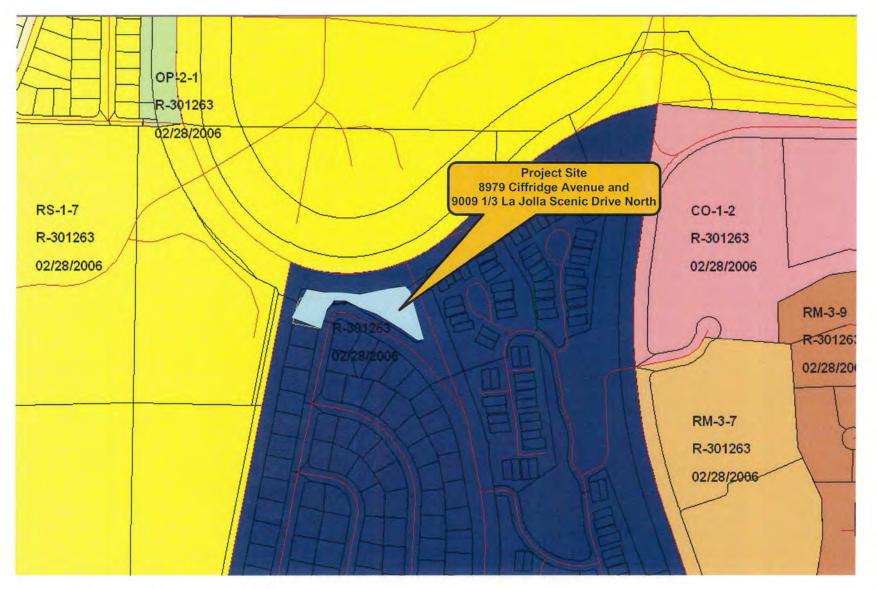




Aerial Photograph (Birds Eye) <u>Hillel Center for Jewish Life Project No. 212995</u> 8979 Cliffridge Avenue & 9009 1/3 La Jolla Scenic Drive North



Attachment 2 Aerial Photograph of Site





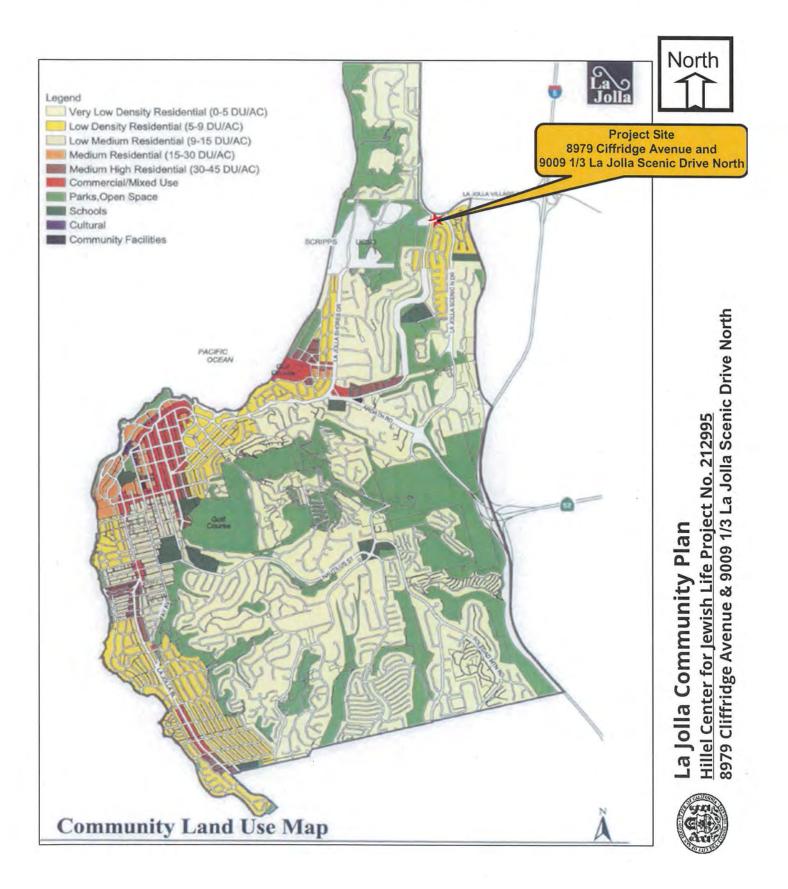
**Project Zoning Map** 

Hillel Center for Jewish Life Project No. 212995 8979 Cliffridge Avenue & 9009 1/3 La Jolla Scenic Drive North



Attachment 3 Zoning Map

## Attachment 4 Community Plan Land Use Map



### Attachment 5 Project Data Sheet

	PROJECT DATA SHEET		
PROJECT NAME:	Hillel Center for Jewish Life	Hillel Center for Jewish Life	
PROJECT DESCRIPTION:	Two-phase project for the development of a 6,489 square-foot religious facility		
COMMUNITY PLAN AREA:	La Jolla		
DISCRETIONARY ACTIONS:	Site Development Permit/Public Right-of-Way Vacation		
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential (5-9 du/ac)		
SIDE SETBACK: General STREETSIDE SETBACK: General	Conformity with those in the Vi Conformity with those in the Vi Conformity with those in the Vi Conformity with those in the Vi es proposed	cinity icinity	
ADJACENT PROPERTIES:	& ZONE		
NORTH:	Parks and Open Space and Institutional/SF	Parks, UCSD	
SOUTH:	Single Family/SF	Single Family Homes	
EAST:	Single Family/SF	Single Family Homes	
WEST:	Parks & Open space/ RS-1-7	Athletic Fields	
DEVIATIONS OR VARIANCES REQUESTED:	One Temporary deviation for curb cut for single family dwelling unit and one permanent for parking requirements within the new religious center.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On June 7, 2012, the La Jolla Community Planning Association voted 10:2:1 to recommend denial of the project. On November 20, 2012, the La Jolla Shores Advisory Board made a motion to recommend approval of the project, yet the motion failed for a lack of four affirmative votes.		

#### Attachment 6 Draft SDP Permit Resolution with Findings

#### RESOLUTION NUMBER R-\_\_\_\_\_ ADOPTED ON \_\_\_\_\_

SITE DEVELOPMENT PERMIT NO. 758098 HILLEL CENTER FOR JEWISH LIFE - PROJECT NO. 212995 [MMRP] CITY COUNCIL

WHEREAS, Robert Marshall, Trustee of the UDT Trust, dated June 1, 2002, and Hillel of San Diego, a California non-profit religious corporation, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit No. 758098 to construct a two-phase project known as the Hillel Center of Jewish Life Project (Project): Phase I will use the existing single-family dwelling unit on a 0.21-acre site located at 8976 Cliffridge Avenue as a temporary Jewish Life Center until Phase II is completed; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish Life Center on a vacant 0.77-acre site located at 9009 La Jolla Scenic Drive North ; and

WHEREAS, after Phase II is completed, the structure at 8976 Cliffridge Avenue will be returned to use as a single-family dwelling unit; and

WHEREAS, the Project site is and legally described as legally described as Lot 67 of La Jolla Highlands Unit No. 3, according to Map thereof No. 3528, filed October 19, 1956 and a Portion of Lot 1299, Miscellaneous Map No. 36, Pueblo Lands, in the La Jolla Community Plan area, in the SF Zone of the La Jolla Shores Planned District; and

WHEREAS, on April 27, 2017, the Planning Commission of the City of San Diego considered Site Development Permit No. 758098, and pursuant to Resolution No. \_\_\_\_\_\_-PC voted to recommend City Council approval of the permit; and

Attachment 6 Draft SDP Permit Resolution with Findings

WHEREAS, the matter was set for public hearing on \_\_\_\_\_\_, testimony having been heard,

evidence having been submitted, and the City Council having fully considered the matter and being

fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings

with respect to Site Development Permit No. 758098:

#### I. Site Development Permit - Section 126.0504

#### A. Findings for all Site Development Permits

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

The Hillel Center for Jewish Life (Project) will construct a two-phase project: Phase I will utilize the existing residence at 8976 Cliffridge Avenue as a temporary Jewish life center; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish life center on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road & La Jolla Scenic Way and a vacated portion of La Jolla Scenic Drive North. The temporary Jewish life center use within the existing residence at 8976 Cliffridge Avenue will be returned to a single family residential unit use after Phase II is completed. The site is located within the SF Zone of the La Jolla Shores Planned District and within the La Jolla Community Plan area.

The City of San Diego's General Plan adopted in 2008 set forth a variety of goals and policies to implement the City of Villages Strategy. The village concept is defined as "the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated". The Project contributes to fulfilling the concept of a village by providing a mix of uses in close proximity: University of California San Diego (UCSD), the single family residences and the Hillel development. The Project will be located on parcels designated as Low Density Residential at a density range of five to nine dwelling units per acre in the La Jolla Community Plan. The land use proposed will be consistent with the La Jolla Community Plan. Therefore, the Project will not adversely affect the applicable land use plan.

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

The Project will not be detrimental to public health, safety, and welfare because the permit controlling the development and continued use of the proposed project for this site contains specific conditions addressing the project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. These conditions include but not limited to the replacement of curbs with City standard curbs and gutters; the construction of a privately owned and maintained bike path in a public access easement traversing the site from La Jolla Village Drive to La Jolla Scenic Drive

North; new curb ramps; the construction of a City standard bus stop slab on La Jolla Village Drive; storm runoff restrictions; and the relocation of public water service. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations. The conditions of approval will therefore assure the continued health, safety and general welfare of persons residing or working in the area.

The building plans and public improvement plans shall be reviewed, permitted, and inspected by the City for compliance with all applicable building, mechanical, electrical, fire code requirements, and development regulations. Therefore, the Project will not be detrimental to the public health, safety, and welfare.

# 3. The proposed development will comply with the applicable regulations of the Land Development Code.

The Project will construct a two-phase project: Phase I will utilize the existing residence at 8976 Cliffridge Avenue as a temporary Jewish life center; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish life center on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road & La Jolla Scenic Way and a vacated portion of La Jolla Scenic Drive North. The temporary Jewish life center use within the existing residence at 8976 Cliffridge Avenue will be returned to a single family residential unit use after Phase II is completed. The site is located within the SF Zone of the La Jolla Shores Planned District in the La Jolla Community Plan. The proposed project is subject to the La Jolla Shores Planned District Ordinance (LJSPDO) at the time that the project application was deemed complete on July 28, 2011, which allowed churches, temples or buildings of a permanent nature, used primarily for religious purposes in SF zone. (SDMC section 1510.0303(e)).

The San Diego Municipal Code (SDMC) Section 143.0920 allows an applicant to request deviations from the regulations for Affordable/In-Fill Housing and Sustainable Buildings projects in accordance with Section 143.0915 pursuant to a Site Development Permit, as long as the decision maker makes the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504(m).

The Project applicant requests one temporary deviation from the San Diego Municipal Code regulations until Phase II is completed. This includes a minimum width of a non-residential driveway. SDMC section 142.0560 requires a 24-foot wide driveway for a non-residential use. The applicant requests a 12-foot-wide driveway for the 8976 Cliffridge Avenue/Phase I site during its temporary religious use. When Phase II is completed, the religious office and related uses at 8976 Cliffridge Avenue would move to the completed Phase II building and the temporary use of the single family residential dwelling structure would revert to its original single family use, which only requires a 12-foot curb cut.

The 12-foot wide curb cut deviation can be supported because the narrower driveway is temporary in nature which is expected to revert back to a single family residence, reduces the impacts to on-street parking and allows for appropriate separation between the

driveway and the required pedestrian ramp which matches the existing pedestrian ramp on the opposite side of the street.

The project is proposing a second and permanent deviation to the minimum parking requirements to the new 6,479 square-foot Hillel Center for Jewish Life. SDMC Table 142-OSG Parking Ratios for Specified Non-Residential Uses identifies parking requirements for "Churches and places of religious assembly." This category of use considers the parking needs associated with gatherings of large numbers of people at the same time. This is demonstrated by the units of measure being "seats," "pew space" and/or "assembly area." The project does not propose pews, permanent seats for services or assembly area, therefore a Parking Deviation Request is proposed for the project. The deviation would allow the project to provide parking based on the specific needs of the facility as determined by existing comparable facilities. The results of parking surveys, including an evaluation of the number of individuals who indicated they would walk to the facility concluded that a total of 27 parking spaces would be adequate to serve the anticipated programing at the facility.

With the exception of the temporary 12-foot driveway for a non-residential use and the parking deviation, the proposed development complies with the applicable zoning and development regulations of the Land Development Code including land development requirements regulating uses allowed in the SF zone. The proposed project was reviewed for compliance with the SF zone land development requirements for requirements to setbacks, density, landscape, parking, and floor area ratio. Therefore, the Project will comply with the applicable regulations of the Land Development Code.

#### M. Supplemental Findings--Deviations for Affordable/In-Fill Housing Projects and Sustainable Buildings (SDMC section 126.0504(m))

1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.

The Project will construct a two-phase project: Phase I will utilize the existing residence at 8976 Cliffridge Avenue as a temporary Jewish life center; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish life center on a vacant 0.77 acre site on the south side of La Jolla Village Drive between Torrey Pines Road & La Jolla Scenic Way and a vacated portion of La Jolla Scenic Drive North. The temporary Jewish life center use within the existing residence at 8976 Cliffridge Avenue will be returned to a single family residential unit use after Phase II is completed. The site is located within the SF Zone of the La Jolla Shores Planned District in the La Jolla Community Plan.

The La Jolla Community Plan encourages and promotes energy efficient building design and orientation. The Project will include solar panels for the generation of 30-percent of electricity on-site and obtain a Leadership in Energy and Environmental Design (LEED) certification. Requirements to meet the LEED certification include that the project provide

#### Attachment 6 Draft SDP Permit Resolution with Findings

public transportation access, create priority parking for low-emitting and fuel efficient vehicles, maximize open space, create quality control for storm water design, non-roof heat island reduction, light pollution reduction, water efficient landscaping, provide innovative wastewater design, reduce water use, optimize energy performance, provide on-site renewable energy, use of recycle contents, provide low-emitting materials, provide thermal comfort, and maximize daylight.

Such measures will promote the reduction of impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies. Therefore, the Project will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.

## The development will not be inconsistent with the purpose of the underlying zone.

The Project will construct a two-phase project: Phase I will utilize the existing residence at 8976 Cliffridge Avenue as a temporary Jewish life center; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish life center on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road & La Jolla Scenic Way and a vacated portion of La Jolla Scenic Drive North. The temporary Jewish life center use within the existing residence at 8976 Cliffridge Avenue will be returned to a single family residential unit use after Phase II is completed. The site is located within the SF Zone of the La Jolla Shores Planned District in the La Jolla Community Plan. The proposed project is subject to the La Jolla Shores Planned District Ordinance (LJSPDO) at the time that the project application was deemed complete on July 28, 2011, which allowed churches, temples or buildings of a permanent nature, used primarily for religious purposes in SF zone. (SDMC section 1510.0303(e)).

The San Diego Municipal Code (SDMC) Section 143.0920 allows an applicant to request deviations from the regulations for Affordable/In-Fill Housing and Sustainable Buildings in accordance with Section 143.0915 pursuant to a Site Development Permit, as long as the decision maker makes the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504(m).

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the temporary use of the single family residential dwelling structure would revert to its original single family use, which only requires a 12-foot curb cut and two parking space.

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The project is proposing a second and permanent deviation to the minimum parking requirements to the new 6,479 square-foot Hillel Center for Jewish Life. SDMC Table 142-OSG Parking Ratios for Specified Non-Residential Uses identifies parking requirements for "Churches and places of religious assembly." This category of use considers the parking needs associated with gatherings of large numbers of people at the same time. This is demonstrated by the units of measure being "seats," "pew space" and/or "assembly area." The project does not propose pews, permanent seats for services or assembly area, therefore a Parking Deviation Request is proposed for the project. The deviation would allow the project to provide parking based on the specific needs of the facility as determined by existing comparable facilities. The results of parking surveys, including an evaluation of the number of individuals who indicated they would walk to the facility concluded that a total of 27 parking spaces would be adequate to serve the anticipated programing at the facility.

With the exception of the temporary 12-foot driveway for a non-residential use and the parking deviation, the proposed development complies with the applicable zoning and development regulations of the Land Development Code including land development requirements regulating uses allowed in the SF zone. The proposed project was reviewed for compliance with the SF zone land development requirements for requirements to setbacks, density, landscape, parking, and floor area ratio.

The Project will be consistent with the overall bulk and scale of the residential neighborhood to the south of the parcels. Considering the size of the site, over 33,000 square feet, and the bullding of 6,479 square feet, without and with calculations for a phantom floor, the floor area ratio (FAR) is approximately 0.21. If the project were subject to a City-wide FAR, the FAR would be limited to 0.60, however, the La Jolla Shores Planned District does not have an FAR limitation. The Project building height will reach 28 feet, two feet lower than the Proposition D height limit of 30 feet. The Project's proposed building is designed to relate to the adjacent residential structures by varying the bulk and scale of the massing, and by varying the roofline. The Projects access will be located off of La Jolla Scenic Way. This is the safest location for access as it avoids accessing the site form heavily traveled La Jolla Village Drive. Additionally the driveway access provides a separation between the single family residences to the south and the proposed activities on the site.

The purpose and intent of the La Jolla Shores Planned District states: "the public health, safety, and welfare require that property in La Jolla Shores shall be protected from impairment in value and that the distinctive residential character and the open seascape orientation of the La Jolla Shores Area shall be retained and enhanced" and "The development of land in La Jolla Shores should be controlled so as to protect and enhanced

the area's unique ocean-oriented setting, architectural character and natural terrain and enable the area to maintain its distinctive identity as part of one of the outstanding residential areas of the Pacific Coast. The proper development of La Jolla Shores is in keeping with the objectives and proposals of the General Plan for the City of San Diego, of the La Jolla Community Plan, and of the La Jolla Shores Precise Plan." The Project location will provide students and local residents the opportunity of accessing the proposed development on foot, or bicycle and also by car. The Project further contributes to a mix of uses in the neighborhood that work together to create strong neighborhoods and communities. Therefore, the development will not be inconsistent with the purpose of the underlying zone.

# 3. Any proposed deviations 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.

The Project will construct a two-phase project: Phase I will utilize the existing residence at 8976 Cliffridge Avenue as a temporary Jewish life center; and Phase II will construct a 6,479 square-foot building and other improvements for the permanent Jewish life center on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road & La Jolla Scenic Way and a vacated portion of La Jolla Scenic Drive North. The temporary Jewish life center use within the existing residence at 8976 Cliffridge Avenue will be returned to a single family residential unit use after Phase II is completed. The site is located within the SF Zone of the La Jolla Shores Planned District in the La Jolla Community Plan. The proposed project is subject to the La Jolla Shores Planned District Ordinance (LJSPDO) at the time that the project application was deemed complete on July 28, 2011, which allowed churches, temples or buildings of a permanent nature, used primarily for religious purposes in SF zone. (SDMC section 1510.0303(e)).

The San Diego Municipal Code (SDMC) Section 143.0920 allows an applicant to request deviations from the regulations for Affordable/In-Fill Housing and Sustainable Buildings in accordance with Section 143.0915 pursuant to a Site Development Permit, as long as the decision maker makes the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504(m).

The Project applicant requests one temporary deviation from the San Diego Municipal Code regulations until Phase II is completed. This includes a minimum width of a non-residential driveway. SDMC section 142.0560 requires a 24-foot wide driveway for a non-residential use. The applicant requests a 12-foot-wide driveway for the 8976 Cliffridge Avenue/Phase I site during its temporary religious use. When Phase II is completed, the religious office and related uses at 8976 Cliffridge Avenue would move to the completed Phase II building and the temporary use of the single family residential dwelling structure would revert to its original single family use, which only requires a 12-foot curb cut and two parking space.

The 12-foot wide curb cut deviation can be supported because the narrower driveway is temporary in nature which is expected to revert back to a single family residence, reduces the impacts to on-street parking and allows for appropriate separation between the driveway and the required pedestrian ramp which matches the existing pedestrian ramp on the opposite side of the street.

The project is proposing a second and permanent deviation to the minimum parking requirements to the new 6,479 square-foot Hillel Center for Jewish Life. SDMC Table 142-OSG Parking Ratios for Specified Non-Residential Uses identifies parking requirements for "Churches and places of religious assembly." This category of use considers the parking needs associated with gatherings of large numbers of people at the same time. This is demonstrated by the units of measure being "seats," "pew space" and/or "assembly area." The project does not propose pews, permanent seats for services or assembly area, therefore a Parking Deviation Request is proposed for the project. The deviation would allow the project to provide parking based on the specific needs of the facility as determined by existing comparable facilities. The results of parking surveys, including an evaluation of the number of individuals who indicated they would walk to the facility concluded that a total of 27 parking spaces would be adequate to serve the anticipated programing at the facility.

With the exception of the temporary 12-foot driveway for a non-residential use and the parking deviation, the proposed development complies with the applicable zoning and development regulations of the Land Development Code including land development requirements regulating uses allowed in the SF zone. The proposed project was reviewed for compliance with the SF zone land development requirements for requirements to setbacks, density, landscape, parking, and floor area ratio. Therefore, the deviations 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.

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

incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained,

and Site Development Permit No. 758098 is granted to Hillel of San Diego, Owner/Permittee and

Robert Marshall, Owner, under the terms and conditions set forth in the permit attached hereto and

made a part hereof.

APPROVED: Mara W. Elliott, City Attorney

By \_\_\_\_\_ Inga Lintvedt Deputy City Attorney ATTY/SEC. INITIALS DATE Or.Dept:Clerk R-INSERT Form=permitr.frm(61203wct) Reviewed by John S. Fisher

#### RECORDING REQUESTED BY

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

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

INTERNAL ORDER NUMBER: 24000958

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### SITE DEVELOPMENT PERMIT NO. 758098 HILLEL CENTER FOR JEWISH LIFE - PROJECT NO. 212995 [MMRP] CITY COUNCIL

This Site Development Permit No. 758098 is granted by the City Council of the City of San Diego to HILLEL OF SAN DIEGO, a California non-profit religious corporation, and ROBERT MARSHALL, Trustee of the UDT Trust, together the Owner/Permittee, pursuant to San Diego Municipal Code section 126.0504 and 1510.0201(c). The 0.98-acre site is located at 9009 La Jolla Scenic Drive North and at 8976 Cliffridge Avenue, both sites are located in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan. The project site is legally described as: Lot 67 of La Jolla Highlands Unit No. 3, according to Map thereof No. 3528, filed October 19, 1956 and a Portion of Lot 1299, Miscellaneous Map No. 36, Pueblo Lands.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow construction of a two-phased project where Phase I will utilize the existing residence single-family dwelling unit located at 8976 Cliffridge Avenue as a temporary religious student center, Phase II to construct a 6,479 square-foot religious student center, and the temporary use of the existing residence structure at 8976 Cliffridge Avenue will be returned to a single family dwelling unit described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated\_\_\_\_\_\_, on file in the Development Services Department.

The Project shall include:

- a. Phase I to utilize the existing single-family dwelling unit located at 8976 Cliffridge Avenue as a temporary religious student center until Phase II is completed;
- Phase II to construct a 6,479 square-foot building as the permanent religious student center at 9009 La Jolla Scenic Drive North and the temporary use of the existing residence at 8976 Cliffridge Avenue will be returned to use as a single family residence;

- c. One temporary deviations is proposed:
  - i. Allow a driveway width of twelve feet for the temporary use in Phase I where the minimum driveway width for non-residential uses is twenty-four feet;
- d. One permanent deviation is proposed:
  - Parking deviation to the 6,479 square-foot religious student center to allow the project to provide parking based on the specific needs of the facility for a total of 27 parking spaces;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking;
- g. Phase II shall include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30-percent of the proposed project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program; and
- h. 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.

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

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

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

appropriate City decision maker. With the occupancy of the Phase II improvements, the existing residence at 8976 Cliffridge Avenue must revert to use as a single family residence.

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

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

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

In accordance with authorization granted to the City of San Diego from the United States Fish 7. and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Game [CDFG] pursuant to California Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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 determinednecessary 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" conditions(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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, 11. 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.

12. This Permit may be developed in two phases,

#### ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. 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.

14. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 212995, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 212995, 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:

Biological Resources Noise Paleontological Resources

#### CLIMATE ACTION PLAN (CAP) REQUIREMENTS:

16. The Owners/Permittees 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."

17. 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:

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

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

20. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of curb with City standard curb and gutter, adjacent to the site on La Jolla Scenic Drive North, La Jolla Village Drive and Torrey Pines Road, satisfactory to the City Engineer.

22. The drainage system proposed for this development is private and subject to approval by the City Engineer.

23. The project proposes to export 645 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"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

24. Prior to the construction of the privately owned and maintained bike path in a Public Access Easement traversing the site from La Jolla Village Drive to La Jolla Scenic Drive North as depicted in the Exhibit 'A', the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the bike path, satisfactory to the City Engineer.

25. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

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

27. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of curb ramp at the intersection of Cliffridge Avenue and La Jolla Scenic Drive North, satisfactory to the City Engineer.

28. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of curb ramp at the intersection of La Jolla Village Drive and La Jolla Scenic Drive, satisfactory to the City Engineer.

29. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of a City standard driveway on La Jolla Scenic Drive, satisfactory to the City Engineer.

30. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of new sidewalk along the property frontage, satisfactory to the City Engineer.

31. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the private storm drain in the City's storm drain easement, satisfactory to the City Engineer.

32. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of a City standard bus stop slap on La Jolla Village Drive, satisfactory to the City Engineer.

#### LANDSCAPE REQUIREMENTS:

33. Prior to issuance of construction permits for grading, the Owner/Permittee shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual, Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

34. Prior to issuance of construction permits for public 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 take into account a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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

36. Prior to issuance of any construction permits for buildings; the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, 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 Office of the Development Services Department.

37. Prior to Final Inspection for Phase II construction, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

38. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

39. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity; in this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

40. 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 is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to issuance of a Certificate of Occupancy.

41. Prior to issuance of construction permits for grading; the Owner/Permittee shall ensure that all proposed landscaping, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the prohibited plant species list found in "Table 1" of the Landscape Standards shall not be permitted.

#### PLANNING/DESIGN REQUIREMENTS:

42. Owner/Permittee shall maintain a minimum of 27 automobile spaces (including 1 standard accessible space and 1 van accessible space), 2 motorcycle spaces, and 4 bicycle spaces with rack(s) shall be provided as required by the project traffic impact analysis and shown per the project's Exhibit "A." All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

43. 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.

44. The cul-de-sac area proposed for vacation shall be retained in perpetuity for public pedestrian and bicycle access. The area shall not be gated or otherwise obstructed to prevent free movement and public access. In addition, the project shall incorporate signage which identify this area as public access to the satisfaction of the City Planner.

45. Prior to Final Inspection for Phase II construction, the Owner/Permittee shall grant a Public Access Easement over the bicycle and pedestrian path as shown on Exhibit "A," satisfactory to the City Engineer.

46. Hours of operation shall be limited to 7:00 A.M. to 10:00 P.M. daily and events will be concluded by 10:00 P.M., allowing for 11:00 P.M. clean up and closing of the facility. Hillel may observe Jewish holidays, customs and ritual practices for High Holiday, Shavuot, Purim, Passover and other Jewish special observances provided that the above hours of operation are observed.

47. Occasional events will be limited to no more than 12 in a calendar year. Occasional event parking demands will be met by the mitigation outlined in the traffic and parking study that is conditioned upon the project.

48. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

49. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower.

50. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

51. No building additions shall be permitted unless approved by the City Manager.

52. All signs associated with this development shall be consistent with sign criteria established by the La Jolla Shores Planned District Ordinance.

53. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the

satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.

54. Prior to the issuance of building permits for Phase II, construction documents shall fully illustrate incorporation of roof-mounted (carport) photovoltaic systems consisting of solar panels sufficient to generate at least 30 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

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

56. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

57. The temporary religious student center located at 8976 Cliffridge Avenue shall be converted to a single family dwelling unit within 120 days subsequent to final Inspection of the permanent religious student center. The Owner shall inform the Development Services Department, Submittal and Project Management Division when the home has been converted to a single family dwelling unit.

#### TRANSPORTATION REQUIREMENTS

58. Prior to issuance of any construction permit, the Owner/Permittee shall dedicate twelve feet of right-of-way along the project frontage along La Jolla Village Drive, as shown on the Exhibit "A." The project frontage shall include a twenty-two foot parkway including a minimum five foot wide non-contiguous sidewalk, satisfactory to the City Engineer.

59. Prior to issuance of any construction permit, the Owner/Permittee shall install twenty-five linear feet of painted red curb north of the project driveway on La Jolla Scenic Way, satisfactory to the City Engineer.

60. A monitoring report including a discussion of the Transportation Demand and Parking Management plan measures which have been implemented and a determination of the effectiveness of the combined Transportation Demand and Parking Management plan measures shall be prepared and provided to the City of San Diego annually for a three (3) year period utilizing surveys from Hillel employees and traffic counts prepared by a licensed Traffic Engineer.

#### **PUBLIC UTILITIES REQUIREMENTS:**

61. Prior to the issuance of the first foundation, building or grading permit, the Owner/Permittee shall cut, plug and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North right-of-way to be vacated, from La Jolla Scenic Way to Torrey Pines Road, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

62. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of public 16-inch water facilities and the cut, plug and abandonment of the existing public 8-inch water facilities within the La Jolla Scenic Drive North rightof-way, from La Jolla Scenic Way to Torrey Pines Road, and connect to the 16-inch mains all existing water services still in service adjacent to the project, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

63. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s), including domestic, fire and irrigation, and the disconnection at the mains of all existing unused water services adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

64. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permit(s) for the installation of private back flow prevention device(s) on all water services to the development, including all domestic, fire and irrigation services, in a manner satisfactory to the Water Department Director and the City Engineer. All backflow prevention devices shall be located above grade and outside of any private structures.

65. Prior to the first final inspection of any building permit, the Owner/Permittee shall install and/or replace fire hydrants at locations satisfactory to the Fire Marshal, the Director of Public Utilities and the City Engineer.

66. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall install and/or replace fire hydrants at locations satisfactory to the Fire Marshal, the Director of Public Utilities and the City Engineer.

67. It is the sole responsibility of the Owner/Permittee for any damage caused to city of San Diego public water and sewer facilities, adjacent to the project site, due to the construction activities associated with this project. In the event any such facility loses integrity then, the Owner/Permittee shall reconstruct any damaged public water and sewer facility in a manner satisfactory to the Director of Public Utilities and the City Engineer.

68. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall grant an acceptable water easement over the proposed 16-inch water facilities within the vacated La Jolla Scenic Drive North right-of-way, from Cliffridge Avenue to Torrey Pines Road, for exclusive use of public water mains with no appurtenances, in a manner satisfactory to the Director of Public Utilities and the City Engineer. Minimum water easement width, for exclusive use of public water mains with no appurtenances, shall be 15-feet-wide.

69. Prior to issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of the realignment of the existing 8" public sewer main at the intersection of La Jolla Scenic Drive North and Cliffridge Avenue, satisfactory to the Director of Public Utilities and the City Engineer..

70. Prior to the Final Inspection of Phase II, the developer shall abandon the existing public sewer mains located in the proposed street vacation, satisfactory to the Director of Public Utilities and the City Engineer.

71. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

72. Prior to the first final inspection of any building permit for the Hillel of San Diego project, all public water and sewer facilities necessary to serve this development shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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

74. The Owner/Permittee shall process Encroachment Maintenance and Removal Agreements, for all acceptable encroachments into the water easement, including but not limited to structures, enhanced paving, or landscaping.

75. No structures or landscaping shall be installed in or over any water easement that would inhibit vehicular access to replace a section of main or provide access to any appurtenance or isolated section of main.

76. No trees shall be installed within ten feet of any water facilities or in any water easement. No shrubs exceeding three feet in height at maturity shall be installed within 10 feet of any public water main or within access easements.

#### GEOLOGY REQUIREMENTS:

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

78. 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 asgraded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

#### PUBLIC FRANCHISE COMPANY REQUIREMENTS:

79. Prior to issuance of any building permit the Owner/Permittee shall relocate all Charter Communication (formally Time Warner) Cable existing overhead lines into an existing underground utility easement, to the satisfaction of the City Engineer.

#### INFORMATION ONLY:

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

APPROVED by the City Council of the City of San Diego on \_\_\_\_\_

#### Attachment 7 Draft SDP Permit with Conditions

Permit Type/PTS Approval No.: SDP No. 758098 Date of Approval: \_\_\_\_\_

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

William Zounes Development Project Manager

**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.

#### HILLEL OF SAN DIEGO,

a California non-profit religious corporation Owner/Permittee

By.

Robert B. Lapidus, Vice President Facilities

#### **ROBERT MARSHALL**,

By\_

Robert Marshall Owner

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

#### Attachment 8 Draft Public Right-of-Way Resolution

**RESOLUTION NUMBER R-\_\_\_** 

DATE OF FINAL PASSAGE

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO VACATING A PORTION OF LA JOLLA SCENIC DRIVE BETWEEN LA JOLLA SCENIC WAY AND TORREY PINES ROAD (RIGHT-OF-WAY VACATION NO. 758099) - PROJECT NO. 221995.

WHEREAS, California Streets and Highways Code section 8320 et seq. and San Diego

Municipal Code section 125.0901 et seq. provide a procedure for the vacation of public rights-of-way

by City Council resolution; and

WHEREAS, Robert Marshall, Trustee UDT, dated June 1, 2002, and Hillel of San Diego, a California non-profit religious corporation, Owners, filed applications necessary to develop the Hillel Center for Jewish Life (PTS No. 221995), including an application to vacate excess public right-of-way along a portion of La Jolla Scenic Drive between La Jolla Scenic Way and Torrey Pines Road (Right-of-Way Vacation No. 758099); and

WHEREAS, the public right-of-way is excess public right-of-way and not required for street or highway purposes; and

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

WHEREAS, the matter was set for public hearing on \_\_\_\_\_\_, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

#### -PAGE 1 OF 5-

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to Right-of-Way

Vacation No. 758099, the Council makes the following findings, as required by San Diego Municipal

Code section 125.0941:

# (a) There is no present or prospective use for the public right-of-way, either for the purpose for which originally acquired, or for any other public use of a like nature that can be anticipated.

The land intended to be vacated is no longer needed as public right-of-way and is not needed to provide public circulation or services. The public right-of-way was originally acquired for circulation, access and public services, but with the approval of the Hillel Center for Jewish Life project, the design and construction of La Jolla Scenic Drive will be updated to the current standards of the Street Design Manual (adopted by the City Council on November 25, 2002 by Resolution R-297376), which will result in this portion of the existing public right-of-way being no longer necessary for the purposes it was originally acquired or any other public use of a like nature that can be anticipated. The neighborhood and community have several existing improved public rights-of-way that provide the public circulation necessary to the community and this portion of La Jolla Scenic Drive is not needed for providing public circulation. Public water and sewer services are provided throughout the community and this portion of La Jolla Scenic Drive is not needed for providing water or sewer services. The project's permit conditions require the developer to cut, plug, and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North right-of-way being vacated, from La Jolla Scenic Way to Torrey Pines Road and relocate and replace the water service to outside the vacated Right-of-Way with a 16-inch water facility running through La Jolla Scenic Drive North. The project will include a water easement extending form La Jolla Scenic Drive North to Torrey Pines Road to allow the new 16-inch water facility to connect to an existing water facility. Electricity, Telephone, and other services are provided through other easements and rights-of-way in the community. However, Charter Communication Cable (formally Time Warner) has existing overhead lines in the in the proposed vacated portion of La Jolla Scenic Drive North. This facility will be relocated into a future utility easement. A portion of La Jolla Scenic Drive North is not needed for these other services.

As such, the portion of La Jolla Scenic Drive North will no longer be necessary and will have no prospective use. Further, with the redesign and new construction of the remaining portion of La Jolla Scenic Drive North, the portion of La Jolla Scenic Drive North being vacated is no longer necessary because of the new development. Therefore, there is no present or prospective public use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

# (b) The public will benefit from the vacation through improved use of the land made available by the vacation.

Currently, the public right-of-way limits the use of this land to only circulation purposes and public utility, those being the purpose for which the public right-of-way was originally acquired. The

public will benefit by the vacation because the site owned by the underlying fee owners will become larger, which will in turn facilitate the development of the Hillel Center for Jewish Life. The Owners will control, maintain, and be responsible for and liable for that portion of La Jolla Scenic Drive to be vacated. The City of San Diego and the County of San Diego will benefit by the increase of property value by increasing the area of privately owned land subject to property tax and the incremental increase to the tax base. With an increase of tax revenue the general public will benefit by the vacation of the existing right-of-way by the increase of available public funds. The public will benefit by the reduction of 10,000 square feet for a landscaped area as a public amenity with a bike and pedestrian path from La Jolla Scenic Drive to the corner of Torrey Pines Road and La Jolla Village Drive.

The adopted La Jolla Community Plan designates the Hillel Center for Jewish Life project site for development adjacent to La Jolla Scenic Drive. Further the public will benefit by the vacation of the public right-of-way by the development of a new facility for the enrichment and spiritual development of the Jewish community and in that the Jewish community is an integral and vital part of the City of San Diego. Therefore, the public will benefit by the vacation of a portion of the La Jolla Scenic Drive public right-of-way.

#### (c) The vacation does not adversely affect any applicable land use plan.

The adopted La Jolla Community Plan identifies the adjacent site, which is the subject of the Hillel Center for Jewish Life project and to which the vacation of a portion of La Jolla Scenic Drive North public right-of-way is related, for development to include the proposal of a 6,479 square-foot building and other improvements for a religious facility and accessory uses. The vacation of an unimproved portion of La Jolla Scenic Drive North will facilitate the fullest and highest use of the land as designated by the community plan. Although the project is requesting the Public Right-of-Way Vacation of an undeveloped portion of La Jolla Scenic Drive, the existing and improved portion of the La Jolla Scenic Drive North will remain unaffected by the proposed development and Public Right-of-Way Vacation.

The City of San Diego's General Plan adopted in 2008 set forth a variety of goals and policies to implement the City of Villages Strategy. The village concept is defined as "the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated". The Project contributes to fulfilling the concept of a village by providing a mix of uses in close proximity: University of California San Diego (UCSD), the single family residences and the Hillel development. The Project will be located on parcels designated as Low Density Residential at a density range of five to nine dwelling units per acre in the La Jolla Community Plan. The land use proposed will be consistent with the La Jolla Community Plan land use designation. For these reasons the proposed vacation of a portion of this portion of La Jolla Scenic Drive North is consistent with the policies and goals of the adopted within the La Jolla Community Plan and will not adversely affect the La Jolla Community Plan.

(d) The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

The public right-of-way was originally acquired for circulation, access, and public services and was subsequently developed for circulation and these other uses. The neighborhood and community have several existing improved public rights-of-way that provide circulation necessary to the public within and through the La Jolla community and this portion of La Jolla Scenic Drive is not needed to provide adequate public circulation. Public water and sewer services are provided throughout the community and this portion of La Jolla Scenic Drive is not needed to provide water or sewer services. The project's permit conditions require the developer to cut, plug, and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive right-of-way being vacated, from La Jolla Scenic Way to Torrey Pines Road and relocate and replace the water service to outside the vacated Right-of-Way with a 16-inch water facility running through La Jolla Scenic Drive North. The project will include a water easement extending form La Jolla Scenic Drive North to Torrey Pines Road to allow the new 16-inch water facility to connect to an existing water facility. Electricity, Telephone, and other services are provided through other easements and rights-of-way in the community. However, Charter Communication Cable (formally Time Warner) has existing overhead lines in the in the proposed vacated portion of La Jolla Scenic Drive North. This facility will be relocated into a future utility easement. The redesign and reconstruction of La Jolla Scenic Drive North to the current standards of the Street Design Manual, adopted by the City Council on November 25, 2002 by Resolution R-297376, will result in a portion of the existing public right-of-way being no longer necessary for the purposes it was originally acquired or any other public use of a like nature and the public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation in that the remaining reconstructed La Jolla Scenic Drive will continue to serve the circulation and other public needs for which the street was acquired.

BE IT FURTHER RESOLVED, that in connection with Site Development Permit No. 758098,

Right-of-Way Vacation No. 758099, as more particularly described in the legal description marked as

Exhibit "A," and shown on Drawing Nos. 37432-1-C, 37432-2-C and 37432-3-C, marked as Exhibit "B,"

which said drawing is attached hereto and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that said street vacation is conditioned upon the relocation, solely at the expense of developer, of existing Charter Cable facilities to the new general utility easement, and the reservation of easement for general utilities for the benefit of AT&T, San Diego Gas & Electric, Charter Cable, and Cox Cable , as both are shown on Exhibit B. In the event this condition is not completed within three years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect. BE IT FURTHER RESOLVED, that the Development Services Department shall record a

certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the

office of the County Recorder.

APPROVED: MARA W. ELLIOTT, City Attorney

By

Inga B. Lintvedt Deputy City Attorney

IBL: mm 4/4/2017 Or.Dept: DSD

Attachment(s): Exhibit A: Legal Description Exhibit B: Drawing Nos. 37432-1-C, 37432-2-C and 37432-3-C

#### Attachment 9 Draft Environmental Resolution

#### RESOLUTION NUMBER R-

ADOPTED ON \_\_\_\_\_

WHEREAS, on July 28, 2011, Hillel Of San Diego submitted an application to Development Services Department for a Site Development Permit and Public Right-of-Way Vacation for the Hillel Center for Jewish Life (Project); and

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

WHEREAS, the issue was heard by the City Council on \_\_\_\_\_\_and

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

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 212995/SCH No. 2010101030 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project. BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

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

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

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

APPROVED: MARA W. ELLIOTT

By:

INGA LINTVEDT, DEPUTY CITY ATTORNEY

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

#### EXHIBIT B

#### MITIGATION MONITORING AND REPORTING PROGRAM

#### [INSERT PERMITS/APPROVALS/ENTITLEMENTS/ACTIONS]

PROJECT NO. 212995

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 212995/SCH No. 2010101030 shall be made conditions of the Site Development Permit and Public Right-of-Way Vacation as may be further described below.

#### A. GENERAL REQUIREMENTS - PART I Plan Check Phase (prior to permit issuance)

- 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 <u>the MMRP Conditions/Notes that apply ONLY to</u> 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

- 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 paleontological monitor

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering** Division – 858-627-3200
- For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call RE and MMC at 858-627-3360
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) Number 212995 and/or Environmental Document Number 212995, 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:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Reports	Biology/Habitat Restoration Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

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

#### Noise

**NOS-1**: At the time that building plans are available for the proposed buildings and prior to the issuance of building permits, a detailed acoustical analysis shall demonstrate that interior noise levels due to exterior sources will be at or below the 45 CNEL standard. Possible interior noise attenuation measures include using construction materials with greater noise reduction properties. The exterior to interior noise reduction provided by the building structure is partially a function of the sound transmission class values of the window, door, wall, and roof components used in the building. The greater the STC value, generally the greater the noise reduction. The necessary STC values required to reduce interior noise levels to 45 CNEL or less would be determined as a part of the required interior noise analysis. The applicant's final building plans shall identify all recommendations of the acoustical report, including STC ratings of windows and doors, ventilation requirements, insulation, plumbing isolation, etc. Final building plans shall be reviewed by the City of San Diego's Acoustical Plan Checker to verify that the mitigation measures recommended in the acoustical report have been incorporated.

**NOS-2:** The design for the proposed buildings shall include a ventilation or air conditioning system to provide a habitable interior environment when windows are closed.

#### **Biological Resources**

BIO-1: To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction (precon) survey within 300 feet of proposed construction to determine the presence or absence of nesting birds on the proposed area of disturbance. The precon survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal Law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

#### Paleontological Resources

#### I. Prior to Permit Issuance

- A. Entitlements Plan Check
- Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans, but prior to the first precon meeting, whichever is applicable, the 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
    - The applicant shall submit a letter of verification to MMC identifying the PI for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City 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.
    - 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
  - 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
  - Prior to beginning any work that requires monitoring; the Applicant shall arrange a precon meeting that shall include the PI, CM, and/or Grading Contractor, RE, BI, if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related precon meetings to make comments and/or suggestions concerning the paleontological monitoring program with the CM and/or Grading Contractor.
    - a. If the PI is unable to attend the precon meeting, the Applicant shall schedule a focused precon meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
  - 2. Identify Areas to be Monitored Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
  - 3. When Monitoring Will Occur
    - 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
  - The monitor shall be present full time during grading/excavation/ trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances 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 CSVR. The CSVRs 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
    - 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 Bl, 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.
      - 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.
  - When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 A.M. on the next business day.
    - b. Discoveries All discoveries shall be processed and documented using the existing procedures detailed in Section III - During Construction.
    - Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8 A.M. on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - The CM shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 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,

- 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.
- 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.
  - 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
  - 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)
  - 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.
  - 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.



Attachment 10 Planning Commission Report No. PC-05-004 Page 1 of 90

THE CITY OF SAN DIEGO

### REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	February 3, 2005	REPORT NO. PC-05-004
ATTENTION:	Planning Commission	, Agenda of February 10, 2005
SUBJECT:	HILLEL OF SAN DIE	GO - PROJECT NO. 6098. PROCESS 5
OWNER/ APPLICANT:		er 8976 Cliffridge Avenue site, City of San Diego llel of San Diego, Permittee.

#### SUMMARY

**Issue(s):** Should the Planning Commission recommend approval to the City Council of the City of San Diego of a two phased development utilizing an existing residence for religious offices and the construction of a Jewish religious student center requiring a Planned Development Permit No. 158095, Site Development Permit No. 158094, Street Vacations No. 158097 and Right-of-Way Dedications No. 158098 for the sites within and adjacent to the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North in the SF zone of the La Jolla Shores Planned District and La Jolla Community Plan?

#### Staff Recommendation:

- 1. CERTIFY Mitigated Negative Declaration No. 6098, and ADOPT Mitigation Monitoring and Reporting Program No. 6098; and
- RECOMMEND City Council Approval of Planned Development Permit No. 158095; and
- RECOMMEND City Council Approval of Site Development Permit No. 158094; and
- RECOMMEND City Council Approval of Public Right-of-Way Vacation No. 158097; and
- RECOMMEND City Council Approval of Public Right-of-Way Dedication No. 158098.



 RECOMMEND City Council Approval of the Lot-line Adjustment Parcel Map No. 188004

<u>Community Planning Group Recommendation</u>: The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly recommends that all applicants seek the recommendation of the La Jolla Community Planning Association (CPG).

The LJSPDAB, on their agenda of Tuesday, January 18, 2005, made three motions denying their approval of the proposed project. Motion No. 1, stated that the Advisory Board believed that the project was not providing sufficient parking, did not comply with the 'distinctive residential character' as defined by the purpose and intent of the PDO, concern over the loss of 12 on-street parking spaces and loss of a bike lane. Motion No. 2, stated that the 'Findings' for the street vacation could not be made and that the right-of-way should be reserved for future traffic mitigation. Motion No. 3, stated that the use of the residence in Phase I is illegal.

The CPG is scheduled to hear this item on their agenda of Thursday, February 3, 2005. If not available to be included in this report, any recommendations received, will be presented orally or by memo to the Planning Commission.

#### Other Recommendations: None.

<u>Environmental Review</u>: A Mitigated Negative Declaration, No. 6098, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented which will reduce the potential impacts to Paleontological Resources and Parking to a level below significant.

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

<u>Code Enforcement Impact</u>: The owner/applicant converted the use of the existing single-family residence located at 8976 Cliffridge Avenue from residential to religious use without obtaining a Site Development Permit (SDP) for City staff evaluation of any required conditions. A Code Compliance Case was opened by the City of San Diego Neighborhood Code Compliance Department and the owner/applicant made application with the City for the SDP. This application has been combined with the applications for Site 653 and is included within this Report to the Planning Commission as the Phase I of the project. If approved by the City Council, the Code Enforcement action would terminate.

Housing Impact Statement: The religious use of the single-family residence at 8976 Cliffridge Avenue has removed one residential dwelling unit from available housing but this situation would be temporary if the project applications are approved by the City Council. The use of the residence at 8976 Cliffridge Avenue would continue as a Phase I use and terminate when Site 653 is available for occupancy under the Phase II development. The owners of the residence would convert the dwelling back to residential use and the overall project would not have any permanent Housing Impacts.

#### BACKGROUND

The 'Hillel' project site consists of a total area of 43,329 square-feet of area which includes a 8,882 square-foot (post lot-line adjustment) single-family residential lot used for religious offices at 8976 Cliffridge Avenue and a 33,518 square-foot City owned site commonly referred to as 'Site 653' and located in a triangular shaped area bounded on the north by La Jolla village drive, on the east by La Jolla Scenic Way and on the south by La Jolla Scenic Drive North. The 33,518 square-foot Site 653 includes areas proposed for street vacations, an easement abandonment and street right-of-way dedication. A City Council requirement that 10,000 square-feet of area at the intersection of La Jolla Scenic Drive North/Torrey Pines Road be landscaped as a neighborhood amenity, leaves an area of 23,518 square-feet for the proposed development. The property is zoned SF (Single-family residential) within the La Jolla Shores Planned District Ordinance and is within the boundaries of the la Jolla Community Plan. The campus of the University of California at San Diego lies to the north within the boundaries of the University Community Plan area, while vacant land and youth athletic fields are to the west, a detached single-family residential neighborhood to the south and a Planned Residential Development to the east developed through the Conditional Use Permit Ordinance.

Site 653 is City owned property which, until 1995, was designated as residential land use in the La Jolla Community Plan and La Jolla Shores Precise Plan. In 1995, the land use designation for Site 653 was changed to open space and remained that way until recently when the La Jolla Community Plan was amended and the redesignation of the site to residential use was made consistent with the SF zoning that had remained over this site. The City Council approved the entering into of an exclusive agreement with Hillel to develop the site and possible acquisition. Neighbors opposed to this action and proposed change to the land use, challenged the City action in court and to date, the City has prevailed. The Real Estate Assets Department of the City of San Diego who oversees and administers city owned property, gave Hillel permission to proceed with the submittal of the proposed development plans and permits to develop the site.

Apart from the previous actions and decisions in regard to site 653, Hillel got permission to use the single-family residence at 8976 Cliffridge Avenue for religious offices and complaints to the City's Neighborhood Code Enforcement Office led to the city issuing a violation notice to the owner and Hillel for changing the use without City approvals. The City determined that the use is a permitted use in the zone but the change of use required a Site Development Permit as required by the La Jolla Shores Planned District Ordinance (LJSPDO). The parties applied for

this permit and City staff had evaluated only that additional off-street parking would be required. Environmental staff, for compliance with the California Environmental Quality Act (CEQA), determined that the residence and Site 653 proposal was one project. City staff, recognizing this and that the applicants both projects was Hillel and the street vacation and parking proposals overlapped the sites, directed the applicant to combine the projects into one consolidated project.

Site 653 is currently vacant and is relatively level with the street grade of the residences on the south side of La Jolla Scenic Drive North. La Jolla Village drive descends to the east from the intersection with Torrey Pines Road and La Jolla Scenic Way descends to the north to its intersection with La Jolla Village Drive making the low point of the project site the southwest corner of this intersection.

#### DISCUSSION

#### **Project Description:**

The 'Hillel' project is the development of a Jewish religious student center off-campus from the government entity campus of the University of California at San Diego which lies directly to the north. The project proposal consists of two Phases with Phase I being the continued use of the single-family residence at 8976 Cliffridge Avenue for religious offices and the Phase II is the construction of the student center.

Phase I will permit the applicant to continue to use the 1,792 square-foot single-family residence with a detached garage for religious office use with six off-street parking spaces required to be provided. This use would continue until such time as the Hillel student center in Phase II is constructed and approved for occupancy, at which time Phase I would terminate the use of the residence and the owner of the property would restore the residential use, maintaining a minimum of two off-street parking spaces.

Phase II is the development of Site 653, a 33,518 square-foot piece of city owned property including the requested street vacation and dedication. The square-footage of the vacated rightsof-way comprise 21,278 square-feet of the total site area while the area to be dedicated along the La Jolla Village Drive frontage comprises 2,183 square-feet. The City Council, in agreeing to permit Hillel to proceed with the presentation of development plans for the site and acquisition, required that Hillel landscape a 10,000 square-foot area near the intersection of La Jolla Village Drive and Torrey Pines Road on the west portion of the site as a neighborhood amenity. The proposed student center will consist of a 17,000 square-foot subterranean garage for 40 vehicles, storage, trash enclosure and elevators to the upper level so that users can directly access the building. The upper floor will have a floor area of 12,000 square-feet and contain a multi-use area (sanctuary for parking calculations), a lounge, restrooms, breakroom, computer room, offices and other designations. The upper floor will be at street garde on La Jolla Scenic Drive North consistent with the residences on the south side and the Hillel facility will be a one-story elevation. A pedestrian entry/front door faces La Jolla Scenic Drive North while the parking access is on La Jolla Scenic Way. The La Jolla Scenic Drive North elevation includes minimal window openings facing the street and mounded landscaping softens the building mass facing the residences opposite the site to allow for a measure of privacy and low impact to the residents. An outdoor patio area is on the northeast corner of the site at the high point of the building mass overlooking the intersection of La Jolla Village Drive and La Jolla Scenic Way.

City staff has critically evaluated the on-site parking requirements and needs for this religious facility using the multi-purpose area as sanctuary for parking calculations. Seating for 200 persons requires a total of 67 parking spaces on-site (one space/three seats). Only for 40 spaces can be provided in the parking garage due lot shape, physical constraints and the City's landscape requirement. Transportation staff informed the applicant that we would accept off-site parking for the additionally required 27 spaces if a shared parking agreement could be secured and be acceptable to the City. Staff also required the applicant to list their schedule of activities, hours of operation and frequency. It was determined that religious services named Shabbat and limited occasional special events, would increase attendance on the premises and additional parking is required. Hillel has secured three separate agreements for shared parking off-site with the basic 27 spaces required located at a Lutheran Church in the area that also provides assistance for Lutheran students on the U.C. campus, and two additional to cover the Shabbat services and limited occasional special events. Conditions in the accompanying permit requires monitoring of the parking for this project to assure to negative impacts on the neighborhood. When Shabbat and the special events take place, signage will be provided on- and off-site, a shuttle service provided, verbal communication between sites to assure adequate and timely service provided and education with the frequent facility users to not burden the neighborhood with parking. The City will be able to review the adequacy of the parking needs and success and to bring back for amendment should problems occur and the proposal not succeed.

A pedestrian/bicycle path will meander through the vacated right-of-way and landscaped area from the intersection of La Jolla Village Drive and Torrey Pines Road to CliffridgeAvenue/La Jolla Scenic Drive North and non-contiguous sidewalks will be installed adjoining the project site. Pedestrian impacts generated by the project should not produce more than a minimal impact on La Jolla Scenic Drive North as parking in the garage accesses the facility via two elevators from below and the shuttle service will deposit and pick-up students within the garage.

#### **Community Plan Analysis:**

The subject properties are designated as Low Density Residential (5-9 du/ac) in the La Jolla Community Plan. Religious uses are commonly found to fit within residential areas without adversely affecting the Land Use Plan. Additionally, the proposed use is permitted by the La Jolla Shores Planned District Ordinance which was adopted specifically to implement the Land Use Plan. The Hillel center is located directly across the street from the University of California and on the northern edge of the adjacent residential neighborhood, making it an appropriate location for the student-related activity.

The proposed development incorporates a number of specific design features which will allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The center utilizes variations in height, textures, and rooflines in order to create the appearance of a series of smaller, individual structures. In addition, lower portions of the structure are concealed behind landscaped berms, which reduces the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and would further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage. The garage is also equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities will be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the center and the frequency of large events. The center will be permitted to be open from 7:00 AM to 10:00 PM daily, while all post-event cleanup and securing of the center must conclude by 11:00 PM. Religious observances with large attendances shall be limited to no more than 12 times per calendar year, in accordance with the parking mitigation measures identified by the Mitigated Negative Declaration, and would be subject to the same time limits.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration will also buffer pedestrians from automobile traffic to create an environment conducive to walking and transit use. As such, students would be encouraged to use transit or walk from the UC San Diego campus to the student center, reducing automobile traffic and demand for parking at the center. By incorporating the cited design features and the conditions regarding operation of the center, the project implements the policies of the La Jolla Community Plan and will not adversely affect the residential land use designation of the subject properties.

#### **Environmental Analysis:**

The Environmental Initial Study (EIS) identified potential significant impacts to Paleontological Resources and Parking on the project site for the proposed student center. The application for the single family residence located at 8976 Cliffridge Avenue was submitted after the application for the proposed student center. According to the State of California Environmental Quality Act (CEQA), Section 15165, "segmenting or piecemealing" a project is not permitted. Since the single family residence and the proposed student center were both parts of the same overall project, the two applications were combined for review under CEQA.

The determination within the EIS was based on the amount (7,000 cubic yards) of soil proposed to be exported from the site during the grading activity for the subterranean parking garage. A Mitigation, Monitoring and Reporting Program (MMRP) is established as part of the Mitigated Negative Declaration that mitigates potential impacts to paleontological resources and parking to

below a level of significance. The MMRP includes specific monitoring requirements including preconstruction meetings, full-time on-site monitoring by a qualified Paleontologist and discovery and curation protocols. The MMRP includes specific parking requirements including providing additional off-site parking spaces during special events and Shabbat Services; providing adequate signage at the student center and the off-site parking location that indicate the location of the parking and that the spaces are for use by the applicant; shuttle service between the off-site location and the student center; and that a shared parking agreement be provided satisfactory to the City of San Diego prior to the issuance of the first building permit. Additional environmental issues considered during the project review that were determined to not be significant included Archeological Resources, Biological Resources, Noise, and Water Quality/Hydrology.

#### **Deviations:**

In order to develop this triangular shaped site, setting aside a 10,000 square-foot landscaped area over the western area, the project application and design requires a number of deviations from the Land Development Code (LDC). The Planned Development Permit (PDP) allows for the decision-maker to consider granting these deviations which are described as follows:

1. Parking requirement for religious assemblies per Table 142-05F of LDC Section 142.0530 of the LDC required is 30 spaces per 1000 square feet of assembly areas without fixed seats. Therefore, the parking requirement for 3,541 square feet assembly area is 106 parking spaces. However, the parking analysis for Hillel indicates a need for 38 parking spaces during Shabbat Services. Hillel is proposing to have no more than 200 movable seats for weekly Shabbat services which would require 67 parking spaces. Hillel is also proposing to provide 40 on-site parking spaces and 27 off-site parking spaces through a shared parking agreement. The parking analysis also indicates a need for 113 parking spaces during special events. Hillel is proposing to provide a total of 115 parking spaces for occasional special events including the 40 on-site spaces and 75 off-site parking spaces through three shared parking agreements. Therefore, Hillel is requesting a deviation through the PDP from the parking requirment in LDC section 142.0530 for weekly Shabbat services.

2. LDC Section 142.0545(a) does not allow shared parking in single-family residential zones. Hillel is located in the SF (single-family) zone of the La Jolla Shores Planned District and is proposing a deviation through the PDP for the required off-site shared parking agreement.

3. LDC Section 142.0545 (a)(2) requires all off-site parking spaces to be provided within 600 feet of the project site. Hillel is requesting the possibility of providing off-site parking spaces outside the 600 feet required distance and is proposing to provide shuttle services between the off-site location(s) and project site during Shabbat services and special events. Therefore, Hillel is requesting a deviation for location of the off-site parking requirement as required in LDC Section 142.0545(a)(2).

4. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 20-foot wide temporary driveway under Phase 1 'Parking Alternative 2' for the office use of the building located at 8976 Cliffridge Avenue site. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

5. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 12-foot wide driveway under Phase 1 'Parking Alternative 1' for the office use of the building located at 8976 Cliffridge Avenue site. This building will be converted to a single family home after construction of Site 653 and would require a 12-foot wide driveway. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

6. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 22-foot wide driveway for the subterranean parking garage for Site 653. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

Additionally, there are two additional deviations requested from the Street Design Manual that the City Engineer may approve. These deviations are:

1. The connection of La Jolla Scenic Drive North and Cliffridge Avenue does not provide a 100-foot curve radius. The City Engineer believes that the proposed design is preferable given all conditions relative to the site.

2. The pedestrian/bike path connecting La Jolla Scenic Drive North to Torrey Pines Road is required to be a 12-foot width of pavement within a 36-foot wide right-of-way. The project is providing only 10-feet of pavement and it has not been ascertained if the total width would be an easement or public right-of-way. This area overlaps and is a portion of the City Council required landscaped area.

 Deviation for an on-site utility easement on La Jolla Scenic Drive North. All utilities are in the right-of-way.

#### Project-Related Issues:

1. City staff identified parking and circulation with an initial preliminary review and that focus has been an integral part of City staff review of the Hillel proposed project, including both Phase I and Phase II.

2. The City Council decision and direction to the Real Estate Assets Department to negotiate use and possible sale of the site with Hillel has been a contentious decision within portions of the neighborhood and community. Dispute between SF (single-family) zoning and a prior land use designation of 'open space' and the religious student center use of the site within the SF zone remains an issue within a segment of the community.

3. The subsequent use of the adjacent single-family residence at 8976 Cliffridge Avenue, after the Hillel Site 653 application, became a City issue upon code enforcement action by the City and has remained a conflict within the neighborhood.

4. The use of the site for a religious student center at the north boundary of this residential neighborhood has raised questions of the intensity of the use of the planned facility, hours of operation, noise, activity within public areas, trash pick-up, the street vacation, parking and issues in regard to just about every aspect of the project design and site use.

The La Jolla Community Plan and La Jolla Shores Planned District designations for the Hillel Site 653 City owned property was changed with the adoption of plan amendments which left the SF zone in place but changed the land use designation to residential. The SF zone specifically permits as a matter of right the primary land use of single-family residential but also permits, Churches, Temples and buildings of a religious nature. The current adopted land use documents and zoning permits the application for, and the City to consider, the development of the property which has been requested and presented in this report.

The single-family residence at 8976 Cliffridge Avenue will continue to take off-street parking access to La Jolla Scenic Drive North and no physical change to the facilities (buildings) on this site have taken place. The continued use of the residence under the Phase I plan requires additional off-street parking to be provided per City standards. With the approval of Phase II and the anticipated occupancy, Phase I will be required to terminate and the owner's use of the site reverting to single-family residential and maintaining two off-street parking spaces.

Phase II, the student center, is proposed on a triangular shaped lot containing 33,518 square-feet of area of which the westerly 10,000 square-feet is to be landscaped as a public amenity. A structure proposed for a religious purpose having an area designated for religious services, is required to provide off-street parking. The City is calculating that the area would have seating for 200 persons and required off-street parking, at a ratio of one parking space per 3 seats, would require 67 parking spaces. The proposed structure on site has the single main upper floor of 12,000 square-feet, including the worship area of 3,541 square-feet. The subterranean garage of 17,000 square-feet will permit the parking on-site for 40 of the required 67 parking spaces and trash enclosures, some storage and elevators to the floor above. Physical constraints in the lot shape, landscape requirement and topography limit the development of a useable facility of this nature and the attainment of parking on-site.

To satisfy the City's requirement of 67 parking spaces, the applicant has secured off-site parking for the remaining 27 required spaces at a Lutheran Church in the area and has secured two additional off-site parking agreements to permit the Shabbat religious service and a limited number of special events. This off-site parking requires deviations to the Land Development Code and permit conditions for a shuttle service, monitoring of the parking for these events and subsequent review by the City. City staff has reviewed the applicants proposed project design.

use, requirements or necessities for the development to occur and its setting within this long established residential community. The staff analysis of parking needs and the options to achieve the minimum requirements within the parameters given, has evolved into the recommendations and draft permit conditions presented. Staff believes these measures will need to implemented, monitored and staff presented the documentation to determine with the desired results are achieved or if the permit should be amended.

All other aspects of the development have been fairly well thought out by the applicant. Staff believes the building design and materials are well chosen and low impact in elevation and mass acknowledging that this is a distinguishable different facility than a residence within a residential neighborhood. The project structure is low profile facing the neighboring residences, mounded landscape and minimal windows facing La Jolla Scenic Drive North and the City required landscaped area will all be beneficial design features. The parking garage enters from the east side on La Jolla Scenic Way and two elevators will take users into the main complex without having to utilize the public sidewalks and front doorway on La Jolla Scenic Drive North. Additionally, when the shuttle service is in use, the vehicles will load and unload riders within the garage. Outdoor areas and exterior view areas are mostly to the north/northeast, further showing the intent of the applicant to reduce any potential conflicts with residential neighbors.

The public right-of-way being vacated on La Jolla Scenic Drive North is un-improved and excess right-of-way for a future widening that will never be necessary. The right-of-way adjacent to Site 653 is right-of-way dedicated from that parcel of City owned land and as such reverts back to City Ownership. Likewise, that portion of right-of-way lying between Site 653 and the adjacent single-family residence on Lot 67, will revert from the center-line to the two adjoining owners. A Lot-line Adjustment Parcel Map will allow the owner of Lot 67 to transfer title to his portion of the vacated right-of-way to Hillel while retaining sufficient right-of-way to assure access to the required off-street parking for the Phase I use and the subsequent reversion back to residential use when Phase II obtains occupancy approval.

#### Conclusion:

The proposed project began with actions by the City Council authorizing Hillel to proceed with presenting a development proposal to the City and exploring purchase of the site. Legal actions to date have not invalidated any of these actions.

A La Jolla Community Plan amendment has brought the land use designation in line with the existing zoning on-site. The SF zone of the La Jolla Shores Planned District permits the proposed religious student center and place of worship.

Staff has been in constant receipt of information from interested parties and has disseminated information to these same parties. The parking requirements have been thoroughly evaluated and options for achieving minimum standards discussed in great detail. City staff believes that the site design, architecture of the facility, vacation of excess public right-of-way, restriction on hours of operation and the events and uses scheduled for the facility, details like trash storage,

utilities and equipment and other aspects of the development, have been thoroughly analyzed.

The facility serves a religiously oriented segment of the college campus adjacent to the north in a similar fashion to the Mormon student facility in La Jolla Farms area and what the churches in the area/community do for students in their faiths.

The Jewish facility will need to be a good neighbor and address and grievances brought to them. They will need to monitor the parking for the larger events and know they are under the scrutiny of a neighborhood wanting to know if the Hillel organization can deliver on their commitments. The City will need to review the parking and listen to concerns of the neighbors and the neighbors themselves must give Hillel the opportunity to succeed in their goal of serving the students and of being a good neighbor.

City staff has taken the final design of the facility, reviewed it for compliance with all regulations, heard the concerns of the neighborhood and has forwarded this recommendation to the decision-maker to consider whether the project can be approved or needs further addressing of issues or revisions to the proposed conditions and actions required.

#### ALTERNATIVES

- Recommend Approval of Planned Development Permit No. 158095, Site Development Permit No. 158094, Public Right-of-Way Vacation No. 158097 and Public Right-of-Way Dedication No. 158098, with modifications.
- Recommend Denial of Planned Development Permit No. 158095, Site Development Permit No. 158094, Public Right-of-Way Vacation No. 158097 and Public Right-of-Way Dedication No. 158098, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Marcela Escobar-Eck Deputy Director, Project Management Division Development Services Department

Robert Korch, Project Manager Development Project Manager Development Services Department

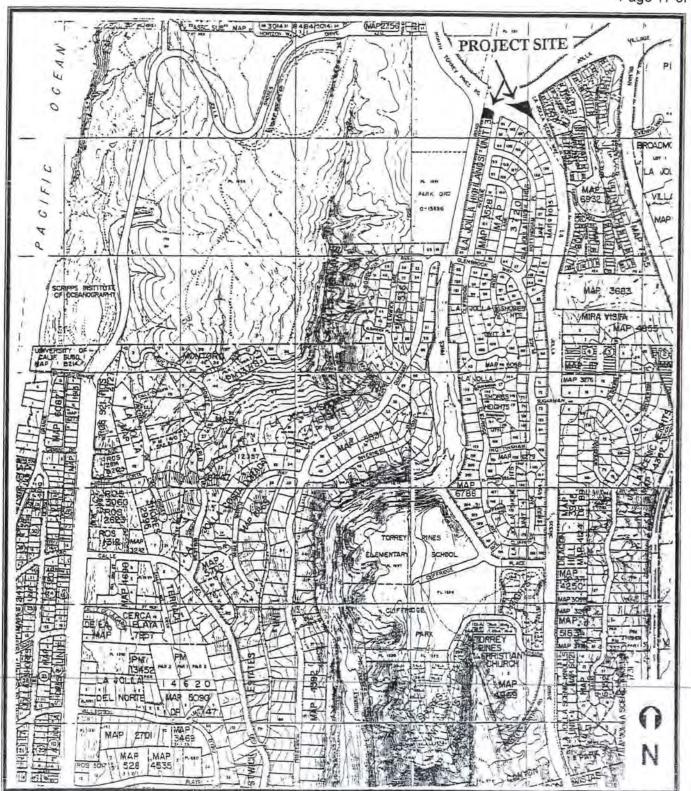
Attachments:

Aerial Photograph(s)

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- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet(s)
- 5. Project Site Plan(s)
- 6. Reduced Project Plans (Reduced 11x17 for Planning Commission only)
- 7. Draft Planned and Site Development Permit with Conditions
- 8. Draft Planned and Site Development Permit Resolution with Findings
- 9. Draft Street Vacation/Dedication Resolution
- 10. Hillel Sample Event Schedule
- 11. Community Planning Group Recommendation(s)
- 12. Ownership Disclosure Statement
- 13. Project Chronology

PROJECT LOCATION MAP ATTACHMENT the chiment 10 Planning Commission Report No PC-05-004 Page 17 of 90



Hillel of San Diego

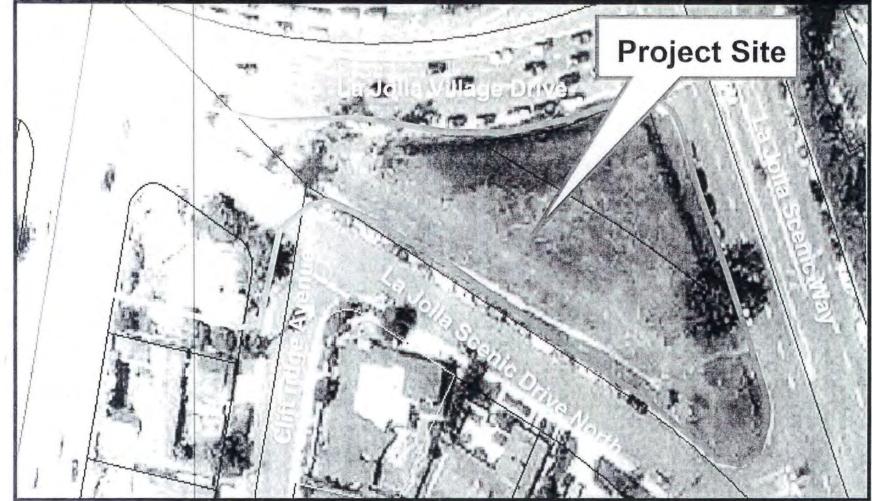


Location Map Environmental Analysis Section Project No. 6098 CITY OF SAN DIEGO · DEVELOPMENT SERVICES



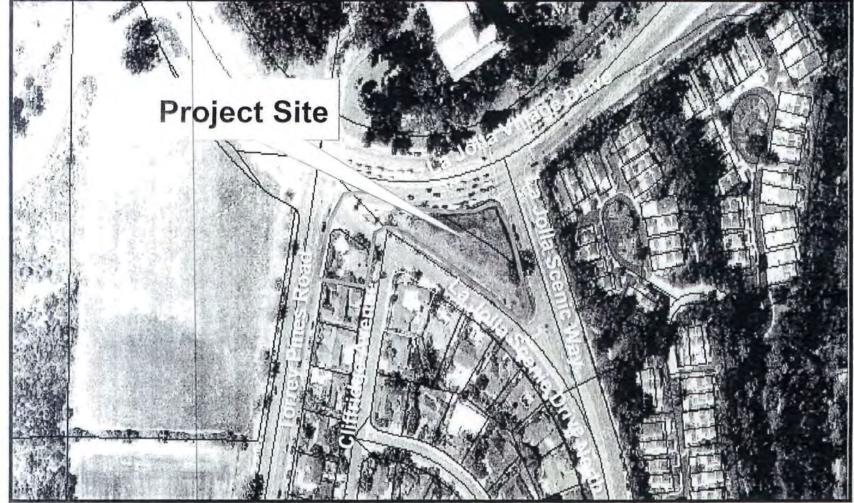
Development Services Department Project Management Division

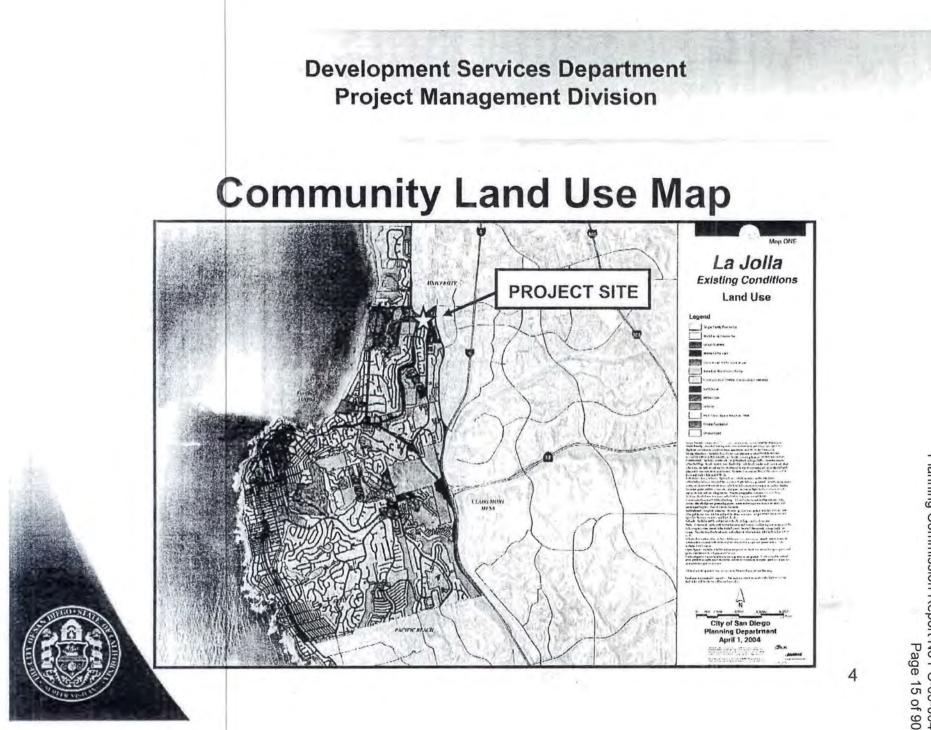
## Aerial Site No. 1



AERIAL PHOTOGRAPHS ATTACHARMOUNI 10 Planning Commission Report No PC-05-004 Page 13 of 90 Development Services Department Project Management Division

## Aerial Site No. 2





COMMUNITY PLAN LAND USE MAP ATTACHMENT NO Attachment 10 Planning Commission Report No PC-05-004 Page 15 of 90

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# PROJECT DATA SHEETS ATTACHMENT 10 PROJECT DATA SHEETS ATTACHMENT Commission Report No PC-05-004

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PROJ	ECT DATA S	HEET F
PROJECT NAME:	Hillel of San Diego (Pha	The second se
PROJECT DESCRIPTION:	Continue use of an existing Single-family residence for religious purposes until Phase II approved for occupancy.	
COMMUNITY PLAN AREA:	La Jolla Shores Planned District / La Jolla Community Plan	
DISCRETIONARY ACTIONS:	Planned and Site Development Permits, Easement Abandonment, Street Vacation and Street Dedications	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential / Single-family	
	A C.6 percent feet existing feet existing -feet existing feet existing paces to be maintained / 2	required when reverted back to
Sir	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	R1-5000	College Campus
non m.		Conege campus
SOUTH:	SF	Single-family residential
	SF SF	
SOUTH:		Single-family residential
SOUTH: EAST:	SF R 1-5000 Deviations to the Street of Cliffridge Avenue and	Single-family residential Single-family residential/vacant Vacant land/Youth athletic field Design Manual for the intersection d La Jolla Scenic Drive North edestrian path and utility space

 ATTACHMENT NO 4ttachment 10
On January 18, 2005, the LPJanhinghOomMission Report No PC-05-004 Advisory Board voted 5-0 on three separate motions to Page 20 of 90 Deny the project as proposed.

ATTACHME 10

## PROJECT DATA SHEET

PROJECT NAME:	Hillel of San Diego (Phase II)
PROJECT DESCRIPTION:	Construction of a new 12,100 square-foot Jewish student religious center over a 17,000 square-foot subterranean parking garage.
COMMUNITY PLAN AREA:	La Jolla Shores Planned District/La Jolla Community Plan
DISCRETIONARY ACTIONS:	Planned and Site Development Permits, Easement Abandonment, Street Vacation and Street Dedication
COMMUNITY PLAN LAND USE DESIGNATION:	Residential / Single-family

ZONE: SF (Single-family residential) within the La Jolla Shores Planned District. Permits single-family residential and Churches, Temples and buildings used for religious purposes

HEIGHT LIMIT: 30-Foot maximum height limit.

LOT SIZE: 35,069 square-feet gross/ 25,069 square-feet net

FLOOR AREA RATIO: N/A

FRONT SETBACK: 14-feet (La Jolla Scenic Way).

STREETSIDE SETBACK: 14-feet (La Jolla Scenic Drive North).

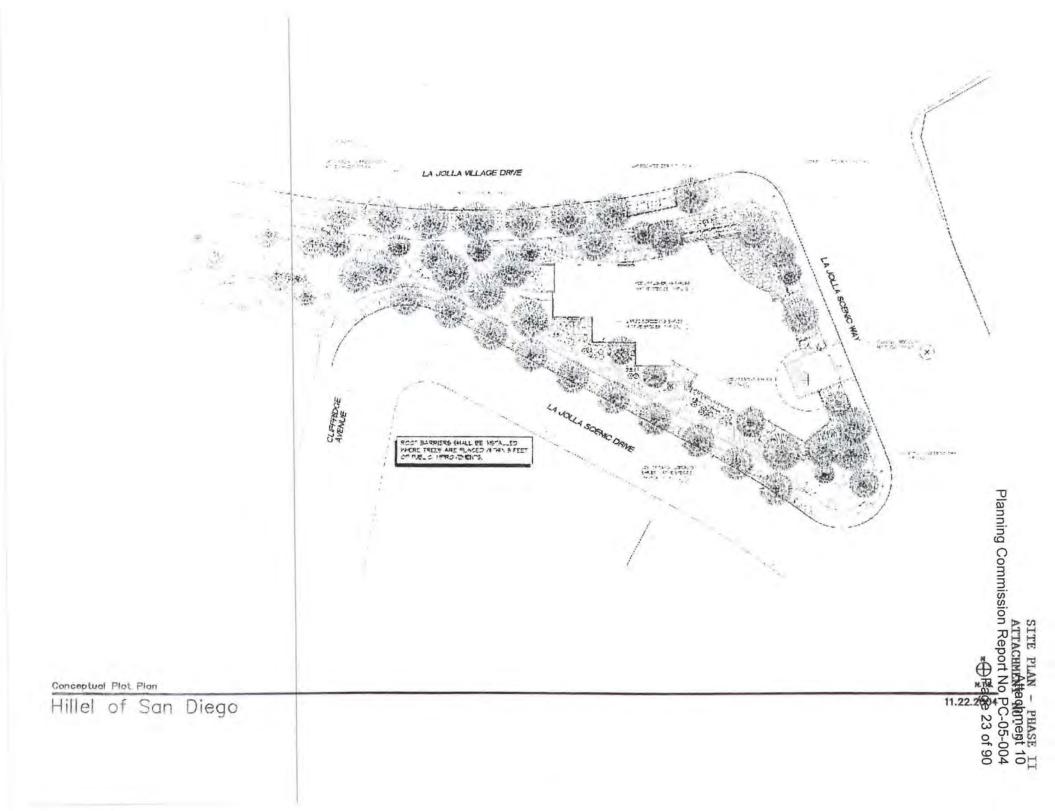
STREETSIDE SETBACK: 12-feet (La Jolla Village Drive)

**REAR SETBACK: N/A** 

PARKING: 40-off street spaces on-site/27 spaces off-site/additional off-site spaces through shared parking agreements.

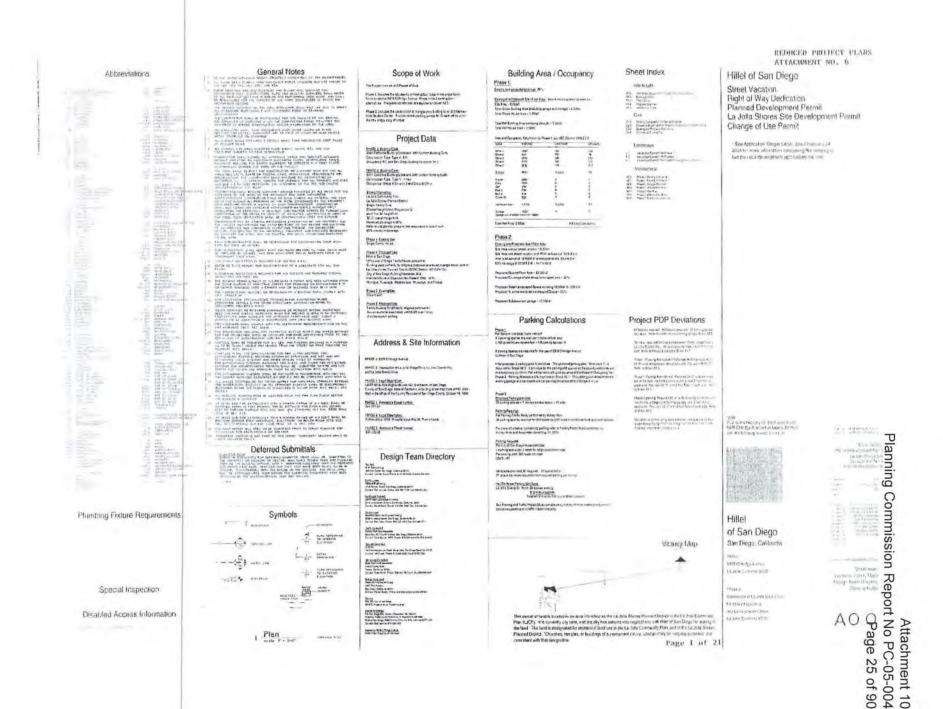
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	R1-5000	College campus
SOUTH:	SF	Single-family residential
EAST:	SF	Single-family residential
WEST:	SF/R1-5000	Single-family residential / vacant lands
DEVIATIONS OR VARIANCES REQUESTED:	Deviations to the Street Design Manual for the intersection of Cliffridge Avenue and La Jolla Scenic Drive North knuckle, width of bike/pedestrian path and utility space within the curb-to-propertyline distance.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Chi Bebruary 3, 2005, the La Jolla Community Planning Sourcadous is scheduled to bear this project. If action of schemut will be unally presented to the Planning	

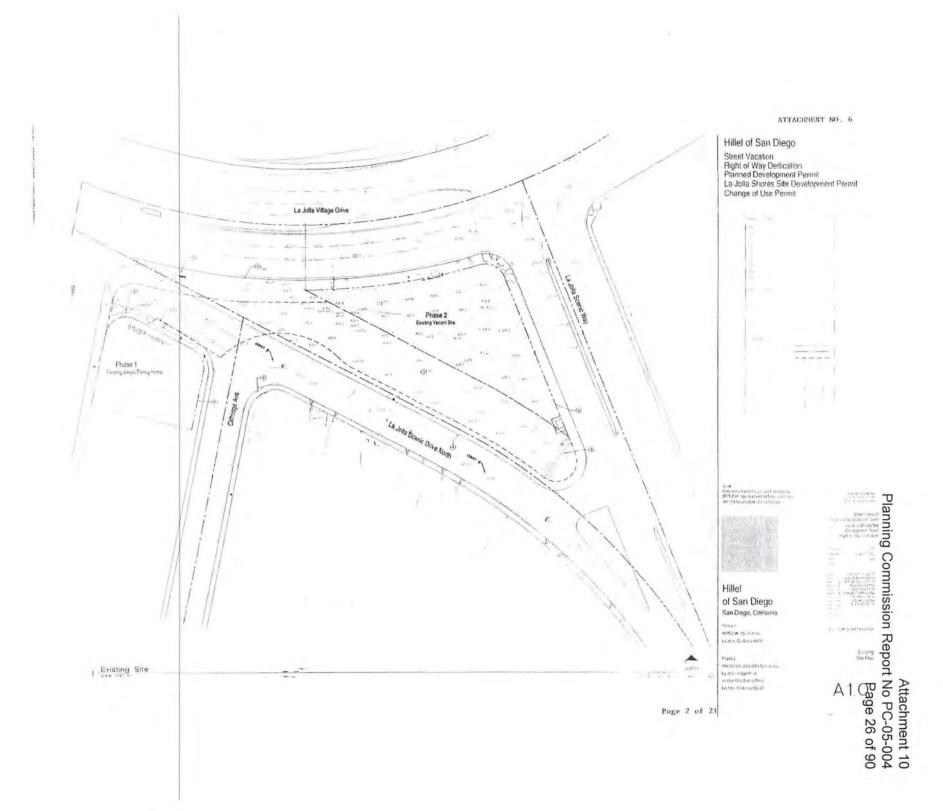
Commission.	Planning Commission Report No PC-05-004
	5, the La Jolla Shores Planned District Page 22 of 90
Advisory Board vot	ed 5-0 on three separate motions to
Deny the project as	proposed.

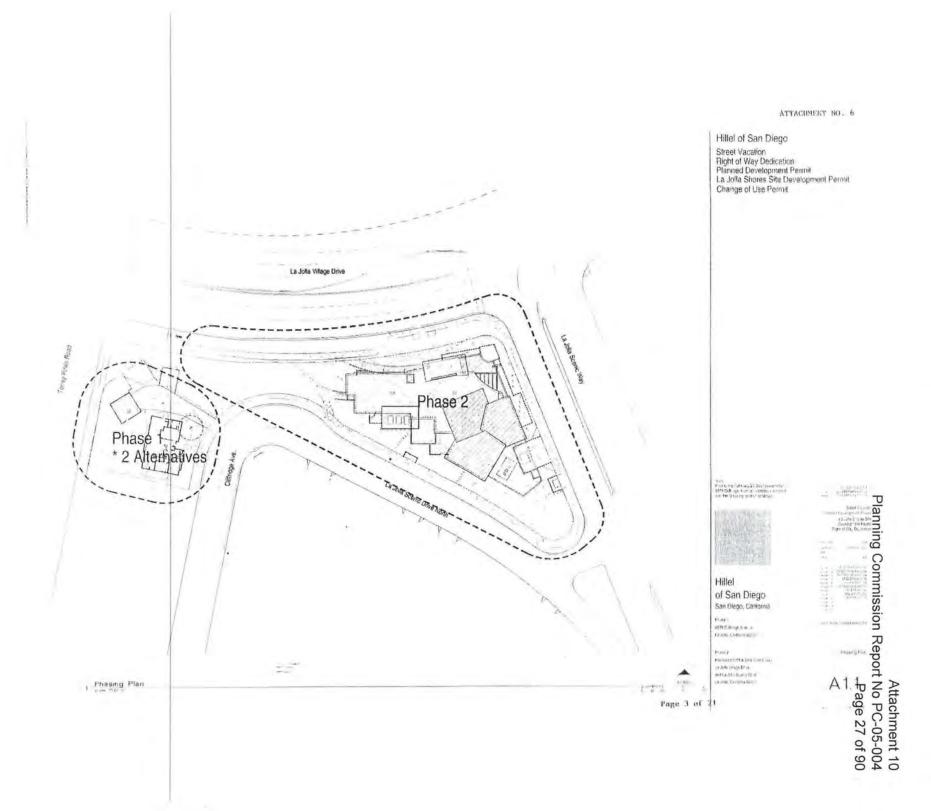


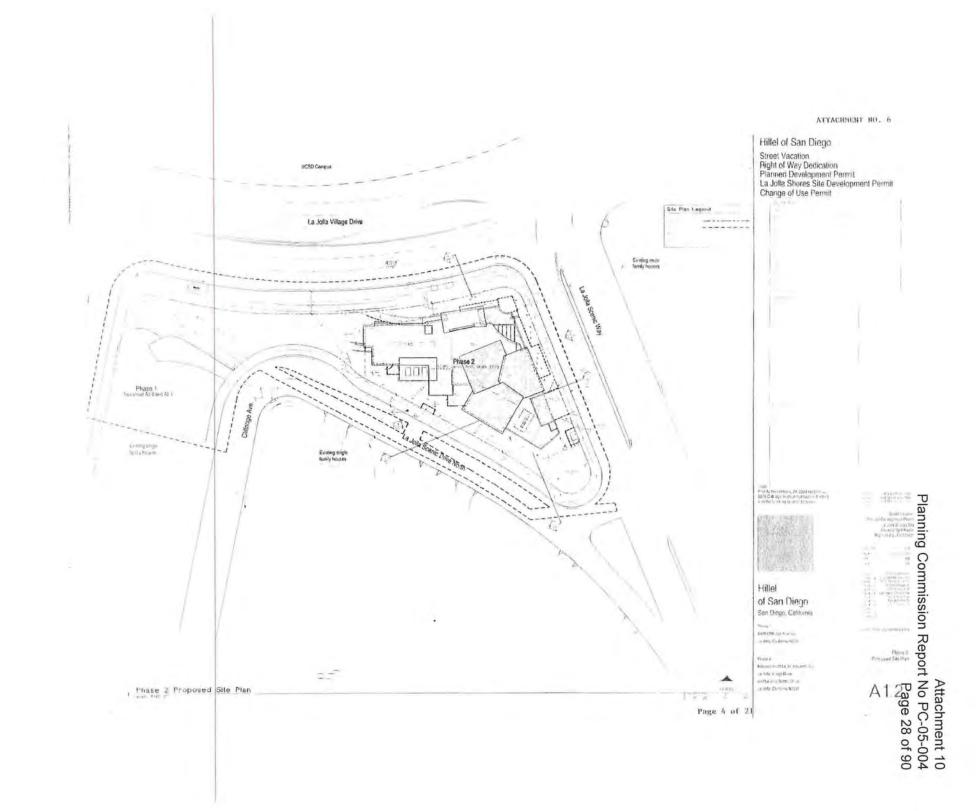
Attachment 10 Planning Commission Report No PC-05-004 Page 24 of 90

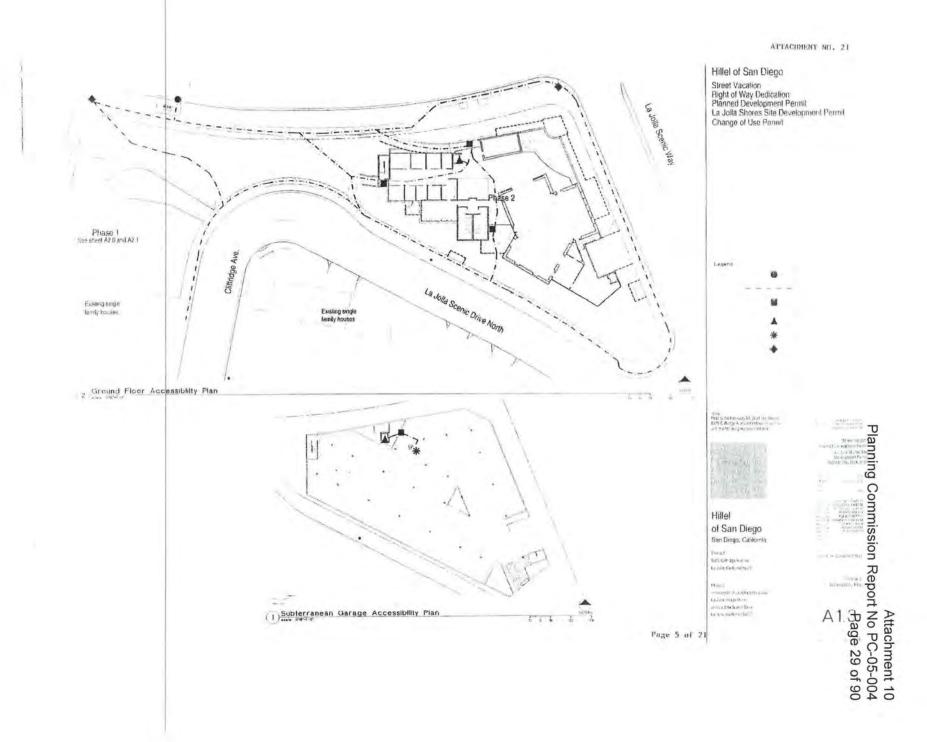
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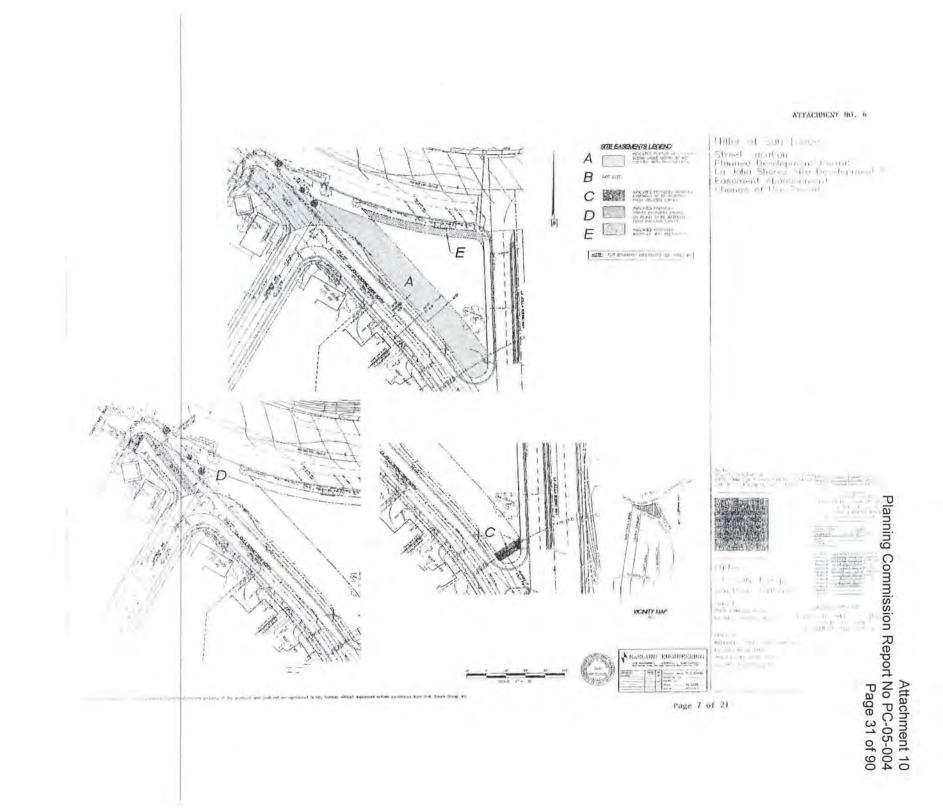


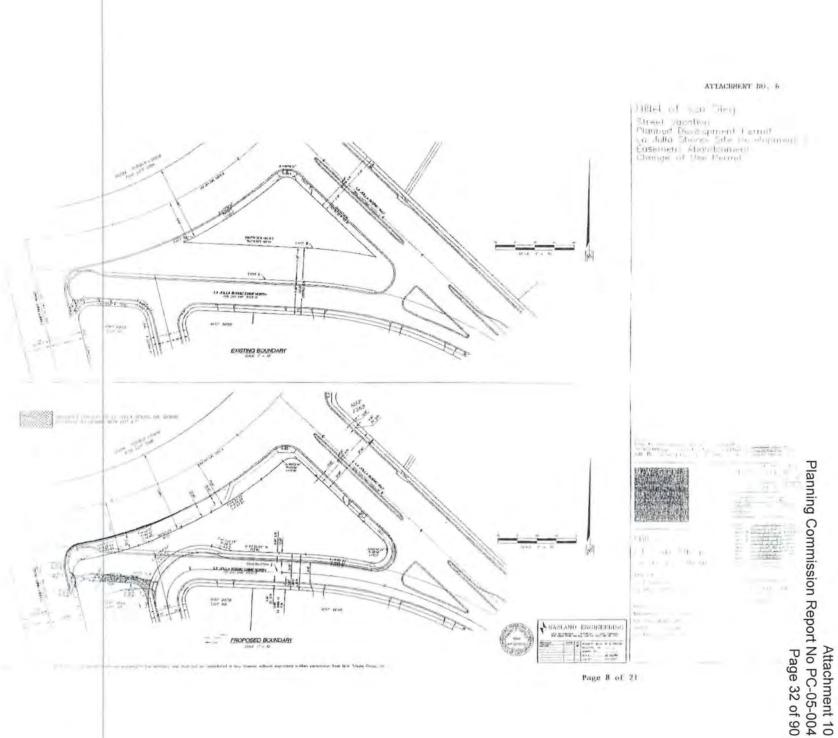




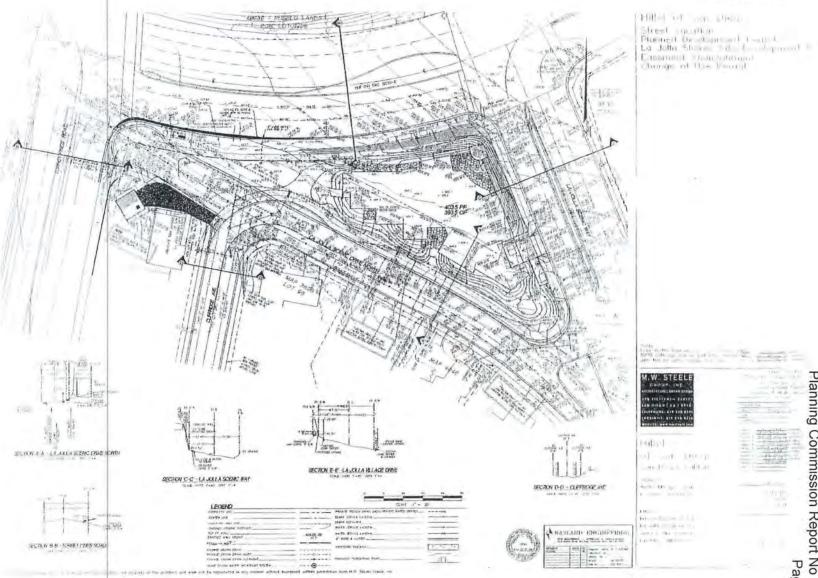
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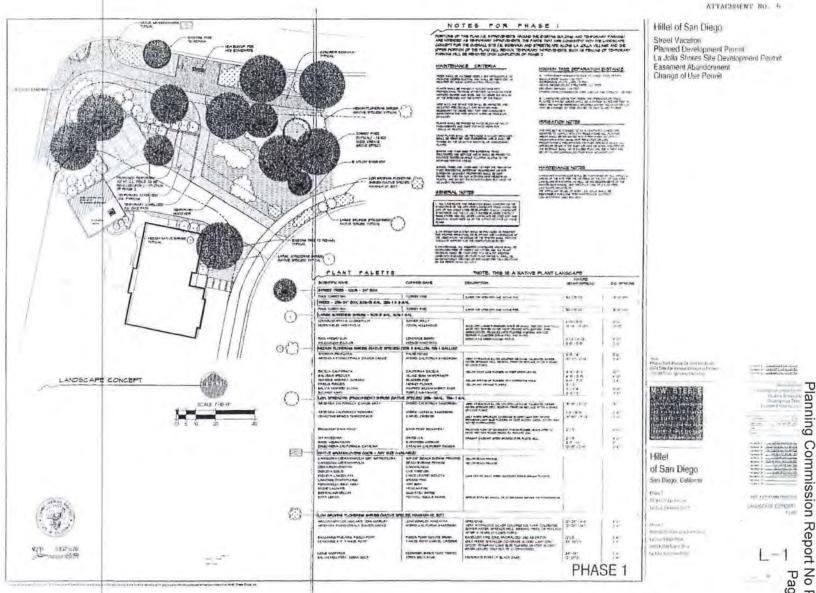
#### ATTACHMENT NO. 6



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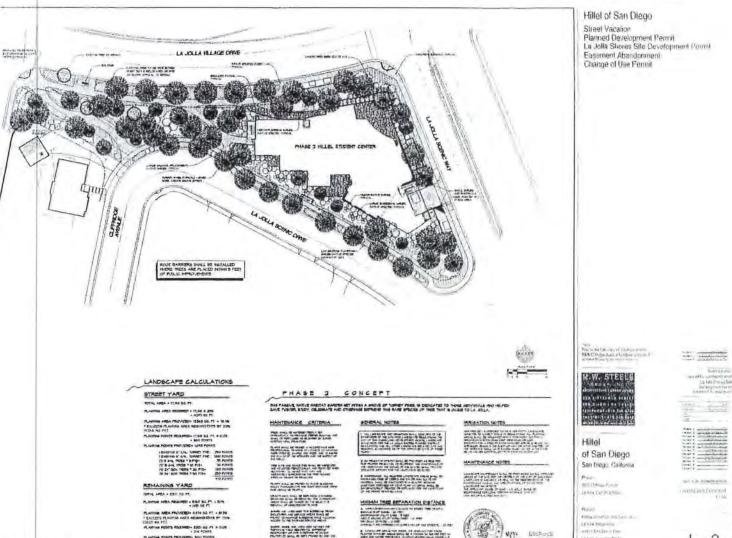
Attachment 10 Commission Report No PC-05-004 Page 33 of 90

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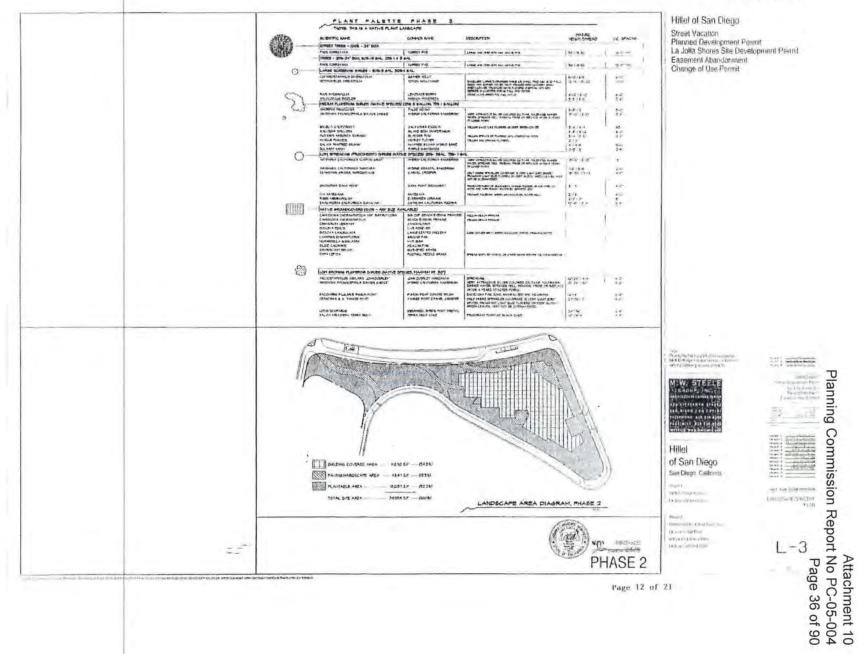
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Planning Commission Attachment 10 Report No PC-05-004 2 Page 35 of 90

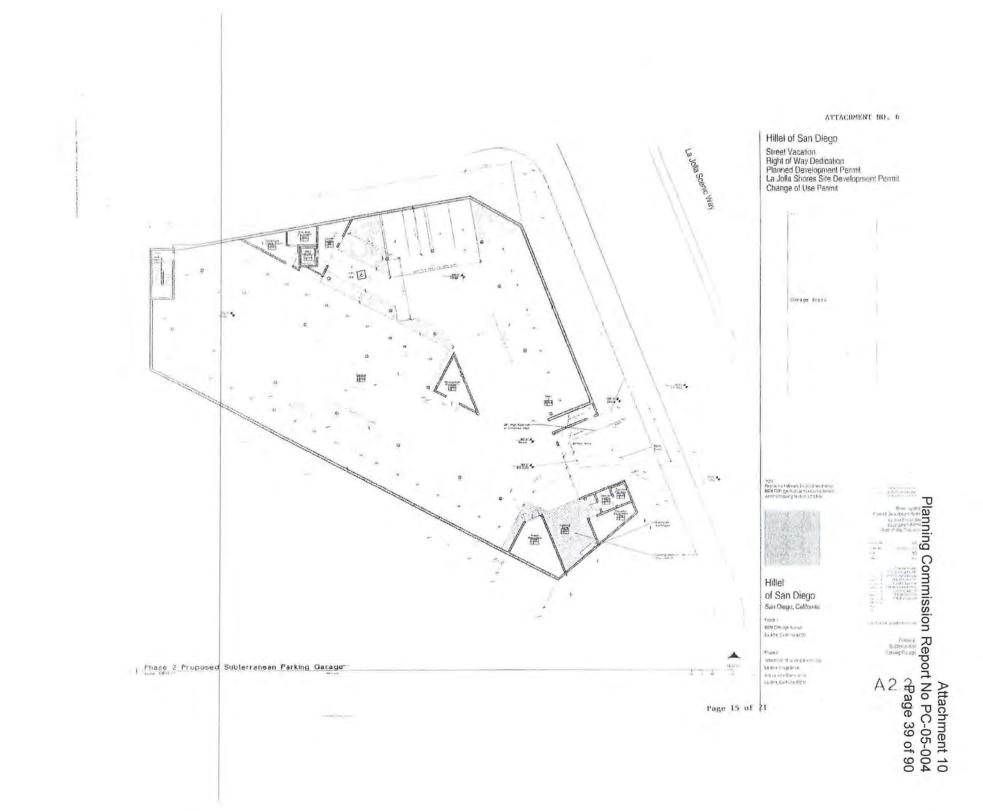
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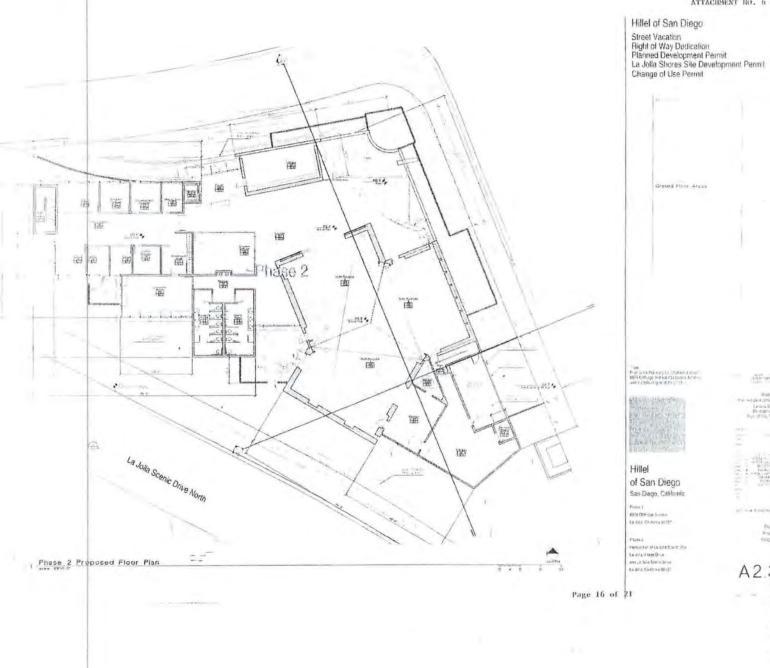




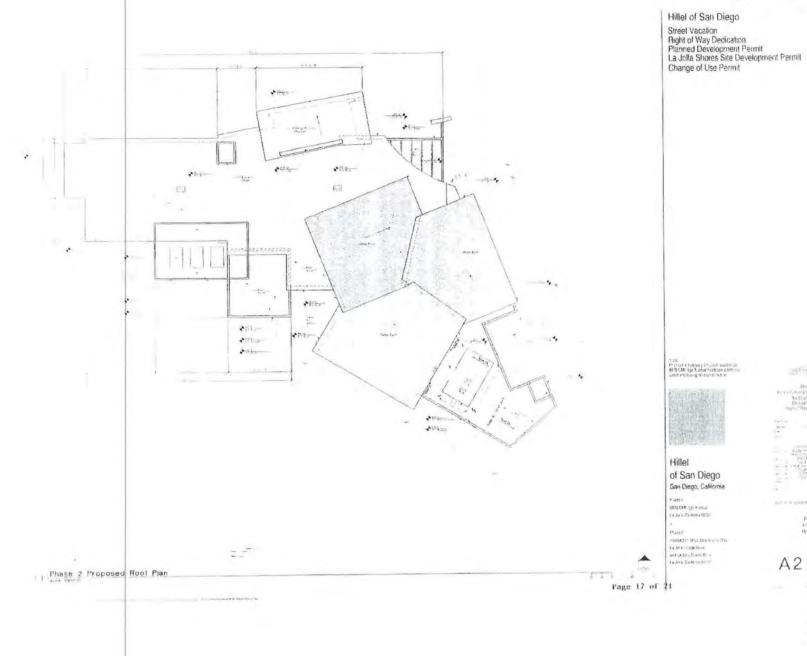




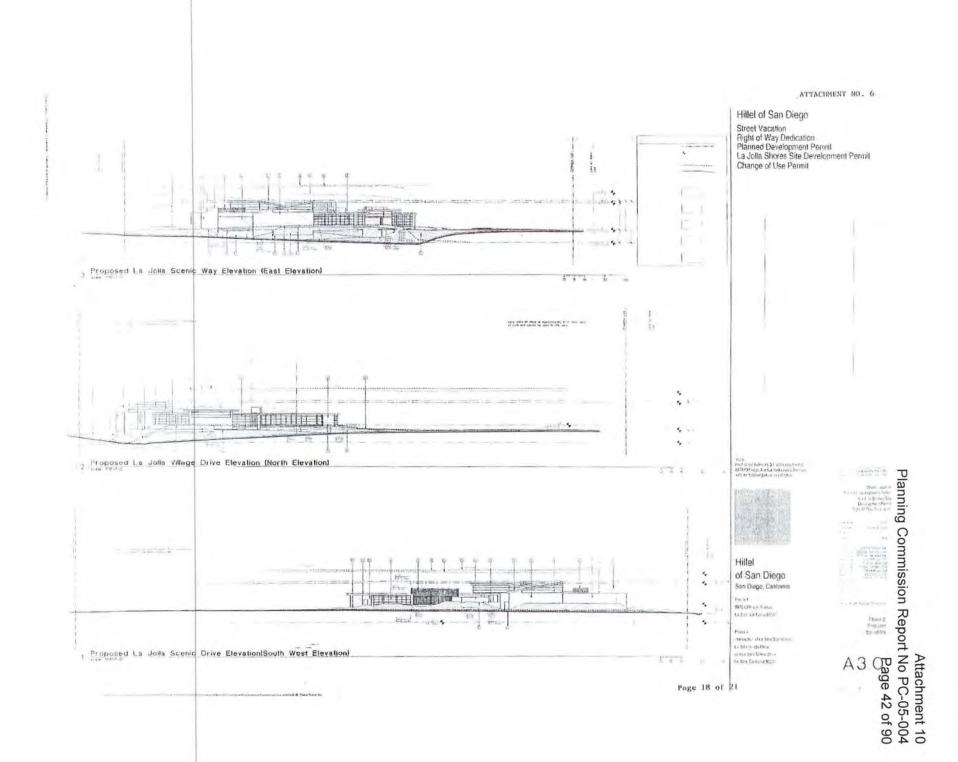
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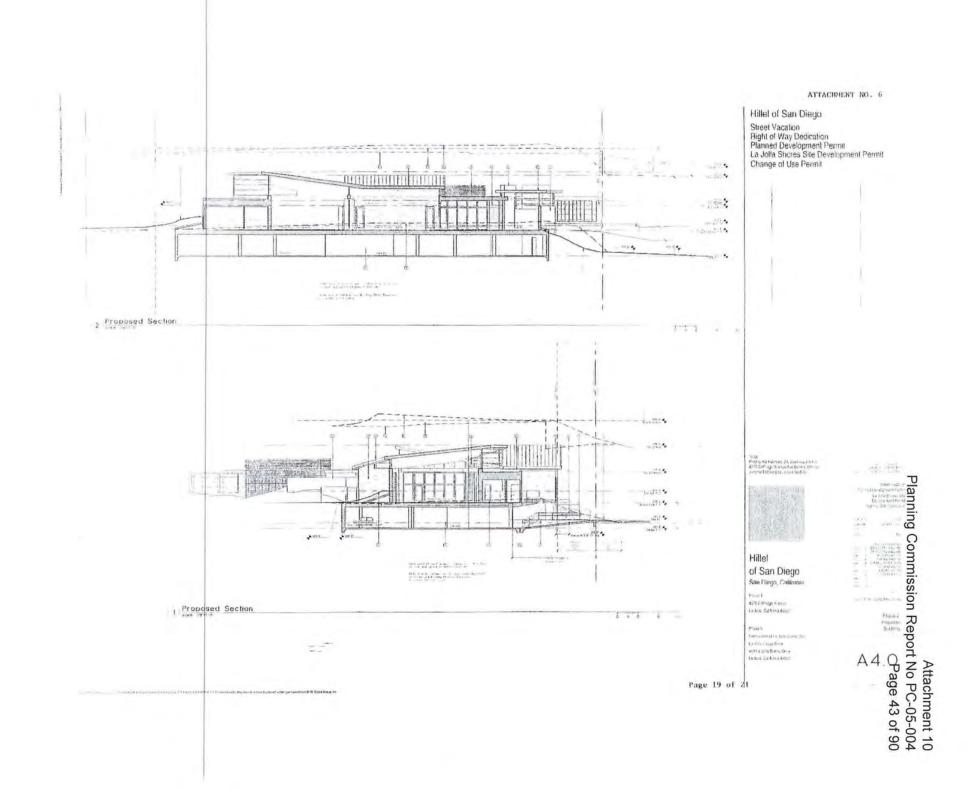


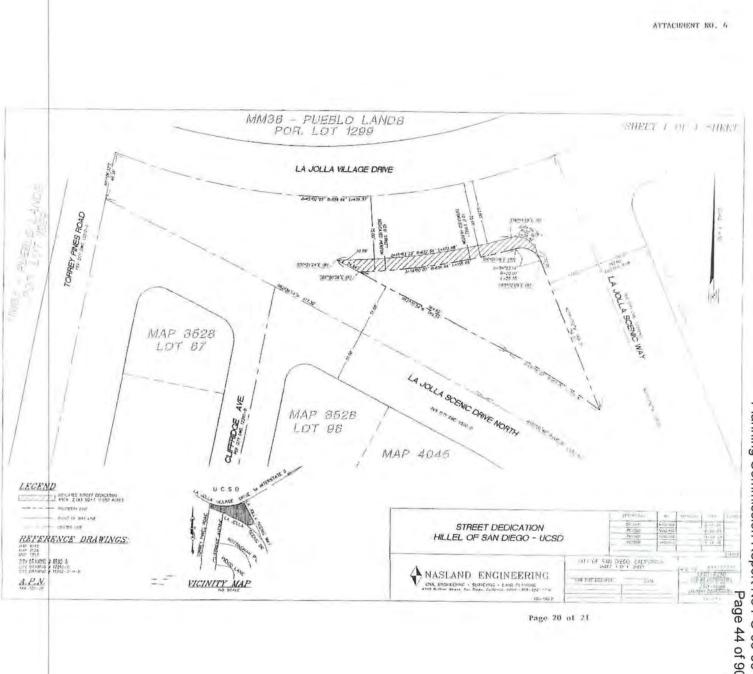
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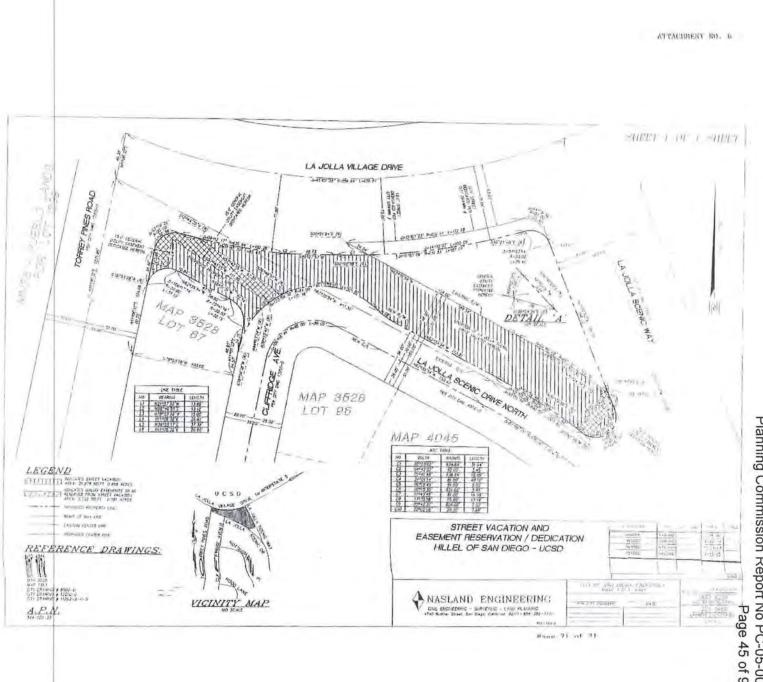


Attachment 10 Planning Commission Report No PC-05-004 4Page 41 of 90 A









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DRAFT PLANNED AND SITE DEVELOPMENT TO Planning Commission Report No PC705-004 Page 47 of 90

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

WHEN RECORDED MAIL TO

CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-1438

#### PLANNED DEVELOPMENT PERMIT NO. 158095 SITE DEVELOPMENT PERMIT NO. 158094 LOT LINE ADJUSTMENT PARCEL MAP NO. 188004 HILLEL OF SAN DIEGO (MMRP) – PROJECT NO. 6098 CITY COUNCIL

This Planned Development Permit No. 158095 and Site Development Permit No. 158094, is granted by the City Council of the City of San Diego to ROBERT MARSHALL, an Individual, Owner, and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase I) and CITY OF SAN DIEGO, a Municipal Corporation, Owner, and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase II), pursuant to San Diego Municipal Code [SDMC] Sections 126.0601. 126.0501 and 103.0300. The 8,882 (post lot-line adjustment) square-foot Phase I site located at 8976 Cliffridge Avenue and the 33,518 (23,518 square-feet developable) square-foot Phase II site is within the triangular area known as Site 653 bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North in the SF (single-family) zone of the La Jolla Shores Planned District, Coastal Height Limit and Parking Impact Overlay (Campus Impact Area), all within the boundaries of the La Jolla Community Plan. The project site is legally described as: Phase I: Lot 67, La Jolla Highlands, Unit No. 3, Map No. 3528; and Phase II: A Portion of Lot 1299, Pueblo Lands, Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittees to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular shaped parcel with a 12,000 square-foot Jewish student religious center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated April xx, 2005, on file in the Development Services Department.

The project or facility shall include:

a. Phase I: Continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy; and

Page 1 of 13

Phase II: The development of a two-level Jewish student religious center consisting of an upper level main floor plan use are of 12,000 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 40 vehicles, trash enclosures and elevators; and

b. A Lot-line Adjustment Parcel Map for the vacated right-of-way of La Jolla Scenic Drive North between Phase I and Phase II to assure sufficient right-of-way for continued access to the required off-street parking when the Phase I terminates and the structure reverts to residential use.

c. Landscaping (planting, irrigation and landscape related improvements) with existing landscaping at the residence at 8976 Cliffridge Avenue to be maintained, the 23,518 square-foot Hillel center to be landscaped and maintained in accord with the approved Exhibit 'A' Landscape Plan subject to the conditions contained herein, and the required public benefit 10,000 square-foot area between the Phase I and II sites; and

d. Off-street parking facilities to be maintained on both the Phase I and II sites as conditioned herein, and the requirement for off-site parking required for the use and events associated with Phase II; and

- e. Fencing, walls, decorative site features and signage; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

# STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

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

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

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.

4. This Permit 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.

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

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

7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this 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 the special rights which the holder of the Permit is entitled as a result of obtaining 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 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. This Permit may be utilized in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits, dated April xx, 2005).

11. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act (ADA) requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

12. The Phase I continued use of the residentially constructed house at 8976 Cliffridge Avenue for religious purposes shall continue, subject to the applicable conditions of this permit, until Phase II is completed and ready for occupancy. As Phase II is utilized for Hillel purposes, Phase I shall terminate and the owner of the residence will convert the use of the site back to single-family residential. Should the owner desire to utilize the residence and property for some other use permitted by the SF zone of the La Jolla Shores Planned District, the owner shall apply for a separate Site Development Permit.

#### ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

14. As conditions of this Planned Development Permit No. 158095 and Site Development Permit No. 158094, the mitigation measures specified in the MMRP, and outlined in the ENVIRONMENTAL IMPACT REPORT NO. 6098, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the ENVIRONMENTAL IMPACT REPORT NO. 6098 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

# Paleontological Resources and Parking

16. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

17. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

# ENGINEERING REQUIREMENTS:

18. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.

19. The drainage system proposed for this development, as shown on the approved plans, is subject to approval by the City Engineer.

20. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of sidewalk on La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North along the property frontage, new curb, gutter and sidewalk along the vacated area at Cliffridge Avenue and La Jolla Scenic Drive North, a connection to the City storm drain in La Jolla Scenic Way, 3 sidewalk underdrains (one in each adjacent street), a pedestrian ramp at La Jolla Village Drive and La Jolla Scenic Way and a 24-foot driveway on La Jolla Scenic Way, all satisfactory to the City Engineer.

22. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

23. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

24. Prior to the issuance of any construction permits, the applicant 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.

25. Prior to the issuance of any building permits, the applicant shall process the street vacation and dedication drawings and drawings for the easement reservations, all satisfactory to the City Engineer.

26. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for two (2) D-27 sidewalk underdrains (in La Jolla Village Drive and La Jolla Scenic Drive North) and a connection to the City drain system.

# LANDSCAPE REQUIREMENTS:

27. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

28. Prior to issuance of any grading permits or construction permits for structures, complete landscape construction documents, including planting plans, irrigation plans, details and notes, shall be submitted to the Development Services Department for approval. The plans shall be in substantial conformance to Exhibit "A", on file in the Office of the Development Services Department.

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

30. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 square feet 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. 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 City Manager within 30 days of damage and prior to issuance of a Certificate of Occupancy.

32. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

33. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A No Fee Street Tree Permit shall be obtained for the installation, establishment and on-going maintenance of all street trees.

# TRANSPORTATION REQUIREMENTS:

34. The project shall provide an additional 27 off-site parking spaces through a shared parking agreement(s) for Hillel's weekly Shabbat services. The 27 parking spaces shall be available from 1 hour prior to the event until 1 hour after each Shabbat Service.

35. The project shall provide an additional 75 off-site parking spaces through a shared parking agreement(s) for Hillel's special events. The 75 parking spaces shall be available from 1 hour prior to the event until 1 hour after each event.

36. Prior to the issuance of the first building permit, a shared parking agreement shall be provided between Hillel and the off-site parking provider(s) for the required off-site parking spaces, satisfactory to the City of San Diego.

37. Hillel shall provide a shuttle service between the off-site parking location(s) and the Hillel facility for both weekly Friday Shabbat services and the occasional special events. If the off-site location is within 600-feet of the Hillel site, no shuttle service will be required.

38. During Shabbat services and special events, signs shall be placed and maintained in front of the project clearly indicating available parking spaces at the off-site location(s).

39. During Shabbat services and special events, signs shall be placed and maintained at the entrance of the off-site parking location(s) clearly indicating that parking spaces are available for Hillel.

40. No fewer than 6 temporary parking spaces shall be constructed in the vacated/abandoned portion of La Jolla Scenic Drive North right-of-way (as shown on Exhibit "A") for the use of the 8976 Cliffridge Avenue site (Phase I). These temporary parking spaces shall be removed and the area restored upon the completion of the project at Site 653 (Phase II).

41. No fewer than 6 on-site parking spaces shall be maintained on 8976 Cliffridge Avenue (Phase I) in the event that the Hillel project is not constructed on Site 653 (Phase II) in the approximate locations shown on the approved Exhibit "A", on the file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

42. No landscaping and/or hardscaping more than 30-inches in height shall be placed in the visibility triangle as shown on Exhibit "A".

43. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, construction of new pedestrian curb ramps at the intersections of La Jolla Village Drive / La Jolla Scenic Way and Torrey Pines Road / La Jolla Village Drive, satisfactory to the City Engineer.

44. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, reconstruction of La Jolla Scenic Drive north along its frontage between La Jolla Scenic Way and Cliffridge Avenue to provide 34 feet of pavement, curb, gutter and sidewalk, with 12 feet curb to property line distance, satisfactory to the City Engineer.

45. Prior to the issuance of the first building permit, applicant shall assure by permit and bond removal of the existing stop sign, stop legend and limit line at the intersection of Cliffridge Avenue / La Jolla Scenic Drive North, satisfactory to the City Engineer.

46. Prior to the issuance of the first building permit, applicant shall assure by permit and bond removal of the existing pedestrian curb ramp at the intersection of Cliffridge Avenue / La Jolla Scenic Drive North, satisfactory to the City Engineer.

47. Prior to the issuance of the first building permit, applicant shall assure by permit and bond installation of curve warning signs in advance of the intersection of Cliffridge Avenue / La Jolla Scenic Drive North, satisfactory to the City Engineer.

48. Prior to the issuance of the first building permit, applicant shall assure by permit and bond installation of double yellow center line along the curve on Cliffridge Avenue and La Jolla Scenic Drive North, satisfactory to the City Engineer.

49. Prior to the issuance of the first building permit, applicant shall dedicate approximately 5-feet along project frontage on La Jolla Village Drive (as shown on Exhibit "A") and shall assure by permit and bond, reconstruction of curb, gutter, contiguous and non-contiguous sidewalk, with 22-feet curb-to-property line distance, satisfactory to the City Engineer.

50. Prior to the issuance of the first building permit, applicant shall assure by permit and bond construction of a 10-foot wide pedestrian/bicycle path between La Jolla Scenic Drive North and Torrey Pines Road, satisfactory to the City Engineer.

51. The gate to the subterranean garage shall be monitored by Hillel's staff during all gatherings.

52. Prior to the issuance of the first building permit, the applicant must submit a Transportation Demand Management (TDM) Plan. The TDM Plan shall include the following:

a) Provide staff at both Hillel facility and the off-site location to monitor parking for occasional special events.

b) Publicize the availability of off-site parking and transportation prior to the occasional special events.

c) Annual post-occupancy parking demand study shall be conducted by Hillel for Shabbat services and occasional special services for 3 years after the facility becomes operational, satisfactory to the City Engineer. If post occupancy study indicates need for additional off-site parking, then Hillel shall secure the additional needed parking spaces, satisfactory to the City of San Diego. If post occupancy study indicates that Hillel has no need for the required off-site parking spaces, then those spaces do not need to be provided. The parking demand study should also include an annual summary of the type and frequency of the events that take place at Hillel's facility. The parking demand study should also monitor the use of the on-street parking in the vicinity of the project and eliminate any adverse impact of the project on the on-street parking.

# PLANNING/DESIGN REQUIREMENTS:

53. Hillel hours of operation shall be limited to 7:00 A.M. to 10:00 P.M. daily and events will be concluded by 10:00 P.M., allowing for 11:00 P.M. clean up and closing of the facility. Hillel may observe Jewish holidays, customs and ritual practices for High Holiday, Shavuot, Purim, Passover and other Jewish special observances provided that the above hours of operation shall observed and these occasional events shall comply with Condition No. 54 of this Permit.

54. Occasional events will be limited to no more than 12 in a calendar year. Occasional event parking demands will be met by the mitigation outlined in the traffic and parking study that is conditioned upon the project.

55. No fewer than 40 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

56. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance

from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

57. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

58. 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 Permittee.

59. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

60. No building additions shall be permitted unless approved by the City Manager.

61. All signs associated with this development shall be consistent with sign criteria established by the La Jolla Shores Planned District Ordinance.

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

63. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

64. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

65. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.

# LONG-RANGE PLANNING:

66. The cul-de-sac area proposed for vacation shall be retained in perpetuity for public pedestrian and bicycle access. The area shall not be gated or otherwise obstructed to prevent free movement and public access. In addition, the project shall incorporate signage which identify this area as public access to the satisfaction of the City Planner.

#### WASTEWATER REQUIREMENTS:

67. Prior to issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of realignment of the existing 8" public sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue in a fashion acceptable to the Metropolitan Wastewater Department Director.

68. Prior to issuance of any building permits, the developer shall prepare appropriate public improvement plans for the construction of realignment of the existing 8" sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue acceptable to the Metropolitan Wastewater Director, reviewed and approved by the Wastewater Plan Check Section.

69. Prior to the final inspection of any building permit, the developer shall have the construction of the realignment of the existing 8" sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue completed per approved plans and satisfactory to the wastewater Department Director and the City Engineer.

70. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be re-designed.

71. All proposed private sewer facilities that serve more than one lot are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Accordingly, improvement drawings and inspection by the Field Engineering Division will be required.

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

73. The project has a parking structure which is below grade, and it is in a zone where the Regional Water Quality Control Board (RWQCB) will not issue permits to discharge pumped ground water. Hence, the underground structure will shall be designed: a) water-tight with no sump pumps, b) to withstand any hydrostatic pressure that may result from surface water percolation or ground water, and c) for hydraulic uplift.

# WATER REQUIREMENTS:

74. Prior to the issuance of the first foundation, building or grading permit, the Owner/Permittee shall cut, plug and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North right-of-way to be vacated, from La Jolla Scenic Way to Torrey Pines Road, in a manner satisfactory to the Water Department Director and the City Engineer.

75. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of public 16-inch water facilities and the cut, plug and abandonment of the existing public 8-inch water facilities within the La Jolla Scenic Drive North right-of-way, from

La Jolla Scenic Way to Torrey Pines Road, and connect to the 16-inch mains all existing water services still in service adjacent to the project, in a manner satisfactory to the Water Department Director and the City Engineer.

76. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s), including domestic, fire and irrigation, and the disconnection at the mains of all existing unused water services adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

77. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permit(s) for the installation of private back flow prevention device(s) on all water services to the development, including all domestic, fire and irrigation services, in a manner satisfactory to the Water Department Director and the City Engineer. All backflow prevention devices shall be located above grade and outside of any private structures.

78. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall install and/or replace fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

79. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall design and construct new public water facilities, into acceptable alignments and rights-of-way, in the event any public water facility in the vicinity of the project site loses integrity due to the construction and grading activities associated with this development, in a manner satisfactory to the Water Department Director and the City Engineer.

80. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall grant acceptable water easements over all public water facilities located outside of fully improved public rights-of-way, in a manner satisfactory to the Water Department Director and the City Engineer. Minimum water easement width, for exclusive use of public water mains with no appurtenances, shall be 15-feet-wide.

81. Prior to the first final inspection of any building permit for the Hillel of San Diego project, all public water facilities necessary to serve this development shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

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

# MAPPING:

83. A Lot-line Adjustment Parcel Map will be filed in conjunction with the vacation of the public right-of-way for that portion of La Jolla Scenic Drive North reverting to Lot 67. La Jolla Highlands Unit No. 3, map No. 3528 and the Portion of Lot 1299, Pueblo Lands, Misc. Map No. 36, for the benefit of Lot 1299 but assuring access to Lot 67 for the required off-street parking, as shown on Exhibit 'A' and to the satisfaction of the City Engineer.

#### INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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.

APPROVED by the City Council of the City of San Diego on April xx, 2005, Resolution No. RRxxxxxxxxxx.

ATTACHMENT NO. 7 Attachment 10 Planning Commission Report No PC-05-004 Page 59 of 90

AUTHENTICATED BY THE CITY MANAGER

Ву\_\_\_\_\_

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.

> [NAME OF COMPANY] Owner/Permittee

Ву\_\_\_\_\_

Ву\_\_\_\_\_

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

Rev 7/15/04 dcj

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DRAFT PLANNED AND SITE DEVELOPMENT PERMIT RESOLUTION AND ATTACHMENT 10 Planning Companies on Report No PC-05-004 Page 61 of 90

#### **Resolution for Approving/Denying Permits**

#### (R-INSERT)

#### RESOLUTION NUMBER R-NUMBER MITIGATED NEGATIVE DECLARATION NO. 6098

#### ADOPTED ON APRIL XX, 2005

WHEREAS, ROBERT MARSHALL, an Individual, Owner and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase I) and CITY OF SAN DIEGO, a Municipal Corporation, Owner and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase II), filed an application with the City of San Diego for a Planned Development Permit No. 158095 and a Site Development Permit No. 158094, to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular shaped parcel with a 12,000 square-foot Jewish student religious center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, located at 8976 Cliffridge Avenue (Phase I) and within the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North (Phase II), and legally described as Lot 67, La Jolla Highlands, Unit No. 3, Map No. 3528 (Phase I) and a Portion of Lot 1299, Pueblo Lands, Miscellaneous Map No. 36, in the La Jolla Shores Planned District and La Jolla Community Plan area, in the SF (Single-family) zone; and

WHEREAS, on February 10, 2005, the Planning Commission of the City of San Diego considered Planned Development Permit No. 158095 and Site Development Permit No. 158094, and pursuant to Resolution No. XXXX-PC voted to "Recommend City Council approval of the permits"; and

WHEREAS, the matter was set for public hearing on April XX, 2005, testimony having

been heard, evidence having been submitted, and the City Council having fully considered the

matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following

findings with respect to Planned Development Permit No. 158095 and Site Development Permit

No. 158094:

#### Planned Development Permit - Section 126.0604

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

The proposed development consists of a Phase I plan to continue use of a single-family residence at 8976 Cliffridge Avenue as religious offices with the addition of six off-street required parking spaces until such time as the Phase II improvements are approved for occupancy, at which time the owner of the residence will revert it back to residential use and maintain two off-street parking spaces.

Phase II consists of the construction of a 12,000 square-foot Jewish student center above a subterranean 40-space parking garage of 17,000 square-feet of area. The Phase II site is a triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North. Development of the site will also require easement reservations and street vacations and dedication. A 10,000 square-foot landscaped area required by the City Council will be developed between the existing residence and new Hillel facility. To the north is the campus of the University of California at San Diego while a vacant area and youth athletic fields lie to the west with a detached single-family to the immediate south and a Planned Residential Development to the east.

This development is located within the SF (Single-family) zone of the La Jolla Shores Planned District within the La Jolla Community Plan boundary. The SF zone permits use for churches, temples and buildings of a religious nature. The Hillel facility is for a Jewish student center, serving primarily the Jewish student population on the neighboring college campus, where religious services will take place on-site. The Planned Development Permit addresses specifically the inability to meet all parking needs on-site through the reasonable square-footage of the functionable space and the capability to supply all parking on the site. The City Council has required the retention of 10,000 square-feet of landscaping as a public amenity and the triangular shape of the parcel, even with the additional site area gained by the street vacations, constrains the ability to design sufficient parking on-site. The applicant has secured off-site parking at two locations to meet the 67 off-street parking space requirement for Friday evening Shabbat services and one location for the 115 off-street parking spaces are provided on-site. Additional off-site parking will meet needs for higher attendance religious services and occasional special events. Deviations from the Street Design Manual by the City Engineer address bikeway/pedestrian path width requirements from the intersection of La Jolla Village Drive/Torrey Pines Road to La Jolla Scenic Drive/Cliffridge Avenue, the intersection design for Cliffridge Avenue/La Jolla Scenic Drive North, for the back of sidewalk utility width area along the La Jolla Scenic Drive North frontage, and for driveway/curb cut widths at 8976 Cliffridge Avenue and the Phase II garage entry.

With development of the site in compliance with the approved Exhibit 'A' drawings and fulfillment of the conditions of approval, including monitoring of the parking needs, the development of this project will not adversely affect the applicable land use plans.

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

The development of the proposed Jewish student center, utilizing an existing singlefamily residence at 8976 Cliffridge Avenue and constructing a 12,000 square-foot facility over a 17,000 square-foot subterranean 40-space garage on a triangular parcel bounded by La Jolla Village drive, La Jolla Scenic Way and La Jolla Scenic Drive North, will not be detrimental to the public health, safety, and welfare.

The 42,400 square-foot site that includes the residence, area of City owned property known commonly as Site 653 and the area of proposed street vacations, is zoned SF (Single-family) within the boundaries of the La Jolla Shores Planned District and the La Jolla Community Plan. The use is specifically listed as a permitted use in the SF zone. The proposed development is requested to be a 2 phase project with the religious office use of the single-family residence terminating with occupancy of Phase II and the residence reverting back to residential use. The City Council required 10,000 square-foot landscaped area and a bike/pedestrian path required by City staff will separate the new religious student center from the adjacent single-family residence. The new structure lies across La Jolla Scenic Drive North from other residences. The design is a one-story elevation with mounded landscape area, a single entry point and minimal windows. The use inherently represents a larger structure for its different purpose but the overall design is relatively consistent to the neighborhood in low profile, materials, setbacks and landscape buffer. The subterranean garage is accessed from La Jolla Scenic Way on the east and the full impact of building mass is visible on the northeast corner of the site away from the residential neighborhood to the south.

A Mitigated Negative Declaration (MND) No. 6098, was completed on January 20, 2005, which determines that the development could have a significant environmental effect in the areas of Paleontological Resources and parking. A number of conditions for mitigation to a level below significance are incorporated in the environmental document and made conditions of approval for the project requested for development. Also considered during the preparation of the MND were Archaeological Resources, Biological Resources, Noise and Water Quality/Hydrology.

Additional consideration was given to compatibility requirements of the La Jolla Shores Planned District Ordinance. A survey of development within a 300-foot radius indicated that the Hillel facility, with its use of earth tone colored stucco, stone cladding, masonry blocks, earth tone colored concrete, wood siding, dual-glazed windows, metal trellis and metal roof, together with a one-story low profile elevation facing the residential neighborhood, would be compatible and in keeping with the intent of the Ordinance given that this use is different but in the same zone/neighborhood.

With conditions of approval and plans and exhibits on file for the development of the site, the development 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.

The proposed development of this two phased Jewish student center in an existing residence and adjoining vacant City owned tract of land generally located on the south side of La Jolla Village Drive and north side of La Jolla Scenic Drive North, complies with all regulations of the Land Development Code. The guiding land use regulations are contained in the La Jolla Shores Planned District Ordinance and the applicable SF zone regulations. The religious use of the site for religious services and as a Jewish student center, is a permitted use in the SF zone. The design of the new structure and associated site improvements is consistent with other development within the neighborhood, recognizing that the use is different from that of a single-family detached residence. The main project issue for this option constrained triangular shaped parcel, has been the ability to meet parking requirements on-site. While the facility will meet parking needs on-site for the Phase I religious office use of an existing single-family residence, the 40 parking spaces provided for the Hillel facility fall 27 spaces short of the 67 space requirement. The City staff has considered off-site parking through secured shared parking agreements and the applicant has obtained those for the required basic parking to the satisfaction of the City Engineer. Additional off-site parking for Friday evening Shabbat religious services and occasional special events has been secured through three shared parking agreements. This situation will require extra procedures for Hillel to perform to assure that the parking is utilized and works without negatively impacting the adjoining neighborhood. Monitoring by the City will be done and the parking situation can be re-evaluated for modifications to assure Hillel meets its parking needs.

With buildout compliance in accord with the approved Exhibit 'A' plans and compliance with all conditions of approval, the development will comply with all provisions of the Land Development Code.

#### The proposed development, when considered as a whole, will be beneficial to the community.

Although the development site for the proposed Hillel Jewish student center is within the SF zone of the La Jolla Shores Planned District and La Jolla Community Plan area, the 'community' includes the neighboring campus of the University of California at San Diego to the north within the boundaries of the University Community Plan which also

extends southerly on the east side of Gilman Drive. Communities within the confines of the City of San Diego have felt churches and places of a religious nature to be beneficial within the residential neighborhoods of the population they serve. Traditionally, churches have been permitted uses in the multi-family residential zones and by Conditional Use Permits in the single-family zones. When the La Jolla Shores Planned District was established, the SF zone covered all the prior existing City-wide residential zones and those previously developed church sites. The SF zone specifically permits churches, temples and buildings used for religious purposes. To meet the needs of students attending the neighboring college campus, other churches have established similar student centers or utilized previously church facilities in the area. Development within the La Jolla Shores Planned District requires a Site Development Permit to assure public review and compliance with land use development regulations. Increased landscaping, a bike/pedestrian pathway, non-contiguous sidewalks and parking access from La Jolla Scenic Way, all provide for a safer pedestrian scale project and lessens the direct impact of motor vehicles on the neighborhood.

The proposed development will serve Jewish students at the U.C. campus which represents a segment of the population of this 'community'. The scope of activities, hours of operation, no alcohol policy, requirement to keep the site cleaned up and monitoring of parking for the larger attendance programs assist in keeping this use a benefit to the community.

# 5. Any proposed deviations pursuant to Section 126.0602(b)(1) 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.

The 'Hillel' project is a Jewish student religious center currently using a single-family residence at 8976 Cliffridge Avenue for religious offices but planned to terminate with the anticipated development of the Phase II development and occupancy of a 12,000 square-foot facility over a 17,000 square-foot subterranean garage for 40 vehicles. The total site area of 42,400 square-feet of area will decrease to 33,518 square-feet when the residence reverts back to single-family residential use. A further reduction in developable area to 23,518 square-feet results from the development of the 10,000 square-feet of landscaped area required by the City Council at the intersection of La Jolla Village Drive/Torrey Pines Road, as a neighborhood amenity. Design and use of the site is further constrained by its triangular shape and maintaining a design profile compatible with the adjacent single-family neighborhood to the south, as required by the La Jolla Shores Planned District Ordinance.

From the start of negotiations with the City Council to develop this site and preliminary reviews with City staff, parking was recognized as problematic from the standpoint of providing the required minimum parking on-site to meet the needs of the projects multiuse area. The City will consider off-site shared parking if it is secured through agreements, meets criteria and can be conditioned and monitored to assure parking needs are satisfied. Parking for the facility has been calculated as 67 on-site parking spaces required but the architect cannot provide more than 40 on-site spaces in the garage and meet minimum floor area needs to all functions of the facility. This Planned Development Permit allows the City to evaluate off-site parking which the applicant has secured through two agreements with the University Lutheran Church and the Protea la Jolla Corporate Center for the additional 27 spaces required for Friday evening Shabbat services and through one additional agreement for the higher attendance occasional special events with Torrey Pines Christian Church. The City's Transportation staff has carefully analyzed the parking needs as well as the Planning Department staff, and it is felt that these agreements, if implemented and performed properly per the conditions of the accompanying permit, will serve the needs of the facility and not impose a burden on the neighborhood. A shuttle service will be implemented, signage posted, the users of the facility informed and communication between sites maintained. The City will monitor this situation and consider modifications to the conditions, uses and other aspects if warranted.

For the planned or anticipated highest use of the project, 115 off-street parking spaces are required. Only 40 spaces are accommodated on-site. For Friday evening Shabbat services, 67 off-street spaces are required based on the calculation of 200-seats for the worship area. To comply solely with the number of parking spaces available on-site, the worship area would have to be reduced to 120 seats. For the occasional special events, the 115 off-street parking spaces are only available if shared parking agreements are secured and operated by the parameters contained within the Site Development Permit.

The deviations are appropriate, assure parking needs met, allows for a better project given site constraints and landscaping required, and allows for the project to be considered beyond the strict application of development criteria for this unique site.

#### Site Development Permit - Section 126.0504

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

The proposed two-phased project site is located within the La Jolla Shores Planned District and the La Jolla Community Plan area. The combined site is 42,400 square-feet in area including public rights-of-way to be vacated. Phase I is an existing single-family residence on a 8,882 square-foot lot (post lot-line adjustment) currently in use as a religious office and related uses and Phase II is a 33,518 square-foot site required by the City Council of the City of San Diego to landscape a 10,000 square-foot area as a public benefit and a 23,518 square-foot development area proposed for a 12,000 square-foot Jewish student religious center with a 17,000 square-foot parking garage below.

The sites are zoned SF (Single-family) and designated for residential use. The SF zone permits single-family residences and Churches, Temples and buildings for religious purposes as permitted uses in conformity to the zone and Planned District Ordinance. The Phase I religious use of a single-family residence will terminate upon occupancy approval of the Phase II development and revert back to use as a residence. The project site is not within the Coastal Overlay Zone.

The City Council entered into exclusive negotiations with Hillel of San Diego for use and acquisition of the Phase II site more commonly known as 'Site 653'. The development permits submitted to show and review the proposed development also include easement reservations and street vacations and dedications. Staff has determined that the project can meet City design and zoning development criteria through deviations considered under the Planned Development Permit for off-site parking and from the Street Design Manual. The Site Development Permit is required to measure compliance with the La Jolla Shores Planned District Ordinance.

The proposed development, subject to conformity to the Exhibit 'A' drawings and materials and subject to all approval documents and conditions, will not adversely affect the adopted General Plan and Land Use, the La Jolla Shores Planned District and the La Jolla Community Plan.

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

The proposed two Phase development, that retains use of an existing single-family residence for religious offices until occupancy of Phase II is completed and the facilities approved for occupancy, has been evaluated by City staff for compliance with adopted land use documents, zoning, development guidelines and principles. A Mitigated Negative Declaration No. 6098, has been prepared and evaluated impacts in the areas of Paleontological areas and Parking. The La Jolla Shores Planned District zoning and land use designation of SF, permits churches, temples and buildings used for religious purposes as well as the prevalent use for single-family residential development. The satisfaction of on-site parking to meet the needs of the scope of the development has long been a concern of the City staff and the community. The applicant has provided the City with information on the proposed sanctuary area seating, the schedule of events held at the Hillel center (as well as on-campus and off-site in various other locations) and for Shabbat and special events. The days, hours and frequencies have been evaluated and off-site shared parking agreements have been assured and evaluated by the City to sufficiently determine that parking will not be detrimental to the public health, safety, and welfare. An evaluation of the parking will be conducted to assure its implementation and to evaluate the need to amend conditions should problems be determined to exist. The design of the site and structure has been determined by City staff to conform to the neighborhood given that single-family detached residences exist to the south and a planned residential development (under a Conditional Use Permit) lies to the east and that this project is within the same zone but an entirely different use with inherent, and expected, design differences. The property to the north contains the campus of the University of California at San Diego and the property to the west is within the La Jolla Community Plan but not the Planned District.

Mitigated Negative Declaration (MND) No. 6098 has evaluated impacts of the development on this site and has determined that in the two areas of Paleontological Resources and Parking, that mitigation is required to avoid a significant impact. Conditions of approval have been included in the accompanying Site Development Permit and are referenced as conditions as they are described in the MND.

The overall proposed project will not be detrimental to the public health, safety, and welfare subject to development consistent with approved conceptual plans and subject to all conditions of approval.

### 3. The proposed development will comply with the applicable regulations of the Land Development Code.

The project application consists of a two Phase land use proposal with Phase I being the continued use of a constructed single-family residence at 8976 Cliffridge Avenue in the SF zone of the La Jolla Shores Planned District as religious offices until such time as the Phase II Jewish student center on the triangular shaped parcel adjoining to the east is constructed and approved for occupancy. The existing single-family residence was constructed according to all codes and regulations in effect at the time and the only requirement for the change of use is an increase in off-site parking. Prior to its use as religious offices, the residence was required to maintain two off-street parking spaces but a previous owner had converted the garage to an office in violation of regulations and the religious office use has not complied to date with the parking requirements. With this approval, six parking spaces will be provided at the residence and when the religious office use terminates with occupancy of Phase II, two off-street parking spaces will be maintained for its reuse as a residence.

The Phase II development consists of a main entry level of 12,000 square-feet of floor area containing the multi-use area by which off-street parking needs are measured, lounge, library, restrooms, offices, computer room, break room, elevators and patio areas. Below is a 17,000 square-foot subterranean garage for 40 vehicles, storage, trash and driveway entry/exit to La Jolla Scenic Way. The remaining 27 required off-street parking spaces for Friday evening Shabbat services are provided off-site through shared parking agreements and an additional shared parking agreement for 115 parking spaces for the higher attendance occasional special events. Both of these events require shuttle services and monitoring of attendees use of the off-site parking. Parking will be evaluated as conditioned in the accompanying permit conditions.

The religious use of the development is a permitted use in the SF zone of the La Jolla Shores Planned District and the development of the site conforms to the regulations and land use criteria of the codes. City staff has evaluated the development and has formulated the conditions of approval to assure compliance with City's applicable regulations of the Land Development Codes. Through implementation of the buildout consistent with the Exhibit 'A' plans, compliance with conditions and the continued monitoring of the parking needs and implementation, this project will comply.

The above findings are supported by the minutes, maps and exhibits, all of which are

herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Planned Development Permit No. 158095 and Site Development Permit No. 158094 is granted to ROBERT MARSHALL, Owner Phase I and the CITY OF SAN DIEGO, Owner Phase II and HILLEL OF SAN DIEGO, Permitte Phases I and II, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

#### APPROVED: MICHAEL AGUERRE, City Attorney

By

NAME Deputy City Attorney

ATTY/SEC. INITIALS DATE Or.Dept:Clerk R-INSERT Form=permitr.frm(61203wct) Reviewed by Robert Korch

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#### DRAFT VACATION AND DEDICATION RESOLUTION Attachment 10 Planning Comprission Report No PC-05-004 Page 71 of 90

(R-9)

#### **RESOLUTION NUMBER R-**

#### ADOPTED ON

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines Road, to unencumber this property; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public street system, for which the rightof-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; and

(b) the public will benefit from the vacation through improved utilization of land; and

(c) the vacation is not inconsistent with the General Plan or an approved Community

Plan; and

(d) the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines, as described in the legal description marked as Exhibit "A," and as more particularly shown on Drawing No. XXXXX-B, labeled Exhibit "B", on file in the Office of the City Clerk as Document No. RR\_\_\_\_\_\_ which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the dedication of 'General Utility

Easements' over portions of the vacated public right-of-way, satisfactory to the City Engineer.

3. The City Engineer shall advise the City Clerk of the completion of the aforementioned condition, and the City Clerk shall then cause a certified copy of this Resolution with Drawing No. XXXXX-B (labeled Exhibit 'B') and Exhibit "A", attested by him under seal, to be recorded in the Office of the County Recorder.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

Deputy City Attorney

Or.Dept: Dev. Serv. SA: 6098 WO: 42-1438 Dwg: XXXXX-B R-9 Form=sumv.frm

#### EXHIBIT "A"

#### STREET VACATION - EASEMENT RESERVATION

THAT PORTION OF LA JOLLA SCENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406, TOGETHER WITH THAT PORTION OF LA JOLLA SCENIC DRIVE AND TORREY PINES ROAD BOTH DEDICATED PER MAP 3528, FILED IN THE OFFICE OF THE COUNTY, OCTOBER 19, 1956 AS FILE NO. 1447757, ALL OF OFFICIAL RECORDS

VACATING THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS, SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE: THENCE SOUTHERLY ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE SOUTH 62°35'54" EAST, 24.94 FEET TO THE TRUE POINT OF BEGINNING: THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE SOUTH 62°35'54" EAST, 164.60 FEET TO THE BEGINNING OF A TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 09°16'03", AN ARC DISTANCE OF 105.30 FEET TO A POINT HEREIN DESCRIBED AS POINT 'A' ALSO BEING A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC WAY: THENCE SOUTHERLY ON SAID RIGHT OF WAY LINE SOUTH 21°57'52" EAST. 17.17 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE NORTHWESTERLY: THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 149°01'24". AN ARC DISTANCE OF 52.02 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 09°39'26". AN ARC DISTANCE OF 101.97 FEET: THENCE NORTH 62°35'54" WEST, 113.81 FEET TO THE BEGINNING OF A TANGENT 56.00 FOOT RADIUS CURVE. CONCAVE NORTHEASTERLY: THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND NORTHERLY THROUGH A CENTRAL ANGLE OF 17°35'18", AN ARC DISTANCE OF 17.19 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 81.00 FEET, THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 123°54'02" AN ARC DISTANCE OF 175.16 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CLIFFRIDGE AVENUE ALSO THE EASTERLY LOT LINE OF LOT 67 PER SAID MAP 3528: THENCE NORTHERLY ALONG SAID LOT LINE NORTH 11"05'22" EAST 24.35 FEET TO THE BEGINNING OF TANGENT 25.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THENCE ALONG THE ARC

Prepared by, DK Nasland PLS 5562 My License renews 9-30-2005 101-199.2 1/18/2005, 8:48 AM

Page 1 of 3 (Legal Description)

OF SAID CURVE NORTHERLY AND EASTERLY THROUGH A CENTRAL ANGLE OF 73°41'16", AN ARC DISTANCE OF 32.15 FEET; THENCE NORTH 62°35'54" WEST, 58.80 FEET TO THE TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 106°17'34", AN ARC DISTANCE OF 37.10 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD; THENCE NORTH 11°06'32" EAST. 20.60 FEET TO A POINT HEREIN DESCRIBED AS POINT 'B': THENCE NORTH 11°06'32" EAST, 13.86 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°12'17", AN ARC DISTANCE OF 102.28 FEET TO THE BEGINNING OF A TANGENT 42.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY: THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 04°42'02", AN ARC DISTANCE OF 3.45 FEET; THENCE NORTH 89°27'57" WEST, 48.73 FEET TO THE TO THE BEGINNING OF A TANGENT 634.64 FOOT RADIUS CURVE, CONCAVE NORTHERLY: THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 02°53'02", AN ARC DISTANCE OF 31.94 FEET TO THE TRUE POINT OF BEGINNING.

AREA: 21,278 SQ.FT. 0.488 ACRES

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY PURPOSES, DESCRIBED AS FOLLOWS:

BEGINNING AT ABOVE DESCRIBED POINT "A"; THENCE SOUTH 21°57'52" EAST, 13.86 FEET; THENCE SOUTH 36°59'17" WEST, 37.39 FEET TO THE BEGINNING OF A NON TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE NORTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 15°01'26" EAST; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°02'06", AN ARC DISTANCE OF 7.69 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°42'37", AN ARC DISTANCE OF 7.50 FEET; THENCE NORTH 37°12'32" EAST, 46.00 FEET TO A POINT ON THE ARC OF A NON TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO SAID POINT BEARS NORTH 36°24'34" EAST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGEL OF 00°15'35", AN ARC DISTANCE OF 2.95 FEET TO THE POINT OF BEGINNING.

AREA: 640 SQ.FT. 0.014 ACRES

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Page 2 of 3 (Legal Description)

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY PURPOSES, DESCRIBED AS FOLLOWS:

BEGINNING AT ABOVE DESCRIBED POINT "B"; THENCE NORTH 11°06'32" EAST, 13.86 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°41'48", AN ARC DISTANCE OF 18.85; THENCE SOUTH 57°43'15" EAST, 97.85 FEET TO THE BEGINNING OF A NON TANGENT 81.00 FOOT RADIUS CURVE. CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 26°49'51" WEST; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°43'48", AN ARC DISTANCE OF 16.58 FEET; THENCE NORTH 57°43'15" WEST, 111.85 FEET; THENCE SOUTH 11°06'32" WEST, 26.61 FEET; THENCE NORTH 78°53'28" WEST, 15.00 FEET TO THE POINT OF BEGINNING.

AREA: 2,082 SQ.FT. 0.047 ACRES

Prepared by: DK Nasland PLS 5562 101-199.2 My License renews 9-30-2005 1/18/2005, 8:48 AM Page 3 of 3 (Legal Description)

#### EXHIBIT "A" STREET DEDICATION

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS

EXCEPTING THAT PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NOTHERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC DRIVE NORTH, SAID POINT BEING DISTANT 24.94 FEET FROM THE WESTERLY CORNER OF SAID LAND, ALSO BEING THE BEGINNING OF AN ARC PARALLEL WITH AND 12.00 FEET SOUTHERLY, MEASURE AT RIGHT ANGLES, TO THE SOUTHERLY RIGHT OF WAY OF LA JOLLA VILLAGE DRIVE; THENCE ALONG SAID ARC 155.09 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 20.00 FEET, A RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 16°21'06" WEST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°23'14" AN ARC DISTANCE OF 29.46 FEET TO THE WESTERLY RIGHT OF WAY OF LA JOLLA SCENIC WAY AND THE TERMINUS OF SAID LINE.

Prepared by: DK Nasland PLS 5562 My License renews 9-30-2005 101-199,2 1/18/2005, 8:55 AM

Page | of | (Legal Description)

#### EXHIBIT "A" GENERAL UTILITY EASEMENT DEDICATION

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS

EXCEPTING THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC DRIVE WAY, SAID POINT BEING DISTANT 3.44 FEET FROM THE SOUTHERLY CORNER OF SAID LAND, THENCE SOUTH 37°12'32" WEST 1.80 FEET TO THE NORTHERLY RIGHT OF WAY OF LA JOLLA SCENIC DRIVE AND THE TERMINUS OF SAID LINE.

Prepared by: DK Nasland PLS 5562 101-199.2 My License renews 9-30-2005 1/21/2005, 12: 0 PM Page 1 of 1 (Legal Description)

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#### UCSD HILLEL CALENDAR FOR FALL QUARTER 04

The following contains additional information on our Hillel calendar for fall quarter at UCSD. We generally establish our calendar for the academic quarter in advance of the start of the quarter. However, from time to time, we may reschedule, cancel or add events and programs depending on circumstances. This information is being provided to assist City Staff in understanding what we do programmatically and how the Hillel Center may be used for student programs. This is intended to supplement the information already provided on Hours of Operation and Uses.

The premise underlying our programmatic goals is to bring the program to the students in order to serve them "where they arc." This also helps to support our outreach, community service and student engagement efforts. However, a Hillel Center will certainly provide an appropriate venue and enhancement for many future programs although certain programs, by their nature, will continue to be held either on the UCSD Campus or off campus and away from the future Hillel Center. The following schedule represents our projected attendance of each of our calendared programs for the quarter and assuming our Hillel Center had been completed as of this calendar quarter, whether we could utilize the Center for that particular program. A more thorough description of the program is contained in the Calendar which is provided herewith. For reference purposes, "HC" means Hillel Center, "Off Campus" means that the program will NOT be held at the Hillel Center or On Campus. "On Campus" means that the program will be held on the UCSD Campus and NOT at the Hillel Center.

Date	Program	Expected Attendance	Location
9/28	Roundtables at Round Table	5	HC
9/29	Raising the Roof	20	HC
9/29	Crafts and Snacks in the Sukkah	5	HC
10/2	Shabbos Lunch in the Sukkah	20	HC
10/2	Havdalah Under the Stars	20	Off Campus
10/4	Shake your Lulav	20	HC
10/5	Mitzvah Lunch and Bingo Bash	25	НС
10/5	Birthright Informational	20	HC
10/5	Supper in the Sukkah	10	Off Campus
10/6	Pizza in the Hut; FYSH and Sophomores	50	НС
10/6	Alternative Spring Break	25	HC

#### Fall Quarter 04 Undergraduate Programs Calendar

	Informational		
10/6	Just Show Up	50	On Campus
10/9	Shabbat Sha-Bash	100	Off Campus
10/12	Jewish Commitment to Helping the Homeless	25	HC
10/13	Israel Rally	100	On Campus
10/14	Career Options in Marketing	10	On Campus
10/17	Area Wide Event: Making Strides against Breast Cancer	150	Off Campus
10/17	Rosh Chodesh (Women Only)	15	HC
10/18	Tikkun Olam Tabling	NA	On Campus
10/13-11/17 (Wednesdays)	Read Hebrew America	10	HC
10/20	Is There Such a Thing as a Positive Stereotype	20	HC
10/21	Pluralism Project Informational	30	On Campus
10/21	A Slice of Sephardic Life	30	On Campus
10/23	Shabbat Lunch and More	10	On Campus
10/26	Roundtable at Roundtable	5	HC
10/26	Prescription: Jewish Medical Ethics	15	On Campus
10/27	Challah Baking (Women only)	15	HC
11/2	From the Business Wife to the High Culture Mother: Stories of Jewish Women in Germany	25	HC
11/5-11/6	Koach Shabbaton	25	Off Campus
11/7	Lend a Helping Hand: Habitat for Humanity	15	Off Campus
11/7	Roundtables at Roundtable	5	HC
11/10	Exploring the Non-Profit World	15	Off Campus
11/11	Outback Climbing Adventures	20	On Campus
11/13	S'mores and More at the Shores	50	Off Campus
11/13/-11/18	The 11 <sup>th</sup> Annual Jewish Book-Fair		Off Campus
11/14	Rosh Chodesh	15	HC
11/18	Sephardic Sundaes	30	On Campus

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11/21	Mitzvah with the Western Service Workers Association	15	Off Campus
12/2	The Great Hanukah Spin Off Campus	50	HC
12/7	Hip Hanukah Happenings	50	HC

#### Weekly Events

Mondays	Rabbi Lisa at Café Roma	10	On Campus
Tuesdays	Jewish Lecture Series	10	HC
Wednesdays	Lishma	10	HC
Fridays	Meditation with Rabbi Lisa	10	On Campus
Fridays	Shabbat Services and Dinner	Average 150	HC

#### **High Holidays**

High Holiday program information is provided as part of our parking study and parking management plan under "Occasional Events." At this time we do not contemplate utilizing the future Hillel Center for our High Holiday services although we may chose to do so in the future. In such event, we would abide by the parking management plan. In the past we have held Rosh Hashana Services combined with SDSU students at Temple Emanuel with a peak attendance for the holiday of between 200 and 250 students. UCSD was not in session for Rosh Hashana this year. UCSD is on a quarter system and therefor classes start in late September. Yom Kippur services were held at the Price Center at UCSD and peak attendance was between 350 and 400 students. This is also a combined service with SDSU students. In the future, based upon plans for expansion of the Hillel Center at SDSU, we may implement separate services for UCSD and SDSU for the High Holiday services.

#### Graduate Programs

10/4	Brew & Jews	20	On Campus
10/9	Moonlight Kayaking and Havdallah	30	Off Campus
10/17	Area Wide Event: Hillel of San Diego Makes Strides Against Breast	Combined with Undergrad Program Attendance included in Projection	Off Campus

ATTACHMENT, NO. 10 Attachment 10 Planning Commission Report No PC-05-004 Page 82 of 90

	Cancer		
10/22	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	HC
10/26	Prescription: Jewish Medical Ethics	20	HC
10/28	Roll It Kosher	20	On Campus
11/5	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	HC
11/13	Night on the Town	20	Off Campus
11/22	Brews & Jews	20	On Campus
12/3	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	HC
Ongoing Programs	Monday Midday Munchies	20	On Campus

### COMMUNITY PLANNING GROUP RECOMMENDATIONS

The La Jolla Shores Planned District Advisory Board considered the Hillel application on January 18, 2005, and voted on three separate motions with the Chair not voting and one member recusing. Each motion passed on a vote of 5-0 and each motion was to DENY the requested application/actions to develop the 'Hillel' project.

Mr. Kevin Guy, from the Planning department of the City of San Diego, acts as the secretary for the Board in putting together the agendas, meeting rooms/locations and finalizing the recommendations of the Advisory Board. Mr. Guy left January 28, 2005, for a new position in the Bay area and only submitted the attached e-mail describing the actions/motions of the Advisory Board.

The La Jolla Community Planning Association is scheduled to meet and consider this item at their meeting of February 3, 2005. This report will be printed and distributed by that time. City staff will verbally present the motion, vote and any recommendations made by the Association at the Planning Commission hearing on February 10, 2005.

 From:
 Robert Korch

 To:
 Guy, Kevin

 Subject:
 Re: Hillel----LJSPAAB

after reading your recollection, that sounds right on to e. Thanks a lot. Bob

#### >>> Kevin Guy 01/26/05 11:12AM >>>

Bob - When making their motions, the Board members were still in 'discussion mode', so I had to paraphrase a bit. I believe I captured the intent of each of their motions. The vote for each of the motions was 5-0:

1st Motion: To deny project, with the following reasons stated:

- Insufficient parking
- Does not conform with "distinctive residential character", as defined by purpose and intent of PDO
- Loss of 12 public (on-street) parking spaces
- Loss of bike lane

2nd Motion: Findings cannot be made for a street vacation. Site should be reserved for future traffic mitigation.

3rd Motion: Board condems the illegal use of the residence, as defined by Phase I portion of the project.

I hope this is the information you were looking for. Let me know if you need anything further.

-Kevin

>>> Robert Korch 1/26/2005 9:29:22 AM >>>

Kevin: Do you have the three motions adopted by the Advisory Board on Hillel. I'd like to attach to the report to PC. Thanks. Bob

Your time is ticking down.....

Division Na 1222 First	ent Šervices ame Ave., MS-302 , CA 92101	-	Dwnership Disclosure Statement
roject Title 8976 Cliffridg	e Avenue		Project No. For City Use Only
roject Address: 8976 Cliffridg	e Avenue, La Jo	olla, CA	
and addresses of all persons (e.g., tenants who will benefit the property owners. Attach a any changes in ownership dur	and tenant(s) (if applicable who have an interest in the from the permit, all individu idditional pages if needed. I ing the time the application at least thirty days prior to a ation could result in a delay	<ul> <li>of the above referenced p property, recorded or other als who own the property).</li> <li>Note: The applicant is respi is being processed or cons any public hearing on the su</li> </ul>	property. The list must include the names wise, and state the type of property interest <u>A signature is required of at least one of</u> onsible for notifying the Project Manager of idered. Changes in ownership are to be bject property. Failure to provide accurate
Name of Individual (type or pri		Name of Individua	(type or print):
Robert Marshal Qt Owner O Tenant/Lesse 3360 N. Torrey	1, Trustee Pines Court	Hillel of O Owner XO	
Street Address:Suite 210 <u>I.a. Jolla, CA 9</u> City/State/Zip: <u>858-657-9400</u> Phone No:	) 2037 858-657-90 Fax No:	La Jolla, City/State/Zip:	858-550-1794
Phone No:		Signature :	Fax No: Date:
Signature :	Date:	Signature .	Duto.
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Signature : Name of Individual (type or pri O Owner O Tenant/Les	int):	Name of Individua	
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This information is available in alternative formats for persons with disabilities. To request this information in alternative format, call (619) 446-5446 or (800) 735-2929 (TDD) Be sure to see us on the World Wide Web at www.sandiego.gov/development-services DS-318 (5-03)

a/1a/2003 14:05 82862/9F31	HSP GROUP	1110	ATTACHMENT NO. 12 Attachment 10
	Р	lanning Com	mission Report No PC-05-004 Page 86 of 9
RECORDING REQUESTED BY CHICAGO TITLE COMPANY	DC	)C # 20	02-0504546
AND WHEN RECORDED MAIL TO	JUL	1 14, 2	2002 8:00 AM
8976 Cliffridge Avenue La Jolla, CA 92037	001534	OFFI SAN DIEGD COL	
EBCTON NO. 28021785 - N12 Order No. 28021785 - PCS	2002-0904646		
1 111121 0	RANT DEED	- OFACE ABOVE THIS	Line for recorder's use
THE UNDERSIGNED GRANTOR(S) DECLARE DOCUMENTARY TRANSFER TAX IS	(5)		
unincorporated area City	of		
Computed on the full value of the inter computed on the full value less the value FOR A VALUABLE CONSIDERAT	lue of liens or encumbrances remain		
SHEILA CHANDRASEKHAR, TRUSTEE OF FAMILY TRUST, UNDER DECLARATION			
hereby GRANT(S) to			
Robert Marshall, Trustee UDT	Dated June 1, 2002		
the following described real property in the County of SAN DIEGO	, State of California		
LOT 67 OF LA JOLLA HIGHLANDS UNI DIEGO, STATE OF CALIFORNIA, ACCO THE COUNTY RECORDER OF SAN DIEGO	RDING TO MAP THEREOF	NO. 3528,	
Dated May 22, 2002		0	)
STATE OF C.C.	C1.	SDOU	~
COUNTY OF <u>Algmede</u> on May 30, 2002,	before me, Shesila	Chandrasekha	ar, Trustee
Ahn S. Kraynak a Notary Public in and for said County and State, person		Chanorasekii	AI, IIUSLEE
sheila Chandrasekhar			
perconally known to me (or proved to me on the b avidance) to be the percent whose name(b) is/aw within instrument and acknowledged to me that be/shu sama in fit/her/for authorized capecity(fp4), and t signature(fp on the instrument the percent(f), or the o which the person (b) acted, executed the instrument.	and bedroadua and belucexe (active hat by the (her/active	IS NOTA	IN S. KRAYNAK DMM #1251649 O THE PUBLIC-CALIFORNIA BO DUNITY OF ALAMEDA TIME THE FEB D. 2004
WITNESS my hand and official seal.		1 MYCO	Man, CITAGE 460 14, 2004
Justiamel	2/19/04	/	
Signature of Notaty MAIL TAX STATEMENTS TO PARTY SHOWN ON F	Date My Commission Exp FOLLOWING LINE: IF NO PAP	And the second s	TARY SEAL OR STAMP MAIL AS DIRECTED ABOVE
Namo	Street Address		City, State & Zip

P, 21

1222 First San Diego (619) 446-	n Diego ent Services Department Ave. • MS-302 o, CA 92101-4154 5000	ASE I. OW	nership Disclosur Statemen		
Project Title			Project No. For City Use Only		
Hillel of San Diego Project Address:					
Intersection of La Jol Legal Status (please check)		cenic Way and La Jolla Sce	enic Drive		
사람이 아파		? Corporate Identificat	ion No.		
and addresses of all perso (e.g., tenants who will bene property). Note: The appli application is being process to any public hearing on the lame (type or print):	ns who have an interest in the p afit from the permit, all individual cant is responsible for notifying ed or considered. Changes in or a subject property.	property, recorded or otherwise, ls, all corporate officers, and all the Project Manager of any cha	The list must include the names, title and state the type of property interes partners in a partnership who own th nges in ownership during the time th roject Manager at least thirty days pric		
Hills of SAN	Disgo				
ille/Property Interest (type or p	print): ()	Tille/Property Interest (type	Title/Property Interest (type or print).		
Street Address: 5742 Monte	zuma Road	Street Address			
City/State/Zin: SAN Dieg	10	City/State/Zip:			
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ATTACHMENT Planning Commission Report No PC-05-004 Page 88 of 90

### LETTER OF AUTHORIZATION

Date: January 27, 2003

To: Development Services Department

Project Name / Location: Site 653 / Between La Jolla Village Drive & La Jolla Scenic Drive

Property Address / Description: No street address / Pueblo Lot 1299 West 1/2 Portion APN: 344-120-26

The City of San Diego's Real Estate Assets Department, as authorized representative of the City as Land Owner, grants authorization to Hillel, its agents or representatives, to submit and process on the City's behalf all permit applications necessary for the proposed construction and operation of a religious student center facility on the above referenced City-owned property.

The act of authorization of Hillel's application for development review does not obligate the City in any way to enter into negotiations for the disposition of the subject property nor approve, in whole or in part, land use entitlements or approvals, permits, waivers or reduction of fees, development or financing of the site or any other matters to be acted on by the City, as applicable; that all such matters shall be considered and processed by the City in accordance with all otherwise applicable City requirements and procedures and that the City reserves all rights to approve, disapprove, or approve with conditions all such matters in its sole discretion.

The City reserves the right to terminate development review processing at any time at its sole discretion. It is further specifically acknowledged, that the City shall not be responsible or held liable for any costs incurred by the undersigned in relation to the undersigned's development review processing with the City, regardless of the type or amount of costs incurred.

/- 27-93 Date

Tim C. Rothans, Deputy Director

The above is acknowledged and accepted for Hillel by:

Hillel of SAN Diego By Miel X Sg - VP

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#### Hillel of San Diego PLANNED AND SITE DEVELOPMENT PERMITS, EASEMENT ABANDONMENT & STREET VACATIONS AND DEDICATION Project No. 6098 Project Chronology

Date	Action	Description	City Review Time	Applicant Response
05/02/03	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
06/18/03	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	47 days	
03/04/04	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		251 days
05/25/04	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	82 days	
07/07/04	Applicant submits third full set of plans.	Applicant's revised set of plans submitted in response to second assessment letter from City staff.		43 days
10/13/04	Third Assessment Letter	Third Assessment Letter identifying all remaining/outstanding issues provided to applicant.	98 days	
01/12/05	Applicant submits fourth set of plans.	Applicant's revised plans addressing outstanding issues.		83 days
01/2X/05	Environmental Mitigated Negative t Declaration Final	Project can be heard after February 4, 2005	0 days	
01/26/04	Issues resolved	Staff determines project issues resolved, okay Process 5 Planning Commission hearing to proceed.	14 days	
02/10/05	Planning Commission Recommendation Hearing	Public Hearing	8 days	7 days
TOTAL ST	AFF TIME	Averaged at 30 days per month	8 Months 10 Days	
TOTAL AP	PLICANT TIME	Averaged at 30 days per month		1 Year 24 Days
TOTAL PR	OJECT RUNNING TIME		1 Year, 9 N	lonths, 4 Days

Attachment 10 Planning Commission Report No PC-05-004 Page 90 of 90



## 333 9/27

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THE CITY OF SAN DIEGO

Attachment 10a City Managers Report No. 05-193 Page 1 of 80

DATE ISSUED:	September 21, 2005	REPORT NO.	05-193
ATTENTION:	Honorable Mayor and City Council Docket of September 27, 2005		
SUBJECT:	Hillel of San Diego, Project No. 6098, Coun	cil District One, P	rocess 5
OWNER/ APPLICANT:	Robert Marshall, Owner 8976 Cliffridge Ave Owner Site 653; and Hillel of San Diego, Pe		0.

#### SUMMARY

<u>Issues</u> - Should the City Council of the City of San Diego approve, modify or deny a two phased development utilizing an existing residence for religious offices and the construction of a Jewish religious student center requiring a Planned Development Permit No. 158095, Site Development Permit No. 158094, Street Vacations No. 158097, Rightof-Way Dedication No. 158098, and lot-Line Adjustment Parcel Map No. 188004 for the sites within and adjacent to the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North in the SF zone of the La Jolla Shores Planned District and La Jolla Community Plan?

#### Staff's Recommendation:

- 1. CERTIFY Mitigated Negative Declaration No. 6098, and ADOPT Mitigation Monitoring and Reporting Program No. 6098; and
- 2. APPROVE Planned Development Permit No. 158095; and
- 3. APPROVE Site Development Permit No. 158094; and
- 4. APPROVE Public Right-of-Way Vacation No. 158097; and
- 5. APPROVE Public Right-of-Way Dedication No. 158098.

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#### APPROVE Lot-line Adjustment Parcel Map No. 188004

<u>Planning Commission Recommendation</u> – On February 24, 2005, the Planning Commission voted 5-0 to recommend that the City Council deny the requested actions required to develop the subject site as proposed. Planning Commissioner Steele recused and did not participate in this consideration and Commissioner Griswold was not present.

The Planning Commissioners expressed interest in and focused upon the access, parking on- and off-site, the proposed Traffic Demand Management Plan and the occasional special events planned by Hillel for the facility.

The motion to recommend denial stated an incompatibility of the use with the singlefamily neighborhood where the Hillel site is located and that the Traffic Demand Management Plan, although believed by a majority of the Commissioners to be well prepared and responsive, did not resolve access and parking impacts for the normal operation of the project. The necessity for shared parking agreements off-site to serve the project was viewed as a problem. The Commissioners in discussion of the motion, put forward the following comments:

-Greater parking on or near the site (preferably at UCSD) is needed and the 40spaces on-site were not sufficient

-The proposed deviations to parking regulations are significant. Defining and enforcing limitations on 'special events' is problematic. The size of the project should be tied to the amount of parking that can be provided on-site

-There is a lack of community support and use of public lands should take community direction into consideration. Another use of the site may be preferable

-Shared parking agreements should be secured prior to approval so that all parties can evaluate impacts related to the shared parking facility and shuttling of patrons between the project site and shared parking facility. Monitoring of the on- and off-site parking should be continuous and not limited to a 3-year period

<u>Community Planning Group Recommendation</u> - The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly recommends that all applicants seek the recommendation of the La Jolla Community Planning Association (CPG).

The LJSPDAB, on their agenda of Tuesday, January 18, 2005, passed three motions in recommending denial of the proposed project. Motion No. 1, stated that the Advisory Board believed that the project was not providing sufficient parking, did not comply with the 'distinctive residential character' as defined by the purpose and intent of the PDO, and

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stated concern over the loss of 12 on-street parking spaces and loss of a bike lane. Motion No. 2, stated that the 'Findings' for the street vacation could not be made and that the right-of-way should be reserved for future traffic mitigation. Motion No. 3, stated that the use of the residence in Phase I is illegal.

The CPG considered this project on Thursday, February 3, 2005, and voted 10-2-0 to recommend denial of the proposed project on the basis of issues with parking, illegal use, loss of on-street parking, bik@way issues and other concerns not communicated.

#### Other Recommendations - None

<u>Environmental Review</u> - A Mitigated Negative Declaration, No. 6098, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented which will reduce the potential impacts to Paleontological Resources and Parking to a level below significant.

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

<u>Code Enforcement Impact</u> - The owner/applicant converted the use of the existing singlefamily residence located at 8976 Cliffridge Avenue from residential to religious use without first obtaining a Site Development Permit (SDP). A Code Compliance Case was opened by the City of San Diego Neighborhood Code Compliance Department and the owner/applicant made application with the City for the SDP. This application has been combined with the applications for Site 653 and is included within this Report to the Planning Commission as the Phase I of the project. If approved by the City Council, the Code Enforcement action would terminate. If the project is not approved, the applicant could resubmit a Site Development Permit as required by the La Jolla Shores Planned District Ordinance if they choose to continue use of the residence for religious purposes.

<u>Housing Impact Statement</u> - The religious use of the single-family residence at 8976 Cliffridge Avenue has removed one residential dwelling unit from available housing but this situation would be temporary if the project applications are approved by the City Council. The use of the residence at 8976 Cliffridge Avenue would continue as a Phase I use and terminate when Site 653 is available for occupancy under the Phase II development. The owners of the residence would convert the dwelling back to residential use and the overall project would not have any permanent Housing Impacts.

<u>Water Quality Impact Statement</u> - During construction, this project will comply with Best Management Practices (BMP's) through preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conjunction with the grading plans. The SWPPP will identify all BMPs to be implemented during the construction phase to reduce/eliminate discharges of pollutants into the public drainage system. The post development Best Management Practices (BMPs) incorporated into the project consist of site design, source

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control, and treatment. The project's post development runoff will be collected by a private drainage system and conveyed to the public drainage system. The post-construction BMP's detailed in the Water Quality Technical Report have been evaluated and accepted by the City Engineer. The property owner(s) will be responsible for the long term maintenance of all private drainage facilities.

#### BACKGROUND

The 'Hillel' project site consists of a total area of 42,400 square-feet of area which includes a 8,882 square-foot single-family residential lot used for religious offices at 8976 Cliffridge Avenue and a 33,518 square-foot City owned site commonly referred to as 'Site 653'. The project site is located in a triangular shaped area bounded on the north by La Jolla Village Drive, on the east by La Jolla Scenic Way, and on the south by La Jolla Scenic Drive North. The site includes areas proposed for street vacation, easement abandonment, and street right-of-way dedication. A City Council requirement that 10,000 square-feet of area at the intersection of La Jolla Scenic Drive North/Torrey Pines Road be landscaped as a neighborhood amenity, leaves an area of 23,518 square-feet for the proposed development. The property is zoned SF (Singlefamily residential) within the La Jolla Shores Planned District Ordinance and is within the boundaries of the La Jolla Community Plan. The campus of the University of California at San Diego (UCSD) lies to the north, vacant land and youth athletic fields are to the west, a detached single-family residential neighborhood is located to the south, and a Planned Residential Development to the east. Site 653 is currently vacant and is relatively level with the street grade of the residences on the south side of La Jolla Scenic Drive North. La Jolla Village Drive descends to the east from the intersection with Torrey Pines Road and La Jolla Scenic Way descends to the north from La Jolla Scenic Drive North to its intersection with La Jolla Village Drive making the low point of the project site the southwest corner of this intersection.

Site 653 is City owned property which, until 1995, was designated as residential land use in the La Jolla Community Plan and La Jolla Shores Precise Plan. In 1995, the land use designation for Site 653 was changed to open space and remained that way until February, 2004, when the La Jolla Community Plan was amended and the site was redesignated to residential use. The City Council approved the entering into an exclusive agreement (letter issued by the Real Estate Assets Department on January 27, 2003) with Hillel for development of the site and possible acquisition.

Separate from decisions in regard to Site 653, Hillel received permission from the owner of the single-family residence at 8976 Cliffridge Avenue to use it for religious offices. Subsequent complaints to the City's Neighborhood Code Enforcement Office led to the City issuing a violation notice to the owner and Hillel for changing the use without City approvals. The City determined that the religious use is permitted in the zone but the change of from single-family to religious use requires a Site Development Permit as required by the La Jolla Shores Planned District Ordinance (LJSPDO). Environmental staff, for CEQA compliances, determined that the residence and Site 653 proposal should be considered as a single project. Staff directed the applicant to combine the projects into one consolidated project application.

#### DISCUSSION

Attachment 10a City Manager's Report No. 05-193 Page 5 of 80

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#### Project Description:

The 'Hillel' project is the proposed development of a Jewish religious student center off-campus from UCSD which lies directly to the north across La Jolla Village Drive. The project proposal consists of two Phases with Phase I being the continued use of the single-family residence at 8976 Cliffridge Avenue for religious offices and Phase II being the construction of the student center.

Phase I would permit the applicant to continue to use the single-family residence and detached garage for religious office use with six off-street parking spaces required to be provided. This use would continue until such time as the Hillel student center in Phase II is constructed and approved for occupancy, at which time Phase I would terminate the use of the residence and the owner of the property would restore the residential use, maintaining a minimum of two off-street parking spaces.

Phase II is the development of Site 653 with the student center. The square-footage of the vacated rights-of-way comprise 21,278 square-feet of the total 33,518 square-foot site. The area to be dedicated along the La Jolla Village Drive frontage comprises 2,183 square-feet. The City Council, in agreeing to permit Hillel to proceed with the presentation of development plans for the site and acquisition, required that Hillel landscape a 10,000 square-foot area near the intersection of La Jolla Village Drive and Torrey Pines Road on the west portion of the site as a neighborhood amenity. The proposed student center would include a 17,000 square-foot subterranean garage for 40 vehicles, storage, trash enclosure and elevators to the upper level so that users can directly access the building. The upper floor would have a floor area of 12,000 square-feet and contain a multi-use area, a lounge, restrooms, breakroom, computer room and offices. The upper floor would be a one-story elevation structure at street grade on La Jolla Scenic Drive North consistent with the residences on the south side of the street. The main pedestrian entry faces La Jolla Village Drive and the UCSD campus to the north while a secondary pedestrian access faces La Jolla Scenic Drive North. Parking access is on La Jolla Scenic Way with a stairway and elevator providing direct access to the student facility. The La Jolla Scenic Drive North elevation includes minimal window openings facing the street and mounded landscaping softens the building mass facing the residences opposite the site to allow for a measure of privacy and reduced impact to the residents. An outdoor patio area is on the northeast corner of the site at the high point of the building mass overlooking the intersection of La Jolla Village Drive and La Jolla Scenic Way.

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City staff has evaluated the on-site parking requirements and needs for this religious facility assuming the multi-purpose area as "sanctuary" for parking calculations. Seating for 200 persons requires a total of 67 parking spaces on-site (one space/three seats). Physical constraints limit the underground off-street parking to 40 spaces. The additional 27 required spaces would be required through a shared parking agreement.

Staff also required the applicant to list their schedule of activities, hours of operation and frequency in order to determine any additional event driven parking demand. It was determined

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that religious services (Shabbat) and limited occasional special events, not to exceed 12 per year, would increase attendance on the premises and that additional parking over the 67 spaces would be required for these events. Hillel had secured three separate agreements for shared parking offsite with the basic 27 spaces required located at a Lutheran Church in the area that also provides assistance for Lutheran students on the U.C. campus, and two additional to cover the Shabbat services and limited occasional special events. Following the Planning Commission hearing, Hillel has secured an off-site parking agreement with UCSD to cover the required 67 parking spaces required and 75 off-street parking spaces necessary for the maximum of the 12 special events planned yearly. Conditions in the accompanying permit require monitoring of the parking for this project to assure no significant negative parking impacts on the neighborhood. When Shabbat and the special events take place, signage will be provided on- and off-site, a shuttle service provided with verbal communication to assure adequate and timely service is provided, and frequent users will be educated on the parking services provided in order to alleviate the neighborhood of parking problems. The City will review the adequacy of the parking supply and success of the Transportation Demand and Parking Management Plan and to bring it back to the Hearing Officer for amendment if needed.

A pedestrian/bicycle path will meander through the vacated right-of-way and landscaped area from the intersection of La Jolla Village Drive and Torrey Pines Road to CliffridgeAvenue/La Jolla Scenic Drive North. Non-contiguous sidewalks will be installed on the streets adjoining the project site.

The public right-of-way being vacated on La Jolla Scenic Drive North is unimproved and excess right-of-way. The right-of-way adjacent to Site 653 is right-of-way dedicated from the parcel of City owned land and would revert back to City ownership. Likewise, the portion of right-of-way lying between Site 653 and the adjacent single-family residence on Lot 67, would revert from the center-line to the two adjoining owners. A Lot-line Adjustment Parcel Map will allow the owner of Lot 67 to transfer title of his portion of the vacated right-of-way to Hillel while retaining sufficient right-of-way to assure access to the required off-street parking for the Phase I use and the subsequent reversion back to residential use when Phase II obtains occupancy approval.

#### Community Plan Analysis:

The subject properties are designated as Low Density Residential (5-9 du/ac) in the La Jolla Community Plan. Religious uses are commonly found to fit within residential areas without adversely affecting the Land Use Plan. Additionally, the proposed use is permitted by the La Jolla Shores Planned District Ordinance which was adopted specifically to implement the Land Use Plan. The Hillel center is located directly across the street from the University of California and on the northern edge of the adjacent residential neighborhood, making it an appropriate location for student-related activity.

The proposed development incorporates a number of specific design features which would allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The center utilizes variations in height, textures, and rooflines in order to create the

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appearance of a series of smaller, individual structures. In addition, lower portions of the structure are concealed behind landscaped berms which reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and would further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage. The garage is also equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities would be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the center and the frequency of large events. The center would be permitted to be open from 7:00 AM to 10:00 PM daily, while all post-event cleanup and securing of the center must conclude by 11:00 PM. Religious observances with large attendances would be limited to no more than 12 times per calendar year, in accordance with the parking mitigation measures identified by the Mitigated Negative Declaration, and would be subject to the same time limits.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration would also buffer pedestrians from automobile traffic to create an environment conducive to walking and transit use. As such, students would be encouraged to use transit or walk from the UC San Diego campus to the student center, reducing automobile traffic and demand for parking at the center. By incorporating the cited design features and the conditions regarding operation of the center, the project implements the policies of the La Jolla Community Plan and would not adversely affect the residential land use designation of the subject properties.

#### **Environmental Analysis:**

The Environmental Initial Study (EIS) identified potential significant impacts to Paleontological Resources and Parking on the project site for the proposed student center. The application for the single family residence located at 8976 Cliffridge Avenue was submitted after the application for the proposed student center. According to the State of California Environmental Quality Act (CEOA), Section 15165, "segmenting or piecemealing" a project is not permitted. Since the single family residence and the proposed student center were both parts of the same overall project, the two applications were combined for review under CEQA.

The determination within the EIS was based on the amount (7,000 cubic yards) of soil proposed to be exported from the site during the grading activity for the subterranean parking garage. A Mitigation, Monitoring and Reporting Program (MMRP) is established as part of the Mitigated Negative Declaration that mitigates potential impacts to paleontological resources and parking to below a level of significance. The MMRP includes specific monitoring requirements including

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preconstruction meetings, full-time on-site monitoring by a qualified Paleontologist and discovery and curation protocols. The MMRP includes specific parking requirements including providing additional off-site parking spaces during special events and Shabbat Services; providing adequate signage at the student center and the off-site parking location that indicate the location of the parking and that the spaces are for use by the applicant; shuttle service between the off-site location and the student center; and that a shared parking agreement be provided satisfactory to the City of San Diego prior to the issuance of the first building permit. The parking mitigation measures have been expanded and clarified since the Planning Commission hearings. Additional environmental issues considered during the project review that were determined to not be significant included Archeological Resources, Biological Resources, Noise, and Water Quality/Hydrology.

### **Deviations:**

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In order to develop this triangular shaped site, setting aside a 10,000 square-foot landscaped area over the western area, the project application and design requires a number of deviations from the Land Development Code (LDC). The Planned Development Permit (PDP) allows for the decision-maker to consider granting these deviations which are described as follows:

1. Parking requirement for religious assemblies per Table 142-05F of LDC Section 142.0530 of the LDC required is 30 spaces per 1000 square feet of assembly areas without fixed seats. Therefore, the parking requirement for 3,541 square feet assembly area is 106 parking spaces. However, the parking analysis for Hillel indicates a need for 38 parking spaces during Shabbat Services. Hillel is proposing to have no more than 200 movable seats for weekly Shabbat services which would require 67 parking spaces. Hillel is also proposing to provide 40 on-site parking spaces and 27 off-site parking spaces through a shared parking agreement. The parking analysis also indicates a need for 113 parking spaces during special events. Hillel is proposing to provide a total of 115 parking spaces for occasional special events including the 40 on-site spaces and 75 off-site parking spaces through a shared parking agreement. Therefore, Hillel is requesting a deviation through the PDP from the parking requirment in LDC section 142.0530.

2. LDC Section 142.0545(a) does not allow shared parking in single-family residential zones. Hillel is located in the SF (single-family) zone of the La Jolla Shores Planned District and is proposing a deviation through the PDP for the required off-site shared parking agreement.

3. LDC Section 142.0545 (a)(2) requires all off-site parking spaces to be provided within 600 feet of the project site. Hillel is requesting the provision of off-site parking spaces at UCSD outside the 600 feet required distance and is proposing to provide shuttle services between the off-site location(s) and project site during Shabbat services and special events. Therefore, Hillel is requesting a deviation for location of the off-site parking requirement as required in LDC Section 142.0545(a)(2).

4. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 20-foot wide temporary driveway under Phase 1

'Parking Alternative 2' for the office use of the building located at 8976 Cliffridge Avenue site. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

5. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 12-foot wide driveway under Phase 1 'Parking Alternative 1' for the office use of the building located at 8976 Cliffridge Avenue site. This building will be converted to a single family home after construction of Site 653 and would require a 12-foot wide driveway. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

6. Table 142-05L of LDC Section 142.0560 requires non-residential uses to provide a minimum 24-foot wide driveway. Hillel is proposing a 22-foot wide driveway for the subterranean parking garage for Site 653. Therefore, Hillel is requesting a deviation through the PDP for this driveway width.

Additionally, there are two additional deviations requested from the Street Design Manual that the City Engineer may approve. These deviations are:

1. The connection of La Jolla Scenic Drive North and Cliffridge Avenue does not provide a 100-foot curve radius. The City Engineer believes that the proposed design is preferable given all conditions relative to the site.

2. The Street Design Manual indicates that the pedestrian/bike path connecting La Jolla Scenic Drive North to Torrey Pines Road should have a 12-foot width where 10-feet is proposed. This path would overlap and be a portion of the City Council required landscaped area.

### Conclusion:

The proposed project was submitted by the applicants after actions by the City Council authorizing Hillel to proceed with presenting a development proposal to the City and exploring purchase of the site. Legal actions to date have not invalidated any of these actions.

The La Jolla Community Plan designates this site as low density residential and the property is zoned SF. The SF zone of the La Jolla Shores Planned District allows the proposed religious student center and place of worship through a Site Development Permit.

Staff recommends that the City Council Certify the environmental Mitigated Negative Declaration No. 6098 and Adopt the Mitigation Monitoring and Reporting Program (MMRP) and Approve the Planned and Site Development Permits, Right-of-Way vacations and dedication and the Lot-line Adjustment to permit the development of the proposed student center.

## ALTERNATIVES

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- Approve Planned Development Permit No. 158095, Site Development Permit No. 158094, Public Right-of-Way Vacation No. 158097 and Public Right-of-Way Dedication No. 158098, with modifications.
- Deny Planned Development Permit No. 158095, Site Development Permit No. 158094, Public Right-of-Way Vacation No. 158097 and Public Right-of-Way Dedication No. 158098, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Gary W. Halbert

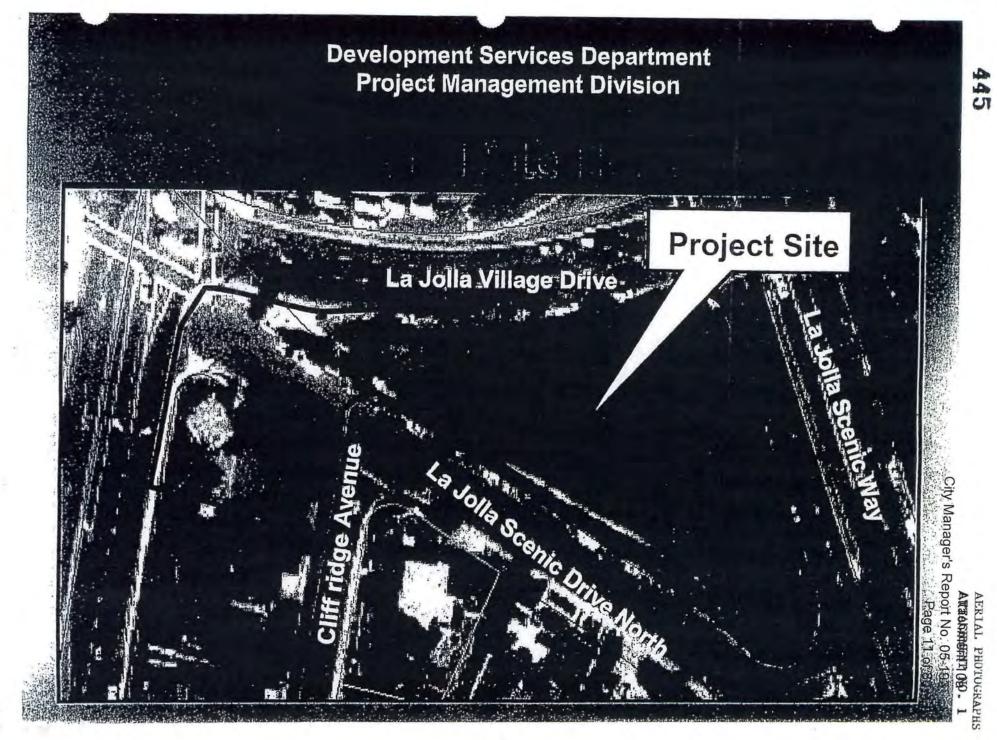
Development Services Director

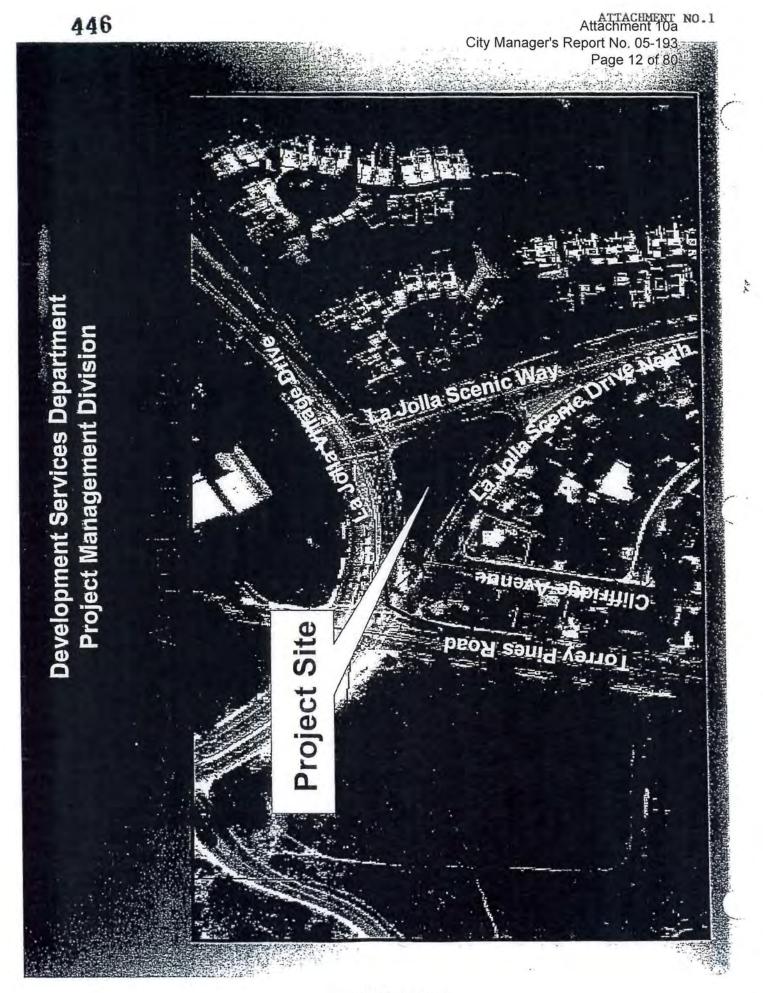
Halbert/RMK

Approved: Elleh Öppenheim Deputy City Manager

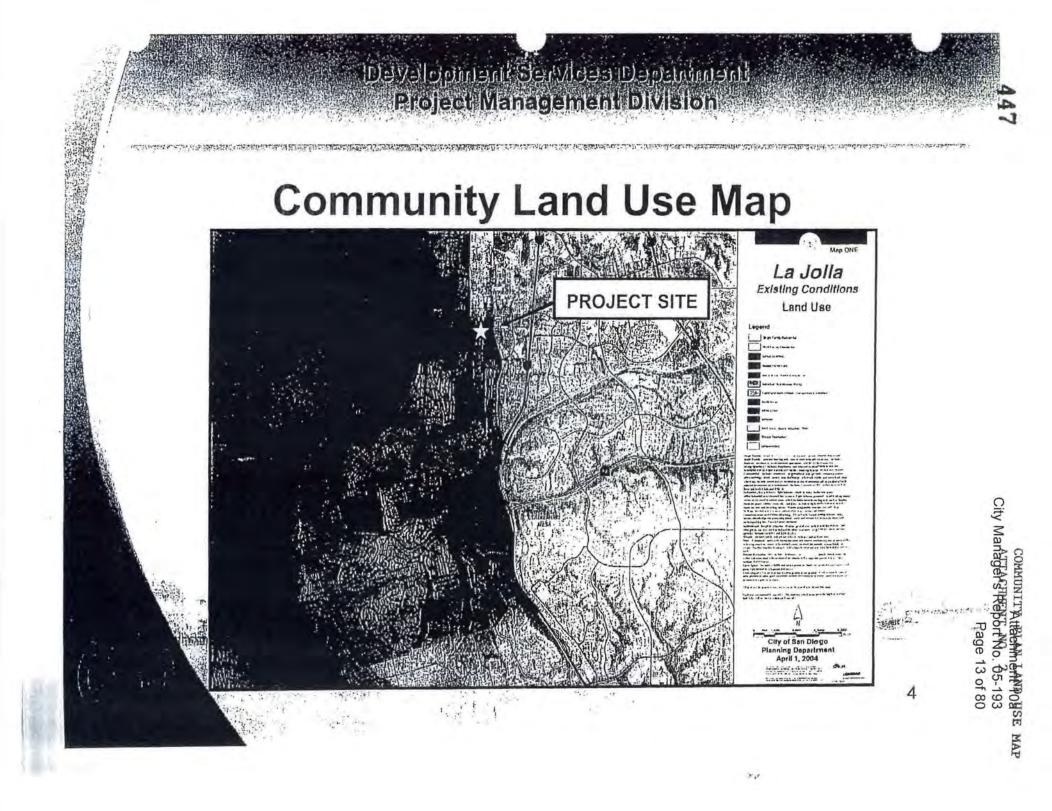
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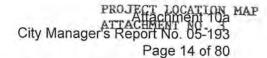
- 1. Aerial Photograph(s)
- 2. Community Plan Land Use Map
- Project Location Map
- 4. Project Data Sheet(s)
- 5. Project Site Plan(s)
- 6. Reduced Project Plans (Reduced 11x17 for Planning Commission only)
- 7. Draft Planned and Site Development Permit with Conditions
- 8. Draft Planned and Site Development Permit Resolution with Findings
- 9. Draft Street Vacation/Dedication Resolution
- 10. Hillel Sample Event Schedule
- 11. Community Planning Group Recommendation(s)
- 12. Ownership Disclosure Statement
- 13. Project Chronology



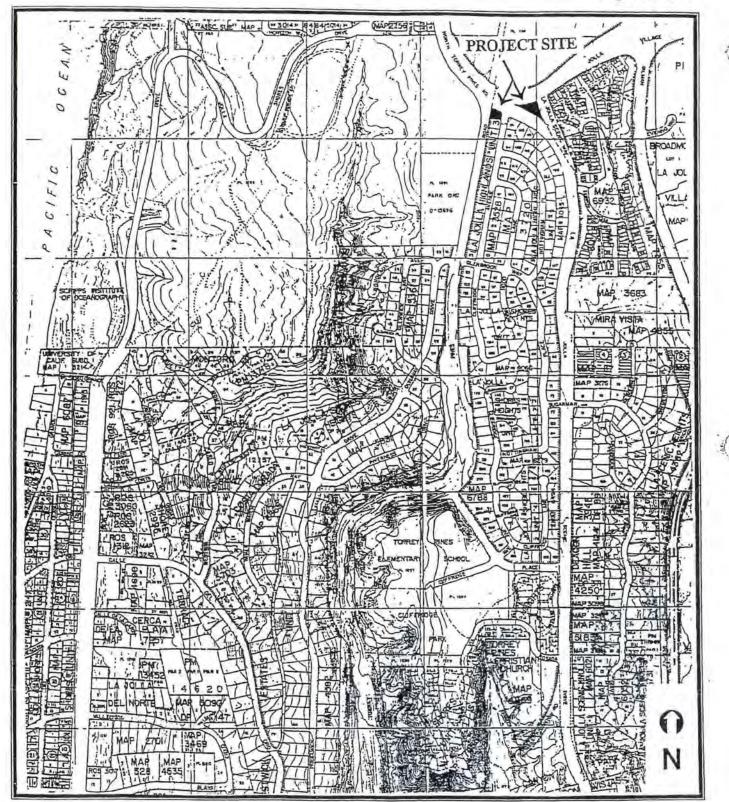


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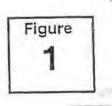


Hillel of San Diego



Location Map

Environmental Analysis Section Project No. 6098 CITY OF SAN DIEGO · DEVELOPMENT SERVICES



PROJECT DATA SHEETS AATTACHMENT 1008. 4 PROJECT DATA SHEETS Fity Manager's Report No. 05-193

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PROJ	ECT DATA SI	HEET Manager's Report No. 0 Page 15	
PROJECT NAME:	Hillel of San Diego (Phase I)		
PROJECT DESCRIPTION:	Continue use of an existing Single-family residence for religious purposes until Phase II approved for occupancy.		
COMMUNITY PLAN AREA:	La Jolla Shores Planned District / La Jolla Community Plan		
DISCRETIONARY ACTIONS:	Planned and Site Development Permits, Easement Abandonment, Street Vacation and Street Dedications		
COMMUNITY PLAN LAND USE DESIGNATION:	Residential / Single-family		
Permits single-family residences purposes HEIGHT LIMIT: 30- LOT SIZE: 8,2 FLOOR AREA RATIO: N/A LOT COVERAGE: 27 FRONT SETBACK: 9- SIDE SETBACK: 5- STREETSIDE SETBACK: 10 REAR SETBACK: 7- PARKING: 6 s	and Churches, Temples an Foot maximum height lin 60 square-feet A 6 percent feet existing feet existing 9-feet existing feet existing feet existing feet existing feet existing		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	R1-5000	College Campus	
SOUTH:	SF	Single-family residential	
EAST:	SF	Single-family residential/vacant	
WEST:	R1-5000	Vacant land/Youth athletic field	
DEVIATIONS OR VARIANCES REQUESTED:	Deviations to the Street Design Manual for the intersection of Cliffridge Avenue and La Jolla Scenic Drive North knuckle, width of bike/pedestrian path and utility space within the curb-to-propertyline distance.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 3, 2005, the La Jolla Community Planning Association is scheduled to consider this project. If action is taken it will be orally presented to the Planning Commission.		

ATTACHMENT	NO	4
Attachment	10a	

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450	On January 18, 2005, the La Jol aty Man	algerten Brei Doirst Not 05-193
	Advisory Board voted 5-0 on three separ	ate motions Page 16 of 80
	Deny the project as proposed.	

ATTACHMENT NO. 4 Attachment 10a

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PROJECT DATA SHEET<sup>City</sup>

City Manager's Report No. 05-193 Page 17 of 80

PROJECT NAME:	Hillel of San Diego (Phase II)			
PROJECT DESCRIPTION:	Construction of a new 12,100 square-foot Jewish student religious center over a 17,000 square-foot subterranean parking garage.			
COMMUNITY PLAN AREA:	La Jolla Shores Planned District/La Jolla Community Plan			
DISCRETIONARY ACTIONS:	Planned and Site Development Permits, Easement Abandonment, Street Vacation and Street Dedication			
COMMUNITY PLAN LAND USE DESIGNATION:	Residential / Single-family			

# ZONING INFORMATION:

**ZONE:** SF (Single-family residential) within the La Jolla Shores Planned District. Permits single-family residential and Churches, Temples and buildings used for religious purposes

HEIGHT LIMIT: 30-Foot maximum height limit.

LOT SIZE: 35,069 square-feet gross/ 25,069 square-feet net

FLOOR AREA RATIO: N/A

FRONT SETBACK: 14-feet (La Jolla Scenic Way).

STREETSIDE SETBACK: 14-feet (La Jolla Scenic Drive North).

STREETSIDE SETBACK: 12-feet (La Jolla Village Drive)

REAR SETBACK: N/A

PARKING: 40-off street spaces on-site/27 spaces off-site/additional off-site spaces through shared parking agreements.

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	R1-5000	College campus Single-family residential Single-family residential		
SOUTH:	SF			
EAST:	SF			
WEST:	SF/R1-5000	Single-family residential / vacant lands		
DEVIATIONS OR VARIANCES REQUESTED:	Deviations to the Street Design Manual for the intersection of Cliffridge Avenue and La Jolla Scenic Drive North knuckle, width of bike/pedestrian path and utility space within the curb-to-propertyline distance.			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 3, 2005, the La Jolla Community Planning Association is scheduled to hear this project. If action is taken it will be orally presented to the Planning			

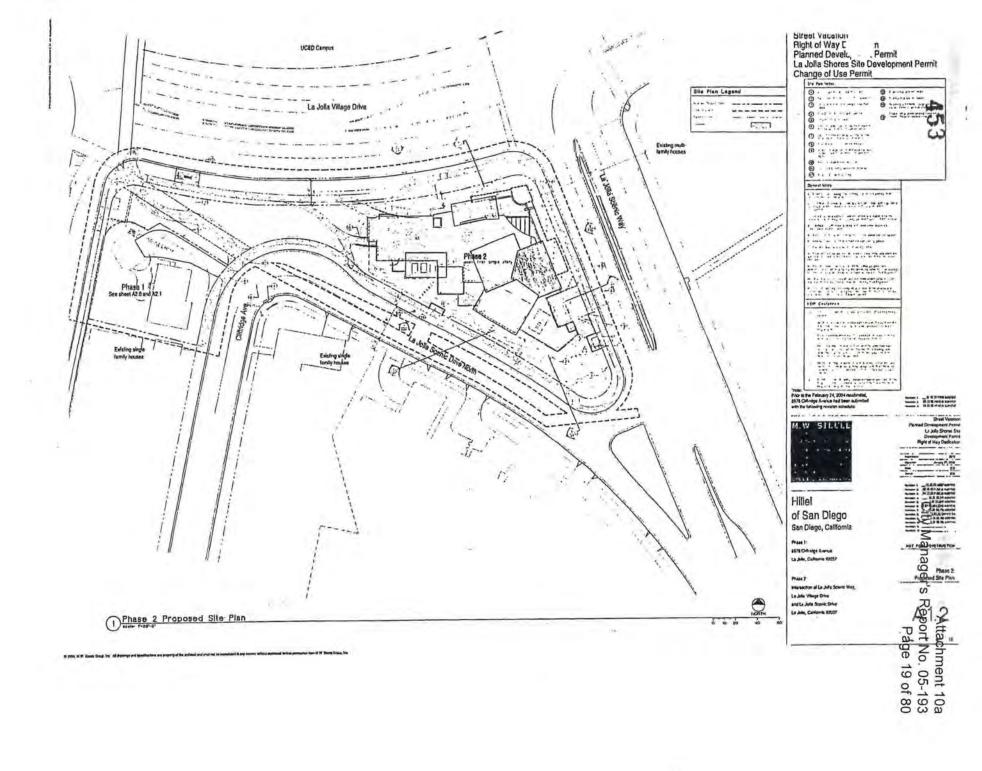
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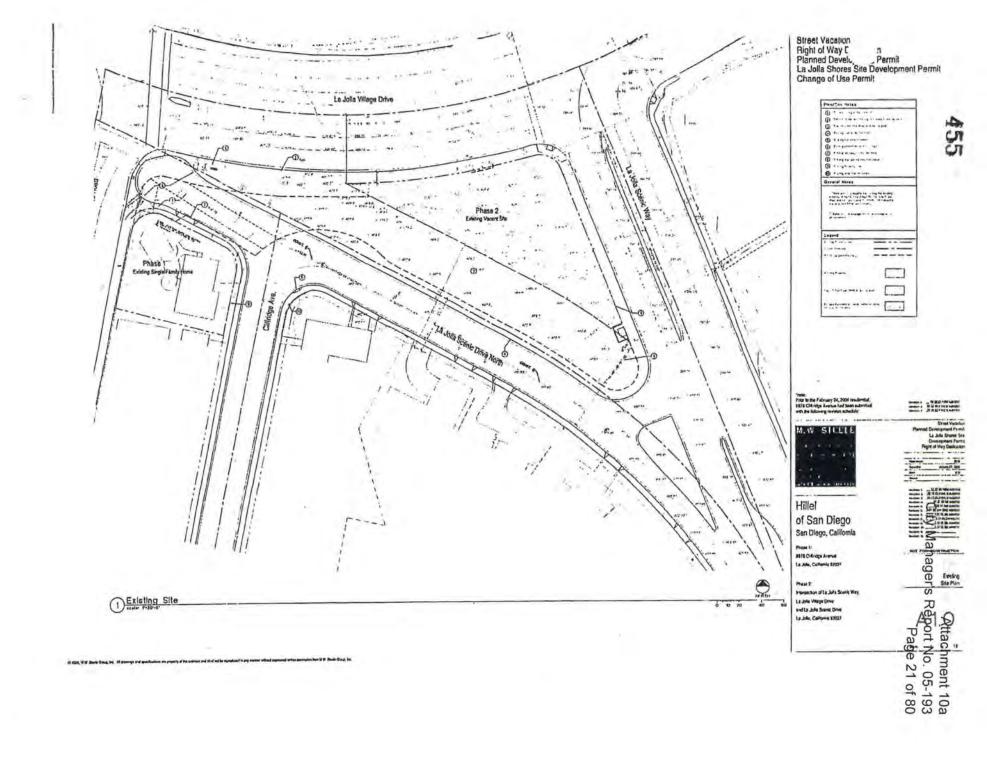
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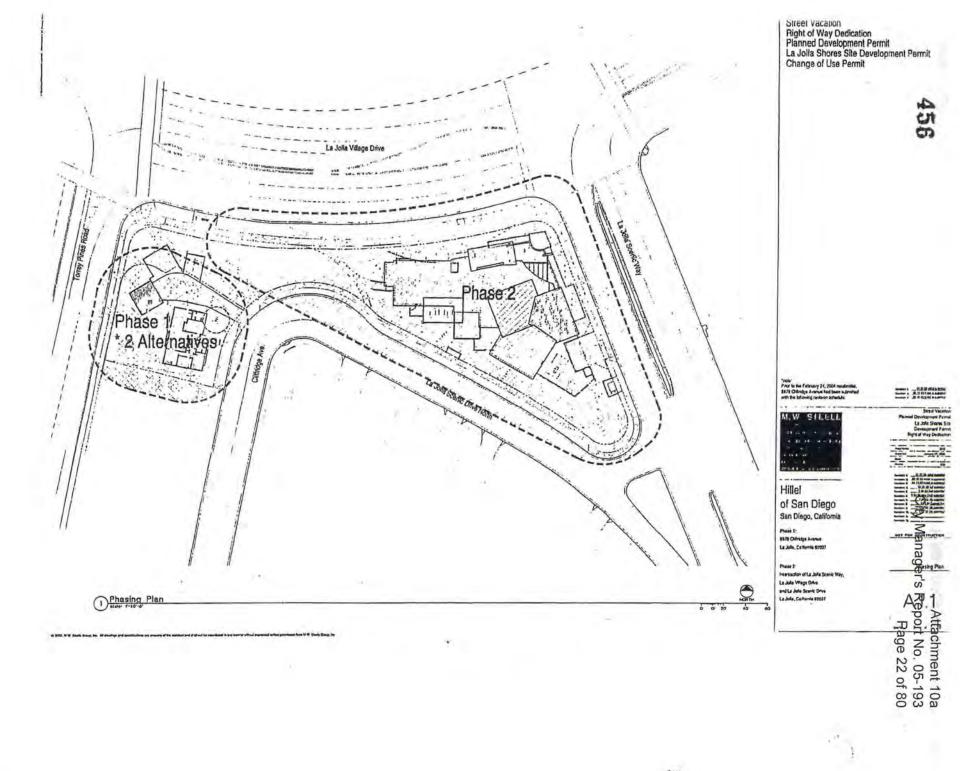


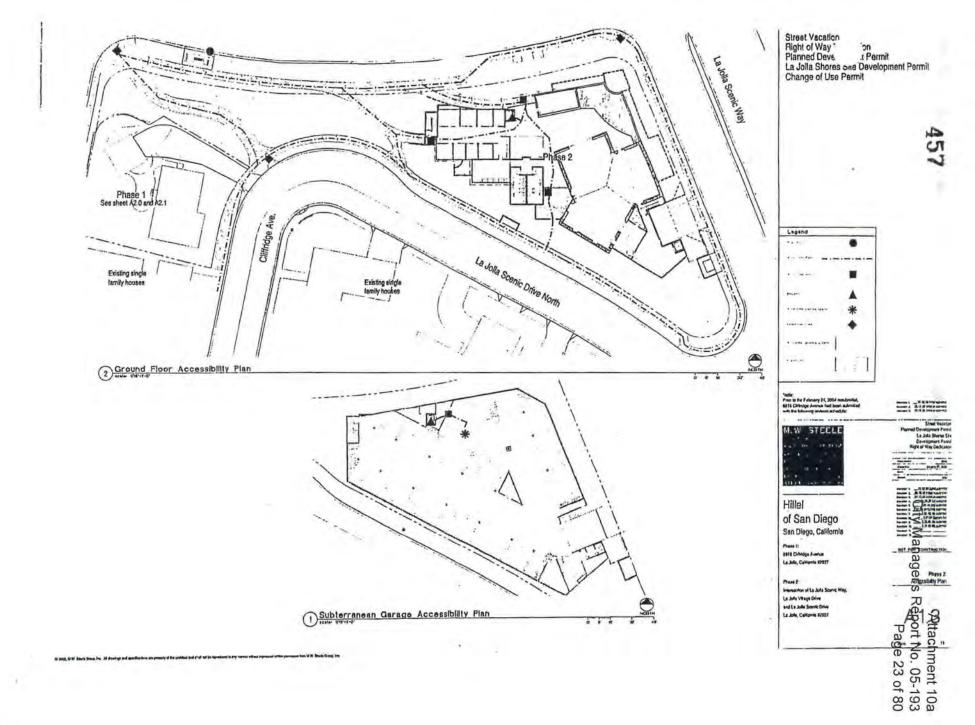
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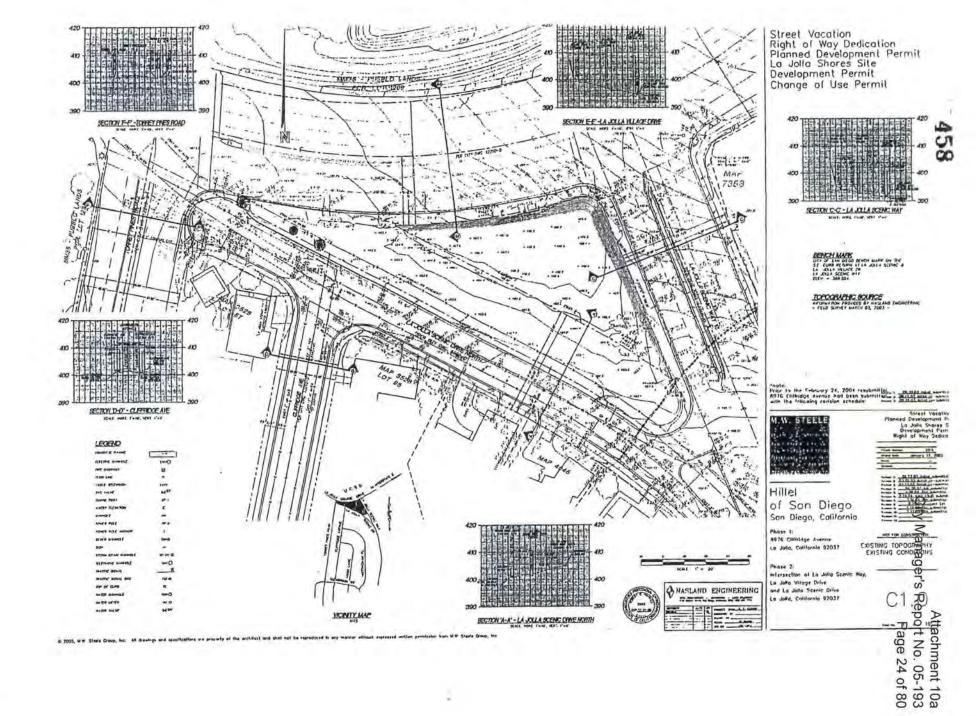
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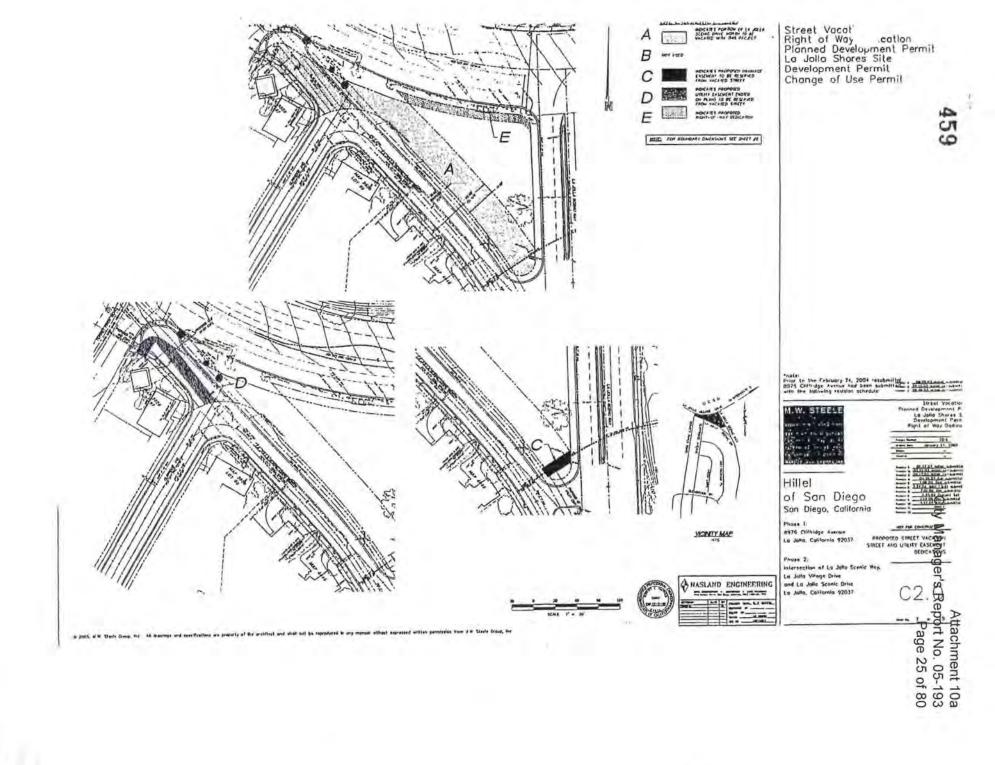


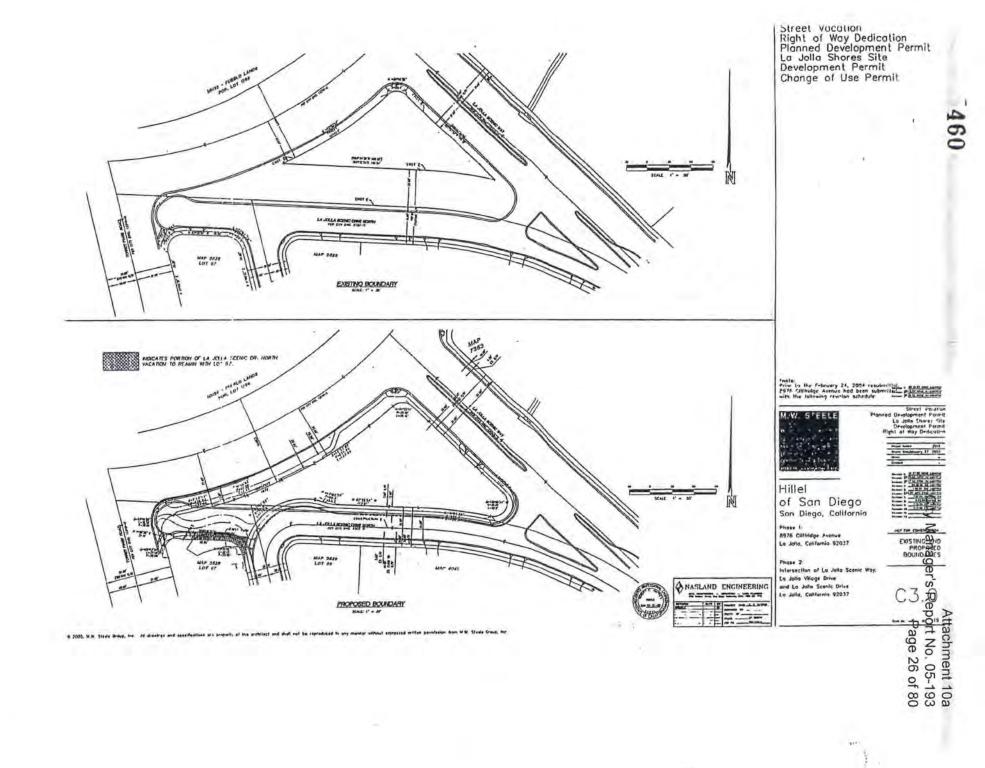


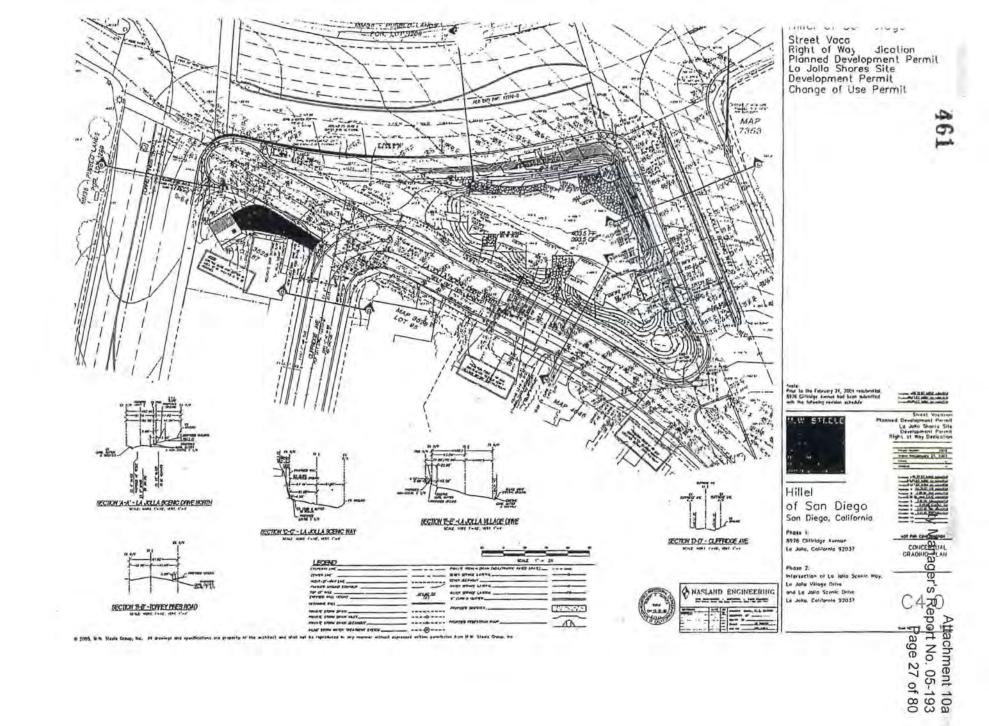


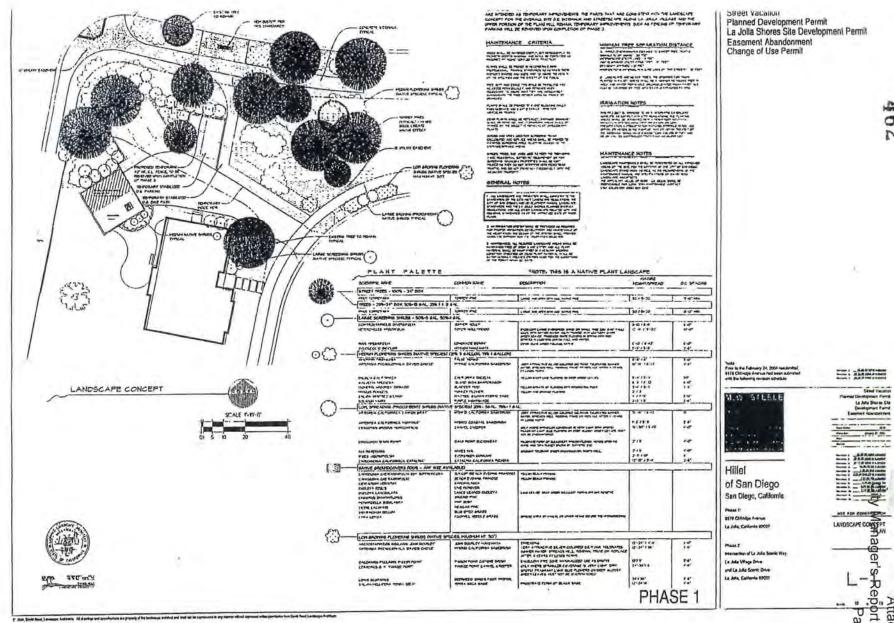


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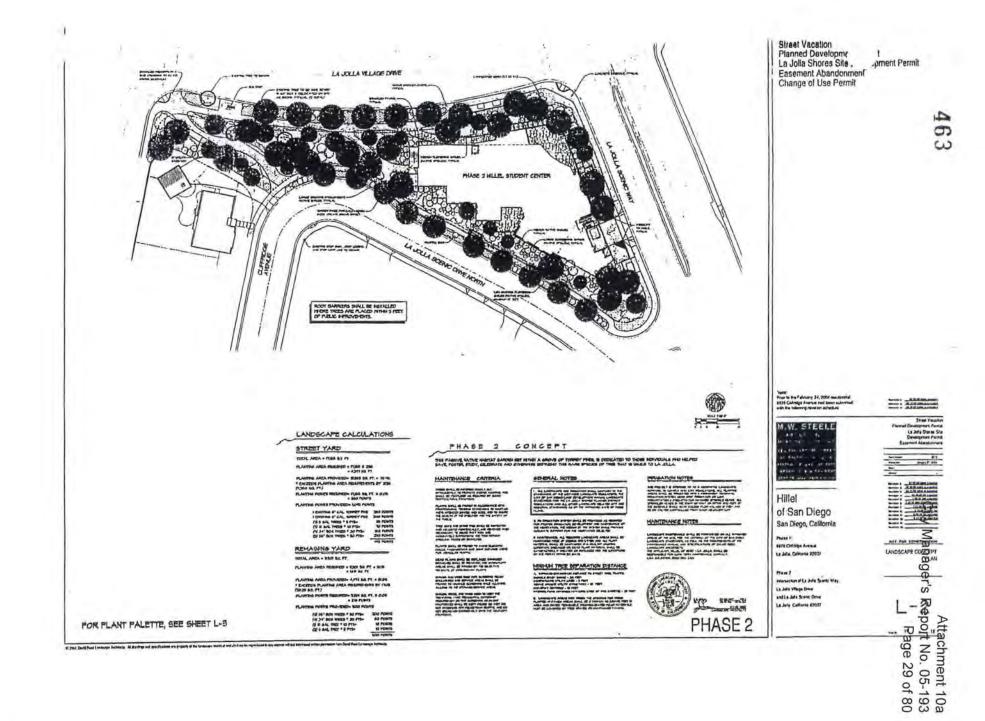


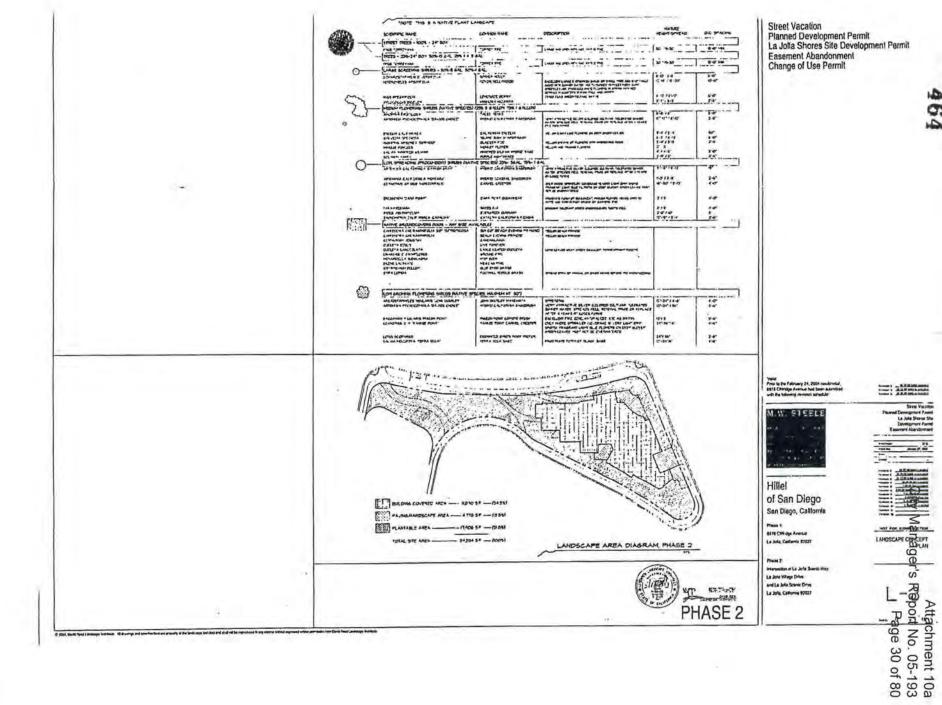




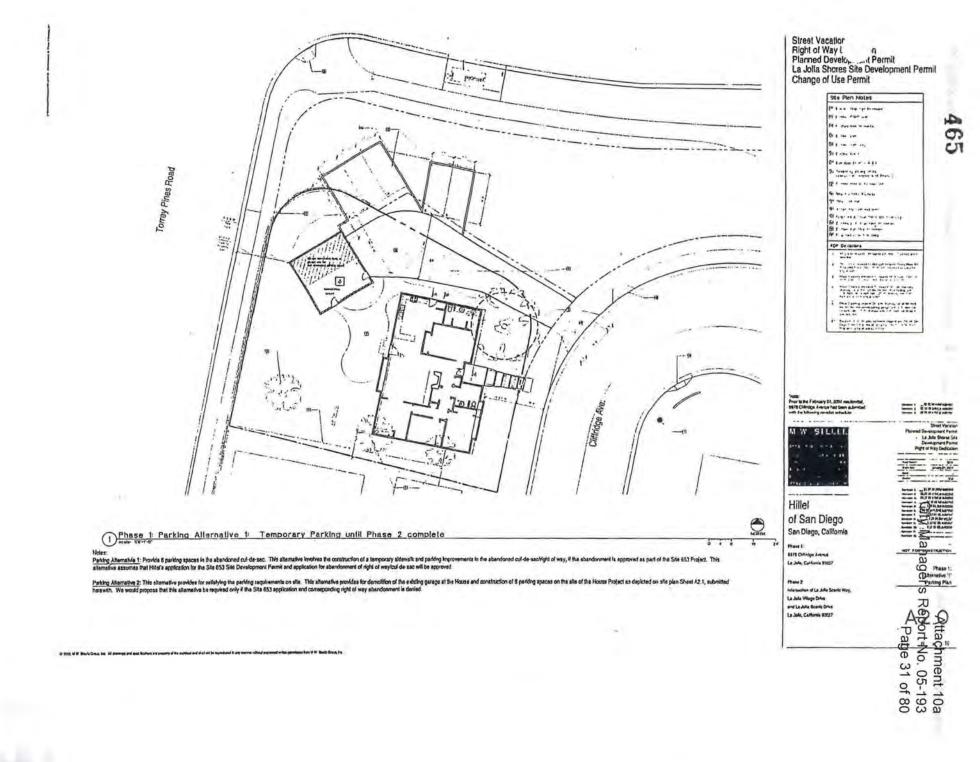
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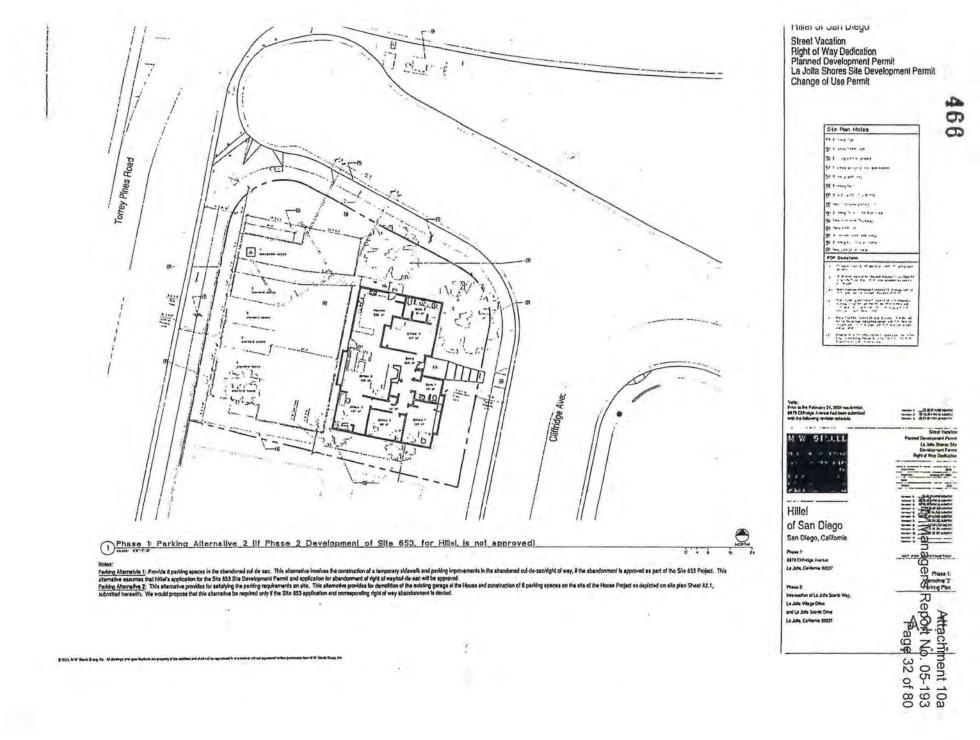
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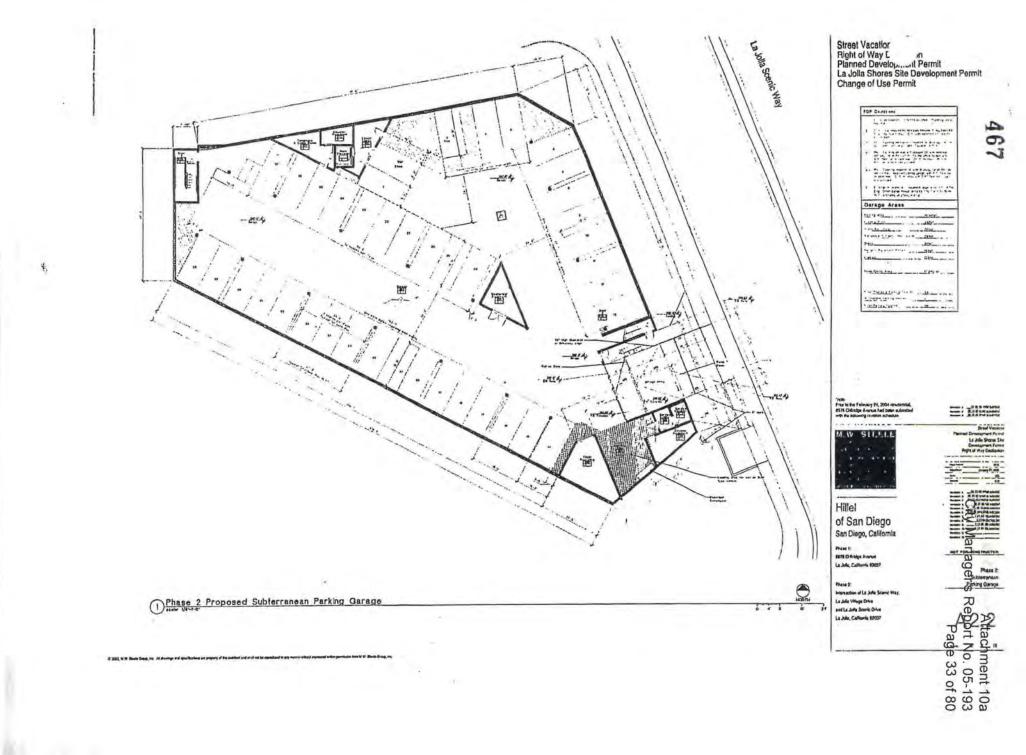


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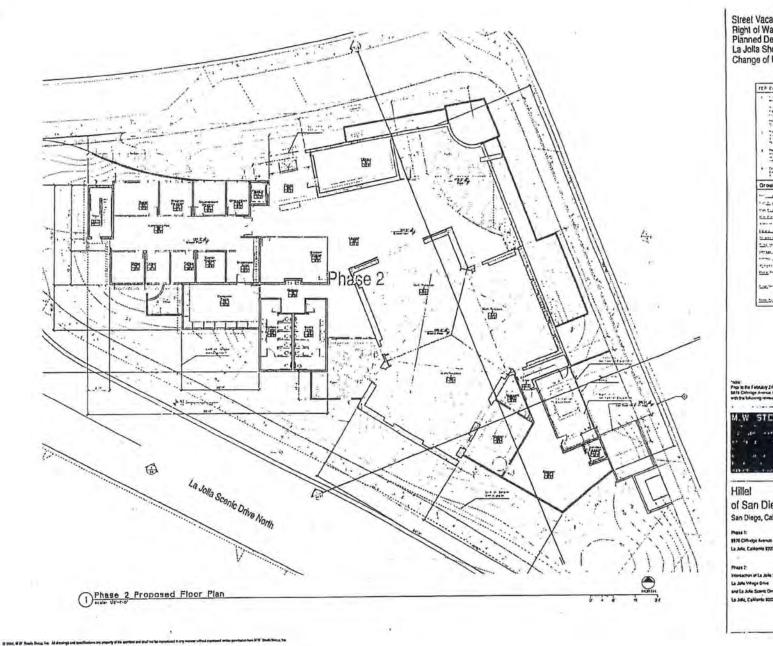




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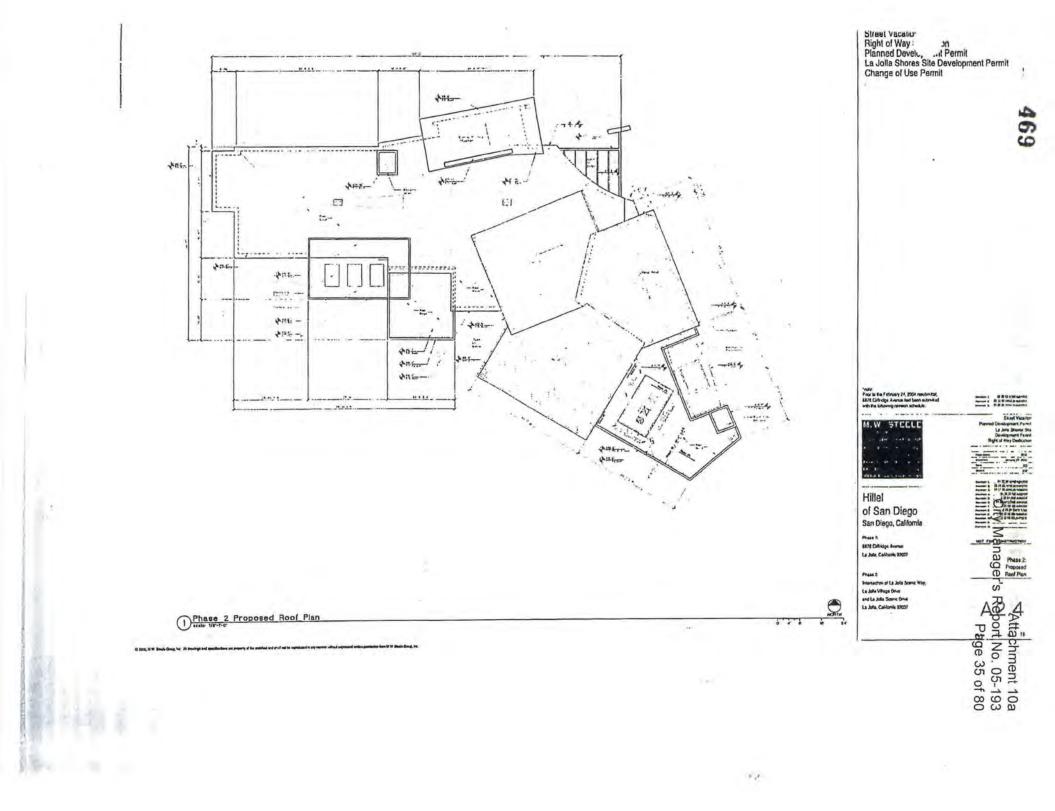


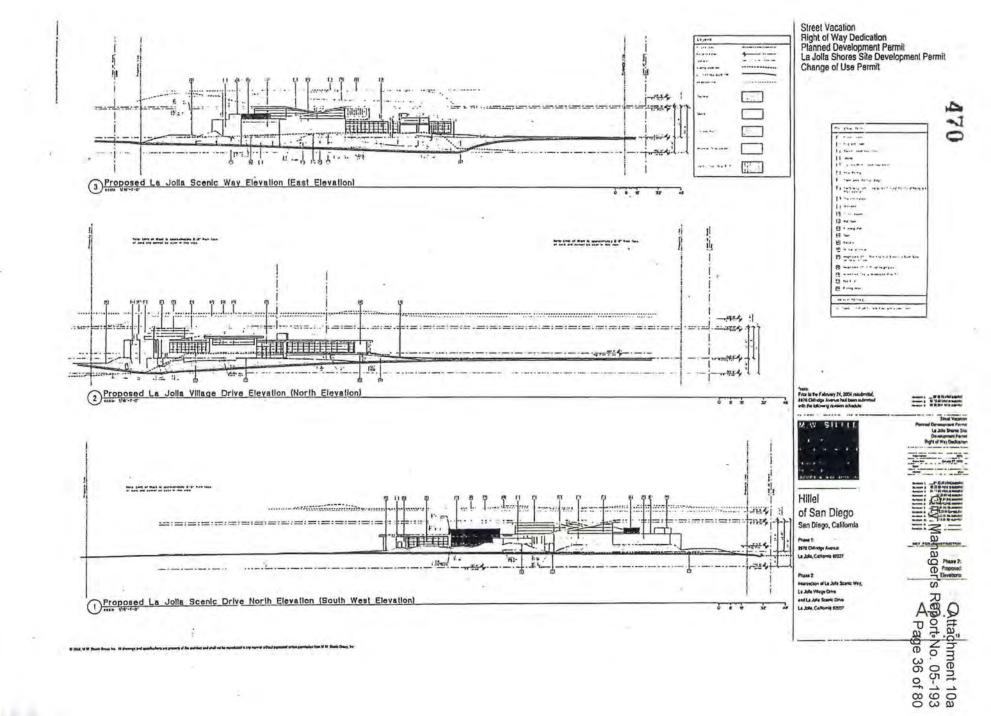
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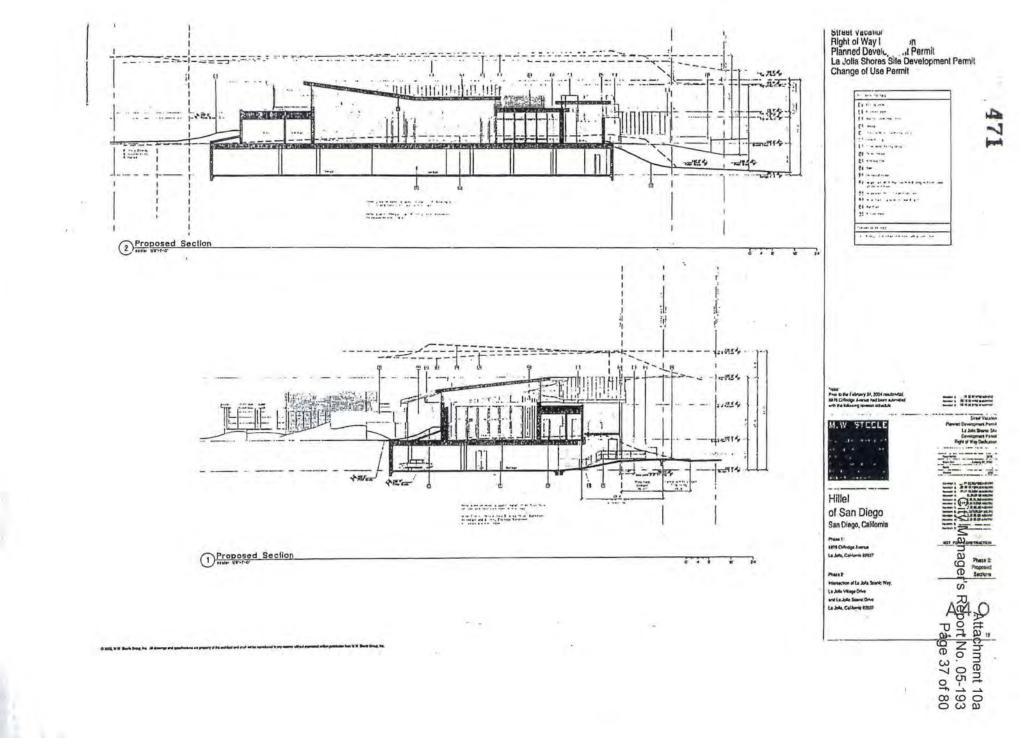
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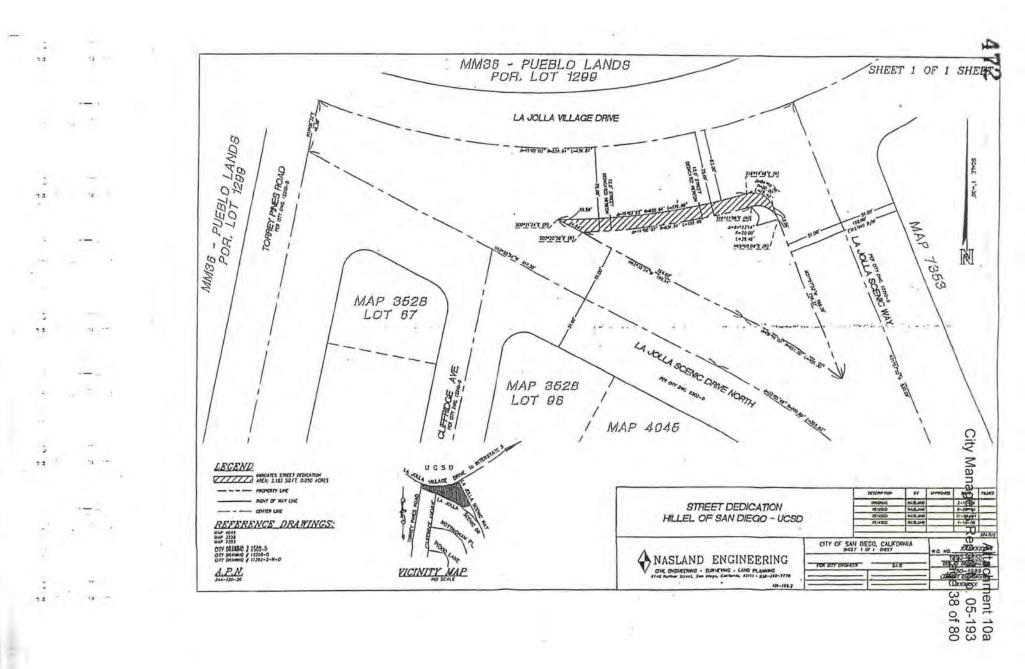
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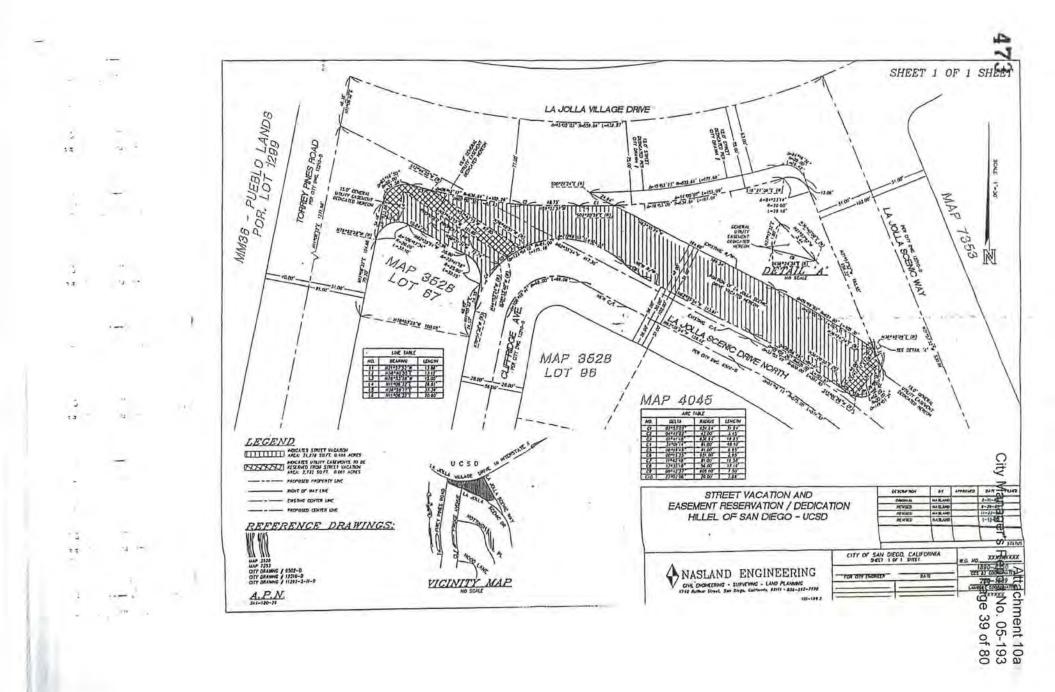




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RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO

CITY CLERK MAIL STATION 2A

JOB ORDER NUMBER: 42-1438

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# PLANNED DEVELOPMENT PERMIT NO. 158095 SITE DEVELOPMENT PERMIT NO. 158094 LOT LINE ADJUSTMENT PARCEL MAP NO. 188004 HILLEL OF SAN DIEGO (MMRP) – PROJECT NO. 6098 CITY COUNCIL

This Planned Development Permit No. 158095 and Site Development Permit No. 158094, is granted by the City Council of the City of San Diego to ROBERT MARSHALL, an Individual, Owner, and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase I) and CITY OF SAN DIEGO, a Municipal Corporation, Owner, and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase II), pursuant to San Diego Municipal Code [SDMC] Sections 126.0601. 126.0501 and 103.0300. The 8,882 (post-lot-line adjustment) square-foot Phase I site located at 8976 Cliffridge Avenue and the 33,518 (23,518 square-feet developable) square-foot Phase II site is within the triangular area known as Site 653 bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North in the SF (single-family) zone of the La Jolla Shores Planned District, Coastal Height Limit and Parking Impact Overlay (Campus Impact Area), all within the boundaries of the La Jolla Community Plan. The project site is legally described as: Phase I: Lot 67, La Jolla Highlands, Unit No. 3, Map No. 3528; and Phase II: A Portion of Lot 1299, Pueblo Lands, Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittees to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular shaped parcel with a 12,000 square-foot Jewish student religious center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated September 27, 2005, on file in the Development Services Department.

The project or facility shall include:

a. Phase I: Continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy; and

Page 1 of 13

Phase II: The development of a two-level Jewish student religious center consisting of an upper level main floor plan use are of 12,000 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 40 vehicles, trash enclosures and elevators; and

- b. A Lot-line Adjustment Parcel Map for the vacated right-of-way of La Jolla Scenic Drive North between Phase I and Phase II to assure sufficient right-of-way for continued access to the required off-street parking when the Phase I terminates and the structure reverts to residential use.
- c. Landscaping (planting, irrigation and landscape related improvements) with existing landscaping at the residence at 8976 Cliffridge Avenue to be maintained, the 23,518 square-foot Hillel center to be landscaped and maintained in accord with the approved Exhibit 'A' Landscape Plan subject to the conditions contained herein, and the required public benefit 10,000 square-foot area between the Phase I and II sites; and
- d. Off-street parking facilities to be maintained on both the Phase I and II sites as conditioned herein, and the requirement for off-site parking required for the use and events associated with Phase II; and
- e. Fencing, walls, decorative site features and signage; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

# STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

 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 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

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3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.

4. This Permit 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.

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

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

7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this 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 the special rights which the holder of the Permit is entitled as a result of obtaining 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 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. This Permit may be utilized in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits, dated September 27, 2005).

ATTAUMMENT NO. Attachment 10a City Manager's Report No. 05-193 Page 43 of 80

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11. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act (ADA) requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

12. The Phase I continued use of the residentially constructed house at 8976 Cliffridge Avenue for religious purposes shall continue, subject to the applicable conditions of this permit, until Phase II is completed and ready for occupancy. As Phase II is utilized for Hillel purposes, Phase I shall terminate and the owner of the residence will convert the use of the site back to single-family residential. Should the owner desire to utilize the residence and property for some other use permitted by the SF zone of the La Jolla Shores Planned District, the owner shall apply for a separate Site Development Permit.

# ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

14. As conditions of this Planned Development Permit No. 158095 and Site Development Permit No. 158094, the mitigation measures specified in the MMRP, and outlined in the ENVIRONMENTAL IMPACT REPORT NO. 6098, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the ENVIRONMENTAL IMPACT REPORT NO. 6098 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

### **Paleontological Resources and Parking**

16. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

17. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

# ENGINEERING REQUIREMENTS:

18. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.

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19. The drainage system proposed for this development, as shown on the approved plans, is subject to approval by the City Engineer.

20. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of sidewalk on La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North along the property frontage, new curb, gutter and sidewalk along the vacated area at Cliffridge Avenue and La Jolla Scenic Drive North, a connection to the City storm drain in La Jolla Scenic Way, 3 sidewalk underdrains (one in each adjacent street), a pedestrian ramp at La Jolla Village Drive and La Jolla Scenic Way and a 24-foot driveway on La Jolla Scenic Way, all satisfactory to the City Engineer.

22. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

23. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

24. Prior to the issuance of any construction permits, the applicant 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.

25. Prior to the issuance of any building permits, the applicant shall process the street vacation and dedication drawings and drawings for the easement reservations, all satisfactory to the City Engineer.

26. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for two (2) D-27 sidewalk underdrains (in La Jolla Village Drive and La Jolla Scenic Drive North) and a connection to the City drain system.

# LANDSCAPE REQUIREMENTS:

27. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

28. Prior to issuance of any grading permits or construction permits for structures, complete landscape construction documents, including planting plans, irrigation plans, details and notes, shall be submitted to the Development Services Department for approval. The plans shall be in substantial conformance to Exhibit "A", on file in the Office of the Development Services Department.

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

ATTACHMENT NO. Attachment 10a City Manager's Report No. 05-193 Page 45 of 80

30. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 square feet 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. 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 City Manager within 30 days of damage and prior to issuance of a Certificate of Occupancy.

32. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

33. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A No Fee Street Tree Permit shall be obtained for the installation, establishment and on-going maintenance of all street trees.

## TRANSPORTATION REQUIREMENTS:

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34. The project shall provide an additional X off-site parking spaces through a shared parking agreement(s) for Hillel's weekly Shabbat services. The A parking spaces shall be available from 1 hour prior to the event until 1 hour after each Shabbat Service. 67

35. The project shall provide an additional 75 off-site parking spaces through a shared parking agreement(s) for Hillel's special events. The 75 parking spaces shall be available from 1 hour prior to the event until 1 hour after each event.

**36.** Prior to the issuance of the first building permit, a shared parking agreement shall be provided between Hillel and the off-site parking provider(s) for the required off-site parking spaces, satisfactory to the City of San Diego.

37. Hillel shall provide a shuttle service between the off-site parking location(s) and the Hillel facility for both weekly Friday Shabbat services and the occasional special events. If the off-site location is within 600-feet of the Hillel site, no shuttle service will be required.

38. During Shabbat services and special events, signs shall be placed and maintained in front of the project clearly indicating available parking spaces at the off-site location(s).

**39.** During Shabbat services and special events, signs shall be placed and maintained at the entrance of the off-site parking location(s) clearly indicating that parking spaces are available for Hillel.

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ATTACHMENT NO. Attachment 10a City Manager's Report No. 05-193 Page 46 of 80

40. No fewer than 6 temporary parking spaces shall be constructed in the vacated/abandoned portion of La Jolla Scenic Drive North right-of-way (as shown on Exhibit "A") for the use of the 8976 Cliffridge Avenue site (Phase I). These temporary parking spaces shall be removed and the area restored upon the completion of the project at Site 653 (Phase II).

41. No fewer than 6 on-site parking spaces shall be maintained on 8976 Cliffridge Avenue (Phase I) in the event that the Hillel project is not constructed on Site 653 (Phase II) in the approximate locations shown on the approved Exhibit "A", on the file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

42. No landscaping and/or hardscaping more than 30-inches in height shall be placed in the visibility triangle as shown on Exhibit "A".

43. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, construction of new pedestrian curb ramps at the intersections of La Jolla Village Drive / La Jolla Scenic Way and Torrey Pines Road / La Jolla Village Drive, satisfactory to the City Engineer.

44. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, reconstruction of La Jolla Scenic Drive north along its frontage between La Jolla Scenic Way and Cliffridge Avenue to provide 34 feet of pavement, curb, gutter and sidewalk, with 12 feet curb to property line distance, satisfactory to the City Engineer.

**45.** The stop sign will remain on Cliffridge Avenue at its intersection with La Jolla Scenic Drive North. A curve warning sign on westbound La Jolla Scenic Drive North in advance of its intersection with Cliffridge Avenue shall be installed satisfactory to the City Engineer.

46. Prior to the issuance of the first building permit, applicant shall assure by permit and bond installation of curve warning signs in advance of the intersection of Cliffridge Avenue / La Jolla Scenic Drive North, satisfactory to the City Engineer.

47. The applicant is required to install a pedestrian ramp on the west side of the intersection of La Jolla Scenic Drive North and Cliffridge Avenue prior to the issuance of the first building permit.

**48.** Prior to the issuance of the first building permit, applicant shall assure by permit and bond installation of double yellow center line along the curve on Cliffridge Avenue and La Jolla Scenic Drive North, satisfactory to the City Engineer.

49. Prior to the issuance of the first building permit, applicant shall dedicate approximately 5-feet along project frontage on La Jolla Village Drive (as shown on Exhibit "A") and shall assure by permit and bond, reconstruction of curb, gutter, contiguous and non-contiguous sidewalk, with 22-feet curb-to-property line distance, satisfactory to the City Engineer.

50. Prior to the issuance of the first building permit, applicant shall assure by permit and bond construction of a 10-foot wide pedestrian/bicycle path between La Jolla Scenic Drive North and Torrey Pines Road, satisfactory to the City Engineer.

51. The gate to the subterranean garage shall be monitored by Hillel's staff during all gatherings.

52. Prior to the issuance of the first building permit, the applicant must submit a Transportation Demand Management (TDM) Plan. The TDM Plan shall include the following:

 a) Provide staff at both Hillel facility and the off-site location to monitor parking for occasional special events.

 b) Publicize the availability of off-site parking and transportation prior to the occasional special events.

c) Annual post-occupancy parking demand study shall be conducted by Hillel for Shabbat services and occasional special services for 3 years after the facility becomes operational, satisfactory to the City Engineer. If post occupancy study indicates need for additional off-site parking, then Hillel shall secure the additional needed parking spaces, satisfactory to the City of San Diego. If post occupancy study indicates that Hillel has no need for the required off-site parking spaces, then those spaces do not need to be provided. The parking demand study should also include an annual summary of the type and frequency of the events that take place at Hillel's facility. The parking demand study should also monitor the use of the on-street parking in the vicinity of the project and eliminate any adverse impact of the project on the on-street parking.

53. Prior to the expiration of the term of the shared parking agreement, Hillel shall provide a renewed shared parking agreement for the off-site parking requirement to the City of San Diego.

#### PLANNING/DESIGN REQUIREMENTS:

54. Hillel hours of operation shall be limited to 7:00 A.M. to 10:00 P.M. daily and events will be concluded by 10:00 P.M., allowing for 11:00 P.M. clean up and closing of the facility. Hillel may observe Jewish holidays, customs and ritual practices for High Holiday, Shavuot, Purim, Passover and other Jewish special observances provided that the above hours of operation shall observed and these occasional events shall comply with Condition No. 54 of this Permit.

55. Occasional events will be limited to no more than 12 in a calendar year. Occasional event parking demands will be met by the mitigation outlined in the traffic and parking study that is conditioned upon the project.

56. No fewer than 40 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

57. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance

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from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

58. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

59. 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 Permittee.

60. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

61. No building additions shall be permitted unless approved by the City Manager.

62. All signs associated with this development shall be consistent with sign criteria established by the La Jolla Shores Planned District Ordinance.

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

64. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

65. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

66. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.

# LONG-RANGE PLANNING:

67. The cul-de-sac area proposed for vacation shall be retained in perpetuity for public pedestrian and bicycle access. The area shall not be gated or otherwise obstructed to prevent free movement and public access. In addition, the project shall incorporate signage which identify this area as public access to the satisfaction of the City Planner.

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# WASTEWATER REQUIREMENTS:

68. Prior to issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of realignment of the existing 8" public sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue in a fashion acceptable to the Metropolitan Wastewater Department Director.

69. Prior to issuance of any building permits, the developer shall prepare appropriate public improvement plans for the construction of realignment of the existing 8" sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue acceptable to the Metropolitan Wastewater Director, reviewed and approved by the Wastewater Plan Check Section.

70. Prior to the final inspection of any building permit, the developer shall have the construction of the realignment of the existing 8" sewer main at the turn of La Jolla Scenic Drive North and Cliffridge Avenue completed per approved plans and satisfactory to the wastewater Department Director and the City Engineer.

71. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be re-designed.

72. All proposed private sewer facilities that serve more than one lot are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Accordingly, improvement drawings and inspection by the Field Engineering Division will be required.

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

74. The project has a parking structure which is below grade, and it is in a zone where the Regional Water Quality Control Board (RWQCB) will not issue permits to discharge pumped ground water. Hence, the underground structure will shall be designed: a) water-tight with no sump pumps, b) to withstand any hydrostatic pressure that may result from surface water percolation or ground water, and c) for hydraulic uplift.

# WATER REQUIREMENTS:

75. Prior to the issuance of the first foundation, building or grading permit, the Owner/Permittee shall cut, plug and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North right-of-way to be vacated, from La Jolla Scenic Way to Torrey Pines Road, in a manner satisfactory to the Water Department Director and the City Engineer.

76. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of public 16-inch water facilities and the cut, plug and abandonment of the existing public 8-inch water facilities within the La Jolla Scenic Drive North right-of-way, from

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La Jolla Scenic Way to Torrey Pines Road, and connect to the 16-inch mains all existing water services still in service adjacent to the project, in a manner satisfactory to the Water Department Director and the City Engineer.

77. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s), including domestic, fire and irrigation, and the disconnection at the mains of all existing unused water services adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

78. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permit(s) for the installation of private back flow prevention device(s) on all water services to the development, including all domestic, fire and irrigation services, in a manner satisfactory to the Water Department Director and the City Engineer. All backflow prevention devices shall be located above grade and outside of any private structures.

79. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall install and/or replace fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

80. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall design and construct new public water facilities, into acceptable alignments and rights-of-way, in the event any public water facility in the vicinity of the project site loses integrity due to the construction and grading activities associated with this development, in a manner satisfactory to the Water Department Director and the City Engineer.

81. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall grant acceptable water easements over all public water facilities located outside of fully improved public rights-of-way, in a manner satisfactory to the Water Department Director and the City Engineer. Minimum water easement width, for exclusive use of public water mains with no appurtenances, shall be 15-feet-wide.

82. Prior to the first final inspection of any building permit for the Hillel of San Diego project, all public water facilities necessary to serve this development shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

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

# MAPPING:

84. A Lot-line Adjustment Parcel Map will be filed in conjunction with the vacation of the public right-of-way for that portion of La Jolla Scenic Drive North reverting to Lot 67, La Jolla Highlands Unit No. 3, map No. 3528 and the Portion of Lot 1299, Pueblo Lands, Misc. Map No. 36, for the benefit of

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Lot 1299 but assuring access to Lot 67 for the required off-street parking, as shown on Exhibit 'A' and to the satisfaction of the City Engineer.

#### **INFORMATION ONLY:**

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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.

APPROVED by the City Council of the City of San Diego on September 27, 2005, Resolution No. RR-xxxxxxxxx.



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AUTHENTICATED BY THE CITY MANAGER

Ву\_\_\_\_\_

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.

[NAME OF COMPANY] Owner/Permittee

Ву\_\_\_\_\_

Ву\_\_\_\_\_

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

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Rev. 7/15/04 dcj

DRAFT PLANNED AND SITE DEVELOPMENT PERMIT RESOLUTION COMPERTINGS CRYANINGER'S Report No. 05-193 Page 53 of 80

#### **Resolution for Approving/Denying Permits**

#### (R-INSERT)

### RESOLUTION NUMBER R-NUMBER MITIGATED NEGATIVE DECLARATION NO. 6098

#### ADOPTED ON SEPTEMBER 27, 2005

WHEREAS, ROBERT MARSHALL, an Individual, Owner and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase I) and CITY OF SAN DIEGO, a Municipal Corporation, Owner and HILLEL OF SAN DIEGO, a Religious Corporation, Permittee (Phase II), filed an application with the City of San Diego for a Planned Development Permit No. 158095 and a Site Development Permit No. 158094, to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular shaped parcel with a 12,000 square-foot Jewish student religious center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, located at 8976 Cliffridge Avenue (Phase I) and within the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North (Phase II), and legally described as Lot 67, La Jolla Highlands, Unit No. 3, Map No. 3528 (Phase I) and a Portion of Lot 1299, Pueblo Lands, Miscellaneous Map No. 36, in the La Jolla Shores Planned District and La Jolla Community Plan area, in the SF (Single-family) zone; and

WHEREAS, on February 10, 2005, the Planning Commission of the City of San Diego considered Planned Development Permit No. 158095 and Site Development Permit No. 158094, and pursuant to Resolution No. 3676-PC voted to "Recommend City Council denial of the permits"; and

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WHEREAS, the matter was set for public hearing on September 27, 2005, testimony

having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following

findings with respect to Planned Development Permit No. 158095 and Site Development Permit

No. 158094:

#### Planned Development Permit - Section 126.0604

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

The proposed development consists of a Phase I plan to continue use of a single-family residence at 8976 Cliffridge Avenue as religious offices with the addition of six off-street required parking spaces until such time as the Phase II improvements are approved for occupancy, at which time the owner of the residence will revert it back to residential use and maintain two off-street parking spaces.

Phase II consists of the construction of a 12,000 square-foot Jewish student center above a subterranean 40-space parking garage of 17,000 square-feet of area. The Phase II site is a triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North. Development of the site will also require easement reservations and street vacations and dedication. A 10,000 square-foot landscaped area required by the City Council will be developed between the existing residence and new Hillel facility. To the north is the campus of the University of California at San Diego while a vacant area and youth athletic fields lie to the west with a detached single-family <u>neighborhood</u> to the immediate south and a Planned Residential Development to the east.

This development is located within the SF (Single-family) zone of the La Jolla Shores Planned District within the La Jolla Community Plan boundary. The SF zone permits use for churches, temples and buildings of a religious nature. The Hillel facility is for a Jewish student center, serving primarily the Jewish student population on the neighboring college campus, where religious services will take place on-site. The Planned Development Permit addresses specifically the inability to meet all parking needs on-site through the reasonable square-footage of the functionable space and the capability to supply all parking on the site. The City Council has required the retention of 10,000 square-feet of landscaping as a public amenity and the triangular shape of the parcel, even with the additional site area gained by the street vacations, constrains the ability to design sufficient parking on-site. The applicant is required to secure a shared parking agreement(s) for off-site parking prior to the issuance of building permits to meet the 67 off-street parking space requirement for Friday evening Shabbat services and for the 115 off-street parking spaces required for special event occurrences. Only 40 off-street parking spaces are provided on-site. Additional off-site parking will meet needs for higher attendance religious services and occasional special events. Deviations from the Street Design Manual by the City Engineer address bikeway/pedestrian path width requirements from the intersection of La Jolla Village Drive/Torrey Pines Road to La Jolla Scenic Drive/Cliffridge Avenue, the intersection design for Cliffridge Avenue/La Jolla Scenic Drive North, for the back of sidewalk utility width area along the La Jolla Scenic Drive North frontage, and for driveway/curb cut widths at 8976 Cliffridge Avenue and the Phase II garage entry.

With development of the site in compliance with the approved Exhibit 'A' drawings and fulfillment of the conditions of approval, including monitoring of the parking needs, the development of this project will not adversely affect the applicable land use plans.

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

The development of the proposed Jewish student center, utilizing an existing singlefamily residence at 8976 Cliffridge Avenue and constructing a 12,000 square-foot facility over a 17,000 square-foot subterranean 40-space garage on a triangular parcel bounded by La Jolla Village drive, La Jolla Scenic Way and La Jolla Scenic Drive North, will not be detrimental to the public health, safety, and welfare.

The 42,400 square-foot site that includes the residence, area of City owned property known commonly as Site 653 and the area of proposed street vacations, is zoned SF (Single-family) within the boundaries of the La Jolla Shores Planned District and the La Jolla Community Plan. The use is specifically listed as a permitted use in the SF zone. The proposed development is requested to be a 2 phase project with the religious office use of the single-family residence terminating with occupancy of Phase II and the residence reverting back to residential use. The City Council required 10,000 square-foot landscaped area and a bike/pedestrian path required by City staff will separate the new religious student center from the adjacent single-family residence. The new structure lies across La Jolla Scenic Drive North from other residences. The design is a one-story elevation with mounded landscape area, a single entry point and minimal windows. The use inherently represents a larger structure for its different purpose but the overall design is relatively consistent to the neighborhood in low profile, materials, setbacks and landscape buffer. The subterranean garage is accessed from La Jolla Scenic Way on the east and the full impact of building mass is visible on the northeast corner of the site away from the residential neighborhood to the south.

A Mitigated Negative Declaration (MND) No. 6098, was completed on January 20, 2005, which determines that the development could have a significant environmental effect in the areas of Paleontological Resources and parking. A number of conditions for mitigation to a level below significance are incorporated in the environmental document and made conditions of approval for the project requested for development. Also considered during the preparation of the MND were Archaeological Resources, Biological Resources, Noise and Water Quality/Hydrology.

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Additional consideration was given to compatibility requirements of the La Jolla Shores Planned District Ordinance. A survey of development within a 300-foot radius indicated that the Hillel facility, with its use of earth tone colored stucco, stone cladding, masonry blocks, earth tone colored concrete, wood siding, dual-glazed windows, metal trellis and metal roof, together with a one-story low profile elevation facing the residential neighborhood, would be compatible and in keeping with the intent of the Ordinance given that this use is different but in the same zone/neighborhood.

With conditions of approval and plans and exhibits on file for the development of the site, the development 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.

The proposed development of this two phased Jewish student center in an existing residence and adjoining vacant City owned tract of land generally located on the south side of La Jolla Village Drive and north side of La Jolla Scenic Drive North, complies with all regulations of the Land Development Code. The guiding land use regulations are contained in the La Jolla Shores Planned District Ordinance and the applicable SF zone regulations. The religious use of the site for religious services and as a Jewish student center, is a permitted use in the SF zone. The design of the new structure and associated site improvements is consistent with other development within the neighborhood, recognizing that the use is different from that of a single-family detached residence. The main project issue for this option constrained triangular shaped parcel, has been the ability to meet parking requirements on-site. While the facility will meet parking needs on-site for the Phase I religious office use of an existing single-family residence, the 40 parking spaces provided for the Hillel facility fall 27 spaces short of the 67 space requirement. The City staff has considered off-site parking through secured shared parking agreements and the applicant is required to obtain those prior to the issuance of building permits, to the satisfaction of the City Engineer, for the additional off-site parking for Friday evening Shabbat religious services and occasional special events. This situation will require extra procedures for Hillel to perform to assure that the parking is utilized and works without negatively impacting the adjoining neighborhood. Monitoring by the City will be done and the parking situation can be re-evaluated for modifications to assure Hillel meets its parking needs.

With buildout compliance in accord with the approved Exhibit 'A' plans and compliance with all conditions of approval, the development will comply with all provisions of the Land Development Code.

# 4. The proposed development, when considered as a whole, will be beneficial to the community.

Although the development site for the proposed Hillel Jewish student center is within the SF zone of the La Jolla Shores Planned District and La Jolla Community Plan area, the 'community' includes the neighboring campus of the University of California at San Diego to the north within the boundaries of the University Community Plan which also

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extends southerly on the east side of Gilman Drive. Communities within the confines of the City of San Diego have felt churches and places of a religious nature to be beneficial within the residential neighborhoods of the population they serve. Traditionally, churches have been permitted uses in the multi-family residential zones and by Conditional Use. Permits in the single-family zones. When the La Jolla Shores Planned District was established, the SF zone covered all the prior existing City-wide residential zones and those previously developed church sites. The SF zone specifically permits churches, temples and buildings used for religious purposes. To meet the needs of students attending the neighboring college campus, other churches have established similar student centers or utilized previously church facilities in the area. Development within the La Jolla Shores Planned District requires a Site Development Permit to assure public review and compliance with land use development regulations. Increased landscaping, a bike/pedestrian pathway, non-contiguous sidewalks and parking access from La Jolla Scenic Way, all provide for a safer pedestrian scale project and lessens the direct impact of motor vehicles on the neighborhood.

The proposed development will serve Jewish students at the U.C. campus which represents a segment of the population of this 'community'. The scope of activities, hours of operation, no alcohol policy, requirement to keep the site cleaned up and monitoring of parking for the larger attendance programs assist in keeping this use a benefit to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) 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.

The 'Hillel' project is a Jewish student religious center currently using a single-family residence at 8976 Cliffridge Avenue for religious offices but planned to terminate with the anticipated development of the Phase II development and occupancy of a 12,000 square-foot facility over a 17,000 square-foot subterranean garage for 40 vehicles. The total site area of 42,400 square-feet of area will decrease to 33,518 square-feet when the residence reverts back to single-family residential use. A further reduction in developable area to 23,518 square-feet results from the development of the 10,000 square-feet of landscaped area required by the City Council at the intersection of La Jolla Village Drive/Torrey Pines Road, as a neighborhood amenity. Design and use of the site is further constrained by its triangular shape and maintaining a design profile compatible with the adjacent single-family neighborhood to the south, as required by the La Jolla Shores Planned District Ordinance.

From the start of negotiations with the City Council to develop this site and preliminary reviews with City staff, parking was recognized as problematic from the standpoint of providing the required minimum parking on-site to meet the needs of the projects multiuse area. The City will consider off-site shared parking if it is secured through agreements, meets criteria and can be conditioned and monitored to assure parking needs are satisfied. Parking for the facility has been calculated as 67 on-site parking spaces required but the architect cannot provide more than 40 on-site spaces in the garage and

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meet minimum floor area needs to all functions of the facility. This Planned Development Permit allows the City to evaluate off-site parking which the applicant <u>must</u> <u>secure prior to the issuance of building permits</u>, for the additional 27 spaces required for Friday evening Shabbat services and for the higher attendance occasional special events. The City's Transportation staff has carefully analyzed the parking needs as well as the Planning Department staff, and it is felt that these agreements, if implemented and performed properly per the conditions of the accompanying permit, will serve the needs of the facility and not impose a burden on the neighborhood. A shuttle service will be implemented, signage posted, the users of the facility informed and communication between sites maintained. The City will monitor this situation and consider modifications to the conditions, uses and other aspects if warranted.

For the planned or anticipated highest use of the project, 115 off-street parking spaces are required. Only 40 spaces are accommodated on-site. For Friday evening Shabbat services, 67 off-street spaces are required based on the calculation of 200-seats for the worship area. To comply solely with the number of parking spaces available on-site, the worship area would have to be reduced to 120 seats. For the occasional special events, the 115 off-street parking spaces are only available if shared parking agreements are secured and operated by the parameters contained within the Site Development Permit.

The deviations are appropriate, assure parking needs met, allows for a better project given site constraints and landscaping required, and allows for the project to be considered beyond the strict application of development criteria for this unique site.

#### Site Development Permit - Section 126.0504

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

The proposed two-phased project site is located within the La Jolla Shores Planned District and the La Jolla Community Plan area. The combined site is 42,400 square-feet in area including public rights-of-way to be vacated. Phase I is an existing single-family residence on a 8,882 square-foot lot (post lot-line adjustment) currently in use as a religious office and related uses and Phase II is a 33,518 square-foot site required by the City Council of the City of San Diego to landscape a 10,000 square-foot area as a public benefit and a 23,518 square-foot development area proposed for a 12,000 square-foot Jewish student religious center with a 17,000 square-foot parking garage below.

The sites are zoned SF (Single-family) and designated for residential use. The SF zone permits single-family residences and Churches, Temples and buildings for religious purposes as permitted uses in conformity to the zone and Planned District Ordinance. The Phase I religious use of a single-family residence will terminate upon occupancy approval of the Phase II development and revert back to use as a residence. The project site is not within the Coastal Overlay Zone.

The City Council entered into exclusive negotiations with Hillel of San Diego for use and acquisition of the Phase II site more commonly known as 'Site 653'. The development

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permits submitted to show and review the proposed development also include easement reservations and street vacations and dedications. Staff has determined that the project can meet City design and zoning development criteria through deviations considered under the Planned Development Permit for off-site parking and from the Street Design Manual. The Site Development Permit is required to measure compliance with the La Jolla Shores Planned District Ordinance.

The proposed development, subject to conformity to the Exhibit 'A' drawings and materials and subject to all approval documents and conditions, will not adversely affect the adopted General Plan and Land Use, the La Jolla Shores Planned District and the La Jolla Community Plan.

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

The proposed two Phase development, that retains use of an existing single-family residence for religious offices until occupancy of Phase II is completed and the facilities approved for occupancy, has been evaluated by City staff for compliance with adopted land use documents, zoning, development guidelines and principles. A Mitigated Negative Declaration No. 6098, has been prepared and evaluated impacts in the areas of Paleontological areas and Parking. The La Jolla Shores Planned District zoning and land use designation of SF, permits churches, temples and buildings used for religious purposes as well as the prevalent use for single-family residential development. The satisfaction of on-site parking to meet the needs of the scope of the development has long been a concern of the City staff and the community. The applicant has provided the City with information on the proposed sanctuary area seating, the schedule of events held at the Hillel center (as well as on-campus and off-site in various other locations) and for Shabbat and special events. The days, hours and frequencies have been evaluated and off-site shared parking agreements have been assured and evaluated by the City to sufficiently determine that parking will not be detrimental to the public health, safety, and welfare. An evaluation of the parking will be conducted to assure its implementation and to evaluate the need to amend conditions should problems be determined to exist. The design of the site and structure has been determined by City staff to conform to the neighborhood given that single-family detached residences exist to the south and a planned residential development (under a Conditional Use Permit) lies to the east and that this project is within the same zone but an entirely different use with inherent, and expected, design differences. The property to the north contains the campus of the University of California at San Diego and the property to the west is within the La Jolla Community Plan but not the Planned District.

Mitigated Negative Declaration (MND) No. 6098 has evaluated impacts of the development on this site and has determined that in the two areas of Paleontological Resources and Parking, that mitigation is required to avoid a significant impact. Conditions of approval have been included in the accompanying Site Development Permit and are referenced as conditions as they are described in the MND.

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The overall proposed project will not be detrimental to the public health, safety, and welfare subject to development consistent with approved conceptual plans and subject to all conditions of approval.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The project application consists of a two Phase land use proposal with Phase I being the continued use of a constructed single-family residence at 8976 Cliffridge Avenue in the SF zone of the La Jolla Shores Planned District as religious offices until such time as the Phase II Jewish student center on the triangular shaped parcel adjoining to the east is constructed and approved for occupancy. The existing single-family residence was constructed according to all codes and regulations in effect at the time and the only requirement for the change of use is an increase in off-site parking. Prior to its use as religious offices, the residence was required to maintain two off-street parking spaces but a previous owner had converted the garage to an office in violation of regulations and the religious office use has not complied to date with the parking requirements. With this approval, six parking spaces will be provided at the residence and when the religious office use terminates with occupancy of Phase II, two off-street parking spaces will be maintained for its reuse as a residence.

The Phase II development consists of a main entry level of 12,000 square-feet of floor area containing the multi-use area by which off-street parking needs are measured, lounge, library, restrooms, offices, computer room, break room, elevators and patio areas. Below is a 17,000 square-foot subterranean garage for 40 vehicles, storage, trash and driveway entry/exit to La Jolla Scenic Way. The remaining 66 required off-street parking spaces for Friday evening Shabbat services are required by off-site shared parking agreements and an additional shared parking agreements for 75 parking spaces for the higher attendance occasional special events. Both of these events require shuttle services and monitoring of attendees use of the off-site parking. Parking will be evaluated as conditioned in the accompanying permit conditions.

The religious use of the development is a permitted use in the SF zone of the La Jolla Shores Planned District and the development of the site conforms to the regulations and land use criteria of the codes. City staff has evaluated the development and has formulated the conditions of approval to assure compliance with City's applicable regulations of the Land Development Codes. Through implementation of the buildout consistent with the Exhibit 'A' plans, compliance with conditions and the continued monitoring of the parking needs and implementation, this project will comply.

The above findings are supported by the minutes, maps and exhibits, all of which are

herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is reversed, and Planned Development Permit No. 158095 and Site Development Permit No.

Page 8 of 9

ATTACHMENT NO. 8 Attachment 10a City Manager's Report No. 05-193 Page 61 of 80

12

158094 is granted to ROBERT MARSHALL, Owner Phase I and the CITY OF SAN DIEGO,

Owner Phase II and HILLEL OF SAN DIEGO, Permitte Phases I and II, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUERRE, City Attorney

By

NAME Deputy City Attorney

ATTY/SEC. INITIALS DATE Or.Dept:Clerk R-INSERT Form=permitr.frm(61203wct) Reviewed by Robert Korch

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# City Manager's Beport No 05-193 Page 62 of 80

(R-9)

## RESOLUTION NUMBER R-

#### ADOPTED ON

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines Road, to unencumber this property; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public street system, for which the rightof-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; and

(b) the public will benefit from the vacation through improved utilization of land; and

(c) the vacation is not inconsistent with the General Plan or an approved Community Plan; and

(d) the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines, as described in the legal description marked as Exhibit "A," and as more particularly shown on Drawing No. XXXXX-B, labeled Exhibit "B", on file in the Office of the City Clerk as Document No. RR\_\_\_\_\_\_ which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the dedication of 'General Utility Easements' over portions of the vacated public right-of-way, satisfactory to the City Engineer.

3. The City Engineer shall advise the City Clerk of the completion of the aforementioned condition, and the City Clerk shall then cause a certified copy of this Resolution with Drawing No. XXXXX-B (labeled Exhibit 'B') and Exhibit "A", attested by him under seal, to be recorded in the Office of the County Recorder.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

- 497

Deputy City Attorney

Or.Dept: Dev. Serv. SA: 6098 WO: 42-1438 Dwg: XXXXX-B R-9 Form=sumv.frm

-PAGE 2 OF 2-

#### EXHIBIT "A"

## STREET VACATION - EASEMENT RESERVATION

THAT PORTION OF LA JOLLA SCENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406, TOGETHER WITH THAT PORTION OF LA JOLLA SCENIC DRIVE AND TORREY PINES ROAD BOTH DEDICATED PER MAP 3528, FILED IN THE OFFICE OF THE COUNTY, OCTOBER 19, 1956 AS FILE NO. 1447757, ALL OF OFFICIAL RECORDS

VACATING THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS, SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE: THENCE SOUTHERLY ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE SOUTH 62°35'54" EAST, 24.94 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE SOUTH 62°35'54" EAST, 164.60 FEET TO THE BEGINNING OF A TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 09°16'03", AN ARC DISTANCE OF 105.30 FEET TO A POINT HEREIN DESCRIBED AS POINT 'A' ALSO BEING A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC WAY; THENCE SOUTHERLY ON SAID RIGHT OF WAY LINE SOUTH 21°57'52" EAST, 17.17 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 149°01'24". AN ARC DISTANCE OF 52.02 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 09°39'26", AN ARC DISTANCE OF 101.97 FEET; THENCE NORTH 62°35'54" WEST, 113.81 FEET TO THE BEGINNING OF A TANGENT 56.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND NORTHERLY THROUGH A CENTRAL ANGLE OF 17°35'18", AN ARC DISTANCE OF 17.19 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 81.00 FEET, THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 123°54'02" AN ARC DISTANCE OF 175.16 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CLIFFRIDGE AVENUE ALSO THE EASTERLY LOT LINE OF LOT 67 PER SAID MAP 3528; THENCE NORTHERLY ALONG SAID LOT LINE NORTH 11°05'22" EAST 24.35 FEET TO THE BEGINNING OF TANGENT 25.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC

Prepared by: DK Nasland PLS 5562 My License renews 9-30-2005 101-199.2 1/18/2005, 8:48 AM

Page 1 of 3 (Legal Description)

OF SAID CURVE NORTHERLY AND EASTERLY THROUGH A CENTRAL ANGLE OF 73°41'16", AN ARC DISTANCE OF 32.15 FEET; THENCE NORTH 62°35'54" WEST, 58.80 FEET TO THE TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 106°17'34", AN ARC DISTANCE OF 37.10 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD; THENCE NORTH 11°06'32" EAST, 20.60 FEET TO A POINT HEREIN DESCRIBED AS POINT 'B': THENCE NORTH 11°06'32" EAST, 13.86 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°12'17", AN ARC DISTANCE OF 102.28 FEET TO THE BEGINNING OF A TANGENT 42.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 04°42'02", AN ARC DISTANCE OF 3.45 FEET; THENCE NORTH 89°27'57" WEST, 48.73 FEET TO THE TO THE BEGINNING OF A TANGENT 634.64 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 02°53'02", AN ARC DISTANCE OF 31.94 FEET TO THE TRUE POINT OF BEGINNING.

#### AREA: 21,278 SQ.FT. 0.488 ACRES

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY PURPOSES, DESCRIBED AS FOLLOWS:

BEGINNING AT ABOVE DESCRIBED POINT "A"; THENCE SOUTH 21°57'52" EAST, 13.86 FEET; THENCE SOUTH 36°59'17" WEST, 37.39 FEET TO THE BEGINNING OF A NON TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE NORTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 15°01'26" EAST; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°02'06", AN ARC DISTANCE OF 7.69 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°42'37", AN ARC DISTANCE OF 7.50 FEET; THENCE NORTH 37°12'32" EAST, 46.00 FEET TO A POINT ON THE ARC OF A NON TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO SAID POINT BEARS NORTH 36°24'34" EAST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGEL OF 00°15'35", AN ARC DISTANCE OF 2.95 FEET TO THE POINT OF BEGINNING.

#### AREA: 640 SQ.FT. 0.014 ACRES

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Page 2 of 3 (Legal Description)

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY PURPOSES, DESCRIBED AS FOLLOWS:

BEGINNING AT ABOVE DESCRIBED POINT "B"; THENCE NORTH 11°06'32" EAST, 13.86 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°41'48", AN ARC DISTANCE OF 18.85; THENCE SOUTH 57°43'15" EAST, 97.85 FEET TO THE BEGINNING OF A NON TANGENT 81.00 FOOT RADIUS CURVE. CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 26°49'51" WEST; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°43'48", AN ARC DISTANCE OF 16.58 FEET; THENCE NORTH 57°43'15" WEST, 111.85 FEET; THENCE SOUTH 11°06'32" WEST, 26.61 FEET; THENCE NORTH 78°53'28" WEST, 15.00 FEET TO THE POINT OF BEGINNING.

AREA: 2,082 SQ.FT. 0.047 ACRES

4.0

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Page 3 of 3 (Legal Description)

Attachment Toa<sup>NO</sup>9 City Manager's Report No. 05-193 Page 67 of 80

### EXHIBIT "A" STREET DEDICATION

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS

EXCEPTING THAT PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NOTHERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC DRIVE NORTH, SAID POINT BEING DISTANT 24.94 FEET FROM THE WESTERLY CORNER OF SAID LAND, ALSO BEING THE BEGINNING OF AN ARC PARALLEL WITH AND 12.00 FEET SOUTHERLY, MEASURE AT RIGHT ANGLES, TO THE SOUTHERLY RIGHT OF WAY OF LA JOLLA VILLAGE DRIVE; THENCE ALONG SAID ARC 155.09 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 20.00 FEET, A RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 16°21'06" WEST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°23'14" AN ARC DISTANCE OF 29.46 FEET TO THE WESTERLY RIGHT OF WAY OF LA JOLLA SCENIC WAY AND THE TERMINUS OF SAID LINE.

Prepared by: DK Nasland PLS 5562 My License renews 9-30-2005 101-199.2 1/18/2005, 8:55 AM

Page 1 of I (Legal Description)

#### EXHIBIT "A"

#### GENERAL UTILITY EASEMENT DEDICATION

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS

EXCEPTING THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC DRIVE WAY, SAID POINT BEING DISTANT 3.44 FEET FROM THE SOUTHERLY CORNER OF SAID LAND, THENCE SOUTH 37°12'32" WEST 1.80 FEET TO THE NORTHERLY RIGHT OF WAY OF LA JOLLA SCENIC DRIVE AND THE TERMINUS OF SAID LINE.

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Page 1 of 1 (Legal Description)

#### UCSD HILLEL CALENDAR FOR FALL QUARTER 04

The following contains additional information on our Hillel calendar for fall quarter at UCSD. We generally establish our calendar for the academic quarter in advance of the start of the quarter. However, from time to time, we may reschedule, cancel or add events and programs depending on circumstances. This information is being provided to assist City Staff in understanding what we do programmatically and how the Hillel Center may be used for student programs. This is intended to supplement the information already provided on Hours of Operation and Uses.

The premise underlying our programmatic goals is to bring the program to the students in order to serve them "where they are." This also helps to support our outreach, community service and student engagement efforts. However, a Hillel Center will certainly provide an appropriate venue and enhancement for many future programs although certain programs, by their nature, will continue to be held either on the UCSD Campus or off campus and away from the future Hillel Center. The following schedule represents our projected attendance of each of our calendared programs for the quarter and assuming our Hillel Center had been completed as of this calendar quarter, whether we could utilize the Center for that particular program. A more thorough description of the program is contained in the Calendar which is provided herewith. For reference purposes, "HC" means Hillel Center, "Off Campus" means that the program will NOT be held at the Hillel Center or On Campus. "On Campus" means that the program will be held on the UCSD Campus and NOT at the Hillel Center.

Date	Program	Expected Attendance	Location	
9/28	Roundtables at Round Table	5	HC	
9/29	Raising the Roof	20	HC	
9/29	Crafts and Snacks in the Sukkah	5	HC	
10/2	Shabbos Lunch in the Sukkah	20	HC	
10/2	Havdalah Under the Stars	20	Off Campus	
10/4	Shake your Lulav	20	HC	
10/5	Mitzvah Lunch and Bingo Bash	25	HC	
10/5	Birthright Informational	20	HC	
10/5	Supper in the Sukkah	10	Off Campus	
10/6	Pizza in the Hut: FYSH and Sophomores	50	HC	
10/6	Alternative Spring Break	25	HC	

#### Fall Quarter 04 Undergraduate Programs Calendar

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	Informational			
10/6	Just Show Up	50	On Campus	
10/9	Shabbat Sha-Bash	100	Off Campus	
10/12	Jewish Commitment to Helping the Homeless	25	HC	
10/13	Israel Rally	100	On Campus	
10/14	Career Options in 10 Marketing		On Campus	
10/17	Area Wide Event: Making Strides against Breast Cancer	150	Off Campus	
10/17	Rosh Chodesh (Women Only)	15	НС	
10/18	Tikkun Olam Tabling	NA	On Campus	
10/13-11/17 (Wednesdays)	Read Hebrew America	10	нс	
10/20	Is There Such a Thing as a Positive Stereotype	20	HC	
10/21	Pluralism Project Informational	30	On Campus	
10/21	A Slice of Sephardic Life	30	On Campus	
10/23	Shabbat Lunch and More	10	On Campus	
10/26	Roundtable at Roundtable	5	HC	
10/26	Prescription: Jewish Medical Ethics	15	On Campus	
10/27	Challah Baking (Women only)	15	HC	
11/2	From the Business Wife to the High Culture Mother: Stories of Jewish Women in Germany	25	HC	
11/5-11/6	Koach Shabbaton	25	Off Campus	
11/7	Lend a Helping Hand: Habitat for Humanity	15	Off Campus	
11/7	Roundtables at Roundtable	5	HC	
11/10	Exploring the Non-Profit World	15 .	Off Campus	
11/11	Outback Climbing Adventures	20	On Campus	
11/13	S'mores and More at the Shores	50	Off Campus	
11/13/-11/18	The 11 <sup>th</sup> Annual Jewish Book-Fair		Off Campus	
11/14	Rosh Chodesh	15	HC	
11/18	Sephardic Sundaes	30	On Campus	

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City Manager's Report No. 05-193

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11/21	Mitzvah with the Western Service Workers Association	15	Off Campus
12/2	The Great Hanukah Spin . Off Campus	50	HC
12/7	Hip Hanukah Happenings	50	HC

# Weekly Events

Mondays	Rabbi Lisa at Café Roma	10	On Campus
Tuesdays	Jewish Lecture Series	10	HC
Wednesdays	Lishma	10	HC
Fridays	Meditation with Rabbi Lisa	10	On Campus
Fridays	Shabbat Services and Dinner	Average 150	HC

## **High Holidays**

High Holiday program information is provided as part of our parking study and parking management plan under "Occasional Events." At this time we do not contemplate utilizing the future Hillel Center for our High Holiday services although we may chose to do so in the future. In such event, we would abide by the parking management plan. In the past we have held Rosh Hashana Services combined with SDSU students at Temple Emanuel with a peak attendance for the holiday of between 200 and 250 students. UCSD was not in session for Rosh Hashana this year. UCSD is on a quarter system and therefor classes start in late September. Yom Kippur services were held at the Price Center at UCSD and peak attendance was between 350 and 400 students. This is also a combined service with SDSU students. In the future, based upon plans for expansion of the Hillel Center at SDSU, we may implement separate services for UCSD and SDSU for the High Holiday services.

### Graduate Programs

10/4	Brew & Jews	20	On Campus	
10/9	Moonlight Kayaking and Havdallah	30	Off Campus	
10/17	Area Wide Event: Hillel of San Diego Makes Strides Against Breast	Combined with Undergrad Program Attendance included in Projection	Off Campus	

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	Cancer		
10/22	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	нс
10/26	Prescription: Jewish Medical Ethics	20	НС
10/28	Roll It Kosher	20	On Campus
11/5	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	НС
11/13	Night on the Town	20	Off Campus
11/22	Brews & Jews	20	On Campus
12/3	Graduate Student Shabbat	Combined with Undergrad Program Attendance included in Projection	HC
Ongoing Programs	Monday Midday Munchies	20 ·	On Campus

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COMMUNITY PLANNING GROTTC PRESSMERTION City Manager's Repart No. No. 11 Page 73 of 80

# COMMUNITY PLANNING GROUP RECOMMENDATIONS

The <u>La Jolla Shores Planned District Advisory Board</u> considered the Hillel application on January 18, 2005, and voted on three separate motions with the Chair not voting and one member recusing. Each motion passed on a vote of 5-0 and each motion was to DENY the requested application/actions to develop the 'Hillel' project.

Mr. Kevin Guy, from the Planning department of the City of San Diego, acts as the secretary for the Board in putting together the agendas, meeting rooms/locations and finalizing the recommendations of the Advisory Board. Mr. Guy left January 28, 2005, for a new position in the Bay area and only submitted the attached e-mail describing the actions/motions of the Advisory Board.

The <u>La Jolla Community Planning Association</u> considered this project on Thursday, February 3, 2005, and voted 10-2-0 to deny the application on the basis of issues with parking, illegal use, loss of on-street parking, bikeway issues and other concerns not communicated.

tobert Korch - Re: Hillel----LJSPAAB

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City Manager's Report No. 05-193 Page 74 of 80

From:	Robert Korch
To:	Guy, Kevin
Subject:	Re: HillelLJSPAAB

after reading your recollection, that sounds right on to e. Thanks a lot. Bob

>>> Kevin Guy 01/26/05 11:12AM >>>

Bob - When making their motions, the Board members were still in 'discussion mode', so I had to paraphrase a bit. I believe I captured the intent of each of their motions. The vote for each of the motions was 5-0:

1st Motion: To deny project, with the following reasons stated:

- Insufficient parking

- Does not conform with "distinctive residential character", as defined by purpose and intent of PDO

- Loss of 12 public (on-street) parking spaces
- Loss of bike lane

2nd Motion: Findings cannot be made for a street vacation. Site should be reserved for future traffic mitigation.

3rd Motion: Board condems the illegal use of the residence, as defined by Phase I portion of the project.

I hope this is the information you were looking for. Let me know if you need anything further.

-Kevin

>>> Robert Korch 1/26/2005 9:29:22 AM >>>

Kevin: Do you have the three motions adopted by the Advisory Board on Hillel. I'd like to attach to the report to PC. Thanks. Bob

Your time is ticking down.....

	( ,)	STATISHACTMENT 10a City Managers Reportento .05-193
Develo Division 1222 Fi San Die	San Diego opment Services n Name irst Ave., MS-302 ego, CA 92101 46-5000	Page 75 of 80 HASE I. Ownership Disclosure Statement
oject Title		Project No. For City Use Only
8976 Cliffri	dge Avenue	20140
oject Address: 8976 Cliffri	dge Avenue, La Jo	olla, CA
Part I - To be completed v	when property is held by Indi	vidual(s)
and addresses of all perso e.g., tenants who will bene he property owners. Attao any changes in ownership given to the Project Manag	ons who have an interest in the efit from the permit, all individua ch additional pages if needed. N during the time the application ger at least thirty days prior to a prmation could result in a delay	) of the above referenced property. The list must include the names property, recorded or otherwise, and state the type of property interest als who own the property). <u>A signature is required of at least one of</u> Note: The applicant is responsible for notifying the Project Manager of is being processed or considered. Changes in ownership are to be ny public hearing on the subject property. Failure to provide accurate in the hearing process.
Name of Individual (type or		Name of Individual (type or print):
3360 N. Torr	ev Pines Court	Hillel of San Diego U Owner XX Tenant/Lessee 8976 Cliffridge Avenue
Street Address:Suite 2 <u>La Jolla, CA</u> City/State/Zip:	92037	Street Address: <u>La Jolla, CA 92037</u> City/State/Zip:
858-657-9400 Phone No:		
858-657-9400 Phone No:	858-657-90	31         858-550-2210         858-550-1794           Phone No:         Fax No:           Signature :         Date:
858-657-9400 Phone No: Signature :	) 858-657-90 Fax No: Date:	31 858-550-2210 858-550-1794 Phone No: Fax No:
858-657-9400 Phone No: Signature : Name of Individual (type of	0 858-657-90 Fax No: Date:	31         858-550-2210         858-550-1794           Phone No:         Fax No:           Signature :         Date:
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SILLIN AIN Attachment 10a 12 City Manager's Report No. 05-193 Page 76 of 80 RECORDING REQUESTED BY CHICAGO TITLE COMPANY DOC # 2002-050 AND WHEN RECORDED MAIL TO JUN 14: 2002 8:00 . AM Robert A. Marshall 8976 Cliffridge Avenue 001534 OFFICIAL RECORDS La Jolla, CA 92037 SAN DIEGO COUNTY RECORDER'S OFFICE GREGORY J. SKITH, COUNTY RECORDER 766.00 FEES: 00 :00 ESCTON NO. 28011785 - N42 Order No 28011785 - POS CE ABOVE THIS LINE FOR RECORDER'S USE 00 GRANT DEED THE UNDERSIGNED GRANTOR(5) DECLARE(S) DOCUMENTARY TRANSFER TAX IS \$759.00 unincorporated area . City of X computed on the full value of the interest or property conveyed, or is computed on the full value less the value of liens or encumbrances remaining at time of sale, and FOR A VALUABLE. CONSIDERATION, receipt of which is hereby acknowledged, SHEILA CHANDRASEKHAR, TRUSTEE OF THE SRIPATI CHANDRAGEKHAR AND ANN D. CHANDRAGEKHAR FAMILY TRUST, UNDER DECLARATION OF TRUST DATED SEPTEMBER 30, 1992. hereby GRANT(S) to Robert Marshall, Trustee UDT Dated June 1, 2002 the following described real property in the County of SAN DIEGO . State of California: LOT 67 OF LA JOLLA HIGHLANDS UNIT NO. 3, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3528, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 19, 1956. Dated May 22, 2002 STATE OF Alam COUNTY OF ) SS. May 30 2002 before ma, Sheila Chandrasekhar, Trustee Kraynak 442 S. a Notary Public in and for said County and State, personally appeared Sheila Chandrasekhar perconalty known to me <u>(or proved to</u> me on the basis of satisfactory evidence) to be the percontrol whose name(b) is/be subcoribed to the within instrument and acknowledged to me that be/sha/Dec/ executed the same in fit/her/tode sufficience capecity(Dec), and that by the/ner/Decir ANN S. KRAYNAK COMM #1251649 signature on the instrument the person of, or the entity upon behall of COUNTY OF ALAMED which the person a seted, executed the instrument. Comm. Empires Feb 19,20 WITNESS my hand and official seal. Signature of Notan Date My Commission Expires FOR NOTARY SEAL OR STAMP MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE Name Street Address City, State & Zip 0D1 -05/20/97bk

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Project Title			Project No. For City Use Only
Hillel of San Diego			6098
Project Address: Intersection of La Jo	olla Village Drive, La Jolla So	cenic Way and La Jolla Scen	ic Drive
Legal Status (please check			
Corporation (D Limited D Partnership	d Liability -or- D General) What State	9? Corporale Identificatio	n No.:
property). Note: The app application is being process o any public hearing on the	plicant is responsible for notifying ssed or considered. Changes in o	the Project Manager of any chang whership are to be given to the Pro	artners in a partnership who own the ges in ownership during the time the oject Manager at least thirty days prio
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# LETTER OF AUTHORIZATION

Date: January 27, 2003

To: Development Services Department

Project Name / Location: Site 653 / Between La Jolla Village Drive & La Jolla Scenic Drive

Property Address / Description: No street address / Pueblo Lot 1299 West 1/2 Portion APN: 344-120-26

The City of San Diego's Real Estate Assets Department, as authorized representative of the City as Land Owner, grants authorization to Hillel, its agents or representatives, to submit and process on the City's behalf all permit applications necessary for the proposed construction and operation of a religious student center facility on the above referenced City-owned property.

The act of authorization of Hillel's application for development review does not obligate the City in any way to enter into negotiations for the disposition of the subject property nor approve, in whole or in part, land use entitlements or approvals, permits, waivers or reduction of fees, development or financing of the site or any other matters to be acted on by the City, as applicable; that all such matters shall be considered and processed by the City in accordance with all otherwise applicable City requirements and procedures and that the City reserves all rights to approve, disapprove, or approve with conditions all such matters in its sole discretion.

The City reserves the right to terminate development review processing at any time at its sole discretion. It is further specifically acknowledged, that the City shall not be responsible or held liable for any costs incurred by the undersigned in relation to the undersigned's development review processing with the City, regardless of the type or amount of costs incurred.

Tim C. Rothans, Deputy Director

1-27-03 Date

The above is acknowledged and accepted for Hillel by:

Hills of SAN Diego By: Nucl Z. Sig - VP

1-27-03 Date

This Authorization expires 90 days from the above date of issuance.

# Hillel of San Diego PLANNED AND SITE DEVELOPMENT PERMITS, EASEMENT ABANDONMENT & STREET VACATIONS AND DEDICATION Project No. 6098 Project Chronology

Date	Action	Description	City Review Time	Applicant Response
05/02/03	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
06/18/03	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	47 days	
03/04/04	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.	141	251 days
05/25/04	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	82 days	
07/07/04	Applicant submits third full set of plans.	Applicant's revised set of plans submitted in response to second assessment letter from City staff.	· · · ·	'43 days
10/13/04	Third Assessment Letter	Third Assessment Letter identifying all remaining/outstanding issues provided to applicant.	98 days	
01/12/05	Applicant submits fourth set of plans.	Applicant's revised plans addressing outstanding issues.		83 days
01/2X/05	Environmental Mitigated Negative t Declaration Final	Project can be heard after February 4, 2005	0 days	
01/26/04	Issues resolved	Staff determines project issues resolved, okay Process 5 Planning Commission hearing to proceed.	14 days	
02/10/05	Planning Commission Recommendation Hearing	Public Hearing	8 days	7 days
TOTAL ST	AFF TIME	Averaged at 30 days per month	8 Months 10 Days	
TOTAL AP	PLICANT TIME	Averaged at 30 days per month		1 Year 24 Days
TOTAL PR	OJECT RUNNING TIME		1 Year, 9 N	fonths, 4 Days

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Attachment 11 Planing Commision Report No. PC-08-119 Page 1 of 130

# **REPORT TO THE PLANNING COMMISSION**

THE CITY OF SAN DIEGO

DATE ISSUED:	October 9, 2008	REPORT NO. PC-08-119			
ATTENTION:	Planning Commission, Agenda of October 16, 2008				
SUBJECT:	HILLEL OF SAN DIEGO	STUDENT CENTER. PROCESS 5			
REFERENCE:	REPORT NO. PC-05-00 http://www.sandiego.gov/ commission/pcreports/pc	/planning-			
OWNER/ APPLICANT:	Robert Marshall and Hille Hillel of San Diego (See J				
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#### SUMMARY

**Issue:** Should the Planning Commission recommend approval to the City Council of a two phased development, with Phase I to retain the existing use of a single-family residence and garage/storage structure for religious offices and related uses; and Phase II the development of a 12,100 square-foot religious student center over a subterranean garage on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way within the La Jolla Community Plan?

#### Staff Recommendation:

- Recommend City Council Certification of the Mitigated Negative Declaration No. 149437, and Adoption of the Mitigation Monitoring and Reporting Program;
- 2. Recommend City Council Approval of Site Development Permit No. 527861;
- Recommend City Council Approval of Public Right-of-Way Vacation No. 527860; and
- 4. Recommend City Council Approval of Easement Acquisition No. 584509.

<u>Community Planning Group Recommendation</u>: The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly



recommends that all applicants seek the recommendation of the La Jolla Community Planning Association, the officially recognized Community Planning Group for the La Jolla Community Planning Area.

On September 4, 2008, the La Jolla Community Planning Association (LJCPA) passed two motions; one taking action to recommend denial of the project by a vote of 14-0-0, and the other providing direction to the President of the LJCPA regarding the project's environmental document (See Attachment 14). Please see the Discussion section of the report for more detail.

On September 16, 2008 the La Jolla Shores Planned District Advisory Board (LJSPDAB) voted 4-0 to deny the project (See Attachment 15).

**Environmental Review:** Mitigated Negative Declaration No. 149437 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

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

<u>Code Enforcement Impact</u>: The owner/applicant converted the use of the existing single-family residence at 8976 Cliffridge Avenue from residential to religious use without obtaining a required Site Development Permit (SDP). A Code Compliance Case was opened by the City of San Diego Neighborhood Code Compliance Division of the Development Services Department. Approval of this project would remedy the code compliance case.

**Housing Impact Statement:** The subject properties are designated as Low Density Residential (5-9 dwelling units/acre) in the La Jolla Community Plan. The religious use of the single-family residence at 8976 Cliffridge Avenue has removed one residential dwelling unit from the available housing; however, this situation would be temporary if the project applications are approved by the City Council. The use of the residence at 8976 Cliffridge Avenue would continue as a Phase I use and terminate when the vacant, 0.77-acre portion of the site is available for occupancy under the Phase II development. Upon approval of Phase II, the single-family home would revert back to its original use, and the overall project would not have any permanent housing impacts. The project is not subject to the requirements of the Affordable Inclusionary Housing Ordinance.

#### BACKGROUND

An almost identical project first came before the Planning Commission on February 10, 2005. After being ultimately heard on March 3, 2005, the Planning Commission voted 5-0 to recommend denial to the City Council. The vote was based on the use not being compatible with the surrounding residential uses; therefore, not being able to make the neighborhood compatibility finding; and while the parking plan could meet the needs for special events, it could not be depended on for the regular operation of the facility. After the addition of numerous conditions regarding parking and traffic, the City Council ultimately approved the Hillel Student Center on May 9, 2006, by a vote of 6-2.

The May 9, 2006 approval was challenged in court, and a judge ruled that although the project's Mitigated Negative Declaration was the appropriate environmental document, the Mitigated Negative Declaration failed to adequately evaluate the pedestrians crossing La Jolla Village Drive, and the possibility of on-site raptors. The judge's order was challenged by both the applicant and a group of project opponents. Given the pending status of the previous approvals, it was determined that the applicant would be allowed to resubmit a new application addressing the judge's concerns, and process it through the City's review process. Should the current application reach City Council prior to the legal action being resolved on the prior approvals, the prior approvals would be rescinded as a part of the current application, prior to the City Council action on the current application.

The applicant submitted the current Hillel Student Center Project on June 12, 2008. The project scope is generally the same, with the addition of 28 on-site parking spaces supplied by parking lifts, and the incorporation of a roof-mounted photovoltaic system consisting of solar panels and the installation of a fuel cell sufficient to generate at least 30 percent of the project's projected energy consumption, meeting the requirements of City Council Policy 900-14. Each of the project's technical studies was redone, and the two areas of concern raised by the judge's order were addressed in the new traffic and biology studies.

The project site consists of a total area of approximately 42,684 square feet which includes a single family home used for religious purposes located at 8976 Cliffridge Avenue (8,358 square feet existing; 9,166 square feet after the public right-of-way vacation), and the existing adjacent vacant site (15,350 square feet existing; 33,518 square feet after the public right-of-way vacation) which is bound on the north by La Jolla Village Drive, on the east by La Jolla Scenic Way and on the south by La Jolla Scenic Drive North. The project site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Planning Area, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone. Properties to the south and east are designated for residential uses (5-9 dwelling units/acre) and are currently developed with detached single-family homes to the south, and attached single family homes to the east, across La Jolla Scenic Way. Properties to the north and west are designated for Public Facilities/Institutional uses. Properties to the north are developed with the University of California San Diego facilities, and the properties to the west, beyond Torrey Pines Road, are currently vacant. The topography for the existing vacant site is relatively flat and gently slopes to the southeast with steeper grade along La Jolla Village Drive and La Jolla Scenic Way with a grade differential of approximately 14 feet.

The City of San Diego was the previous owner of the 0.77-acre vacant portion of the site. As a condition of sale of the vacant portion of the project site to Hillel, the City Council required a minimum of 10,000 square feet of land area at the intersection of La Jolla Scenic Drive North/Torrey Pines Road be landscaped as a neighborhood amenity, which limits the remaining site area of approximately 23,518 square-feet for the proposed development. This has been incorporated into the applicant's Landscape Development Plan (See Attachment 7).

The vacant portion of the site was designated as residential land use in the La Jolla Community Plan and La Jolla Shores Precise Plan until 1995. In 1995, the land use designation for this portion of the site was changed to open space and remained that way until February of 2004 when the La Jolla Community Plan was amended and the site was again designated to residential use, making it consistent with the SF zoning that had remained over this site. Although the land was designated as Open Space for nine years, it was never dedicated as Parkland or Open Space.

The owner and applicant converted the use of the existing single-family residence at 8976 Cliffridge Avenue from residential to religious use without obtaining a required Site Development Permit (SDP). A Code Compliance Case was opened by the City of San Diego Neighborhood Code Compliance Division of the Development Services Department. Since the applicant has applied for the required SDP as Phase I of the current application, the use of the single-family residence as a religious use has been allowed to continue, pending the outcome of the current application. If Phase II of the application is approved, the religious offices and related use at 8976 Cliffridge Avenue would move into the new 12,100 square-foot facility (Phase II) and the single-family home would revert back to its original use. Should Phase II be denied, the applicant would request the approval of Phase I on a permanent basis.

### DISCUSSION

#### **Project Description:**

The Hillel Student Center Project consists of an application for a Site Development Permit, Easement Acquisition, and Public Right-of-Way Vacation for a two-phased development to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 squarefoot, one-story religious student center above a subterranean garage of 17,000 square-feet of area as a Phase II entitlement.

Phase I involves the continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy. Phase I would include interior improvements to the existing single family residence and construction of a parking lot to allow for the required off-street parking associated with the use of the single family residence. The exterior elevations of the existing residence would not change.

There are two alternatives proposed for providing the required off-street parking spaces. Alternative I would provide six parking spaces; three standard spaces and one accessible space in the vacated cul-de-sac adjacent to the existing single family residence; and the remaining two spaces would be in the existing detached two-car garage existing on the lot (See Attachment 8, Sheet A2.0). This alternative involves construction of temporary sidewalk and parking improvements in the cul-de-sac/right-of-way proposed for vacation. Alternative II would provide six parking spaces; five standard spaces and one accessible space, within the western portion of the existing site (See Attachment 8, Sheet A2.1). This alternative would require the demolition of the existing detached 462 square-foot garage/storage area to provide adequate space for the cars on site.

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Phase II involves the development of a two-level religious student center, with an overall height of 22 feet above grade, consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 68 vehicles, trash enclosures, storage, and elevators. The student center level would contain three multi-purpose rooms, a library, a lounge area, a computer room, student offices, administrative offices, an elevator, a kitchen, storage, two restrooms, and three outdoor patio areas. The garage also includes a mechanical room, elevator, telephone cable room, service lobby and a trash/recycling area. The subterranean parking garage would be located directly beneath the proposed religious student center building. The vehicle entrance and exit would be located off of La Jolla Scenic Way, approximately 140 feet from La Jolla Village Drive, and 100 feet from La Jolla Scenic Drive North.

A previously approved traffic study, *Traffic Generation, Site Access and Parking Evaluation of Hillel Facility at UC San Diego*, dated May 11, 2004 was prepared for the proposed project by Kimley-Horn and Associates, Inc., to analyze the potential impact of the project on the roadway system and on the on-street parking in the area. A new Traffic study was prepared for the current project, *Traffic Impact Analysis, Hillel Facility*, dated July 7, 2008, prepared by Linscott, Law, and Greenspan.

The proposed project is estimated to generate 234 average daily trips on Fridays (Shabbat Services) with 11 morning peak-hour trips and 8 evening peak-hour trips. Other days of the week would be estimated to generate lower traffic volumes. Once a week on a late Friday night, there are 58 trips expected between 9:00PM and 10:00PM.

The project would meet the parking requirements of the Land Development Code by proposing 68 automobile spaces (56 spaces provided within 28 tandem spaces), 3 accessible spaces, 2 motorcycle spaces, and 20 bicycle spaces on site. The 68 vehicle parking spaces would be provided with a 40-space underground parking garage. In addition, the project has provided a shared parking agreement to allow for the use of up to 75 parking spaces for each Friday between 5:00 PM and 12:00 AM for occasional special events.

The exterior elevations of the student center building indicate the use of earth tone colored stucco, stone cladding, masonry blocks, earth tone colored concrete, wood siding, dual-glaze windows, metal trellis, and metal roof. The project design incorporates a roof-mounted photovoltaic system consisting of solar panels and the installation of a fuel cell sufficient to generate at least 30 percent of the project's projected energy consumption, meeting the requirements of City Council Policy 900-14. In addition, the project proposes to meet the standards required to obtain a Leadership in Energy and Environmental Design (LEED) Silver rating.

Proposed grading of the site would consist of 9,200 cubic yards of cut and 400 cubic yards of fill with an average depth of cut of 15 feet. Approximately 8,800 cubic yards of material would be exported offsite. The project proposes seven retaining walls along the southwestern, northern and eastern portions of the site with a maximum height of seven feet.

Landscaping for the proposed project would consist of Torrey Pines, large screening shrubs, medium flowering shrubs, low spreading shrubs, low growing flowering shrubs, groundcover and

Attachment 11 Planning Commission Report No. PC-08-119 Page 5 of 130

hardscape areas. All proposed plants on the project site would be native species. Torrey Pines are proposed along the property line for the project site. Large screening shrubs and medium flowering shrubs are proposed along the outside walls of the proposed building. A combination of groundcover, low spreading shrubs and low growing flowering shrubs are proposed along the proposed building and along the property line with the proposed Torrey Pines. Hardscaped areas are proposed on the north and south portion of the site.

#### Community Plan Analysis:

The subject properties are designated as Low Density Residential (5-9 du/ac) in the La Jolla Community Plan. Religious uses are commonly found to fit within residential areas without adversely affecting the Land Use Plan. Additionally, the proposed use is permitted by the La Jolla Shores Planned District Ordinance which was adopted specifically to implement the Land Use Plan. The Hillel center is located directly across the street from the University of California and on the northern edge of the adjacent residential neighborhood, making it an appropriate location for the student-related activity.

The proposed development incorporates a number of specific design features which would allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The center utilizes variations in height, textures, and rooflines in order to create the appearance of a series of smaller, individual structures. In addition, lower portions of the structure would be concealed behind landscaped berms which would reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and would further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage and meets the San Diego Municipal Code requirement of 68 vehicle parking spaces. The garage would also be equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities would be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the center and the frequency of large events. The center will be permitted to be open from 7:00 AM to 10:00 PM Monday - Friday, while all post-event cleanup and securing of the center must conclude by 11:00 PM. Weekend hours would be limited to Saturday from 8:00 AM to 10:00 PM and Sunday from 10:00 AM to 6:00 PM unless there is a Jewish Holiday or other occasional special event, where the weekday hours of operation would be allowed.

The number of occasional special events for the first twelve months of operation shall be limited to six. The number may be increased after the first year to a maximum of nine occasional special events per year with the approval of the Development Services Department Director, in his or her sole discretion, where Neighborhood Code Compliance would be in charge of documenting the number of these events.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration would also buffer pedestrians from automobile traffic to create an environment conducive to walking and transit use. As such, students would be encouraged to use transit or walk from the UC San Diego campus to the student center, reducing automobile traffic and demand for parking at the center. By incorporating the cited design features and the conditions regarding operation of the center, the project implements the policies of the La Jolla Community Plan and would not adversely affect the residential land use designation of the subject properties.

#### **Environmental Analysis:**

The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Paleontological Resources and Parking. Mitigated Negative Declaration Number 149437 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources and Parking

#### Project-Related Issues:

<u>Community Planning Group Recommendation</u> - The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly recommends that all applicants seek the recommendation of the La Jolla Community Planning Association, the officially recognized Community Planning Group for the La Jolla Community Planning Area. The project went before both groups and the results of their actions are detailed below.

On September 4, 2008, the La Jolla Community Planning Association (LJCPA) passed two motions; one taking action on the application, and the other providing direction to the President of the LJCPA regarding the project's environmental document (See Attachment 14).

In the first motion, the LJCPA voted 14-0-0 to recommend denial of the subject project, following the recommendations of the La Jolla Traffic and Transportation Board and the La Jolla Shores Permit Review Committee. The LJCPA recommended denial of the project because of:

- Inadequate transportation plan with impacts on adjacent intersections and pedestrian movements;
- 2. Detrimental street vacation for which the findings cannot be made;
- 3. Insufficient parking;

- Unpermitted use of a Student Center in the La Jolla Shores Planned District Ordinance (LJSPDO); and
- The project does not meet the green space requirements of the LJSPDO on its own without the public right of way vacations.

In the second motion, the LJCPA voted 14-0-0 to request that the President of the LJCPA send a letter to the City that:

- 1. Points out the errors in the draft Mitigated Negative Declaration (MND) and
- Requests an Environmental Impact Report with better analysis of transportation, parking, street vacation, open space, land use, and community character.

On September 16, 2008 the La Jolla Shores Planned District Advisory Board (LJSPDAB) voted 4-0 to recommend denial of the project. Among a list of reasons, the LJSPDAB based their recommendation on traffic, impact on the surrounding neighborhood, non-conforming use as a student center, the proposed street vacation action, and non-use by the nearby single-family residential community.

Staff Response to Community Planning Group Issues – Following each of the LJCPA reasons for their denial recommendation, are responses from staff each issue.

- 1. Inadequate transportation plan with impacts on adjacent intersections and pedestrian movements - A comprehensive traffic study was completed for the project using City standards. In addition to the base analysis, a worst case analysis in terms of vehicular impact was conducted (assuming all patrons drive to the facility) and a worst case analysis in terms of pedestrian movements was conducted (assuming all patrons walk to the facility). These two extra analyses were conducted above and beyond the typical traffic study analyses. A full analysis of the La Jolla Village Drive/Torrey Pines Road, La Jolla Village Drive/La Jolla Scenic Way, La Jolla Scenic Drive North/Cliffridge Avenue, La Jolla Scenic Way/La Jolla Scenic Drive North, and La Jolla Scenic Drive North/Caminito Deseo intersections was completed in the project's traffic impact analysis. This analysis was completed for the scenarios listed below. No significant impacts were identified in terms of vehicular or pedestrian movements based on City of SD significance criteria.
  - a. Existing
  - b. Existing + cumulative projects
  - c. Existing + cumulative projects + project
  - d. 2030 without project
  - e. 2030 with project
- 2. Detrimental street vacation for which the findings cannot be made It is staff's position that the street vacation findings can be made. As noted in the Public Right-of-Way Vacation Resolution (Attachment 9), there is no present or prospective use for the public right-of-way, either for the purpose for which it was originally required, or for any other public use of a like nature that can be anticipated; the public will benefit from the vacation through the improved utilization of the land

made available by the vacation; the vacation does not adversely affect any applicable land use plan; and the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by this vacation.

La Jolla Scenic Drive North is a local street and there is little likelihood that this local street would be widened to the width allowed by the current right-of-way. As designed, La Jolla Scenic Drive North would meet the design standards of the City of San Diego Traffic Design Manual. The applicant would maintain more than 10,000 square feet of landscaped and hardscaped area for public use, both visually and physically, with a bike and pedestrian path, grove of native Torrey Pine Trees, a park bench, trash receptacle, and public drinking fountain. In addition, any liability and maintenance cost would be transferred from the City to the property owner with this vacation. The intended use of the site is consistent with the community plan and SF zone, which allows religious uses by right. Therefore, it is staff's position that the street vacation findings can be made.

- 3. Insufficient parking - The total parking requirement for proposed project is 74 spaces; with 6 spaces for Phase I and 68 spaces for Phase II. Six parking spaces are proposed for Phase I which meets the requirements of the San Diego Municipal Code. Sixty-eight parking spaces are proposed for Phase II, with 56 of the 68 spaces proposed through the use of parking lifts, which meets the requirements of the San Diego Municipal Code. In addition, the project has been conditioned to require the maintenance of a shared parking agreement with the University of California, San Diego for an additional sixty-seven (67) off-site parking spaces for Hillel's weekly Shabbat services, and up to 75 off-site parking spaces for occasional special events. The additional parking spaces shall be available from 1 hour prior to the event until 1 hour after each event. Should the off-site parking location be more than 600 feet from the subject site, the applicant shall be required to provide a shuttle service between the off-site location and the Hillel facility for both weekly Shabbat services and the occasional, on-site special events. Therefore, the project would meet the parking requirements of the San Diego Municipal Code.
- 4. <u>Unpermitted use of a Student Center in the La Jolla Shores Planned District</u> <u>Ordinance (LJSPDO)</u> – The project is proposing the development of a 12,100 square foot religious student center, including associated administrative uses and functions. The Hillel project site is within the Single Family (SF) zone in the La Jolla Shores Planned District, which permits churches, temples or buildings of a permanent nature, used primarily for religious purposes. Therefore, the religious student center is an allowable use at this location.
- 5. The project does not meet the green space requirements of the LJSPDO on its own without the public right of way vacations The planting area requirement for the LJSPDO is 30 percent of the total lot area as specified in Section 1510.0304(h) of the Land Development Code. Should the public-right-of-way vacation be approved, the subject property would exceed the required amount of green space or landscape planting area by 215 percent. Should the vacated area not be included in the calculation, the planting area would be 78.9 percent of the entire street yard,

exceeding the LJSPDO requirement of 30 percent and the standard Street Yard Requirement of 25 percent as specified in Table 142-04C of the Land Development Code, Landscape Regulations.

Bulk and Scale not consistent with the surrounding development – It is staff's position that the Hillel project is compatible with the neighboring structures. Phase I involves the continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy. Alterations to the exterior or the height of the single-family home are not a part of this project, and would require additional review and approval by the City of San Diego, as conditioned in the project's Site Development Permit. Phase II involves the development of a two-level religious student center, consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean 17,000 square-foot garage.

As fully discussed in the Community Plan Analysis, the proposed development incorporates a number of specific design features which will allow the religious student center to achieve compatibility with the existing residential development in the vicinity, including variations in design in order to create the appearance of a series of smaller, individual structures; and concealing lower portions of the structure behind landscaped berms which will reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as part of the project's landscaping plan, which would further screen and soften the structure at maturity. In addition, the project's subterranean garage is houses the project's loading area, trash and recycling area, and service elevator, so that any noise and visual impacts associated with these activities would be screened from surrounding residents.

The maximum building height for the Hillel facility is 22 feet above the main finish floor elevation. This is well below the allowable 30 feet and is consistent with the adjacent single-family development, including the two-story single family residence on the corner of Cliffridge Avenue and La Jolla Scenic Drive North. Additionally, any of the surrounding single family residences are allowed to develop up to the 30-foot height limit consistent with the allowable building heights within the LJSPDO and the Proposition 'D' Coastal Height Limit. The La Jolla Playhouse Theater complex on the University of California, San Diego (UCSD) campus exists across La Jolla Village Drive, approximately 100 yards to the north, and is developed with multi-story structures. The nature and color of the Hillel project's materials are similar to other structures in the neighborhood, and the design provides landscaping in excess of what is required.

<u>Proposed Deviations</u> – Following each deviation listed below, is staff's reason (in **bold**) for supporting that deviation. All three deviations seek to reduce the 24-foot width of curb cuts providing access to the project site:

 Phase I, Alternative 1. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. Temporary deviation from the driveway width requirements, whereas, the applicant is proposing a 12-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes approval of Phase II and the public right-of-way vacation request. When Phase II is constructed, the religious offices and related use at 8976 Cliffridge Avenue will move into the new 12,100 square-foot facility (Phase II) and the single-family home will revert back to its original use, which only requires a 12-foot curb cut as a residential use.

Staff supports this deviation to a 12 foot wide curb cut because the narrower driveway is temporary in nature which is expected to revert back to a single family residence, reduces the impacts to on-street parking and allows for appropriate separation between the driveway and the required pedestrian ramp which matches the existing pedestrian ramp on the opposite side of the street.

2. Phase I, Alternative 2. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. Permanent deviation from the driveway width requirements, whereas, the applicant is proposing a 20-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes denial of Phase II and the Public Right-of-Way Vacation request, and the permanent use of the single family home at 8976 Cliffridge Avenue as a nonresidential use.

Staff supports this deviation to a 20-foot curb cut because the narrower driveway reduces the impacts to on-street parking while still accommodating two-way traffic.

3. Phase II. A deviation from San Diego Municipal Code (SDMC) Section142.0560 (j)(1) for minimum width of a non-residential driveway. Deviation from the driveway width requirements, whereas, the applicant is proposing a 22-foot curb cut to access the religious student center where the San Diego Municipal Code requires 24 feet for a non-residential use.

Staff supports this deviation to a 22-foot wide curb cut to reduce the impacts to on-street parking and to match the proposed drive aisle as designed for the project still accommodating two-way traffic.

#### Conclusion:

The continued use of 8976 Cliffridge Avenue as Hillel offices and the proposed 12,100 squarefoot religious student center and subterranean parking structure are consistent with the Community Plan land use designation and zoning regulations of the La Jolla Shores Planned District Ordinance, which permit churches, temples or buildings of a permanent nature, used primarily for religious purposes. The Hillel facility's sole function is for religious purposes to promote the Jewish faith spiritually, educationally, and socially to the students at UCSD. All mentioned ancillary uses support the religious purpose and programming of the facility. The project has been reviewed in accordance with all applicable development regulations and the La Jolla Community Plan and Local Coastal Program, the City's General Plan, and the California Environmental Quality Act. Staff has determined the project complies with the applicable development regulations and would be consistent with the purpose and intent of the underlying zone. Staff believes the religious student center project is well designed and would be an asset to the neighborhood. Staff has provided the required findings to affirm the project and recommends that the Planning Commission recommend to the City Council approval of the project as proposed.

#### ALTERNATIVES

- Recommend that the City Council Certify Mitigated Negative Declaration No. 149437 and Adopt the Mitigation, Monitoring, and Reporting Program; and Approve Site Development Permit No. 527861, Public Right-of-Way Vacation No. 527860; and Easement Acquisition No. 584509, with modifications.
- Recommend that the City Council Not Certify Mitigated Negative Declaration No. 149437 and Not Adopt the Mitigation, Monitoring, and Reporting Program; Deny Site Development Permit No. 527861, Public Right-of-Way Vacation No. 527860; and Easement Acquisition No. 584509, if the findings required to approve the project cannot be affirmed.
- 3. Should the Planning Commission vote to Deny Site Development Permit No. 527861 and Public Right-of-Way Vacation No. 527860 required for Phase II, it is requested that the Planning Commission Recommend that the City Council Approve Site Development Permit No. 527861 to allow the continued use of the single-family home at 8976 Cliffridge Avenue on a permanent basis. This alternative has been covered by the Mitigated Negative Declaration, and sufficiently reviewed by staff.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

**BROUGHTON/DES** 

Attachments:

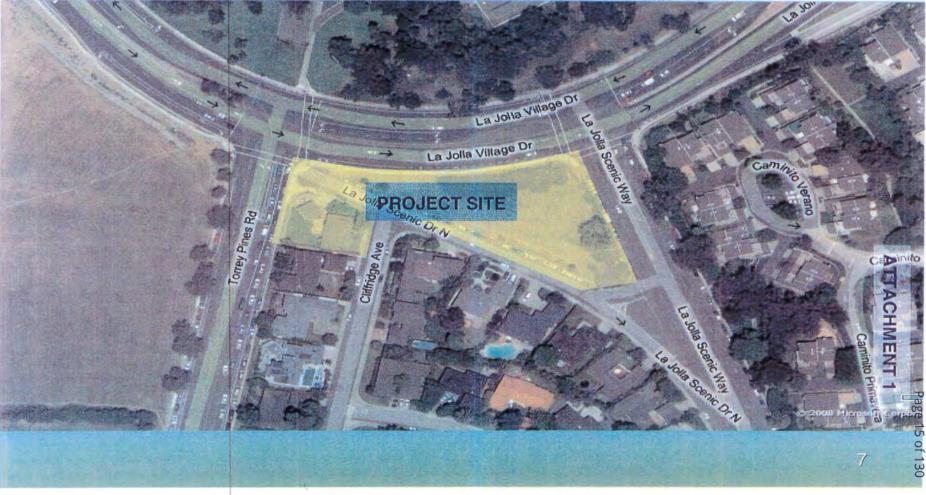
- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map

Daniel Stricker Development Project Manager Development Services Department

- 4. Project Data Sheets
- 5. Project Information and Site Plans
- 6. Civil Engineering Plans
- 7. Landscape Plans
- 8. Architectural Plans
- 9. Draft Right-of-Way Vacation Resolution and Exhibits
- 10. Draft Permit with Conditions
- 11. Draft Permit Resolution with Findings
- 12. Transportation Demand and Parking Management Plan
- 13. Shared Parking Agreement
- 14. La Jolla Community Planning Association Recommendation
- 15. La Jolla Shores Planned District Ordinance Advisory Board Recommendation
- 16. Ownership Disclosure Statement
- 17. Project Chronology

Attachment 11 Planning Commission Report No. PC-08-119 Page 14 of 130 Development Services Department Project Management Division

# **Aerial Photograph**



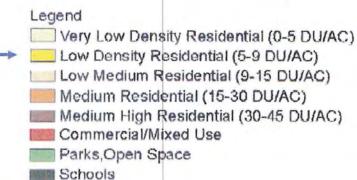
Attachment 11 Planning Commission Report No. PC-08-119

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ά.

Development Services Department Project Management Division

# **Community Land Use Map**





Community Facilities



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Attachment 11 Planning Commission Report No. PC-08-119 Page 20 of 130 Hillel of San Diego Student Center, Phase I

## **ATTACHMENT 4**

PROJECT NAME:	Hillel of San Diego Student Center			
PROJECT DESCRIPTION:	(Phase I) – Project 149437 Continue use of an existing single dwelling for religious purposes until Phase II is occupied			
COMMUNITY PLAN AREA:	La Jolla			
DISCRETIONARY	Site Development Permit, Easement Dedication, and			
ACTIONS: COMMUNITY PLAN LAND USE DESIGNATION:	Public Right-of-Way Vacation Low Density Residential (5-9 du/ac)			
ZONING INFORMATION: ZONE: SF Permits single unit residential, purposes HEIGHT LIMIT: 30 LOT SIZE: An FLOOR AREA RATIO: NA FRONT SETBACK: Ge SIDE SETBACK: Ge STREETSIDE SETBACK: Ge REAR SETBACK: Ge	churches, temples and bu feet y size legal lot neral conformity neral conformity neral conformity	a Jolla Shores Planned District. ildings used for religious		
PARKING: 6 p ADJACENT PROPERTIES:	arking spaces required, 6 LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Public Facilities/Institutional & RS-1-7 across street	University Campus		
	Low Density Residential & SF Single Detached Dwelli			
SOUTH:	Residential & SF			
SOUTH: EAST:	Residential & SF Low Density Residential & SF	Single Attached Dwellings		
	Low Density	Single Attached Dwellings Vacant		
EAST:	Low Density Residential & SF Public Facilities/Institutional & RS-1-7 across street			

Hillel of San Diego Student Center, Phase II

## **ATTACHMENT 4**

	PROJECT DATA SHEE	Т		
PROJECT NAME:	Hillel of San Diego Student Center (Phase II) – Project 149437			
PROJECT DESCRIPTION:	Construction of a 12,100 square foot religious student center over a 17,000 square foot subterranean parking garage			
COMMUNITY PLAN AREA:				
DISCRETIONARY ACTIONS:	Site Development Permit, Easement Dedication, and Public Right-of-Way Vacation			
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential (5-9 du/ac)			
HEIGHT LIMIT: 30 LOT SIZE: An FLOOR AREA RATIO: NA FRONT SETBACK: Ge SIDE SETBACK: Ge STREETSIDE SETBACK: Ge REAR SETBACK: Ge PARKING: 68	ny size legal lot neral conformity neral conformity neral conformity neral conformity neral conformity	68 parking spaces proposed EXISTING LAND USE		
NORTH:	Public Facilities/Institutional & RS-1-7 across street	University Campus		
SOUTH:	Low Density Residential & SF	Single Detached Dwellings		
EAST:	Low Density Residential & SF	Single Attached Dwellings		
WEST:	Public Facilities/Institutional & RS-1-7 across street	Vacant		
DEVIATIONS OR VARIANCES REQUESTED:	Minimum width of a non-residential driveway. See Permit for more detail.			
COMMUNITY PLANNING GROUP RECOMMENDATION:	<ul> <li>On September 4, 2008, the La Jolla Community Planning Association voted 14-0-0 to Deny.</li> <li>On September 16, 2008, the La Jolla Shores Planned District Advisory Board voted 4-0 to Deny.</li> </ul>			

#### ATTACHMENT 5

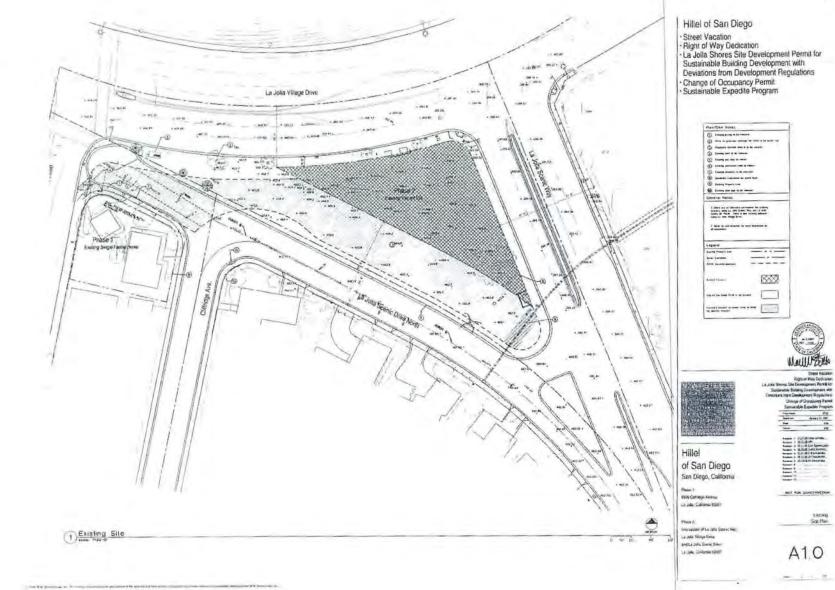
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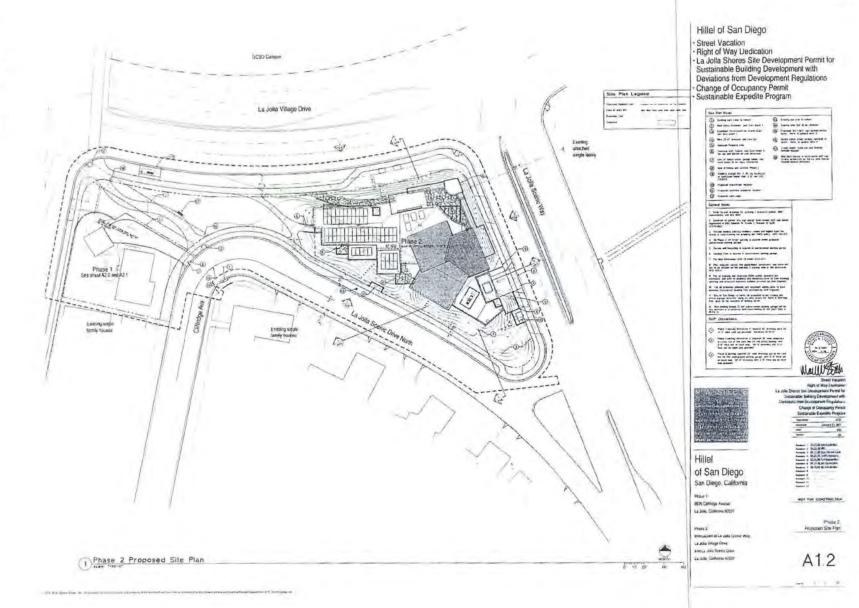
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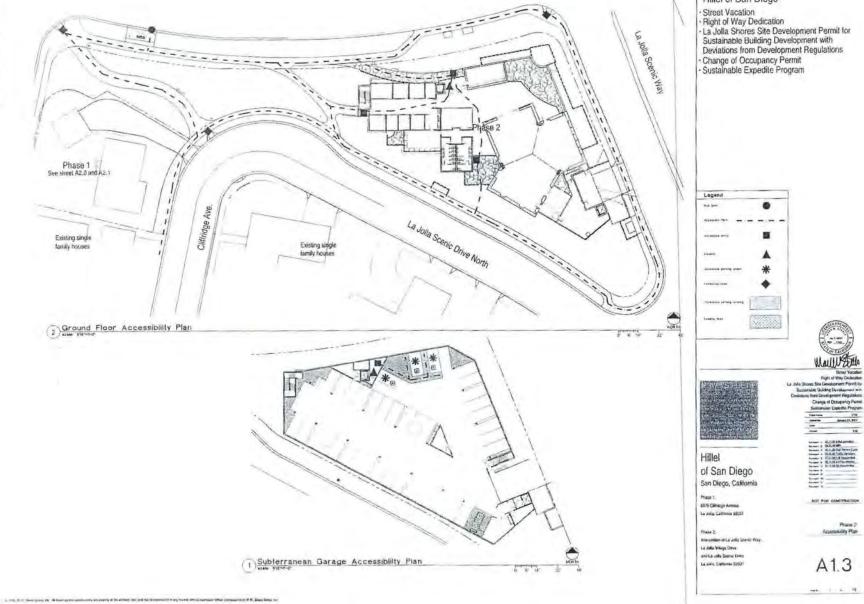
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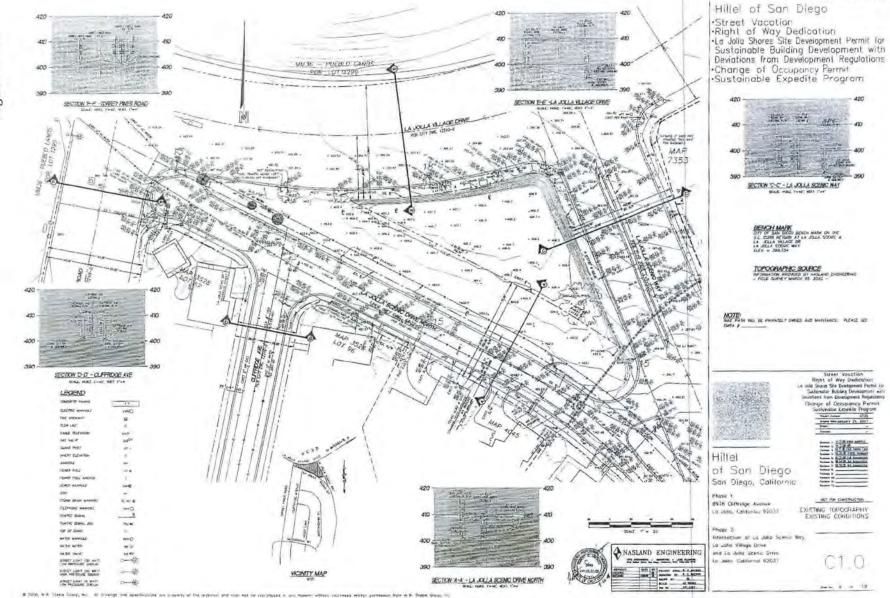
#### Hillel of San Diego



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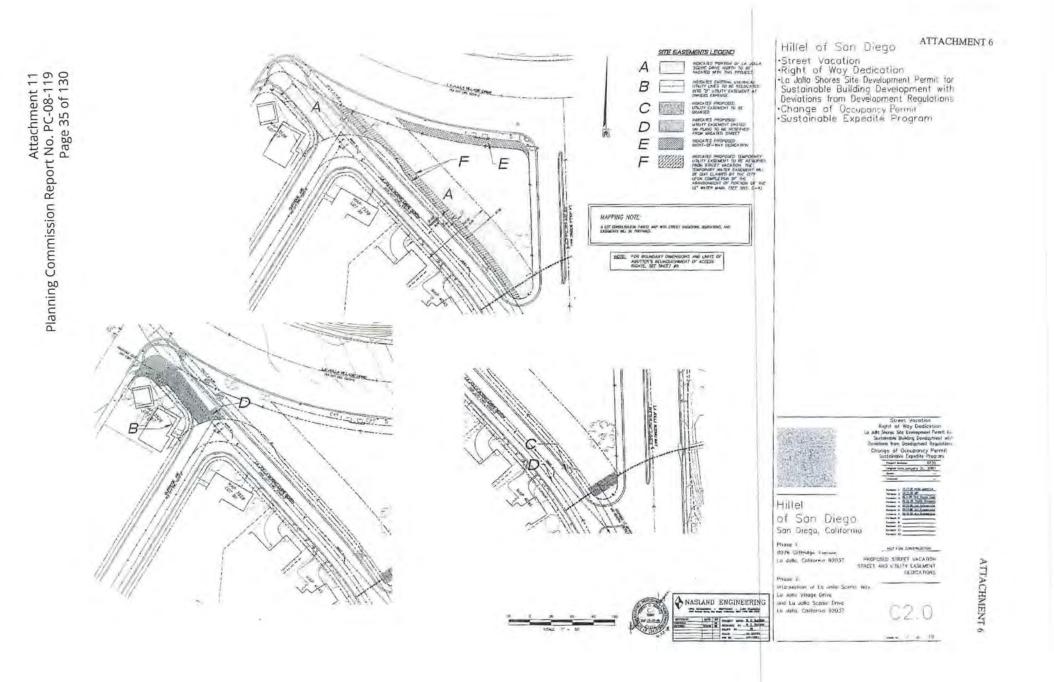


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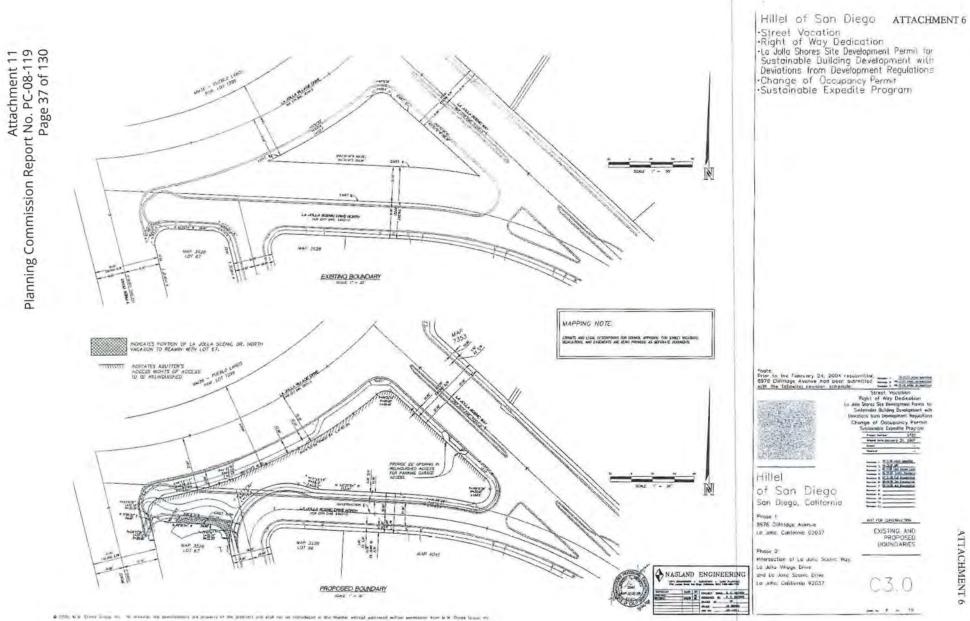


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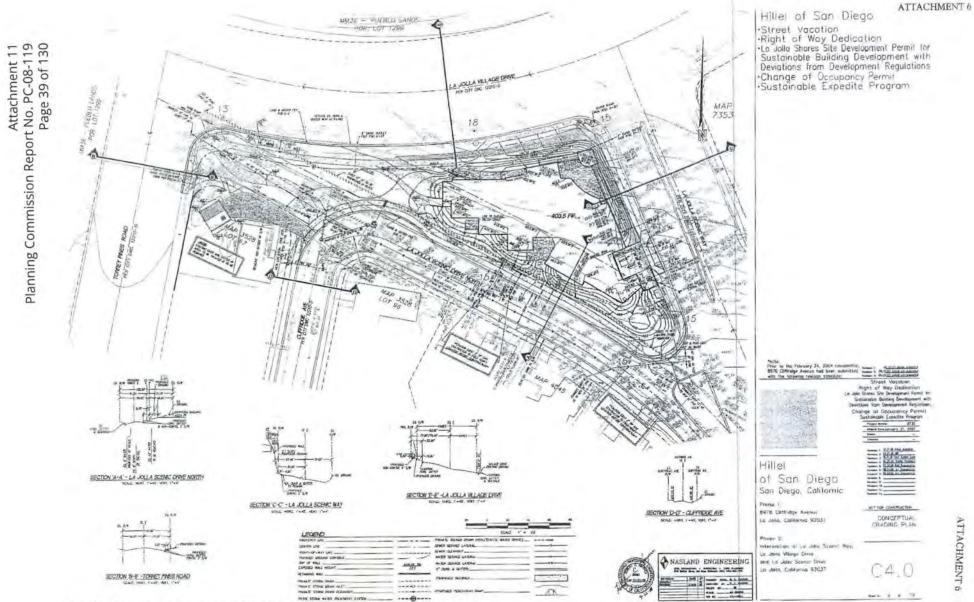
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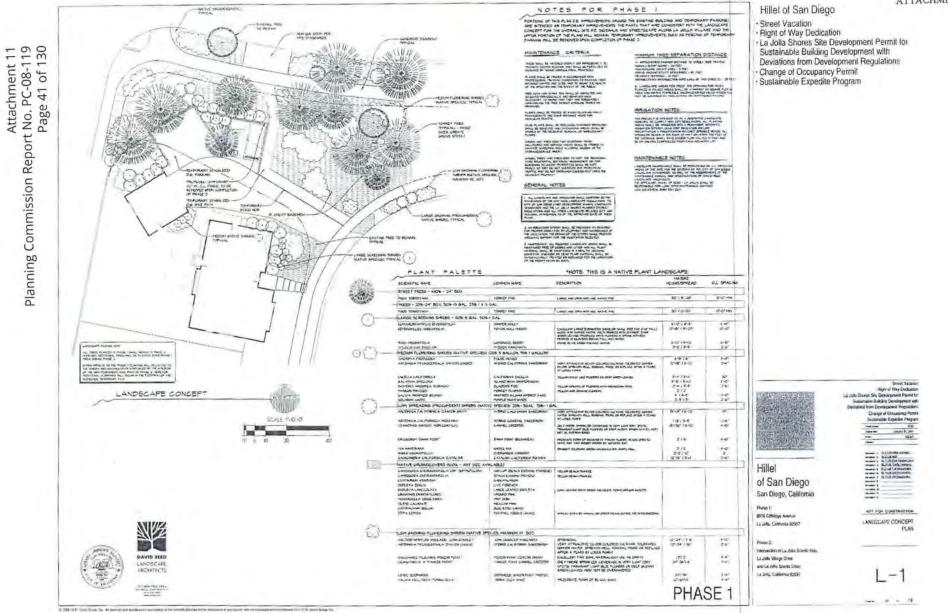


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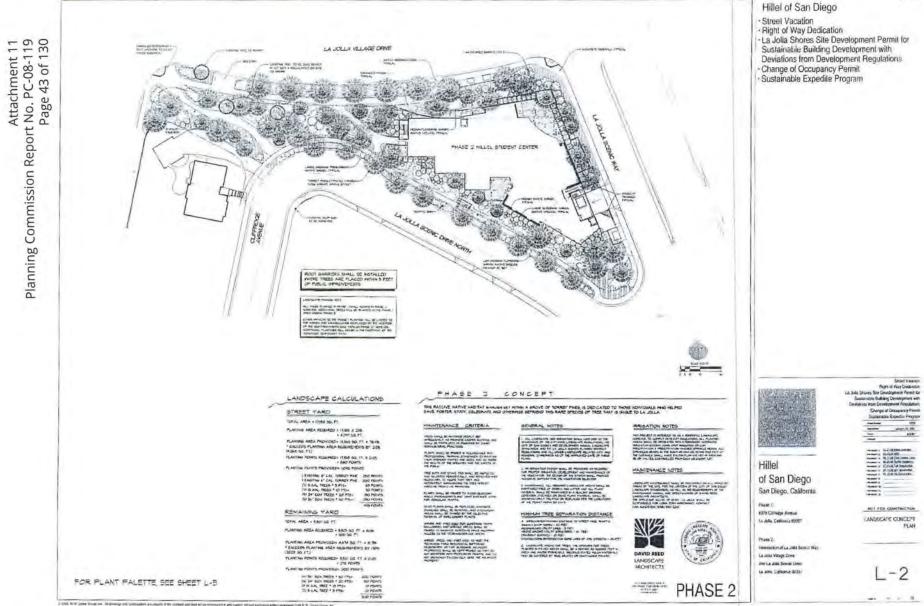


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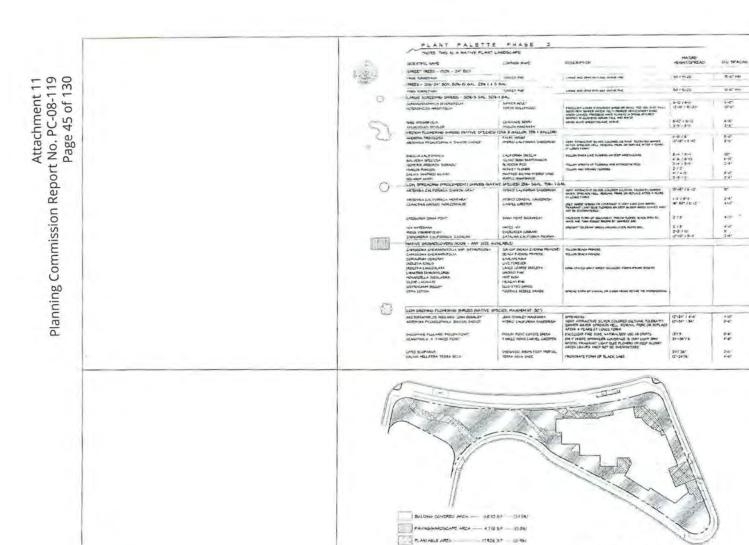
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TOTAL SITE AREA

- SASCA SF HOOK

LANDSCAPE AREA DIAGRAM, PHASE 7

Hillel of San Diego - Street Vacation - Right of Way Dedication - La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations - Change of Occupancy Permit - Sustainable Expedite Program

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Hillel of San Diego

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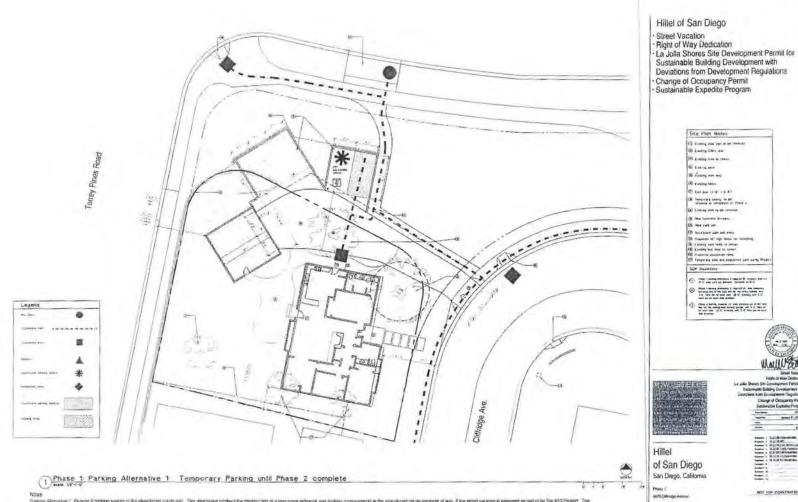
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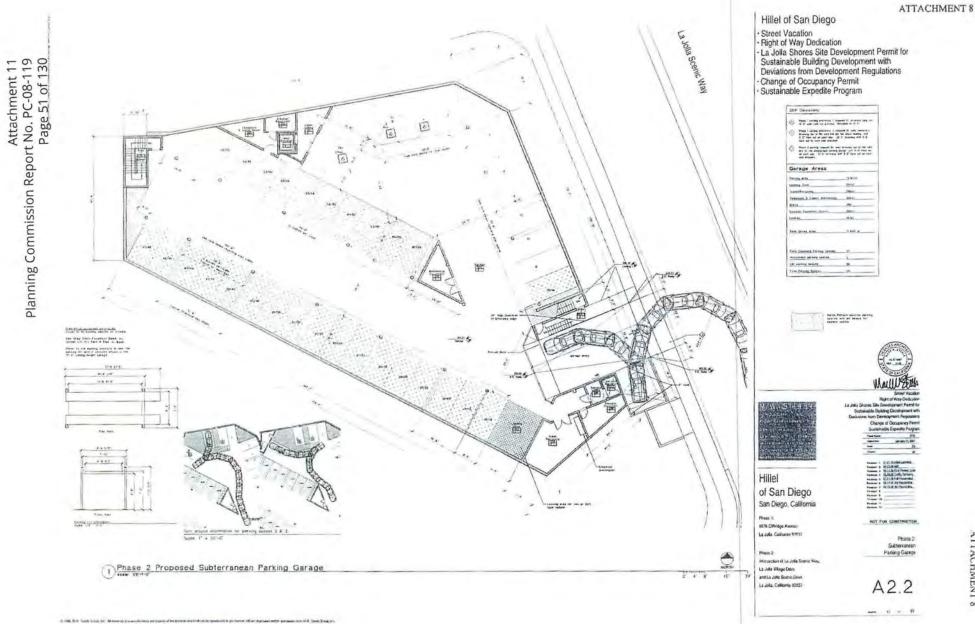
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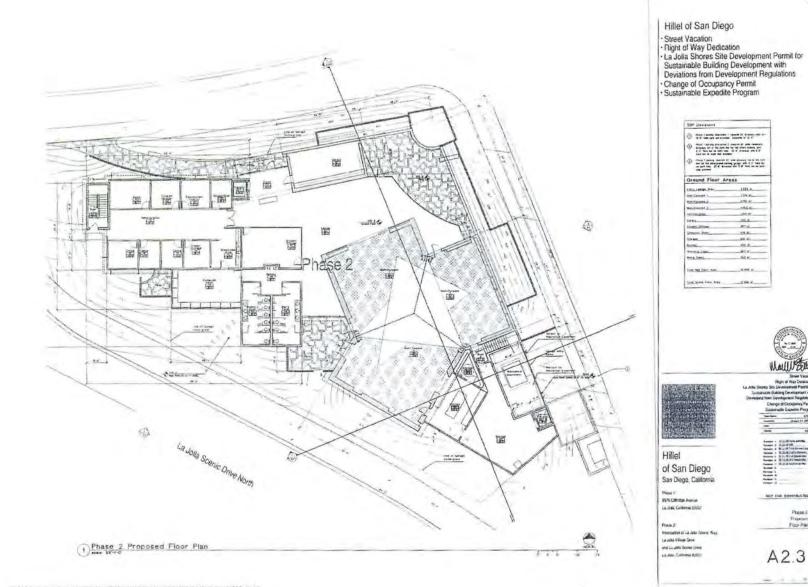
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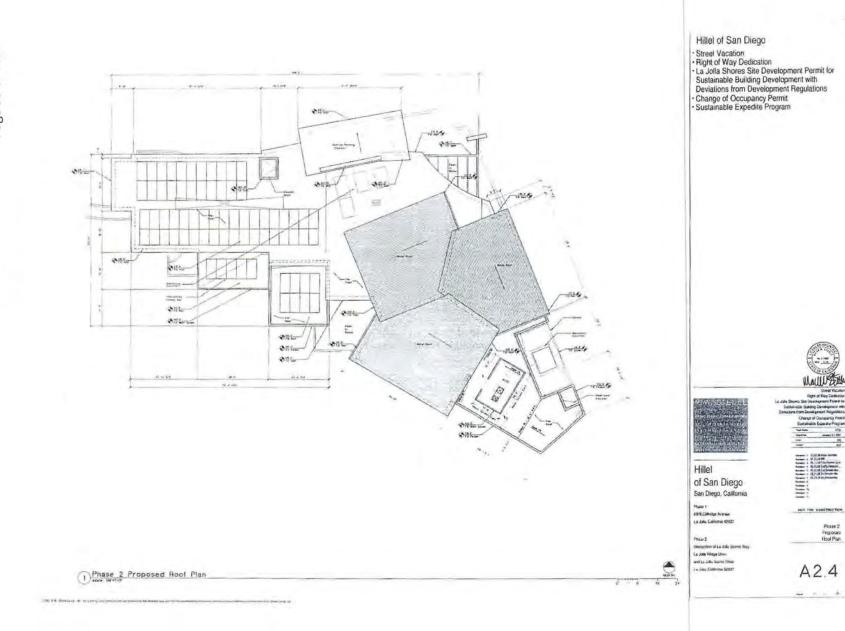
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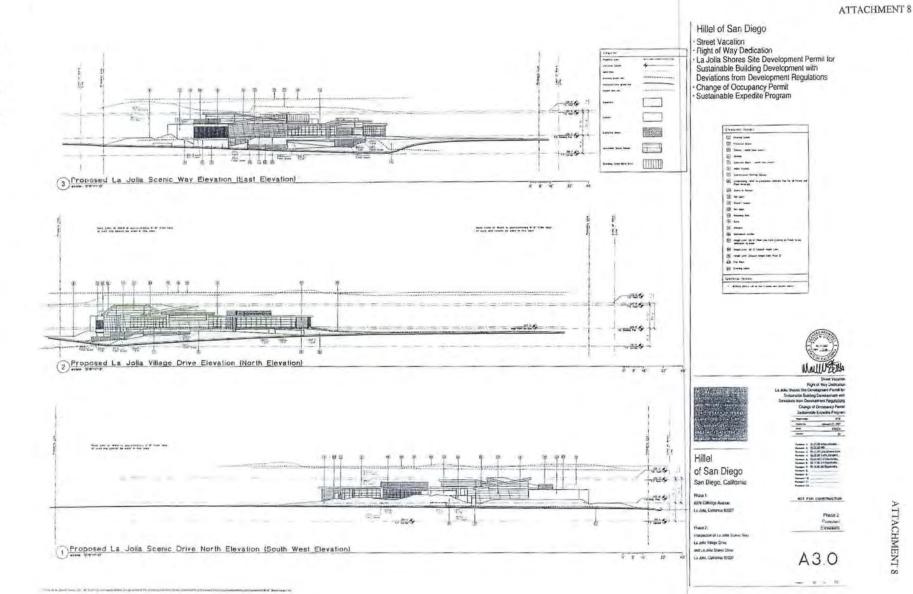
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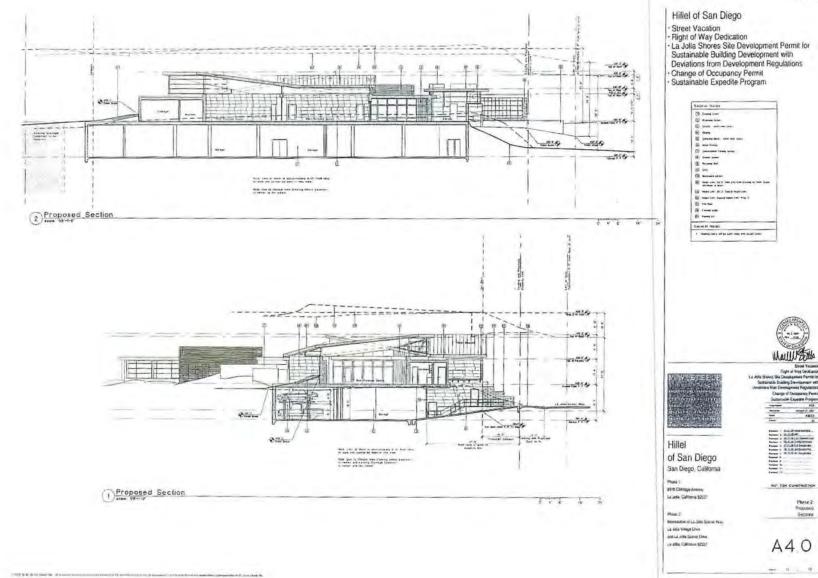


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### DRAFT PUBLIC RIGHT-OF-WAY VACATION RESOLUTION ATTACHMENT 9

(R-2008-\_\_\_)

#### RESOLUTION NUMBER R-\_\_\_\_

ADOPTED ON \_\_\_\_\_

WHEREAS, California Streets and Highways Code section 8330 et seq. provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

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

WHEREAS, the affected property owner has requested the vacation of a portion of La Jolla Scenic Drive North (Project No. 149437, Approval No. 527860), to unencumber this property as approved by Site Development Permit No. 527861; and

WHEREAS, as a part of this action the property owner is relinquishing abutter's rights on the south side of La Jolla Village Drive, between Torrey Pines Road to La Jolla Scenic Way, and on a portion of the west side of La Jolla Scenic Way, between La Jolla Scenic Drive North and La Jolla Village Drive, as shown on Drawing No. No. 00116-C, marked as Exhibit "B;" and

WHEREAS, the City Council finds that:

(a) there is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired, or for any other public use of a like nature that can be anticipated;

(b) the public will benefit from the action through improved use of the land made available by the vacation;

(c) the vacation does not adversely affect any applicable land use plan or; and

(d) the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the public right-of-way easement located within the La Jolla Community Plan area in connection with Site Development Permit No. 527861, as more particularly described in the legal description marked as Exhibit "A" and as shown on Drawing No. 00116-C, marked as Exhibit "B", and on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_-1 is ordered vacated.

2. That said public right-of-way vacation is conditioned on the following, satisfactory to the City Engineer. In the event these conditions are not completed within three years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

Prior to the recordation of the public right-of-way vacation, the Applicant shall cut,
 plug and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North

-PAGE 2 OF 5-

right-of-way to be vacated, in a manner satisfactory to the Water Department Director and the City Engineer.

b. Prior to the recordation of the public right-of-way vacation, the Applicant shall assure, by permit and bond, the design and construction of new public 16-inch water facilities and the cut, plug and abandonment of the existing public 8-inch water facilities within the La Jolla Scenic Drive North right-of-way and appropriate water easement, from La Jolla Scenic Way to Torrey Pines Road, in a manner satisfactory to the Water Department Director and the City Engineer.

c. Prior to the recordation of the public right-of-way vacation, the Applicant shall assure, by permit and bond, the installation/replacement of fire hydrants at locations and in a manner satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

d. Prior to the recordation of the public right-of-way vacation, Applicant shall assure, by permit and bond, the reconnection all existing water services still in use to the new 16-inch facilities adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

e. The Applicant shall retain an acceptable water easement over the 16-inch water facilities within the vacated La Jolla Scenic Drive North right-of-way, from Cliffridge Avenue to Torrey Pines Road, for exclusive use of public water mains with no appurtenances, in a manner satisfactory to the Water Department Director and the City Engineer. The minimum easement width shall be 15-feet-wide.

f. The Applicant agrees to design and construct all required public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

g. Prior to the recordation of the public right-of-way vacation, Applicant shall assure, by permit and bond, the design and construction of the realignment of the existing 8" public sewer main at the intersection of La Jolla Scenic Drive North and Cliffridge Avenue, satisfactory to the Director of Public Utilities.

h. Prior to the recordation of the public right-of-way vacation the Applicant agrees to relocate all San Diego Gas and Electric Facilities into a general utilities easement to be reserved from the portion of La Jolla Scenic Drive North to be vacated.

 Prior to the recordation of the public right-of-way vacation the Applicant agrees to relocate all Time-Warner Facilities into a general utilities easement to be reserved from the portion of La Jolla Scenic Drive North to be vacated.

j. A public access easement to the satisfaction of the City Engineer linking La Jolla Scenic Drive North and Torrey Pines Road shall be retained in perpetuity for public pedestrian and bicycle access. The area shall not be gated or otherwise obstructed to prevent free movement and public access. In addition, the project shall incorporate signage which identifies this area as public access to the satisfaction of the Development Services Director.

 That the Development Services Department shall cause a certified copy of this resolution, with attached exhibits, to be recorded in the office of the County Recorder.

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4. The City Engineer shall advise the City Clerk of the completion of the conditions listed in number 2 above. After completion of the conditions, the City Clerk shall cause a certified copy of this resolution, with attached legal description marked as Exhibit "A" and as shown on Drawing No. 00116-C, marked as Exhibit "B," attested by the City Engineer under seal to be recorded in the Office of the County Recorder.

## APPROVED: MICHAEL AGUIRRE, City Attorney

Ву \_\_\_\_\_

Deputy City Attorney

Orig.Dept: DSD J.O. 43-0376 Drawing No. \_\_\_\_\_-C R-2008-\_\_\_

### EXHIBIT "A" LEGAL DESCRIPTION

## STREET VACATION – LA JOLLA SCENIC DRIVE AND GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM STREET VACATION SOUTHEASTERLY OF TORREY PINES ROAD

STREET DEDICATION – LA JOLLA VILLAGE DRIVE SOUTHEASTERLY OF TORREY PINES ROAD AND EASEMENT DEDICATION

# PARCEL 'A'

THAT PORTION OF LA JOLLA SCENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 O.R, TOGETHER WITH THAT PORTION OF LA JOLLA SCENIC DRIVE AND TORREY PINES ROAD BOTH DEDICATED PER LA JOLLA HIGHLANDS UNIT NO. 3, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3528, FILED IN THE OFFICE OF THE COUNTY, OCTOBER 19, 1956.

VACATING THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS, SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 O.R.; THENCE SOUTHERLY ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE, SOUTH 62°35'54" EAST, 24.94 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE SOUTH 62°35'54" EAST, 164.60 FEET TO THE BEGINNING OF A TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 09°16'03". AN ARC DISTANCE OF 105.30 FEET TO A POINT HEREIN DESCRIBED AS POINT 'A' ALSO BEING A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC WAY DEDICATED PER RESOLUTION 150337, RECORDED OCTOBER 3, 1958 AS DOCUMENT NO. 163406 O.R., A RADIAL TO SAID POINT BEARS NORTH 36°40'09" EAST: THENCE SOUTHERLY ON SAID RIGHT OF WAY LINE SOUTH 21°57'52" EAST, 17.17 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 149°01'24". AN ARC DISTANCE OF 52.02 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET: THENCE ALONG THE ARC OF SAID CURVE NORTHERLY AND WESTERLY THROUGH A CENTRAL ANGLE OF 09°39'26", AN ARC DISTANCE OF 101.97 FEET; THENCE NORTH 62°35'54" WEST, 113.81 FEET TO THE BEGINNING OF A TANGENT 56.00 FOOT RADIUS CURVE,

CONCAVE NORTHEASTERLY: THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND NORTHERLY THROUGH A CENTRAL ANGLE OF 17°35'18", AN ARC DISTANCE OF 17.19 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 81.00 FEET, THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 123°54'02" AN ARC DISTANCE OF 175.16 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CLIFFRIDGE AVENUE ALSO BEING THE EASTERLY LOT LINE OF LOT 67 PER SAID MAP 3528; DISTANT 24.57 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 67, THENCE NORTHERLY ALONG SAID LOT LINE NORTH 11°05'22" EAST 24.35 FEET TO THE BEGINNING OF TANGENT 25.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY AND EASTERLY THROUGH A CENTRAL ANGLE OF 73°41'16", AN ARC DISTANCE OF 32.15 FEET: THENCE NORTH 62°35'54" WEST, 58.80 FEET TO THE TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE SOUTHEASTERLY: THENCE ALONG THE ARC OF SAID CURVE WESTERLY AND SOUTHERLY THROUGH A CENTRAL ANGLE OF 106°17'34", AN ARC DISTANCE OF 37.10 FEET TO A POINT HEREIN DESCRIBED AS POINT 'B'. ALSO BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD ALSO BEING THE WESTERLY LINE OF SAID LOT 67, DISTANT 70,20 FROM THE SOUTHWESTERLY CORNER OF SAID LOT 67; THENCE NORTH 11°06'32" EAST, 34.46 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°12'17", AN ARC DISTANCE OF 102.28 FEET TO THE BEGINNING OF A TANGENT 42.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 04°42'02", AN ARC DISTANCE OF 3.45 FEET; THENCE NORTH 89°27'57" WEST, 48.73 FEET TO THE TO THE BEGINNING OF A TANGENT 634.64 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 02°53'02". AN ARC DISTANCE OF 31.94 FEET TO THE TRUE POINT OF BEGINNING.

### AREA: 21,278 SQ.FT. 0.488 ACRES MORE OR LESS

### PARCEL 'B'

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY AND ACCESS EASEMENT, DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE SOUTH 21°57'52" EAST, 13.86 FEET ALONG THE SOUTHWESTERLY RIGHT OF WAY OF LA JOLLA SCENIC WAY PER DOCUMENT 56775 RECORDED APRIL 5, 1966 OF O.R.; THENCE SOUTH 36°59'17" WEST, 37.39 FEET TO THE BEGINNING OF A NON TANGENT 20.00 FOOT RADIUS CURVE. CONCAVE NORTHEASTERLY, A RADIAL TO SAID POINT BEARS SOUTH 15°01'26" WEST; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°02'06", AN ARC DISTANCE OF 7.69 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 605.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°42'37", AN ARC DISTANCE OF 7.50 FEET; THENCE NORTH 37°12'32" EAST, 46.00 FEET TO A POINT ON THE ARC OF A NON TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO SAID POINT BEARS NORTH 36°24'34" EAST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'35", AN ARC DISTANCE OF 2.95 FEET TO THE **POINT OF BEGINNING**.

AREA: 640 SQ.FT. 0.015 ACRES MORE OR LESS

## PARCEL 'C'

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY AND ACCESS EASEMENT, DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "B": THENCE NORTH 11º06'32" EAST, 34.46 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 93°19'50", AN ARC DISTANCE OF 32.58 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 636.64 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°41'48", AN ARC DISTANCE OF 18.85 FEET A RADIAL TO SAID POINT NORTH 12°44'35" WEST; THENCE SOUTH 57°43'15" EAST, 83.50 FEET; THENCE NORTH 32°16'45" EAST, 10.00 FEET; THENCE SOUTH 57°43'15" EAST, 21.42 FEET TO THE BEGINNING OF A NON-TANGENT 81.00 FOOT RADIUS CURVE. CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 18°09'49" WEST: THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26°43'35", AN ARC DISTANCE OF 37.78 FEET: THENCE NORTH 58°31'31" WEST, 72.74 FEET: THENCE SOUTH 58°40'55" WEST. 13.12 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 67 OF MAP 3528 RECORDED OCTOBER 19, 1956 O.R.; THENCE ALONG SAID NORTHERLY LOT LINE OF LOT 67 NORTH 62°35'54" WEST, 10.84 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 106°17'34". AN ARC DISTANCE OF 37.10 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD AS DEDICATED PER SAID MAP 3528, ALSO BEING THE POINT OF BEGINNING.

AREA: 3,540 SQ.FT. 0.081 ACRES MORE OR LESS

### PARCEL 'D'

### STREET DEDICATION - LA JOLLA VILLAGE DRIVE

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SCENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SCENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS

EXCEPTING THAT PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF LA JOLLA SCENIC DRIVE NORTH, SAID POINT BEING DISTANT 24.94 FEET FROM THE WESTERLY CORNER OF SAID LAND, ALSO BEING THE BEGINNING OF AN ARC PARALLEL WITH AND 12.00 FEET SOUTHERLY, MEASURE AT RIGHT ANGLES, TO THE SOUTHERLY RIGHT OF WAY OF LA JOLLA VILLAGE DRIVE; THENCE ALONG SAID ARC 155.09 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 20.00 FEET, A RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 16°21'06" WEST; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°23'14" AN ARC DISTANCE OF 29.46 FEET TO THE WESTERLY RIGHT OF WAY OF LA JOLLA SCENIC WAY AND THE TERMINUS OF SAID LINE.

## PARCEL 'E'

## EASEMENT DEDICATION - GENERAL UTILITY

THAT PORTION OF PUEBLO LOT 1299 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 14, 1921 ALSO KNOWN AS MISCELLANEOUS MAP NO. 36.

LYING NORTHEASTERLY OF LA JOLLA SCENIC DRIVE, DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 OF OFFICIAL RECORDS, SOUTHERLY OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) AND WESTERLY OF LA JOLLA SCENIC WAY DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT "A"; THENCE NORTH 21°57'52" WEST, 3.44 FEET ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SAID LA JOLLA SCENIC WAY; THENCE SOUTH 37 °12'32" WEST 1.80 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SAID LA JOLLA SCENIC DRIVE NORTH ALSO BEING THE BEGINNING OF A NON TANGENT 651.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO SAID POINT BEARS NORTH 36 °24'34" EAST; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00 °15'35", AN ARC DISTANCE OF 2.95 FEET TO THE POINT OF BEGINNING.

AREA: 2 SQ.FT. 0.000 ACRES MORE OR LESS

PARCEL 'F'

EASEMENT DEDICATION - GENERAL UTILITY

RESERVING FROM SAID VACATION AN EASEMENT FOR GENERAL UTILITY AND ACCESS EASEMENT, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF LA JOLLA VILLAGE DRIVE (FORMALLY MIRAMAR ROAD) DEDICATED FOR STREET PURPOSES BY RESOLUTION NO. 186827 RECORDED APRIL 5, 1966 DOCUMENT NO. 56775 OF OFFICIAL RECORDS, SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE DEDICATED FOR STREET PURPOSES BY RESOLUTION 150337, RECORDED OCTOBER 3, 1958 DOCUMENT NO. 163406 O.R.; THENCE SOUTHERLY ON THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE, SOUTH 62°35'54" EAST, 24.94 FEET TO THE BEGINNING OF A NON-TANGENT, 634.64 FOOT RADIUS CURVE, CONCAVE NORTHERLY, A RADIAL LINE TO SAID CURVE BEARS SOUTH 02°20'59" EAST: THENCE DEPARTING SAID NORTHERLY LINE, WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°53'02" A DISTANCE OF 31.94 FEET: THENCE NORTH 89°27'57" WEST 42.82 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTHERLY ON A LINE WHICH IS PARALLEL WITH AND 34.50 FEET SOUTHWESTERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE SOUTH 62°35'54" EAST FEET 230.92 FEET TO THE BEGINNING OF A TANGENT 616.50 FOOT RADIUS CURVE CONCAVE SOUTHERLY: THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°19'42" AN ARC DISTANCE OF 121.89 FEET TO A POINT ON A NON-TANGENT 20.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 26°57'28" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°35'18" A DISTANCE OF 22.35 FEET TO THE BEGINNING OF

A 605.00 FOOT RADIUS REVERSE CURVE, CONCAVE SOUTHWESTERLY, SAID CURVE BEING CONCENTRIC WITH AND 46.00 FEET SOUTHWESTERLY OF SAID NORTHERLY RIGHT OF WAY LINE OF SAID LA JOLLA SCENIC DRIVE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'26" A DISTANCE OF 101.97 FEET; THENCE NORTH 62°35'54" WEST FEET 113.81 FEET TO THE BEGINNING OF A TANGENT 56.00 FOOT RADIUS CURVE. CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°35'18" A DISTANCE OF 17.19 FEET; TO THE BEGINNING OF A REVERSE 81.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°13'09" A DISTANCE OF 65.34 FEET; THENCE NORTH 62°35'54" WEST FEET 74.03 FEET TO THE BEGINNING OF A NON-TANGENT 636.47 FOOT RADIUS CURVE, CONCAVE NORTHERLY, A RADIAL LINE TO SAID CURVE BEARS SOUTH 07°59'59" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°45'54" A DISTANCE OF 30.72 FEET TO THE BEGINNING OF A COMPOUND 42.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°42'02" A DISTANCE OF 3.45 FEET: THENCE SOUTH 89°27'57" EAST FEET 5.91 FEET TO THE TRUE POINT OF BEGINNING.

AREA = 4,564.72 SQ. FT. OR 0.105 ACRES MORE OR LESS.

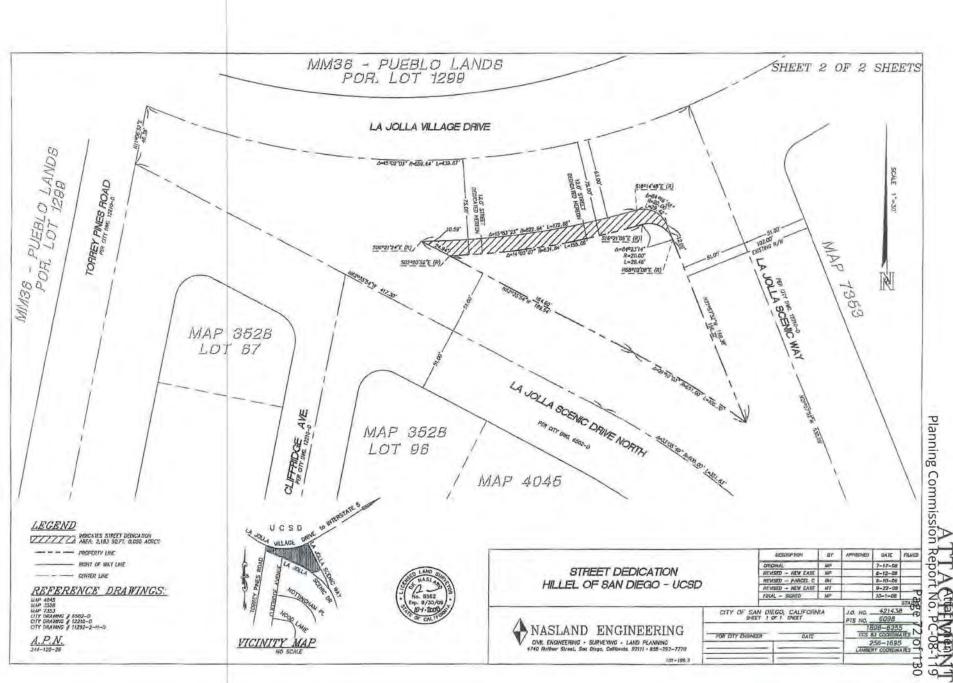
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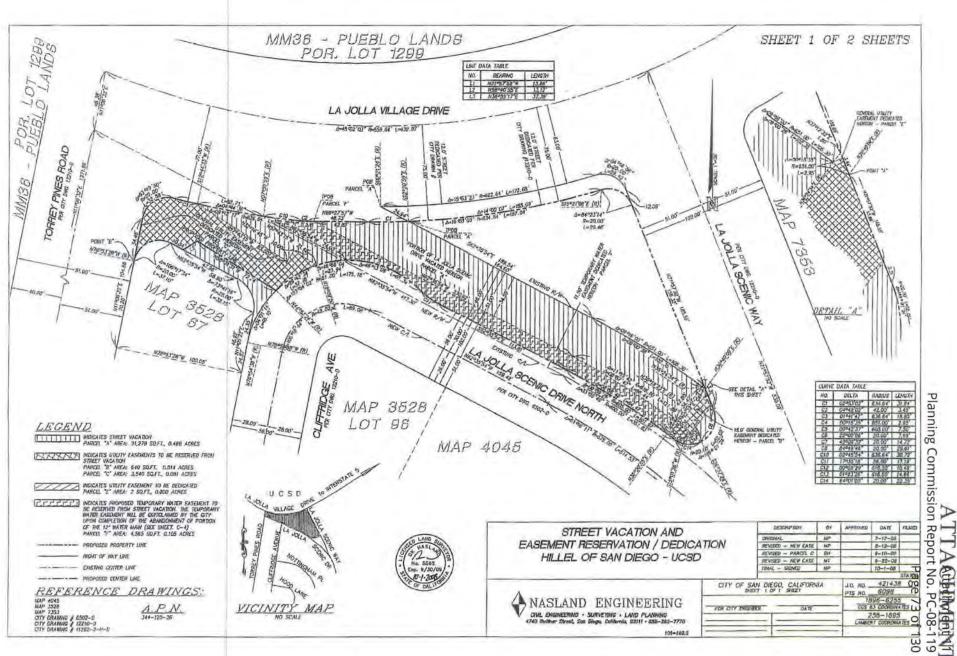
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J.O. NO. 421438 P.T.S. NO 6098 DWG NO





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Attachment 11 Planning Commission Report No. PC-08-119 Page 74 of 130 RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 43-0276

### SITE DEVELOPMENT PERMIT NO. 527861 HILLEL OF SAN DIEGO STUDENT CENTER - PROJECT NO. 149437 - MMRP CITY COUNCIL DRAFT

This Site Development Permit, No. 527861 is granted by the City Council of the City of San Diego to ROBERT MARSHALL, Trustee, Owner, and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Permittee (Phase I) and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Owner and Permittee (Phase II), pursuant to San Diego Municipal Code [SDMC] Section 126.0504. The 9,166 square-foot Phase I site (after proposed dedications and vacations) is located at 8976 Cliffridge Avenue. The 33,518 square-foot (0.77-acre) Phase II site (after proposed dedications and vacations) is located within the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way, and La Jolla Scenic Drive North. Both sites are located in the Single Family (SF) Zone of La Jolla Shores Planned District, Coastal Height Limit Overlay Zone, Campus Parking Impact Overlay Zone, and within the La Jolla Community Plan.

The project site is legally described as: Phase I: Lot 67 of La Jolla Highlands, Unit No. 3, in the City of San Diego, County of San Diego, State of California, according to the map thereof, No. 3528, filed in the office of the County Recorder of San Diego County. Phase II: A Portion of Lot 1299, Pueblo Lands, Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittee to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular shaped parcel with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"], dated \_\_\_\_\_\_, 2008, on file in the Development Services Department.

The project shall include:

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- a. Phase I: Continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy;
- b. Phase II: The development of a two-level religious student center consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 68 vehicles, trash enclosures and elevators;
- c. Deviations:

1). Phase I, Alternative 1. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. This would be a temporary deviation from the driveway width requirements, whereas, the applicant is proposing a 12-foot curb cut to access the single-family home at 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a nonresidential use. This deviation assumes approval of Phase II and the public right-ofway vacation request. When Phase II is constructed, the religious offices and related use at 8976 Cliffridge Avenue will move into the new 12,100 square-foot facility (Phase II) and the single-family home would revert back to its original use, which only requires a 12-foot curb cut as a residential use.

 Phase I, Alternative 2. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. This would be a permanent deviation from the driveway width requirements, whereas, the applicant is proposing a 20-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes denial of Phase II and the Public Right-of-Way Vacation request, and the permanent use of the single-family home at 8976 Cliffridge Avenue as a nonresidential use.

Phase II. A deviation from San Diego Municipal Code (SDMC) 3). Section142.0560 (j)(1) for minimum width of a non-residential driveway. Deviation from the driveway width requirements, whereas, the applicant is proposing a 22-foot curb cut to access Phase II where he San Diego Municipal Code requires 24 feet for a non-residential use.

- d. Landscaping (planting, irrigation and landscape related improvements) with existing landscaping at the residence at 8976 Cliffridge Avenue to be maintained; the 12,100 square-foot religious student center to be landscaped and maintained in accordance with the approved Exhibit 'A' Landscape Plan subject to the conditions contained herein; and the required public benefit 10,000 square-foot landscaped area between the Phase I and II sites;
- e. Off-street parking facilities to be maintained on both the Phase I and II sites as conditioned herein, and the requirement for off-site parking required for the use and events associated with Phase II;

- f. Fencing, walls, decorative site features and signage;
- g. Installation of a bike path linking La Jolla Scenic Drive North with Torrey Pines Road;
- A roof-mounted photovoltaic system consisting of solar panels, in addition to the installation of a fuel cell, sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14; and
- Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

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

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

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This portion of the Permit covering Phase II is a covenant running with the subject property and shall be binding upon the Owner/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.

5. Should Phase II not be approved, the portion of the Permit covering Phase I would be a covenant running with the subject property and shall be binding upon the Owner/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.

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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 modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this 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 the special rights which the holder of the Permit is entitled as a result of obtaining 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 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" conditions(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 applicant 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

12. This Permit may be developed in phases. As described above, Phase I would consist of the continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy; and Phase II would consist of the development of a two-level religious student center consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 68 vehicles, trash enclosures and elevators.

13. The Phase I continued use of the single family house at 8976 Cliffridge Avenue for religious purposes shall continue, subject to the applicable conditions of this permit, until Phase II is completed and ready for occupancy. As Phase II is utilized for Hillel purposes, Phase I shall terminate and the owner of the residence will convert the use of the site back to single-family residential use. Should the owner desire to utilize the residence and property for some other use permitted by the SF zone of the La Jolla Shores Planned District, the owner shall apply for a separate Site Development Permit.

14. Should Phase II of the project not be approved, use of the residentially constructed house at 8976 Cliffridge Avenue for religious purposes (Phase I) shall continue as a permanent use.

# ENVIRONMENTAL/MITIGATION REQUIREMENTS:

15. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

16. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 149437, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

17. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 149437, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Paleontological Resources Parking 18. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

# ENGINEERING REQUIREMENTS:

19. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of sidewalk on La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North along the property frontage, new curb, gutter and sidewalk along the vacated area at Cliffridge Avenue and La Jolla Scenic Drive North, a pedestrian ramp at La Jolla Village Drive and La Jolla Scenic Way and a 22-foot driveway on La Jolla Scenic Way, all satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the applicant shall vacate a portion of La Jolla Scenic Drive North, reserving easements for water, sewer and drain pipes, satisfactory to the City Engineer.

22. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

23. Prior to the issuance of any construction permits, the applicant 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.

24. Prior to the issuance of any building permits, the applicant shall process a lot consolidation parcel map, including the dedication on La Jolla Village Drive, reservations of easements, and a lot line adjustment, all satisfactory to the City Engineer.

25. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for sidewalk underdrains (in La Jolla Village Drive and La Jolla Scenic Drive North) and a connection to the City drain system.

26. The drainage system proposed for this development is private and subject to approval by the City Engineer.

# MAPPING REQUIREMENTS:

27. Prior to the issuance of any building permits, the applicant shall process a Lot Line Adjustment/Lot Consolidation Parcel Map, including the dedication of La Jolla Village Drive, and the granting or reservation of easements, all satisfactory to the City Engineer.

# LANDSCAPE REQUIREMENTS:

28. Prior to issuance of construction permits for grading, the Permittee or Subsequent Owner shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual, Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

29. Prior to issuance of construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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

31. Prior to issuance of any construction permits for buildings; the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, 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 Office of the Development Services Department.

32. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

33. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

34. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

35. 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 Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to issuance of a Certificate of Occupancy.

36. Prior to issuance of construction permits for grading; the Permittee or Subsequent Owner shall ensure that all proposed landscaping, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the prohibited plant species list found in "Table 1" of the Landscape Standards shall not be permitted.

# PLANNING/DESIGN REQUIREMENTS:

37. 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.

38. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels, in addition to the installation of a fuel cell, sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14.

39. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or the La Jolla Shores Planned District sign regulations.

40. 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. Outdoor lighting will be limited to low-voltage lighting for safety and way-finding when the facility is unoccupied.

41. Hillel hours of operation shall be limited to 7:00 AM to 10:00 PM daily allowing for clean up and closing of the facility until 11:00 PM. Hillel may observe Jewish holidays, customs, and ritual practices for High Holiday, Shavuot, Purim, Passover, and other Jewish special observances provided that the above hours of operation are observed and that occasional special events comply with condition 48 of this permit.

42. Weekend hours shall be limited to Saturday from 8:00 AM to 10:00 PM and Sunday from 10:00 AM to 6:00 PM unless there is a Jewish Holiday or other occasional special event, where the typical hours of operation described in condition No. 41 of this permit would be allowed.

43. The building capacity shall be capped at 204 people, and 400 for "occasional special events." An "occasional special event" is any event attended by more than 204 people.

44. There shall be no deliveries or trash pick-up before 8:00 AM on any day.

45. The applicant shall pay for the undergrounding of the two utility lines that are located onsite, and the undergrounding project shall be completed before the issuance of the occupancy permit.

46. The applicant shall add a drinking fountain, trash receptacle, and one three-seat bench that Hillel will maintain. The applicant will maintain a recycling program in its facility.

47. The applicant agrees not to oppose the formation of a maintenance assessment district.

48. The courtyard will not be used for outside gatherings of more than ten (10) people, except for Sukkot and similar religious rituals. This would not preclude visitors from going out on the patio or using the patio during gatherings within the center.

49. No alcohol will be allowed, except for religious rituals.

50. Smoking will not be allowed on the site.

51. Air-conditioning units will be acoustically abated.

52. Outside amplified noise is prohibited.

53. A three-foot glass wall will be added to the patio wall at the northeast corner of the property.

54. Overnight events are prohibited.

55. Use or rental to outside groups for commercial purposes is prohibited.

56. Hillel will advise visitors to the Center of Friday night Shabbat and during occasional special events not to park in the neighborhood and that individuals that fail to comply with this policy will be asked to move their car or to leave the Hillel Center.

57. The applicant agrees to participate in a Neighborhood Advisory Committee consisting of one representative of the University of California at San Diego; two representatives appointed by the La Jolla Shores Association, two representatives appointed by Hillel; one neighborhood resident appointed by the City Council Representative for Council District One, and one neighborhood resident appointed by the Mayor. The Committee shall be formed within thirty (30) days of the issuance of building permits, while working on construction issues as well, and shall work to facilitate appropriate interchange and beneficial collaboration between the applicant and the surrounding community, resolve disputes if possible, and advise the Development Services Department Director and the Mayor of any disputes that are not resolved.

58. The applicant will agree to defend and indemnify the City of San Diego against any actions related to the legality of the sale or lease of the site.

#### TRANSPORTATION REQUIREMENTS

59. The applicant shall maintain the shared parking agreement dated July 6, 2005 with the Regents of the University of San Diego for an additional sixty-seven (67) off-site parking spaces for Hillel's weekly Shabbat services. The 67 parking spaces shall be available from 1 hour prior to the event until 1 hour after each Shabbat service, to the satisfaction of the City Engineer.

60. The applicant shall maintain the shared parking agreement dated July 6, 2005 with the Regents of the University of San Diego for an additional seventy-five (75) off-site parking spaces for Hillel's occasional special events, with such parking spaces available from 1 hour prior to the event until 1 hour after each event, to the satisfaction of the City Engineer.

61. The applicant shall provide a shuttle service between the off-site parking location(s) and the Hillel facility for both weekly Friday Shabbat services and the occasional special events to the satisfaction of the City Engineer. If the off-site location is within 600-feet of the Hillel site, no shuttle service will be required.

62. The applicant shall provide a minimum of sixty-eight (68) on-site, underground parking spaces. The applicant shall not prohibit any of its staff, visitors, or persons participating in its on-site activities from parking in the garage. The applicant acknowledges that any such closure is grounds for the immediate suspension of all operations by the Development Services Department Director, in his or her sole discretion.

63. In the event of a cancellation of a shared parking agreement, the applicant will immediately suspend any activities with more than 204 people in attendance, which would effectively bring the cap down to what sixty-eight (68) spaces would support, including Shabbat services and occasional special events (which are limited to six times a year for the first year and up to nine times a year thereafter with the approval of the Development Services Department Director) at the facility, until an equivalent parking management plan or shared parking agreement is secured and approved by the Development Services Department Director, in his or her sole discretion and executed by the applicant. In the event of failure of the parking shuttle to operate during any Shabbat services, the applicant will immediately suspend any activities with more than 204 people in attendance at the facility until the shuttle services have been resumed and the resumed operation is approved by the Development Services Department Director, in his or her sole discretion, and executed by the applicant. At any time after the first year of operation of the facility, the Development Services Department Director may, in his or her sole discretion, require that this Shabbat services off-site parking requirement and shuttle requirement be continued or discontinued. This would take sixty-seven (67) parking spaces, in addition to sixty-eight (68) onsite spaces that would be the parking requirement. If for any reason the off-street parking is not satisfied or the shuttle is not available, the occupancy of the facility shall be limited to 204 people, which is what the sixty-eight (68) on-site parking spaces would support.

64. The number of occasional special events for the first twelve months of operation shall be limited to six. The number may be increased after the first year to a maximum of nine occasional special events per year with the approval of the Development Services Department Director, in

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his or her sole discretion, where Neighborhood Code Compliance will be in charge of documenting the number of these events.

65. The applicant shall provide signs to be placed and maintained in front of the project clearly indicating available parking spaces at the off-site location(s) during Shabbat services and occasional special events, to the satisfaction of the City Engineer.

66. The applicant shall provide signs to be placed and maintained at the entrance of the off-site parking location(s) clearly indicating the available parking spaces at the off-site location(s) during Shabbat services and special events, to the satisfaction of the City Engineer.

67. No fewer than six (6) temporary parking spaces shall be constructed in the vacated/abandoned portion of La Jolla Scenic Drive North right-of-way (as shown on Exhibit "A") for the use of the 8976 Cliffridge Avenue site (Phase I) and these temporary parking spaces shall be removed and the area restored upon the completion of the project at vacant portion of the site, formerly known as Site 653 (Phase II), to the satisfaction of the City Engineer.

68. No fewer than 6 on-site parking spaces shall be maintained on 8976 Cliffridge Avenue (Phase I) in the event that the Hillel project is not constructed on Site 653 (Phase II) in the approximate locations shown on the approved Exhibit "A", on the file in the Development Services Department and such parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Engineer, to the satisfaction of the City Engineer.

69. No landscape and/or hardscape more than 30-inches in height shall be placed in the visibility triangle as shown on Exhibit "A."

70. Prior to the issuance of the first building permit, applicant shall deposit \$20,000 into a dedicated fund for the express purpose of the Development Services Department enforcement and monitoring of the permit conditions, with the proviso that if the \$20,000 is used for enforcement and drops below \$10,000, it will be replenished back to \$20,000. The fund shall be interest bearing with interest, minus administrative fees, accruing to the Permittee. Two years thereafter, a deposit of \$10,000 per year plus Consumer Price Index may be required at the sole discretion of the Development Services Director in subsequent years. Any portion of this deposit that is unused will be returned to the applicant.

71. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, construction of new pedestrian curb ramps at the intersections of La Jolla Village Drive / La Jolla Scenic Way and Torrey Pines Road / La Jolla Village Drive, satisfactory to the City Engineer.

72. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, reconstruction of La Jolla Scenic Drive North along its frontage between La Jolla Scenic Way and Cliffridge Avenue to provide 34 feet of pavement, curb, and gutter (curb to curb dimension) with an additional 12 feet curb to property line distance that includes the sidewalk for the north portion of La Jolla Scenic Drive North, satisfactory to the City Engineer.

73. The applicant shall install a pedestrian ramp on the west side of the intersection of La Jolla Scenic Drive North and Cliffridge Avenue prior to the issuance of the first building permit, to the satisfaction of the City Engineer.

74. Prior to the issuance of the first building permit, applicant shall assure by permit and bond installation of double yellow center line along the curve on Cliffridge Avenue and La Jolla Scenic Drive North, satisfactory to the City Engineer.

75. Prior to the issuance of the first building permit, applicant shall dedicate approximately 5feet along project frontage on La Jolla Village Drive (as shown on Exhibit "A") and shall assure by permit and bond, reconstruction of curb, gutter, contiguous and non-contiguous sidewalk, with a 22-foot curb-to- property line distance, satisfactory to the City Engineer.

76. Prior to the issuance of the first building permit, applicant shall assure by permit and bond construction of a 10-foot wide pedestrian/bicycle path between La Jolla Scenic Drive North and Torrey Pines Road, satisfactory to the City Engineer.

77. The gate to the subterranean garage shall be monitored by Hillel's staff during all gatherings and the parking lot attendant shall be present to utilize the parking lifts, to the satisfaction of the City Engineer.

78. The applicant shall provide an on-site parking attendant to oversee the use of the lift parking spaces when the project has visitors expected above the non-lift space spaces required and during these higher demand times, visitors are expected to leave automobile keys to allow for vehicle movement as necessary to utilize the lift equipment within the parking lot, to the satisfaction of the City Engineer.

79. No fewer than 68 on-site parking spaces shall be maintained on the (Phase II) project site in the approximate locations shown on the approved Exhibit "A", on the file in the Development Services Department and such parking spaces shall comply at all times with the SDMC including 28 lift spaces and 3 accessible spaces and shall not be converted for any other use unless otherwise authorized by the City Engineer, to the satisfaction of the City Engineer.

80. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act (ADA) requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

81. The gate to the subterranean garage shall be monitored by Hillel's staff during all occasional special events.

82. A Transportation Demand and Parking Management (TDPM) Plan has been submitted for the project and includes the following:

- Provides staff at both Hillel facility and the off-site location to monitor parking for a) occasional special events.
- Publicizes the availability of off-site parking and transportation prior to the occasional b) special events.
- Annual post-occupancy parking demand study shall be conducted by Hillel for c) Shabbat services and occasional special services for 3 years after the facility becomes operational, satisfactory to the City Engineer. If post occupancy study indicates need for additional off-site parking, then Hillel shall secure the additional needed parking spaces, satisfactory to the Development Services Director. If post occupancy study indicates that Hillel has no need for the required off-site parking spaces, then those spaces do not need to be provided. The parking demand study should also include an annual summary of the type and frequency of the events that take place at Hillel's facility. The parking demand study should also monitor the use of the on-street parking in the vicinity of the project and eliminate any adverse impact of the project on the on-street parking.

83. The TDPM plan shall be adopted as a condition of this permit and the requirements of the TDPM plan become requirements of this permit. The monitoring program shall be conducted by the applicant and evaluated by the Development Services Director, or his or her designee, at least nine (9) times and no more than 12 times during the first year, and at least three (3) times and no more than five (5) times per year in subsequent years. The monitoring after the first year shall be conducted during times when school is in session and at least once during an occasional special event.

 Prior to the expiration of the term of the shared parking agreement, Hillel shall provide a renewed shared parking agreement for the off-site parking requirement to the City of San Diego. If after the initial three-year Post Occupancy Evaluation (POE) period, Hillel finds that they no longer require the off-site parking, Hillel must submit a POE to the Development Services Director prior to rescinding the off-site parking agreement(s) per the TDPM plan.

85. The applicant shall notify the La Jolla Shores Association whenever the Traffic and Transportation Committee of the La Jolla Community Planning Association considers issues related to the TDPM plan.

### WATER REQUIREMENTS:

86. Prior to the issuance of the first foundation, building or grading permit, the Owner/Permittee shall cut, plug and abandon the existing public 12-inch water facilities within the La Jolla Scenic Drive North right-of-way to be vacated, from La Jolla Scenic Way to Torrey Pines Road, in a manner satisfactory to the Water Department Director and the City Engineer.

87. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of public 16-inch water facilities and the cut, plug and abandonment of the existing public 8-inch water facilities within the La Jolla Scenic Drive

North right-of-way, from La Jolla Scenic Way to Torrey Pines Road, and connect to the 16-inch mains all existing water services still in service adjacent to the project, in a manner satisfactory to the Water Department Director and the City Engineer.

88. Prior to the issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s), including domestic, fire and irrigation, and the disconnection at the mains of all existing unused water services adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

89. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permit(s) for the installation of private back flow prevention device(s) on all water services to the development, including all domestic, fire and irrigation services, in a manner satisfactory to the Water Department Director and the City Engineer. All backflow prevention devices shall be located above grade and outside of any private structures.

90. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall install and/or replace fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

91. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall design and construct new public water facilities, into acceptable alignments and rights-of-way, in the event any public water facility in the vicinity of the project site loses integrity due to the construction and grading activities associated with this development, in a manner satisfactory to the Water Department Director and the City Engineer.

92. Prior to the first final inspection of any building permit for the Hillel of San Diego project, the Owner/Permittee shall grant acceptable water easements over all public water facilities located outside of fully improved public rights-of-way, in a manner satisfactory to the Water Department Director and the City Engineer. Minimum water easement width, for exclusive use of public water mains with no appurtenances, shall be 15-feet-wide.

93. Prior to the first final inspection of any building permit for the Hillel of San Diego project, all public water facilities necessary to serve this development shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

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

# WASTEWATER REQUIREMENTS:

95. Prior to issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of the realignment of the existing 8" public sewer main at the

intersection of La Jolla Scenic Drive North and Cliffridge Avenue, satisfactory to the Metropolitan Wastewater Department Director.

96. Prior to issuance of any building permits, the developer shall prepare appropriate public improvement plans for the construction of the realignment of the existing 8" sewer main at the intersection of La Jolla Scenic Drive North and Cliffridge Avenue, satisfactory to the Metropolitan Wastewater Director, and it shall be reviewed and approved by the Wastewater Plan Check Section.

97. Prior to the issuance of any certificate of occupancy, the developer shall have the construction of the realignment of the existing 8" sewer main at the intersection of La Jolla Scenic Drive North and Cliffridge Avenue completed per approved plans and satisfactory to the Wastewater Department Director and the City Engineer.

98. Prior to the issuance of any certificate of occupancy, the developer shall have the construction of the realignment of the existing 8" sewer main at the intersection of La Jolla Scenic Drive North and Cliffridge Avenue completed per approved plans and satisfactory to the Wastewater Department Director and the City Engineer.

99. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

100. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

101. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

#### INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- . This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on \_\_\_\_\_ by Resolution Number R-\_\_\_\_\_

Site Development Permit No. 527861 Date of Approval:

#### AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Daniel Stricker Development Project Manager

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

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

[NAME OF COMPANY] Owner/Permittee

By \_\_\_\_\_

NAME TITLE

[NAME OF COMPANY] Owner/Permittee

By\_

NAME TITLE

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

Rev. 02/04/08 rh

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Attachment 11 Planning Commission Report No. PC-08-119 ATTACHN988-9119f 130

#### **DRAFT Resolution for Approving/Denying Permits**

(R-\_\_\_)

#### RESOLUTION NUMBER R-

#### ADOPTED ON \_\_\_\_\_

WHEREAS, ROBERT MARSHALL, Trustee, Owner, and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Permittee (Phase I) and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Owner and Permittee (Phase II), filed an application with the City of San Diego for a Site Development Permit [SDP] No. 527861 to allow for the development of a twophased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped, approximately 0.77-acre parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement. Phase I involves the continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices and related use until such time as the proposed Phase II is developed and approved for occupancy. Phase II involves the development of a two-level religious student center consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 68 vehicles, trash enclosures and elevators. Both are located in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, and Council District 1. Phase I is legally described as Lot 67 of La Jolla Highlands Unit No. 3 in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 3528, filed in the Office of the County Recorder of San Diego County, October 19, 1956. Phase

II is legally described as a portion of Lot 1299, Miscellaneous Map 36, Pueblo Lands. Both sites are within Township 15 South, Range 4 West, San Bernardino Base Meridian, in the La Jolla Community Plan area, in the Single Family (SF) Zone of the La Jolla Planned District; and

WHEREAS, on October 16, 2008, the Planning Commission of the City of San Diego considered SDP No. 527861, and pursuant to Resolution No.\_\_\_\_\_ -PC voted to recommend City Council approval/denial of the permit; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 2008 testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following

findings with respect to SDP No. 527861:

#### Findings Site Development Permit - Section 126.0504

#### (a) Findings for all Site Development Permits

#### 1. The proposed development will not adversely affect the applicable land use plan;

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement. The City Council has required the retention of 10,000 square-feet of landscaping as a public amenity and a bike/pedestrian path required by City staff will separate the new religious student center from the adjacent single-family residence.

The project site consists of a total area of approximately 42,684 square feet which includes a single family home used for religious purposes located at 8976 Cliffridge Avenue (8,358 square feet existing; 9,166 square feet after the public right-of-way vacation), and the existing adjacent vacant site (15,350 square feet existing; 33,518 square feet after the public right-of-way vacation) which is bound on the north by La Jolla Village Drive, on the east by La Jolla Scenic Way and on the south by La Jolla Scenic Drive North. The project site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Planning Area, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone. The project site is not within the Coastal Overlay Zone. The Single Family Zone of the La Jolla Shores Planned District permits use for churches, temples and buildings of a religious nature.

The subject properties are designated as Low Density Residential (5-9 du/ac) in the La Jolla Community Plan. Religious uses are commonly found to fit within residential areas without adversely affecting the Land Use Plan. Additionally, the proposed use is permitted by the La Jolla Shores Planned District Ordinance which was adopted specifically to implement the Land Use Plan. The Hillel center is located directly across the street from the University of California and on the northern edge of the adjacent residential neighborhood, making it an appropriate location for the student-related activity.

The proposed development incorporates a number of specific design features which will allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The center utilizes variations in height, textures, and rooflines in order to create the appearance of a series of smaller, individual structures. In addition, lower portions of the structure are concealed behind landscaped berms which will reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and will further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage and meets the San Diego Municipal Code requirement of 68 vehicle parking spaces. The garage is also equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities will be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the center and the frequency of large events. The center will be permitted to be open from 7:00 AM to 10:00 PM daily, while all post-event cleanup and securing of the center must conclude by 11:00 PM. The number of occasional special events for the first twelve months of operation shall be limited to six. The number may be increased after the first year to a maximum of nine occasional special events per year with the approval of the Development Services Department Director, in his or her sole discretion, where Neighborhood Code Compliance will be in charge of documenting the number of these events.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration would also buffer pedestrians from automobile traffic to create an environment conducive to walking and transit use. As such, students would be encouraged to use transit or walk from the University of California at San Diego (UCSD) campus to the student center, reducing automobile traffic and demand for parking at the center.

The project is consistent with the policies contained in the La Jolla Community Plan to build out residential areas with development that is consistent with the surrounding area's residential character. The project is designed to blend with the scale and character of the surrounding residential uses with, similar setbacks, residential massing, warm materials, landscape berms and native vegetation. The building maintains a single story scale with a combination of flat and sloping roofs to provide articulation. At a proposed maximum height of 22 feet, the project is well under the 30-foot height limit of the zone.

By incorporating the cited design features and the conditions regarding operation of the center, the project implements the policies of the La Jolla Community Plan and will not adversely affect the applicable land use plans.

#### The proposed development will not be detrimental to the public health, safety, and welfare; and

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement. The City Council has required the retention of 10,000 square-feet of landscaping as a public amenity and a bike/pedestrian path required by City staff will separate the new religious student center from the adjacent single-family residence.

The project site consists of a total area of approximately 42,684 square feet which includes a single family home used for religious purposes located at 8976 Cliffridge Avenue (8,358 square feet existing; 9,166 square feet after the public right-of-way vacation), and the existing adjacent vacant site (15,350 square feet existing; 33,518 square feet after the public right-of-way vacation) which is bound on the north by La Jolla Village Drive, on the east by La Jolla Scenic Way and on the south by La Jolla Scenic Drive North. The project site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Planning Area, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone. The project site is not within the Coastal Overlay Zone. The Single Family Zone of the La Jolla Shores Planned District permits use for churches, temples and buildings of a religious nature.

The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Paleontological Resources and Parking. Mitigated Negative Declaration Number 149437 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources and Parking

The proposed religious use is permitted in the La Jolla Shores Planned District Single-Family zone and would provide valuable services to UCSD students, the community of La Jolla and the City and County of San Diego. As designed, both phases of the development are compatible in character and scale with surrounding residential uses. In addition, Phase II will transform what is now a vacant, remnant parcel into a park-like amenity at a prominent gateway into the La Jolla community. The project is consistent with the applicable land use plans, complies with the regulations of the California Building Code and would benefit the UCSD and La Jolla communities. The project

proposes to deviate from the regulations governing minimum width of a non-residential driveway. Staff supports the requested deviations as they are minor in nature, in some cases temporary, and reduce the impacts to existing on-street parking. Other than the requested deviations to driveway widths, the project is in conformance to the San Diego Municipal Code. For those reasons, the project would not be detrimental to the public health, safety and welfare.

### The proposed development will comply with the applicable regulations of the Land Development Code.

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement.

The use of the single-family home for religious purposes is proposed to continue until such time that the entitlements for Phase II are approved, and the 12,100 square-foot religious student center is constructed and approved for occupancy. Should Phase II be approved, the religious uses taking place in the single-family home would move into the new 12,100 square-foot facility, and the single-family home would return to a residential use. The existing single-family residence was constructed according to all codes and regulations in effect at the time of construction. Upon entitlement approval, building permits would be processed which would bring the existing single-family home into compliance with California Building Code requirements for the change of occupancy, including an increase in off-site parking.

As allowed through the approval of a Site Development Permit, the applicant is requesting to deviate from the regulations governing minimum width of non-residential driveways. Staff supports the requested deviations as they are minor in nature, in some cases temporary, and reduce the impacts to existing on-street parking.

Other than the proposed deviations described the proposed development would comply with the applicable regulations of the San Diego Municipal Code and be consistent with the recommended land-use, design guidelines, and development standards if effect for this site. The project has been reviewed in accordance with all applicable development regulations and the La Jolla Community Plan and Local Coastal Program, the City's General Plan, and the California Environmental Quality Act, and the permit has been conditioned to meet those requirements. Staff has determined the project complies with the applicable development regulations and would be consistent with the purpose and intent of the underlying zone. Staff believes the religious student center project is well designed and would be an asset to the neighborhood. Therefore, proposed development will comply with the applicable regulations of the Land Development Code.

#### (m) Supplemental Findings-Deviations for Sustainable Development

1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities

throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants;

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement.

The applicant is requesting to deviate from the regulations governing minimum width of non-residential driveways. Staff supports the requested deviations as they are minor in nature, in some cases temporary, and reduce the impacts to existing on-street parking.

The San Diego Municipal Code (SDMC) allows flexibility in the application of development regulations (deviations) for sustainable developments where strict application of the base zone development regulations would restrict design options and result in a less desirable project, through the processing of a Site Development Permit. The purpose of these regulations is to provide flexibility in the application of development regulations for projects which will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.

The proposed development will materially assist in accomplishing the goal of reducing impacts associated with fossil fuel energy use and meet the requirements of City of San Diego Council Policy 900-14 through the installation of roof mounted photovoltaic panels and a fuel cell to provide 30% of the project's energy use through alternative means.

In addition the project's design proposes to incorporate the U. S. Green Building Council's Leadership in Energy and Environmental Design (LEED) silver design standards for sustainable design.

Therefore, the proposed development will materially assist in accomplishing the goal of reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources.

# 2. The development will not be inconsistent with the purpose of the underlying zone;

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-

foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement.

The project site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Planning Area, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone, and is designated for residential use in the La Jolla Community Plan. The La Jolla Shores Planned District Ordinance permits churches, temples or buildings of a permanent nature, used primarily for religious purposes in the SF zone. The use of the single-family home for religious purposes is proposed to continue until such time that the entitlements for Phase II are approved, and the 12,100 square-foot religious student center is constructed and approved for occupancy. Should Phase II be approved, the religious uses taking place in the singlefamily home would move into the new 12,100 square-foot facility, and the singlefamily home would return to a residential use. Should Phase II not be approved, the singlefamily home would remain as a religious use indefinitely, as allowed by the La Jolla Shores Planned District Ordinance.

The proposed development incorporates a number of specific design features which will allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The center utilizes variations in height, textures, and rooflines in order to create the appearance of a series of smaller, individual structures. In addition, lower portions of the structure are concealed behind landscaped berms which will reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and will further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage and meets the San Diego Municipal Code requirement of 68 vehicle parking spaces. The garage is also equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities will be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the center and the frequency of large events. The center will be permitted to be open from 7:00 AM to 10:00 PM daily, while all post-event cleanup and securing of the center must conclude by 11:00 PM. The number of occasional special events for the first twelve months of operation shall be limited to six. The number may be increased after the first year to a maximum of nine occasional special events per year with the approval of the Development Services Department Director, in his or her sole discretion, where Neighborhood Code Compliance will be in charge of documenting the number of these events.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration would also buffer pedestrians from automobile traffic to create an environment conducive to walking and

transit use. As such, students would be encouraged to use transit or walk from the UCSD campus to the student center, reducing automobile traffic and demand for parking at the center.

The project is designed to blend with the scale and character of the surrounding residential uses with, similar setbacks, residential massing, warm materials, landscape berms and native vegetation. The building maintains a single story scale with a combination of flat and sloping roofs to provide articulation and meets coverage requirements. At a proposed maximum height of 22 feet, the project is well under the 30-foot height limit of the zone. Therefore, the proposed development will not be inconsistent with the purpose of the underlying zone.

#### Any proposed deviations 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.

The project proposes the development of a two-phased project to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot religious student center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement.

The deviations requested within the proposed project affect temporary improvements in Phase I of the project and permanent improvements within Phase II. The first Phase I deviation is a request to deviate from San Diego Municipal Code regulations governing minimum width of a non-residential driveway. This would be a temporary deviation from the driveway width requirements, whereas, the applicant is proposing a 12-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes approval of Phase II and the public right-of-way vacation request. When Phase II is constructed, the religious offices and related use at 8976 Cliffridge Avenue would move into the new 12,100 square-foot facility (Phase II) and the single-family home would revert back to its original use, which only requires a 12-foot curb cut as a residential use.

The second deviation for Phase I is also a request to deviate from San Diego Municipal Code regulations governing minimum width of a non-residential driveway. However, this would be permanent deviation from the driveway width requirements, whereas, the applicant is proposing a 20-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes denial of Phase II and the Public Right-of-Way Vacation request, and the permanent use of the single family home at 8976 Cliffridge Avenue as a non-residential use. The deviation would be necessary to allow the single-family house at 8976 Cliffridge Avenue to have access to the street for the 6 required parking spaces. The deviation is required to preserve an existing mature tree and to allow code required depth of parking spaces. In addition, the deviation allows for the preservation of on street parking as well as maintaining visual consistency with adjacent single family development.

The deviation for Phase II is also a request to deviate from San Diego Municipal Code regulations governing minimum width of a non-residential driveway, whereas, the applicant is proposing a 22-foot curb cut to access the underground parking garage as a part of Phase II where the San Diego Municipal Code requires 24 feet for a non-residential use. The deviation is necessary to allow for shared emergency egress, a turnaround (if denied access to the garage) from the garage and for required number of parking spaces to be provided. This minimizes the building's encroachment on the site, keeps the driveway as far away from adjacent intersections as possible, and minimizes the loss of on-street parking.

The proposed deviations assist in preserving the single-family nature of the surrounding development rather than emphasizing vehicular access which would increase the amount of impervious surfaces in the area and produce the potential for greater storm water runoff. Therefore, the proposed deviations 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

The above findings are supported by the minutes, maps and exhibits, all of which are

herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is

sustained, and Site Development Permit No. 527861 is granted to ROBERT MARSHALL,

Trustee, Owner, and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Permittee

(Phase I) and HILLEL OF SAN DIEGO, a California nonprofit Corporation, Owner and

Permittee (Phase II), under the terms and conditions set forth in the permit attached hereto and

made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

NAME Deputy City Attorney

ATTY/SEC. INITIALS DATE Or.Dept:Clerk R-\_\_\_\_ Form=permitr.frm(61203wct) Reviewed by Daniel Stricker

Attachment 11 Planning Commission Report No. PC-08-119 Page 100 of 130 Hillel - TDPM Plan

# Transportation Demand and Parking Management Plan Hillel Facility for UCSD Students San Diego, California

September 19, 2008

#### Purpose and Need

Hillel of San Diego is proposing to develop Site 653 in the City of San Diego with an approximately 12,100 square foot Hillel Center to serve the Jewish students at UCSD. The Kimley Horn, Traffic Generation, Site Access and Parking Evaluation of Hillel of San Diego Facility of May 2004 indicated that a forty (40) space subterranean on-site parking structure previously planned within this project was expected to fully accommodate Hillel's parking needs for its regular weekly events, including its largest weekly event, Friday evening Shabbat services, held throughout the school academic year. The Parking Study was supported by surveys of modes of transportation by UCSD students attending Hillel events, by post occupancy studies at other Hillel facilities, and by the parking impact experience of other Hillel facilities. However, Hillel will provide a minimum of sixty-eight (68) on-site, underground parking spaces to ease the parking impact concerns of the surrounding community and meet the requirements of the San Diego Municipal Code. Hillel is employing parking lifts to achieve this number. Pursuant to providing sixty-eight (68) parking spaces on site, Linscott, Law & Greenspan, Engineers (LLG) provided a new Traffic Impact Analysis, dated July 07, 2008 to study the impact of the Hillel facility on the adjacent traffic environment. LLG provided traffic analysis for very "worst case" scenarios of "everybody walking" and "everybody driving" to the Hillel facility on a Friday, which is anticipated to be the day with the most potential impact to the facility and surrounding areas.

Hillel recognizes that the La Jolla Highlands neighborhood has experienced adverse parking impacts due to the growth of the UCSD campus. Hillel is committed to insuring that its new facility will not increase the adverse parking impacts on this residential neighborhood. Therefore, Hillel of San Diego agrees to bind its use of the facility to a Transportation Demand and Parking Management plan (TDPM). This Transportation Demand and Parking Management (TDPM) plan provides specific, measurable and interactive procedures to mitigate any parking and traffic impacts on the La Jolla Highlands neighborhood. While it is anticipated that the most common methods of traveling to and from the Hillel student center will involve non Single Occupancy Vehicle (SOV) modes of travel (i.e., walking, biking, UCSD shuttle service<sup>1</sup>, public transit, carpooling etc.), it is recognized that some vehicles will be used to travel to and from the project. Accordingly, Hillel of San Diego has structured this TDPM plan to minimize or eliminate potential parking impacts associated with the project.

Transportation Demand and Parking Management (TDPM) measures include:

- A parking management strategy to control parking activity.
- Procedures to monitor and quantify the parking activity.
- Methods to validate the Linscott, Law & Greenspan, Engineers Traffic Impact Analysis of the Hillel of San Diego Facility dated July 07, 2008 via postoccupancy surveys and evaluations.
- Specific post occupancy modifications to be implemented in the event that the parking activity does or does not indeed significantly impact the La Jolla Highlands neighborhood.
- A mechanism to monitor and respond to feedback from members of the community.

This TDPM plan is a living document. The TDPM plan shall be adopted as a condition of the Site Development Permit. The monitoring program shall be conducted by Hillel in accordance with the *Post-Occupancy Surveys, Evaluations, and Studies* section of this TDPM plan. Hillel will meet with City of San Diego staff 3 years after Hillel opens to adapt and amend this TDPM plan, as needed, based upon the realities of the project's parking activity.

<sup>&</sup>lt;sup>1</sup> The shuttle has an existing stop within <sup>1</sup>/<sub>4</sub> mile of the facility and operates on a 10 minute frequency during the hours of 7:00 AM and Midnight, Mondays through Fridays and 9:00AM to Midnight on weekends.

# Hillel - TDPM Plan

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# Transportation Demand and Parking Management Strategy

This section outlines the methods used to manage the transportation and parking demands of the Hillel attendees during peak use of the facility (i.e., during Shabbat services and Occasional Special Events) after full occupancy of the facility is achieved. The goal of this TDPM plan strategy is to avoid spillover parking on neighboring streets during these activities. This goal will be achieved through the following policies and procedures:

I. Transportation Demand Strategy

- A. Emphasis on alternative modes of transportation
- B. Remote parking shuttle service and staffing of off-site parking
- C. Information program
- D. Hillel student center policies
- E. Community outreach

#### II. Parking Management Strategy

- F. Maximum building occupancy policies
- G. Shabbat service and Occasional Special Events parking monitoring
- H. Off-site parking agreements
- I. Daily parking policy
- J. Policies pertaining to Occasional Special Events
- K. Polices pertaining to the garage gate
- L. Staff parking access
- M. Monitoring of neighborhood parking

#### A. Emphasis on alternative modes of transportation

Students will be encouraged to walk, bike, use the existing UCSD shuttle, and carpool to the facility when feasible.

- Bike racks will be provided within the garage.
- Flyers with information on the UCSD shuttle route will be provided at the Hillel Student Center.
- The UCSD Community Service Officer (CSO) Program system will be publicized and encouraged for people who do not want to walk alone to and from the Hillel student center.

#### B. Remote parking shuttle service and staffing of off-site parking

Hillel shall provide shuttle service between the off-site parking location(s) and the Hillel facility for both weekly Friday Shabbat services and the Occasional Special Events.

- The remote lot shuttle will drop passengers off within the subterranean parking garage. The shuttle will be provided one hour before to one hour after each event.
- Hillel shall provide staff at both the Hillel facility and the off-site locations to monitor parking for Shabbat services and Occasional Special Events.
  - In the event that the designated off-site parking location is changed for Friday night Shabbat services, Hillel shall provide a parking

attendant at the original location an hour before the scheduled start time until an hour after the scheduled start time, for the first two scheduled events after the location change, to direct any applicable vehicles to the new off-site parking location. Hillel will also publish the change of location on its website and inform students by e-mail and other methods of the change of location as specified under the information program described herein.

- The monitors of the parking locations will have two-way communication capability to ensure shuttle riders are served.
- In the event of failure of the parking shuttle to operate during any Shabbat services or Occasional Special Events, Hillel will immediately suspend any activities with more than 204 people in attendance at the facility until the shuttle service is resumed and the resumed operation is approved by the Mayor/City Manager in his or her sole discretion.

#### C. Information program

Hillel will implement a comprehensive public information program to educate all Hillel students and visitors about the options for coming and going from the Hillel student center.

- The Shuttle pick-up/drop-off times and route map will be published on Hillel's website and available as a flyer in the Hillel office.
- A flyer will be produced by Hillel regarding transportation options and parking regulations. The flyer will include information on alternative modes of transportation to and from the Hillel student center, locations of off-site parking, recommended pedestrian arrival and departure, and parking permit regulations.
- This information will also be available to the students and general community through Hillel's website.
- Other materials that will include information pertaining to the TDPM plan are the quarterly calendar of events and the weekly Hillel e-mail.
- Hillel will also announce parking availability and regulations during announcements at Friday night Shabbat services.
- Hillel will advise visitors to the center for Friday night Shabbat services and during Occasional Special Events not to park in the neighborhood and that individuals that fail to comply with this policy will be asked to move their car or to leave the Hillel facility. The following will be included on the website and all printed literature:

Please note that parking is available at Hillel on a first come/first serve basis. In order to be good neighbors, we will not allow parking on the surrounding neighborhood streets. Individuals who fail to honor this rule will be denied admission to Hillel. Overflow parking is available for <u>free</u> at [location to be determined] with a shuttle service one hour prior to one hour after Shabbat and Occasional Special Events. For locations please call Hillel or go to <u>http://hillelsd.org</u>

#### D. Hillel student center policies

- Hillel will not rent the facility for community weddings or Bar or Bat Mitzvahs.
- · Hillel will not provide or rent the facility for use by other groups.
- Hillel hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. Monday through Friday with events concluding by 10:00 p.m., allowing for 11:00 p.m. clean up and closing of the facility. Weekend hours shall be limited on Saturday from 8:00 a.m. to 10:00 p.m. and on Sunday from 10:00 a.m. to 6:00 p.m. unless there is a Jewish Holiday or Occasional Special Event.

#### E. Community outreach

- Hillel will be responsible for sending a representative to the La Jolla Community Planning Association's Traffic and Transportation committee at the beginning of each academic quarter (three times a school calendar year) to:
  - Update the community on Hillel's expected quarterly events.
  - Let the community know of any upcoming Occasional Special Events.
  - Update the community on the status of any complaints that have been received through Hillel's website and what response has been initiated.
  - Inform the community how to provide feedback through the website and have available hard-copy forms for those without internet access.
- Hillel shall notify the La Jolla Shores Association of any time that the Traffic and Transportation Committee of the La Jolla Community Planning Association considers issues related to the TDMP plan.
- Hillel agrees to participate in a Neighborhood Advisory Committee consisting of one representative from the University of California San Diego, two representatives appointed by the La Jolla Shores Association, two representatives appointed by Hillel, one neighborhood resident appointed by the City Council Representative for District One, and one neighborhood resident appointed by the Mayor/City Manager.
  - o The committee shall be formed within thirty (30) days of the issuance of building permits, while working on construction issues as well, and shall work to facilitate appropriate interchange and beneficial collaboration between Hillel and the surrounding community, resolve disputes if possible, and advise the Development Services Department and the Neighborhood Code Compliance Department and the Mayor/City Manager of any disputes that are not resolved.

#### F. Maximum building occupancy policies

- The maximum building occupancy shall be 204 people at all times, except for Occasional Special Events.
- Occasional Special Events shall have a maximum occupancy of 400 people. Any event attended by more than 204 people is considered an Occasional Special Event.

#### G. Shabbat service and Occasional Special Events parking monitoring

 The Hillel facility will have an attendant monitor the garage entry. If the garage is full, vehicles will be directed to the off-site parking location.

#### H. Off-site parking agreements

- In addition to the sixty-eight (68) spaces provided within the garage, Hillel shall provide an additional sixty-seven (67) off-site parking spaces through shared parking agreement for Hillel's weekly Shabbat services. The sixtyseven (67) parking spaces shall be available from one hour prior to the event until one hour after each Shabbat service. Hillel has entered into a parking agreement with UCSD to satisfy the Shabbat services off site parking requirement.
- Hillel shall provide an additional seventy-five (75) off-site parking spaces through shared parking agreement for Hillel's Occasional Special Events. The seventy-five (75) parking spaces shall be available from one hour prior to the event until one hour after each event. Hillel has entered into a parking agreement with UCSD to satisfy the Occasional Special Event parking requirement.
- Hillel has entered into a shared parking agreement for Shabbat service parking and Occasional Special Events parking with UCSD. Hillel will perform all of its obligations under this agreement and will maintain the agreement in full force and effect. Hillel will not amend or modify the shared parking agreement without the prior approval of the City of San Diego. Hillel will either cause the UCSD agreement to be extended prior to expiration of its term, or will enter into a new shared parking agreement with an off-site parking provider(s) for the required off-site parking spaces, satisfactory to the City of San Diego. In the event of cancellation of a shared parking agreement, Hillel will immediately suspend any activities with more than 204 people in attendance, which would effectively bring the cap down to what sixty-eight (68) spaces would support, including Shabbat services and Occasional Special Events at the facility until an equivalent parking management plan or shared parking agreement is secured and approved by the Mayor/City Manager in his or her sole discretion.
- During Shabbat services and Occasional Special Events, signs shall be placed and maintained in front of the project clearly indicating available parking spaces at the off-site location(s).
- The parking attendant in the subterranean parking garage will provide directions to the offsite parking location and shuttle information.
- During Shabbat services and Occasional Special Events, signs shall be placed and maintained at the entrance of the off-site parking location(s) clearly indicating that parking spaces are available for Hillel.
- If any of the off-site locations are further than 600' from the site, Hillel will
  provide shuttle service referred to in Section B of the *Transportation Demand*Strategy of this TDPM plan.

### I. Daily parking policy

- All visitor parking within the subterranean garage shall be for people visiting the Hillel facility only and shall only be for the duration of their visit to the Hillel facility.
- Two signs will be posted within the parking garage notifying drivers that the garage parking is for Hillel use only and all others will be towed.

#### J. Policies pertaining to occasional special events

- There will be a maximum of six (6) times during the first twelve (12) months of operation in which Hillel can hold an Occasional Special Event. The maximum number of Occasional Special Events may be increased after the first year to nine (9) times per year with the approval of the Mayor/City Manager, in his or her sole discretion, where the Neighborhood Code Compliance Department will be in charge of supervising the number of these events. The following policies will apply:
  - Hillel will notify neighbors a minimum of three weeks in advance of Occasional Special Events in specific reference to parking accommodations, expected attendance, and the nature of the event.
  - Notice will be made through a direct mailer to all addresses within 300 feet of the Hillel student center and a representative will inform the La Jolla Community Planning Association's Traffic and Transportation committee (see community outreach for scheduled attendance), and the Hillel web site will post any Occasional Special Event information.

#### K. Polices pertaining to the garage gate

- The subterranean garage gate will generally be kept closed for security purposes.
- The subterranean garage gate will be monitored at all times from within the student center with video and voice equipment for remote-controlled access to visitors, during normal facility hours of operation.
- For Shabbat and Occasional Special Events the subterranean garage gate will be attended by the parking attendant from 1 hour before the event to 1 hour after the event to control access.
- Hillel will not prohibit any of its staff, visitors, or anyone participating in its onsite activities from parking in the garage, unless during Shabbat services or an Occasional Special Event where the garage is full and the remote parking lot and shuttle service are being utilized.

### L. Staff parking access

All staff members will have controlled access to the garage.

### M. Monitoring neighborhood parking

 Hillel will monitor the parking activity within the La Jolla Highlands neighborhood by a neighborhood parking monitor from 1 hour before each Shabbat service to 1 hour after each Shabbat service has begun, 4 times per year, for 3 years after occupancy of the facility. The monitor will be authorized to request that any student or visitor who is going to Hillel to move their car out of the surrounding neighborhood.

# Monitoring and Quantification

There will be two types of parking monitoring. The first type includes methods by which Hillel will monitor their parking program and the second type includes methods that provide a means for the community to communicate any complaints they have directly to Hillel.

#### Methods of monitoring parking activity

- Hillel will record the number of parking spaces used/available for each Shabbat and Occasional Special Event at both the on-site parking garage and the off-site parking location.
- Hillel's appointed monitor will collect data on the Shabbat service parking activity within the La Jolla Highlands neighborhood. The monitor will record the number of times students visiting Hillel must be told not to park on the following streets:
  - o La Jolla Scenic Drive North (adjacent to the Hillel student center)
  - o La Jolla Scenic Way
  - Cliffridge Ave between La Jolla Scenic Drive North and Nottingham Place
  - Nottingham Place
- Hillel will survey the on-street parking use at least nine (9) times and no more than twelve (12) times during the first year of operation and at least three (3) times and no more than five (5) times in subsequent years. The survey will start one hour prior to the beginning of Shabbat services and include measurements each hour until 1 hour after Shabbat services for the following streets:
  - La Jolla Scenic Drive North (adjacent to the Hillel student center)
  - o La Jolla Scenic Way
  - Cliffridge Avenue between La Jolla Scenic Drive North and Nottingham Place
  - o Nottingham Place

### Methods for community feedback

- Hillel will provide means for community feedback through the mail and its website.
- The website will contain a section devoted to parking information and feedback. Community members will be able to download a feedback form and submit it to Hillel either electronically or by mail. Community members will be asked to supply the specific date, time, vehicle license number and nature of their complaint.
- The link to Hillel's online feedback form is http://hillelsd.org
- For those without internet access, forms can be obtained by mail from Hillel at the facility's future address, to be determined upon issuance of building permits, or, at their location at the time of application, which is:

Hillel of San Diego 8976 Cliffridge Avenue La Jolla, California 92037

 In addition, the Hillel representative to the La Jolla Community Planning Association's Traffic and Transportation committee will bring feedback forms to each meeting which a Hillel representative attends (see item E of the *Parking Management Strategy* of this TDPM plan.)

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## Hillel - TDPM Plan

- Feedback forms will be provided to the La Jolla Community Planning Association's Traffic and Transportation committee for distribution at each of their meetings.
- Feedback must be in written form (via internet or hard copy) to be documented.
- · Community feedback monitoring shall continue in perpetuity.

### Hillel - TDPM Plan

## Post-Occupancy Surveys, Evaluations, and Studies

- Annual post-occupancy evaluation (or POE) studies shall be conducted by Hillel for Shabbat services and Occasional Special Events for 3 years after the facility becomes operational, satisfactory to the City Engineer and evaluated by the Mayor/City Manager at least nine (9) times and no more than twelve (12) times during the first year of occupancy, and at least three (3) times and no more than five (5) times per year in subsequent years as long as the TDPM plan remains in existence. The monitoring after the first year shall be conducted during times when school is in session and at least once during an Occasional Special Event. Hillel will submit a letter to the City of San Diego Development Services Department Director upon full occupancy to document when full occupancy was taken.
- Hillel will include the information gathered in the monitoring section of this TDPM plan, and the following additional items:
  - Number of cars that are turned away from the subterranean garage or the off-site location during each Shabbat
  - An annual summary of the type and frequency of the events that take place at Hillel's student center.
  - Review and summary of formal complaints that were submitted, with copies of the actual complaints.
  - Measurement of Hillel student on-street parking on the adjacent streets outlined in Methods of Monitoring Parking Activity during Shabbat.
  - Observe and survey the users of the off-site parking locations to find out:
    - How is it working?
    - How many cars are parking in the lot on Shabbat?
    - Is there any confusion?
  - o Review operations of on-site parking to find out:
    - How many cars were turned away for each Shabbat?
    - How is it working?
    - Is there any confusion?
- Conclusions of the POE shall include:
  - The POE will determine the actual parking demand of the Hillel student center.
  - The POE will determine if there is an adverse impact upon the La Jolla Highlands neighborhood.
  - The POE will determine the validity of the calculated parking demand within the Linscott, Law & Greenspan, Engineers *Traffic Impact Analysis* of the Hillel of San Diego facility dated July 07, 2008.
- Hillel will submit the POE to the City of San Diego City Engineer and copy the La Jolla Community Planning Association's Traffic and Transportation committee.

### Post-Occupancy Modifications

This section describes modifications that Hillel will employ depending on the conclusions found in the POE.

### Hillel – TDPM Plan

- Any modification to the TDPM (Transportation Demand and Parking Management) plan shall require a Process 4 modification to the SDP which can be appealed to the City Council.
- If conditions in the neighborhood change with respect to parking (such as red curbing, residential permit parking etc...) the Mayor/City Manager can modify or eliminate these requirements through a Process 4 modification to the SDP which can be appealed to the City Council.
- If the post occupancy study indicates the need for additional off-site parking, then Hillel shall secure the additional needed parking spaces, satisfactory to theMayor/City Manager. If the post occupancy study indicates that Hillel has no need for the required off-site parking spaces, then those spaces do not need to be provided, and shared parking agreements can be terminated, through a Process 4 modification to the SDP which can be appealed to the City Council.
- If it is determined that more than 6 vehicles (10% of garage capacity), on average, are turned away from parking within the subterranean parking garage on Shabbat a parking permit policy will be implemented for parking within the subterranean garage during Shabbat services. Parking permit policies will be established in consultation with the Mayor/City Manager but may include the following: Sixty-one (61) free permits will be issued one week prior to the start of each academic quarter. Five (5) non-permitted spaces will be reserved for invited guests. Drivers with ADA needs will not be turned away if they do not have a permit. Two (2) spaces will be reserved for ADA users indefinitely. Up to twenty (20) of the sixty-one (61) permits will be dedicated for "drivers of carpools The remaining forty-one (41) permits will be distributed at Hillel's only". discretion based on the priority listing below. No permits will be issued to campus residents or others living within close proximity to campus. Once the permits have all been allocated, students who apply for Shabbat permits will be put on a waiting list and then be directed to park at one of the off-site locations if they still plan to drive to the site.

Priority of permits

- People with ADA needs
- Carpoolers
- Off-campus students
- Others
- Hillel will reserve the right to revoke a pass for a higher priority user.
- If the offsite parking location is within six hundred (600) feet of the project, no shuttle service shall be required.

#### Post 3 Year Review

 Any modification to the TDPM (Transportation Demand and Parking Management) plan shall require a Process 4 modification to the SDP which can be appealed to the City Council.

# Hillel – TDPM Plan

- If Hillel finds that they no longer require the off-site parking after the initial 3 year POE period, Hillel must submit a POE to the Mayor/City Manager prior to rescinding the off-site parking agreement(s).
- If the Mayor/City Manager deems it necessary based upon neighborhood complaints or other legitimate reasons verified by the City Traffic Engineer after the initial 3 year POE period, Hillel must submit a POE to the Mayor/City Manager for review and if necessary implementation of a post occupancy modification.

[END]

#### THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

AND

#### HILLEL OF SAN DIEGO

This License Agreement ("Agreement") is made and entered into this (date to be filled in by UCSD-Real Estate Development after both parties have signed) \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2005, by and between THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a California corporation, ("Licensor"), on behalf of the San Diego Campus ("UCSD") and HILLEL OF SAN DIEGO, a California non profit corporation ("Licensee").

#### RECITALS

WHEREAS, Licensor is the owner of real property consisting of various parking lot facilities located at UCSD; and

WHEREAS, Licensee is proceeding with the development of a permanent Hillel Center ("Hillel Center") to serve the Jewish students at UCSD, to be located adjacent to UCSD on La Jolla Village Drive, and in connection with its development and use of the Hillel Center has requested permission for itself, its guests, and employees to use parking facilities in a parking lot at UCSD (the "Premises"), to be designated in accordance with the terms of this Agreement, for Licensee's use during Friday night Shabbat Services ("Shabbat Services") and for special event overflow parking up to 12 times per year ("Special Events") while UCSD is in session, at Licensor's facilities; and

WHEREAS, Licensor desires to grant such permission under the terms and conditions as set forth below:

NOW, THEREFORE, the parties agree as follows:

License to enter upon and use the Premises and the right of ingress and egress to and from the Premises, subject to the terms and conditions herein, for the purpose of parking a maximum of sixty seven (67) passenger vehicles owned by Licensee's invitees, guests and employees for Shabbat Services and a maximum of seventy five (75) passenger vehicles owned by Licensee's invitees, guests and employees for Shabbat Services for shuttle services between the Premises and the Hillel Center ("License"). The hours of use permitted in this License shall be each Friday from 5 p.m until 12:00 p.m. for the purpose of Shabbat Services. The hours of use for Special Events shall be subject to the prior designation and approval by Licensor for each requested date and time of use, in accordance with the notice procedures set forth herein. Provided, however, the use of the Premises will be subject to availability for Special Events occurring before 5 p.m. during UCSD's normal academic or work week.

#### Premises.

2.1 The particular parking lot facility to be used as the Premises hereunder shall be designated by Licensor from time to time during the term of this License in the exercise of Licensor's reasonable discretion, with the intent that Licensor shall reasonably designate a parking lot in closest proximity to the Hillel Center that is anticipated to have sufficient parking availability during the date and time of the Licensed use. Licensee has requested use of one of the following Lots P604 or P608 for Shabbat Services. The location of these Lots is depicted on Exhibit A attached hereto and incorporated herein by reference. Licensor and Licensee acknowledge that these facilities currently have adequate parking availability to meet Licensee's need for Shabbat Services; however, availability may change over time and another location for the designated Premises may be more appropriate. Licensor hereby approves one of the above referenced Lots for Shabbat

Attachment 11 Services use, subject to Licensor's right to designate and the services in accordance with the terms of this paragraph. Licensor and Licensors and Licensors 16 of 130 MENT shall confer on any changes in location of the designated Premises as necessary from time to time.

2.2 The designation of the Premises for Special Events shall be made by Licensor based upon anticipated availability of parking at the proposed location on and at the particular date and time as reasonably determined by Licensor with the intent that Licensor shall reasonably designate a parking lot in closest proximity to the Hillel Center as is reasonably feasible. Licensee shall provide not less than 120 days' notice to Licensor of the date and hours of Licensee's Special Event and Licensor and Licensee shall confer on the appropriate designated Premises for Licensee's use for such Special Event. Licensor shall notify Licensee of the designated Premises for the Special Event at least 30 days prior to the date of the Special Event, provided that Licensee has given adequate notice to Licensor as stated herein.

2.3 Use of any parking lot will be on a non-exclusive basis.

3.

Term. The term of this License Agreement shall commence on the date of issuance of a certificate of occupancy (and Licensee shall provide Licensor with written notice thereof) after completion of the Hillel Center (expected between Fall 2006 and Spring 2007) for a period of five (5) years, and shall expire no later than the close of Spring semester in 2012. However, after the expiration of the initial term of this Agreement, this Agreement may be renewed with the written mutual agreement of Licensor and Licensee.

4. <u>Consideration.</u> Licensee shall pay to Licensor a fee for each parking space on the Premises used by Licensee hereunder at the daily or evening parking rate then in effect by Licensor as applicable to the time and date of the event. For instance, Licensor does not currently charge for public parking at the University for weekend use. However, if parking rates or policies are changed in the future, Licensee shall pay the applicable rate then in effect. In addition, Licensor may charge Licensee a standard and customary administrative fee for implementing this Agreement. All payments shall be made within 10 days after the completion of the Licensed use and shall be submitted and made payable to The Regents of the University of California and remitted to:

Director, Operations Transportation & Parking Services, 0040 University of California, San Diego 9500 Gilman Drive La Jolla, CA 92093-0040

- <u>Conditions Applicable to License.</u> This License is subject to all existing covenants, conditions, reservations, contracts, leases, licenses, casements, encumbrances, restrictions and rights of way with respect to the Premises, whether or not of record.
- 6. Licensee Responsibilities

#### Licensee shall:

- A. Accept the Premises on an "as is" condition basis and acknowledge that no further improvements will be made by Licensor.
- B. Limit its use to provide parking on the Premises on the dates and during those times that have been specifically designated by Licensor to event guests, invitees and/or employees. Licensee shall not collect any money on the Premises for parking.

C. Provide, at its sole cost and expense, appropriate signage as desired off No. PC-08-119 temporary parking. Licensee agrees to place such signage on the Premises age 177% C30MENT earlier than the day of the event and will remove such signage at the conclusion of the event.

D. At Licensee's option, provide a security guard(s) on site to oversee Premises and direct vehicles during time of the licensed use at its sole cost and expense. It is understood by both parties that the Licensor assumes no responsibility for stolen and/or damaged property on the Premises during the term of this Agreement.

- E. Licensee shall take reasonable steps to advise its employees, invitees and guests that no parking under this Agreement should occur on UCSD land other than the Premises, except pursuant to a valid parking permit approved for such location. Licensee acknowledges that Licensor will cite violators who park on or in non-licensed areas and may, in its election, tow offending vehicles, at the vehicle owner's expense, if warranted.
- F. Assume all responsibility for clean up of the Premises after each use and during the term of this License Agreement, agreeing to leave the Premises in its original condition.
- G. Notify UCSD Campus Police of any unusual occurrence or emergency (858-534-4357).
- No Transfer or Assignment. This License is personal to Licensee. Any attempt to assign this License shall terminate it.
- No interference. Licensee shall not unreasonably interfere with the normal operation and activities of Licensor, and Licensee shall use such procedures in its activities on the Premises as shall result in the least practical damage to the Premises and inconvenience to Licensor.
- 9. <u>Repair and Restoration.</u> If Licensee, its agents or contractors cause any damage to the Premises or to Licensor's roads, infrastructure or other property and improvements (collectively "Property") in connection with the exercise of the rights under this Agreement. Licensee shall repair and restore the Premises and Property to at least their original condition prior to Licensee's entry to and use of the Premises. At the expiration of each Licensed use, Licensee shall immediately cease use of the Premises. Licensee shall perform the repair and restoration required hereunder prior to or within ten (10) days after the expiration of each Licensed use In the event that repair and restoration is performed following the termination of this Agreement, the Licensee's Indemnity and Insurance obligations in paragraphs 13 and 14 shall continue until repair and restoration is completed as provided herein.
- 10. <u>Breach and Cure.</u> In the event that the Licensee breaches any of its obligations under this Agreement, Licensee shall have ten (10) days from the receipt of written notice from Licensor specifying the nature of such breach, to cure such breach. If more time is reasonably required for Licensee's performance, then Licensee shall commence performance within such ten (10) day period and, thereafter diligently proceed to completion. If Licensee fails to cure or to commence cure within such ten (10) day period then Licensor shall have the right to terminate this License immediately by serving Licensee with written notice of termination. Licensor shall have, for all defaults in the performance of Licensee's obligations under this License, all rights and remedies available under California law including, but not limited to, actions for damages and specific performance.

- Attachment 11 Alteration in Writing. This License supersedes any anellanthingoCounderstandRegio anNo. PC-08-119 agreements, whether written or oral, between the parties with respect to the subject of the Sof GBOMENT 1 matter of this License. No alteration or variation of this License shall be valid unless made in writing and signed by Licensor and Licensee.
- <u>Notices.</u> Any notice required hereunder shall be in writing and shall be addressed as follows:

To Licensor:

By U.S. Mail: Director University of California, San Diego Real Estate Development, 0982 9500 Gilman Drive La Jolla, CA 92093-0982 By Hand Delivery: Director University of California, San Diego Real Estate Development 10280 N. Torrey Pines Road, Suite 365 La Jolla, CA 92037

With a copy to:

Director, Operations University of California., San Diego Transportation and Parking Services 9500 Gilman Drive, 0040 La Jolla, CA 92093-0040

To Licensee:

Executive Director Hillel of San Diego 8976 Cliffridge Avenue La Jolla, CA 92037

Or to such other address as either party may indicate in written notice to the other. All notices and communications given under this License Agreement shall be deemed to have been duly given and received: (i) upon personal delivery, or (ii) as of the third business day after mailing by United States certified mail, return receipt requested, postage prepaid, addressed as set forth above, or (iii) the immediately succeeding business day after deposit (for next day delivery) with Federal Express or other similar overnight courier system, or (iv) 24 hours after facsimile transmittal with confirmation of receipt and followed by personal delivery, United States mail, or overnight delivery as specified in this Paragraph.

- 13. Indemnification. Licensee shall indemnify, defend and hold harmless Licensor, its officers, agents, and employees from and against any claims, damages, costs, expenses, or liabilities (collectively "Claims") arising out of or in any way connected with this License including, without limitation, Claims for loss or damage to any property, or for death or injury to any person or persons but only in proportion to and to the extent that such Claims arise from the negligent or intentional acts or omissions of Licensee its officers, agents, invitees or employees.
- 14. Insurance.
  - 14.1 Licensee's Insurance. Licensee, at its sole cost and expense, shall insure its activities in connection with this License and obtain, keep in force, and maintain insurance as follows:

Commercial Form General Liability Planning Commission Report No. PC-08-119 A. TACHMENT 13 included) with minimum limits as follows:

Attachment 11

ì.	Each Occurrence	\$1,000,000
ii.	Products/Completed Operations Aggregate	\$1,000,000
111.	Personal and Advertising Injury	\$1,000,000
iv.	General Aggregate	\$2,000,000

If the above insurance is written on a claims-made form, it shall continue for three (3) years following termination of this License. The insurance shall have a retroactive date of placement prior to or coinciding with the commencement of the Term of this License.

- B. Business Automobile Liability Insurance for owned, scheduled, nonowned, or hired automobiles with a combined single limit of not less than One Million Dollars (\$1,000,000.00) per occurrence.
- C. Property Insurance, Fire and Extended Coverage Form in an amount sufficient to reimburse Licensee (or all of its equipment, trade fixtures, inventory, fixtures and other personal property located on or in the Premises.
- D. Workers' Compensation as required by California law
- E. Such other insurance in such amounts which from time to time may be reasonably required by the mutual consent of Licensor and Licensee against other insurable risks relating to performance.

The coverages required herein shall not limit the liability of Licensee.

The coverages referred to under A and B of this Section 14.1 shall include University as an additional insured. Such a provision shall apply only in proportion to and to the extent of the negligent acts or omissions of Licensee, its officers, agents, and employees. Licensee, upon the execution of this License, shall furnish University with certificates of insurance evidencing compliance with all requirements. Certificates shall provide for thirty (30) days (ten [10] days for non-payment of premium) advance written notice to University of any material modification, change or cancellation of the above insurance coverages.

- 14.2 Waiver of Subrogation. Licensee hereby waives any right of recovery against Licensor as a result of loss or damage to the property of Licensee when such loss or damage arises out of an Act of God or any of the property perils included in the classification of fire, extended perils ("all risk" as such term is used in the insurance industry) whether or not such peril has been insured, self-insured, or non-insured.
- Either Licensee or Licensor has the right to cancel this 15. Right of Cancellation. Agreement at any time, without liability, if services can no longer be provided due to extenuating or unforeseen circumstances. Notice of such cancellation shall be provided by either party to the other, in writing, giving at least 120 days' notice of the intention to cancel the Agreement.
- Lien Free Condition. Licensee shall not cause or permit any liens to be placed against 16 the Premises or against Licensor's other property as a result of Licensee's exercise of rights under this License. In the event of the filing of any such liens, Licensee shall promptly (but in no event more than 30 days) cause such liens to be removed.

#### Attachment 11 Planning Commission Report No. PC-08-119

IN WITNESS WHEREOF, the parties hereto have executed this License Agreement as of the Page 120/2013MENT 1: date first above written.

LICENSEE:

HILLEL OF SAN DIEGO. By

Robert B. Lapidus Vice President of Facilities Board of Trustees

17 Date:

LICENSOR:

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA SEE ATTACHED SIGNATURE PAGE

> Nancy E. Kossan Director. UCSD Real Estate Development

Date:

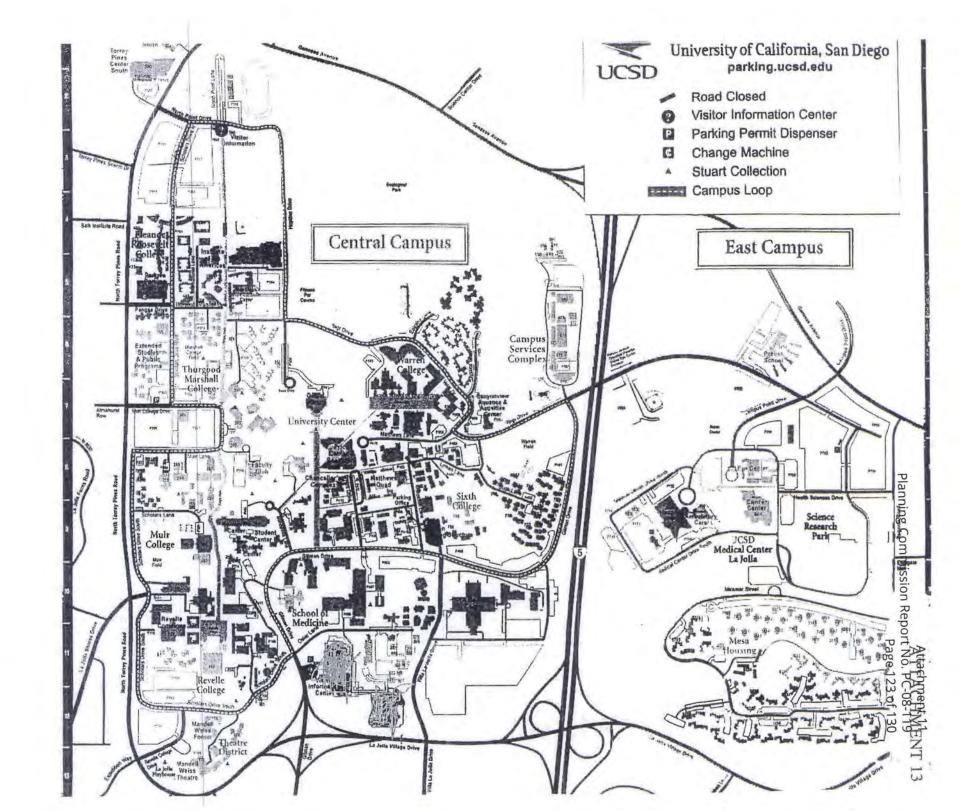
By:\_

Attachment 11 Planning Commission Report No. PC-08-119 Page 121 of 136 NT 13

LICENSOR: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

By: Nancy E. Kossan Director. UCSD Real Estate Development

LINE Date:



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putting

Attachment 11 Planning Commission Report No. PC-08-119 Page 124 of 130

	Planning Commission Report No. PC-0	
	LA JOLLA SHORES PLANNED DISTRICT	1130
Applicant:	HILLE OF SAN ANGO Item: #1 9/14/08 Date: September 16, 2008	
To: From: Subject:	Planning Director La Jolla Shores Planned District Advisory Board Proposal Within La Jolla Shores Planned District	
	a Shores Planned District Advisory Board has reviewed the applicant for:	
PA	ALKING, TRAFFIC, JULANT ON SURRANDING NETGUBOLHOOD	
	) CONFOLINGE USE AS A STODET CENTUR, STREET UNCHTED? D-USE BY THE SFR COMMUNION, AND MORE.	
located		
and recomm	A. Approval because of conformity to criteria and design standards adopted by the City Council	
	<ul> <li>B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)</li> </ul>	
	C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.	
~		
$\bowtie$	D. Denial because of lack of four affirmative votes.	
Approving	ng Item:Board Signatures Disapproving Item:	
4	Silgarme Weisson Den Hoese	
Absentee	es: Chairman	
	L	

Attachment 11 Planning Commission Report No. PC-08-119 Page 126 of 130

AttachimeACHMENT 1 Planning Commission Report No. PC-08-119 Page 127 of 130

Approval Type: Check appropriate box for type of approval (s) requested:           Neighborhood Development Permit         Site Development Permit           Variance         Tentative Map         Vesting Tentative Map         Map Waiver           Project Title         Hillel of San Diego Student Center - La Jolla	
Hillel of San Diego Student Center - La Jolla	Designed May Face Other User Onto
	149437
Project Address:	1(1)1
Intersection of La Jolla Scenic Dr & La Jolla Village Drive	
ho have an interest in the property, recorded or otherwise, and state the typ dividuals who own the property). <u>A signature is required of at least one of</u> om the Assistant Executive Director of the San Diego Redevelopment Age evelopment Agreement (DDA) has been approved / executed by the City anager of any changes in ownership during the time the application is bein e Project Manager at least thirty days prior to any public hearing on the formation could result in a delay in the hearing process. dditional pages attached Yes No Name of Individual (type or print):	If the property owners.       Attach additional pages if needed. A signature ancy shall be required for all project parcels for which a Disposition and y Council. Note: The applicant is responsible for notifying the Project ng processed or considered. Changes in ownership are to be given to subject property. Failure to provide accurate and current ownership         Name of Individual (type or print):         Owner       Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:

Printed on recycled paper Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities

DS-318 (5-05)

Attachment 11 Planning Commission Report No. PC-08-119 Page 128 of 130

# **ATTACHMENT 17**

# **Project Chronology**

Hillel of San Diego Student Center - Project No. 149437

Date	Action	Description	City Review Time	Applicant Response
6/12/08	First Submittal	Project Deemed Complete After Mandatory Initial Review		1
6/30/08	Initial Review Assessment Letter	Issued to Applicant	12 Business Days	
7/21/08	Second Submittal	Submitted by Applicant		14 Business Days
8/5/08 Second Review Assessment Letter		licensed to Applicant		
8/15/08	Third Submittal	Submitted by Applicant		8 Business Days
8/25/08	Third Review	Issued to Applicant	6 Business Days	
9/25/08	Applicant Works to Resolve All Issues			22 Business Days
10/1/08	Applicant Supplies Required Documents			4 Business Days
10/1/08		Staff Completes Hearing Documents	0 Business Days	
10/16/08 *	Planning Commission Hearing	First Available Hearing	0	
Total Staff	Time	M.	29 Business Days	
Total Appli	cant Time			48 Business Days
Total Project Running Time		From Deemed Complete to PC Hearing	4 Months, 4 Days	

\* After final environmental document and first available Planning Commission Date

Attachment 11 Planning Commission Report No. PC-08-119 Page 130 of 130

Attachment 12 Community Planning Group Recommendation Page 1 of 2



LA IOLLA COMMUNITY PLANNING ASSOCIATION P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org Regular Meeting – 07 June 2012

Attention: John Fisher, PM City of San Diego

Project: UCSD Hillel Center for Jewish Life 8966 Cliffridge Ave. PN: 212995

Motion: Motion to confirm the recommendation and action of the La Jolla Shores Permit Review Committee: Findings cannot be made for the right-of-way vacation as proposed, as detailed in the La Jolla Shores Permit Review Committee Minutes of March 27, 2012:

None of the four findings can be made for a right-of-way vacation.

1. Finding 1 cannot be met: There is a present and prospective public use for right-of-way. While a park has significant value, it would come at the cost of losing a current cul-de-sac in the right-of-way, which is being used for both vehicular traffic and parking.

2. Finding 2, public benefit, cannot be made: There is a loss of benefit in that parking will be lost and the street will be arrowed. Decreasing the width of the street is problematic and a safety issue.

3. Finding 3, not adversely affecting the land use plan, cannot be made: The vacation is for the purpose of developing a facility, which is at odds with the surrounding low-density residential use, and is contrary to the La Jolla Shores Planned District Ordinance.

4. Finding 4, public right-of-way use as originally acquired, cannot be met: Vehicular traffic will be affected ant the cul-desac providing both a place for turning around and parking will be lost. Vote: 10-2-1

Attachment 12 **Community Planning Group Recommendation** Page 2 of 2



LA JOLLA COMMUNITY PLANNING ASSOCIATION P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org

## UCSD HILLEL - CONT.

Motion: Findings cannot be made: for the continued existing Vote: 9-3-1 office use of the single-family dwelling: 8976 Cliffridge Avenue: Inconsistent with the La Jolla Shores Planned District Ordinance, (Phase 1, at the present time and also Phase 2, if not approved).

Vote: 10-2-1

Motion to deny: Findings cannot be made for a Site Development Permit because the proposed development is not consistent with regulations of the Land Development Code; specifically, proposed use is not allowed by the La Jolla Shores Planned District Ordinance.

07 June 2012

Submitted Tony Crisafi, President La Jolla CPA by:

Date

UCSD Hillel Center

# LA JOLLA SHORES PLANNED DISTRICT

Item:

Hillel of San Diego Applicant:

To:

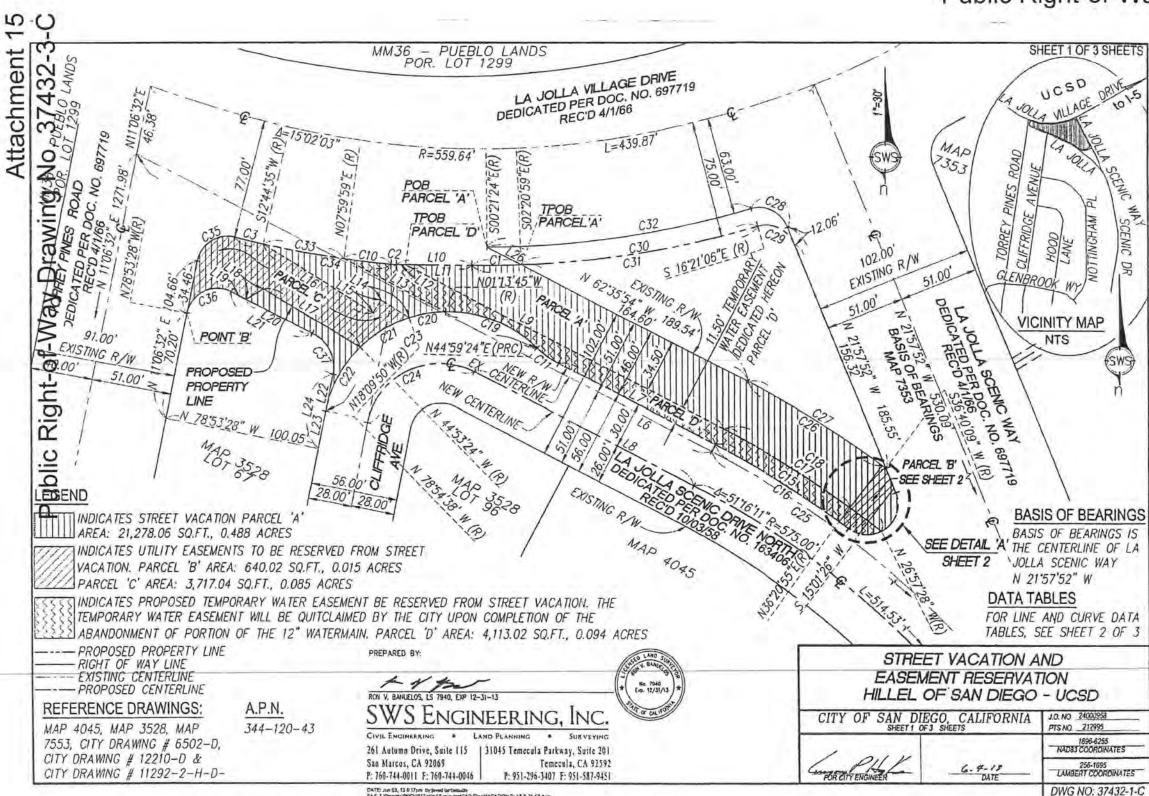
From:

November 20, 2012 Date: Planning Director La Jolia Shores Planned District Advisory Board Subject: Proposal Within La Jolla Shores Planned District The La Jolla Shores Planned District Advisory Board has reviewed the applicant for: MANNAIN 36 APPROVE Preservo - RECOMMEND PROJECT 24 faile TRANSITION FROM Proster 15 4.1 SCA MAS Prese THE EN, VERSITY. LONDISTONS wi Pro Vier TRANSITIAN 7102 University IDCATED FROM TIOL and recommends; Approval because of conformity to criteria and design standards adopted by the City Council B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.) C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council. D. Denial because of lack of four affirmative votes. **Board Signatures** Approving Item: Disapproving Item: Absentees: Chairman

Develop 1222 Fi San Die (619) 44      Approval Type: Check approp Neighborhood Developmer Variance Tentative Map      Project Title     Hillel Student Center - La      Project Address:     Intersection of La Jolla V      Part I - To be completed wf      by signing the Ownership Disclop     bove, will be filed with the City elow the owner(s) and tenant(s)     ho have an interest in the propendividuals who own the propert     intersection of an tenant(s)     ho have an interest in the propendividuals who own the propendividuals who	A Site Development Para New Yesting Tentative Map Was A Jolla A	
Neighborhood Developmen Variance Tentative Map  Project Title <u>Hillel Student Center - La</u> Project Address: <u>Intersection of La Jolla V</u> Part I - To be completed wh  ty signing the Ownership Disclo bove, will be filed with the City elow the owner(s) and tenant(s the have an interest in the propen dividuals who own the propent om the Assistant Executive Dir tevelopment Agreement (DDA) fanager of any changes in own the Project Manager at least the formation could result in a dela  additional pages attached Name of Individual (type or	A Site Development Para New Yesting Tentative Map Was A Jolla A	ermit Planned Development Permit Conditional Use Permit ap Waiver Land Use Plan Amendment • Project No. For City Use Only 2 1 2 9 9 to Way dual(s) powledge that an application for a permit, map or other matter, as identified erty, with the intent to record an encumbrance against the property. Pleas enced property. The list must include the names and addresses of all per ate the type of property interest (e.g., tenants who will benefit from the perm ast one of the property owners. Attach additional pages if needed. A sign ment Agency shall be required for all project parcels for which a Disposition y the City Council. Note: The applicant is responsible for notifying the P ion is being processed or considered. Changes in ownership are to be give
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	└─ Yes ⋉ No	Name of Individual (type or print):
Robert Marshall, Trustee	see Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agence
	see   Redevelopment Agency	Street Address:
Street Address: 3976 Cliffridge Avenue		Street Address:
City/State/Zip: La Jolla, CA 92037		City/State/Zip:
Phone No:	Fax No:	Phone No: Fax No:
358-657-9400 Stonature:	858-657-9031 Date: Date: June 2, 2010	Signature : Date:
Name of Individual (type or	print):	Name of Individual (type or print):
Owner Tenant/Lesse	ee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:		Street Address:
City/State/Zip:		City/State/Zip:
Phone No:	Fax No:	Phone No: Fax No:
Signature :	Date:	Signature : Date:

Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> Upon request, this information is available in alternative formats for persons with disabilities.

	Attachment 14 Ownership Disclosure Form
Project Title: Hillel Student Center - La Jolla	Project No. (Page/2/sef02/y)
Part II - To be completed when property is held by a c	orporation or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) W	hat State? Corporate Identification No. C1808924
as identified above, will be filed with the City of San Diego the property. Please list below the names, titles and add otherwise, and state the type of property interest (e.g., ter in a partnership who own the property). <u>A signature is re- property</u> . Attach additional pages if needed. <b>Note:</b> The ap ownership during the time the application is being process	er(s) acknowledge that an application for a permit, map or other matter, o on the subject property with the intent to record an encumbrance against resses of all persons who have an interest in the property, recorded or mants who will benefit from the permit, all corporate officers, and all partners equired of at least one of the corporate officers or partners who own the oplicant is responsible for notifying the Project Manager of any changes in sed or considered. Changes in ownership are to be given to the Project of the subject property. Failure to provide accurate and current ownership Additional pages attached Yes XNo
Corporate/Partnership Name (type or print): Hillel of San Diego	Corporate/Partnership Name (type or print):
Image: Output       Image: Output	Owner Tenant/Lessee
Street Address:	Street Address:
8976 Cliffridge Ave. City/State/Zip:	City/State/Zip:
La Jolla, CA 92037 Phone No: Fax No:	Phone No: Fax No:
(858) 550-1792 (858) 550-1794 Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Robert B. Lapidus Title (type or print):	Title (type or print)
VP Facilities	
Signature Date: June 2, 2010	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner T. Tenant/Lessee	Cowner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
The type of print).	



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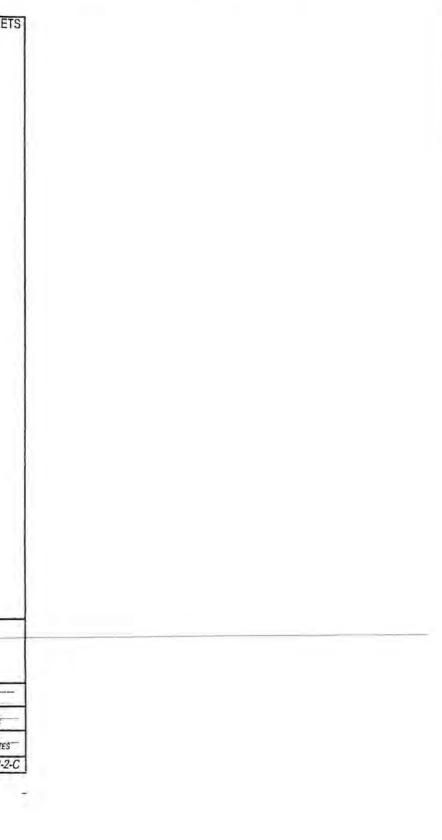
DWG NO: 37432-1-C

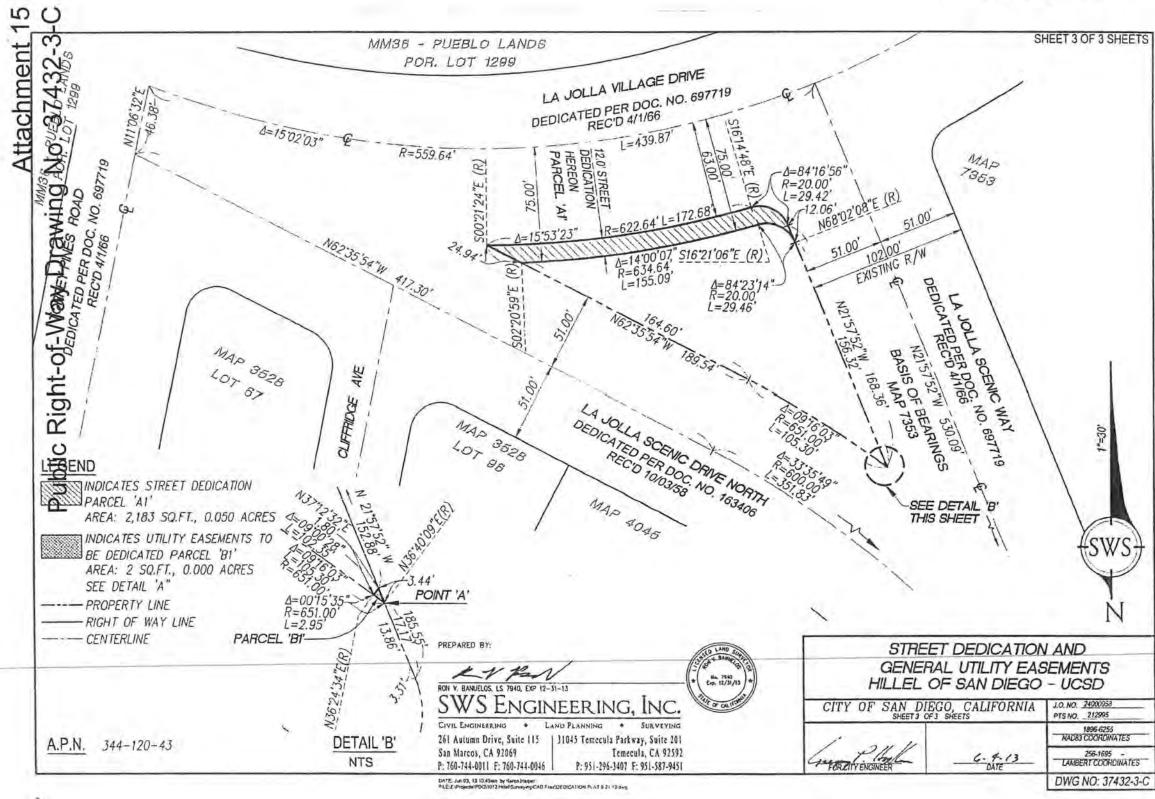
Attachment 15 Public Right-of-Way Vacation No. 37432-3-C

# Attachment 15 Public Right-of-Way Vacation No. 37432-3-C

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C2	04'42'02"	42.00'	3.45'	L2 N21'57'52"W 13.86'	
C3	01'41'47"	636.64'	18.85'	L3 N36'59'17"E 37.39'	
C4	00'15'35"	651.00	2.95'	L4 N3772'32"E 34.47'	IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII
C5	00'42'37"	605.00'	7.50'	L5 N37'12'32"E 11.54'	
C6	22'02'06"	20.00'	7.69'	L6 N62'35'54"W 417.30'	
C7	42'09'32"	20.00'	14.72'	L7 N62'35'54"W 113.81'	
C8	84'49'46"	20.00'	29.61'	L8 N62'35'54"W 159.42'	A UTHAU TO THE STREET
C9	149'01'24"	20.00'	52.02'	L9 S62'35'54"E 230.92'	
C10	02'45'54"	636.64'	30.72'	L10 S89'27'57"E 48.73'	
C11	17'35'18"	56.00'	17.19'	L11 S89"27'57"E 42.82'	SERVER BEREFEST AND THEFTER STATISTICS
C12	00'58'20"	616.50'	10.49'	L12 S89'27'57"E 5.91'	
C13	01'23'25"	616.50'	14.96'	L13 N62'35'54"W 74.03'	
C14	64'11'38"	20.00*	22.41'	L14 N57'43'15"W 21.42'	
C15	08'56'49"	605.00'	94.47	L15 N32"16'45"E 10.00'	(SWS)
C16	09'39'26"	605.00'	101.97'	L16 N57*43'15"W 83.50'	
C17	08'57'47"	616.50'	96.44	L17 N58'31'31"W 72.74'	N 66 CT 109 N
C18	11'19'42"	616.50'	121.89'	L18 S58'40'55"W 13.12'	10
C19	46'13'09"	81.00'	65.34'	L19 N62'35'54"W 10.84'	18
C20	16'56'04"	81.00'	23.94'	L20 N62'35'54"W 47.96	151 ST
C21	26'43'35"	81.00'	37.78'	L21 N62*35'54"W 58.80'	57
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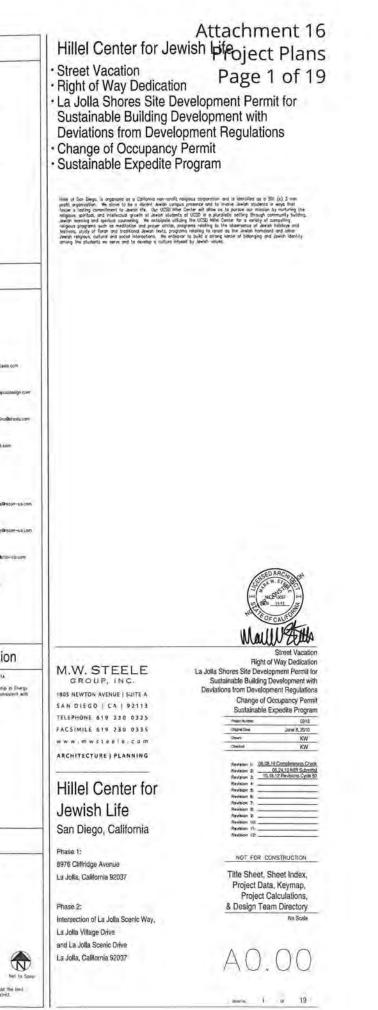




Attachment 15 Public Right-of-Way Vacation No. 37432-3-C

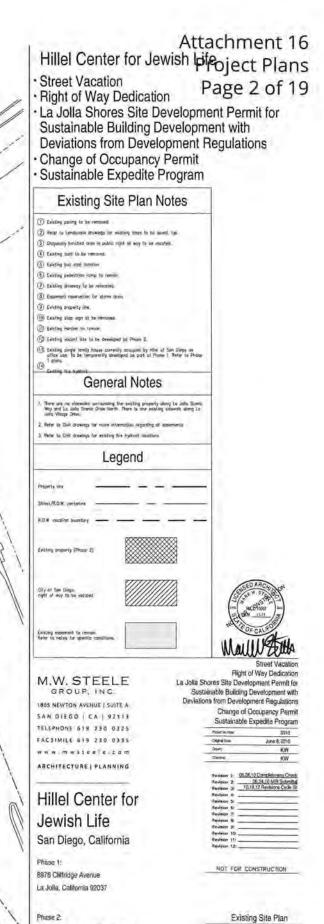
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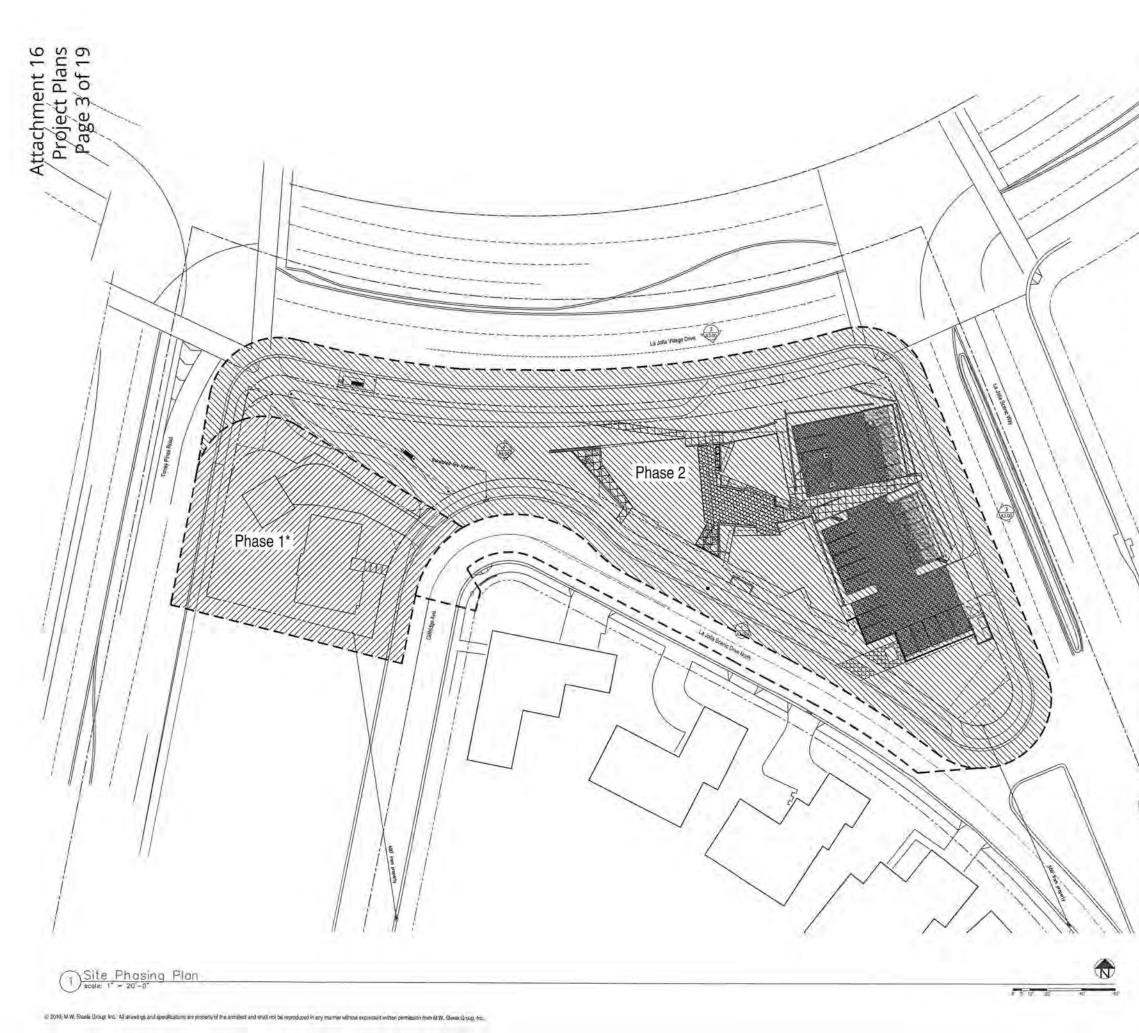
Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037

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GROUP, INC. 1805 NEWTON AVENUE | SUITE A SAN DIEGO I CA I 92113 TELEPHONE 619 280 0325 FACSIMILE 619 230 0335 www.mwsteele.com ARCHITECTURE | FLANNING

Hillel Center for Jewish Life San Diego, California

Phase 1: 6976 Cliffridge Avenue La Jolla, Calitornia 92037

#### Phase 2:

Intersection of La Jolla Scenic Way; La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037

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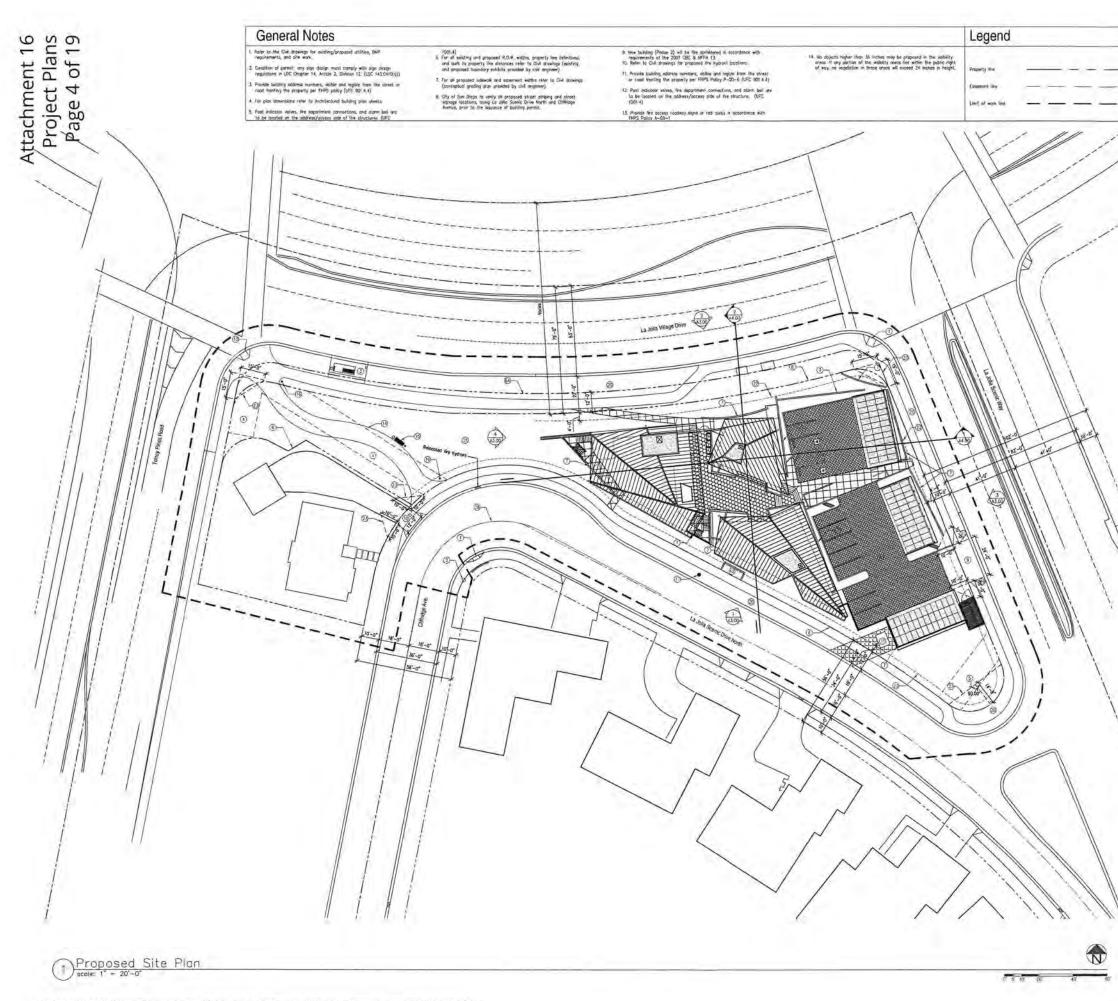
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#### Attachment 16 Hillel Center for Jewish bie oject Plans Street Vacation Right of Way Dedication Page 4 of 19 La Jolla Shores Site Development Permit for Sustainable Building Development with **Deviations from Development Regulations** Change of Occupancy Permit Sustainable Expedite Program Proposed Site Plan Notes D Easting pedestrian romp to remain. (2) Existing stop pign to be removed 3) Evisting our stop localion $\widetilde{(4)}$ New oldity comment, rates to Dwt drawings for more information Essenant reservation for starm drain, refer to Civil ilrawings for muve information. (5) Addated property line EQ New property line. (7) have site well. Refer to Dril drawings for hop and battare at well elevalisms. (a) New surface parking int has required all strest parking. (1) New 24"-0" driveway and ours cut (i) New residential driveway and ourly out for Phase 1 (1) Proposed fransformer location. (2) Proposed backflow preventer location () New pedestrian ramp. (i) New Moyole and pedestrian path. () I sed bench, lensh ben, and stinking families location

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 Visibility Area Trianius per SCMC Sec 113.0273, sicopum 113-029R for pired Interaction and driverum. Sec General Wole 14.

Trady and recycling enclosure
 New sidewalk and/or landscaped pathway
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# M.W. STEELE

INDERING AVENUE | SUITE A SAN DIEGO | CA | 92113 TELEPHONE 619 210 0325 FACSIMILE 819 230 0335 WWW. MWSI BE'E.Com ARCHITECTURE | PLANNING

# Hillel Center for Jewish Life San Diego, California

Phase 1: 8976 Cliffridge Avenue, La Jolla, California 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037



#### Street Vacation Right of Way Dedication

La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations

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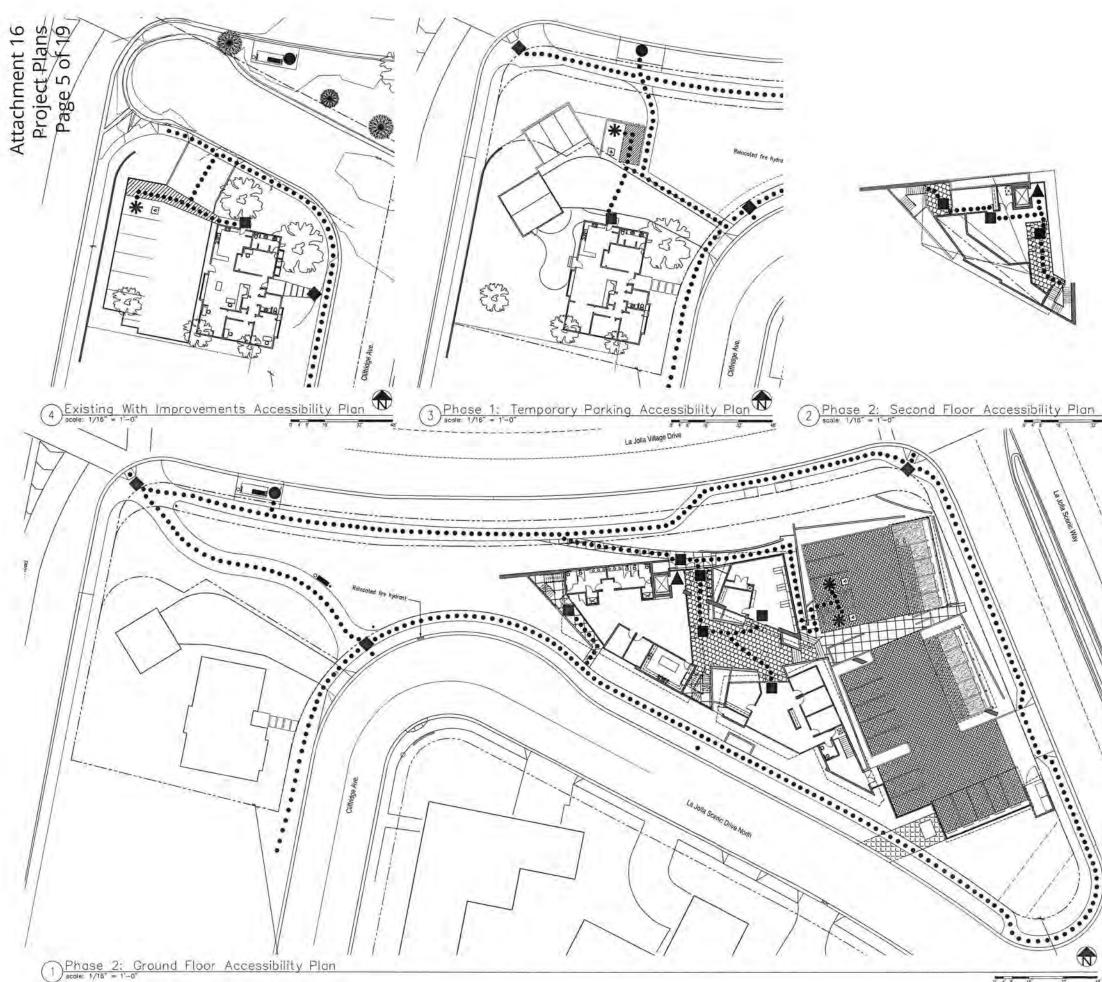
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Proposed Site Plan 1\* > 20-0\*



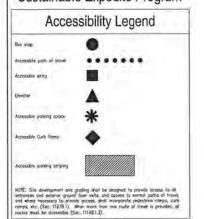
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# Attachment 16 Hillel Center for Jewish Fifeoject Plans Page 5 of 19

Street Vacation Right of Way Dedication La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations

- Change of Occupancy Permit
   Sustainable Expedite Program



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SAN DIEGO | CA | 92113 TELEPHONE 619 230 0325 FACSIMILE 619 230 0335 www.mwsteele.com ARCHITECTURE | PLANNING

Hillel Center for Jewish Life San Diego, California

Phase 1: 8976 Cliffridge Avenue La Jolta, California 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037



#### Street Vacation Right of Way Dedication

La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations Change of Occupancy Permit

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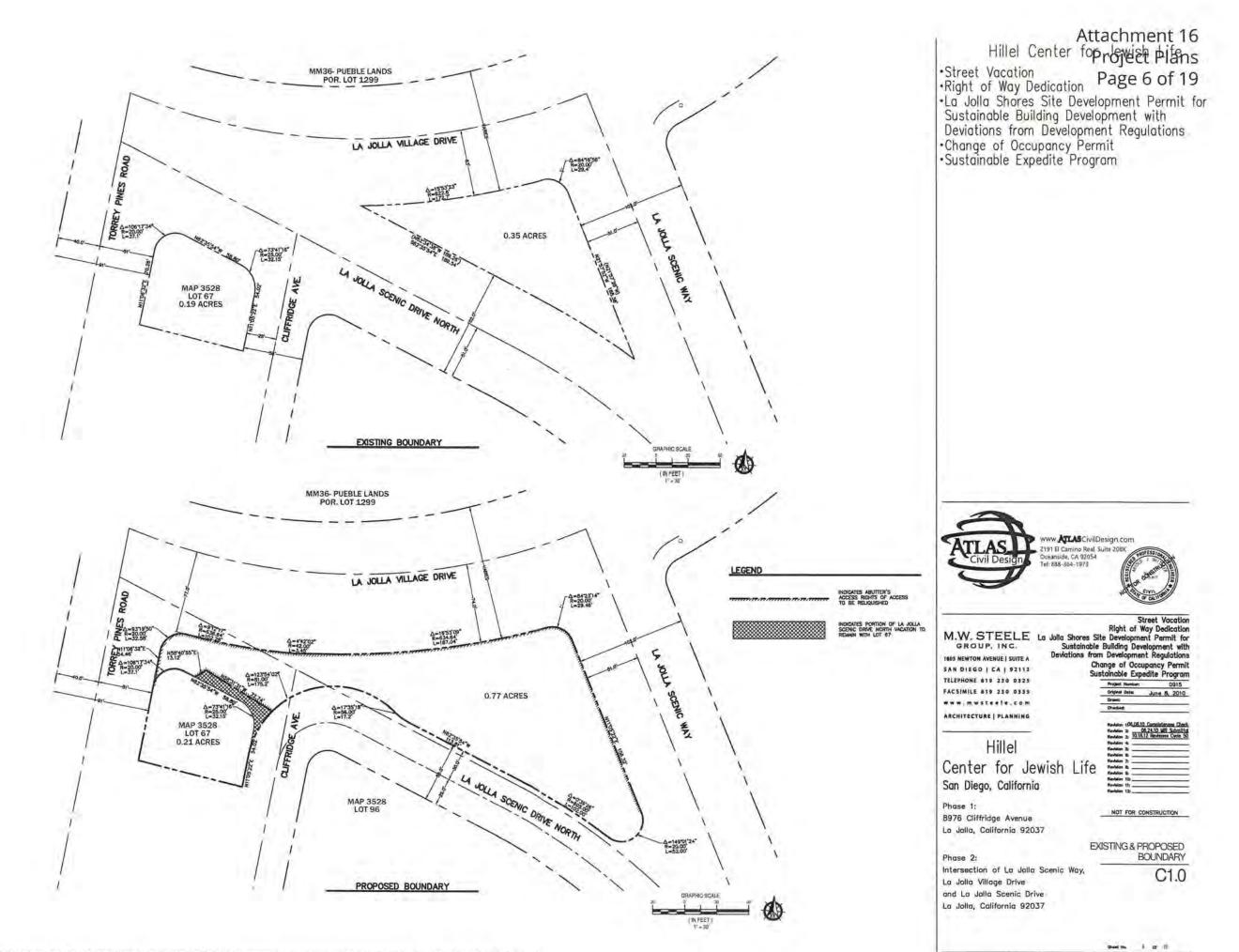
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Accessibility Plans 1/16" = 1'-0"



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Attachment 16 Project Plans Page 6 of 19



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### DEFINED TERMS:

AB	- ACORECATE BASE	NTS	- NOT TO SCALE
AC	- ASPHALT CONCRETE	POC	- PORTLAND CEMENT
BC	- BACK OF CURB		CONCRETE
ŒF	- CURB FACE	PL.	- PROPERTY LINE
۵.	- CENTERLINE	R	- RADIUS
E	- EAST	RL.	- RIDGE LINE
ELY	- EASTERLY	R/W	- RIGHT-OF-WAY
P	- EDGE OF PAVENENT	s	- SEWER OR SOUTH
EX.	- EXISTING	STD.	- STANDARD
IF	- FINISHED FLOOR	TC	- TOP OF CURE
FG	- FINISHED GRADE	TG	- TOP OF GRATE
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2) PROPOSED SITE FEATURE PER ARCH. PLANS	PROPOSED POINT OF CONNECTION - SEMER
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DE PROPOSED STRIPING	PROPOSED STORM WATER DETENTION FACILITY
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PREDISTING WALL TO REMAIN	(2) PROPOSED 24"X24" CATCH BASIN
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STPROPOSED NEW DRIVEWAY PER CITY STANDARD	STREMOVE EXISTING 8" PUBLIC WATERLINE
ZUPROPOSED PLANTERS	SOREMOVE EXISTING 12" PUBLIC WATERLINE
21 PROPOSED WHEEL STOP	DPROPOSED 2" WATER METER WITH BACKFLOW
SICLEAR AREA BASED ON VISIBILITY TRIANGLE	SEXISTING STREET LIGHT TO BE RELOCATED
20PROPOSED STORM DRAIN CLEANOUT	SEXISTING STREET LIGHT TO BE REMAIN
27PROPOSED NEW TRANSFORMER	
28PROPOSED NEW 16" WATERLINE ROUTE	
29RELOCATED FIRE HYDRANT	
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PROPOSED SEWER LINE

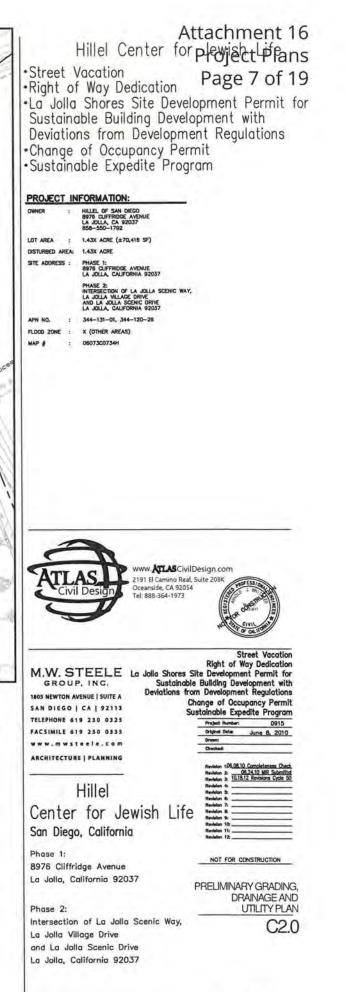
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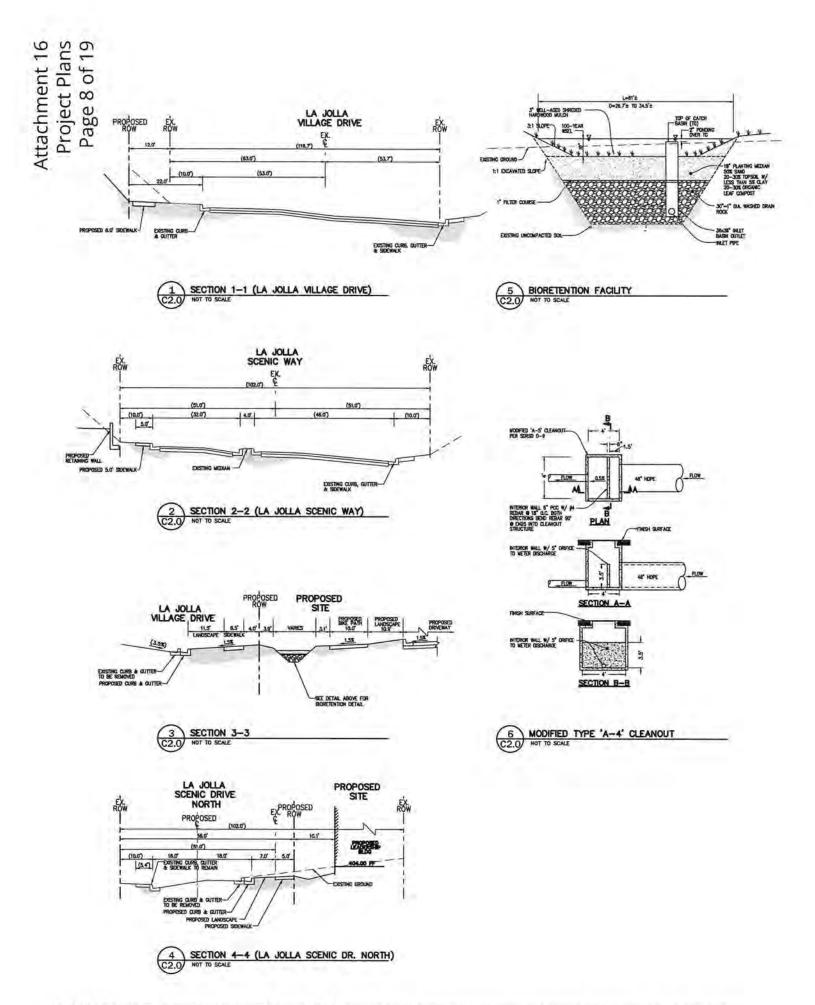
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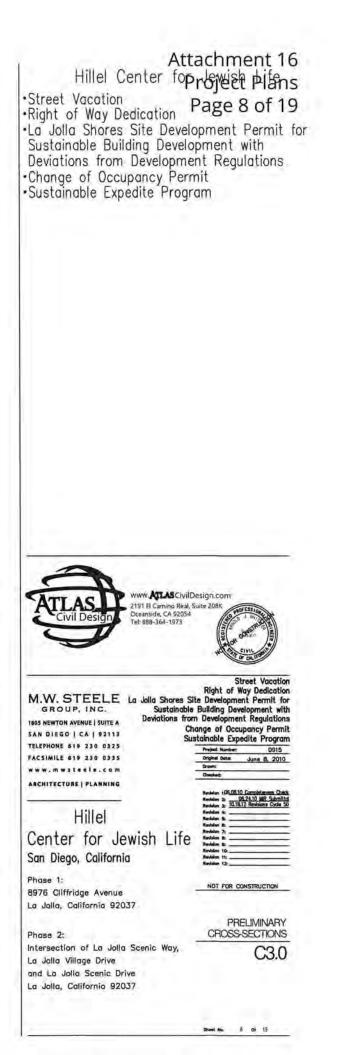
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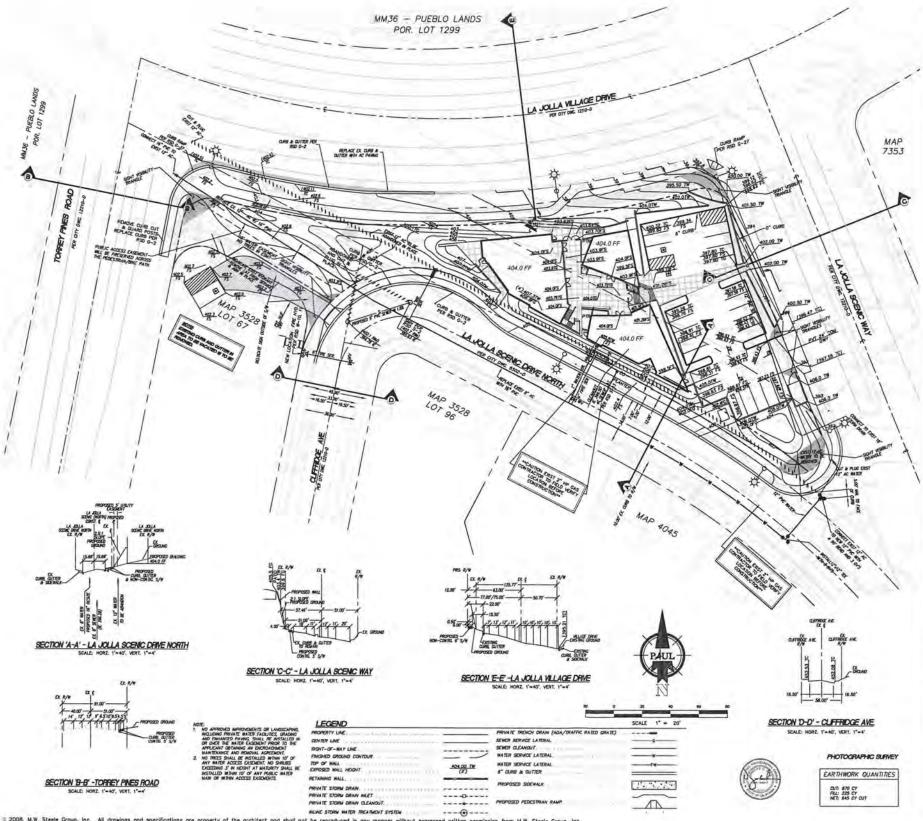
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Attachment 16 Project Plans Page 9 of 19



Hillel of San Diego • Street Vocation • Right of Way Dedication ·La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations · Change of Use Permit • Sustainable Expedite Program



Hillel Phose 1:

Phose 2: Intersection of La Jolla Scenic Way La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037

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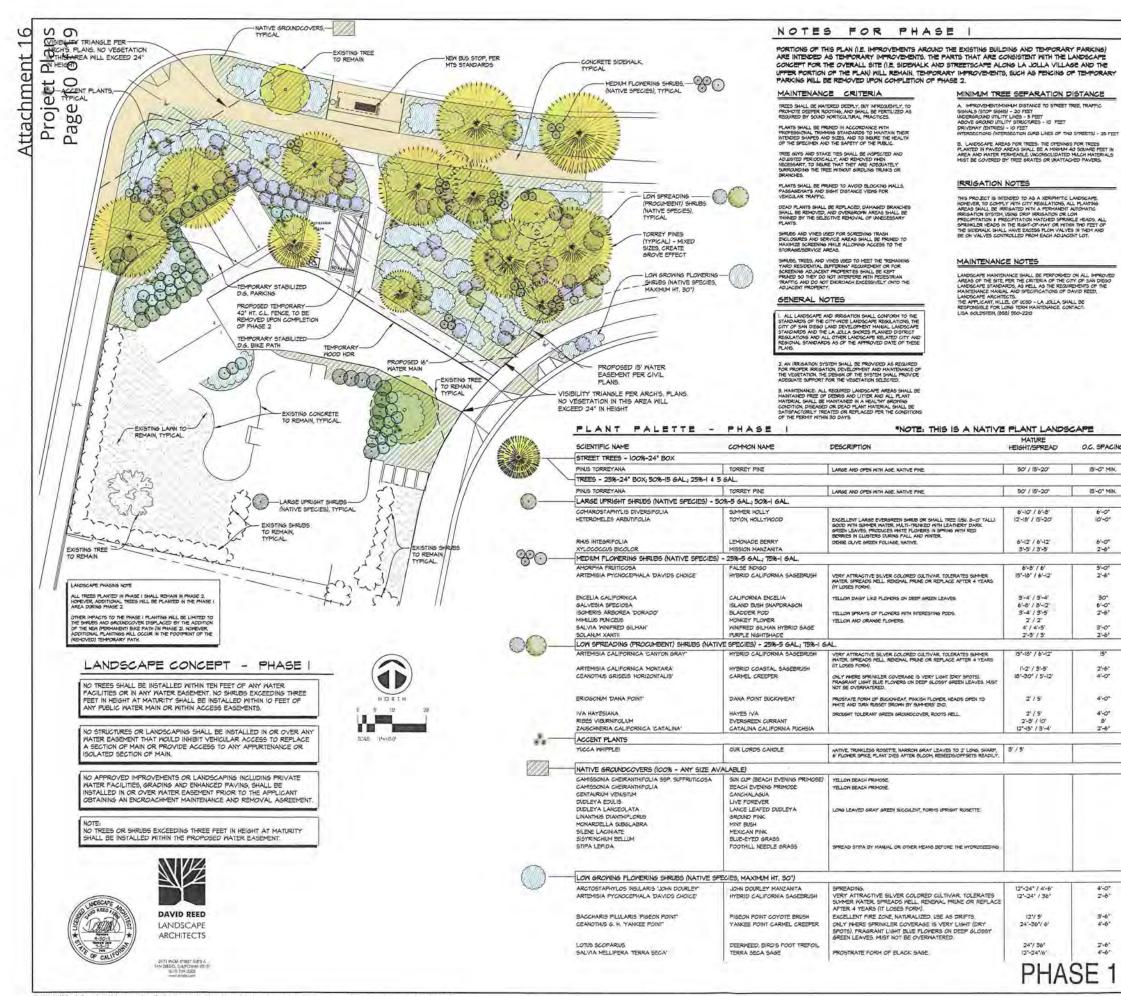
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Hillel of San Diego	
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# Hillel of San Diego

# Attachment 16 Project Plans Page 11 of 19

- Street Vacation
- Right of Way Dedication

 La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations

- Change of Occupancy Permit
- Sustainable Expedite Program

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### Hillel of San Diego San Diego, California

Phase 1: 8976 Cliffridge Avenue La Jolla, Californía 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037 Street Vacation Right of Way Dedication La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations Change of Occupancy Permit

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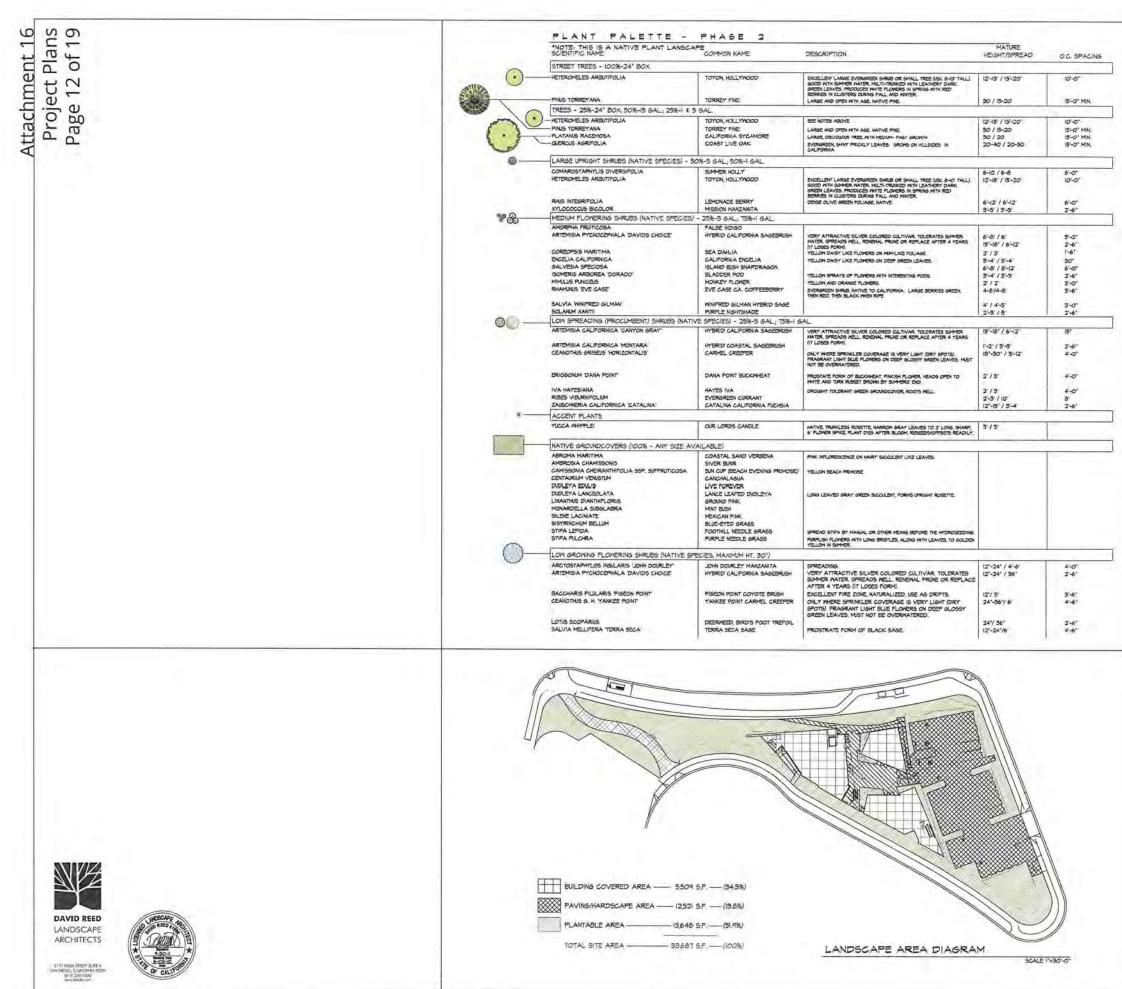
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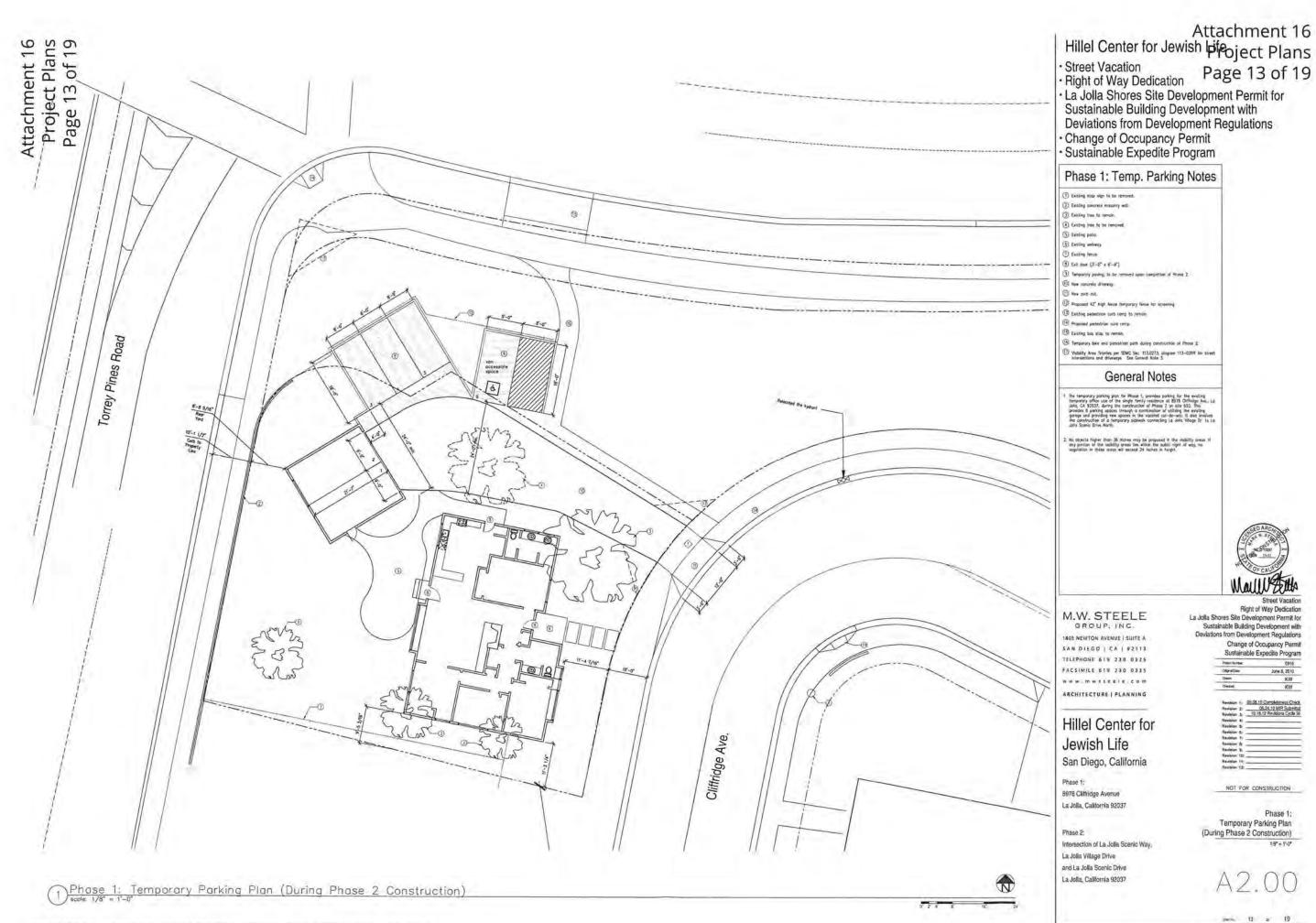
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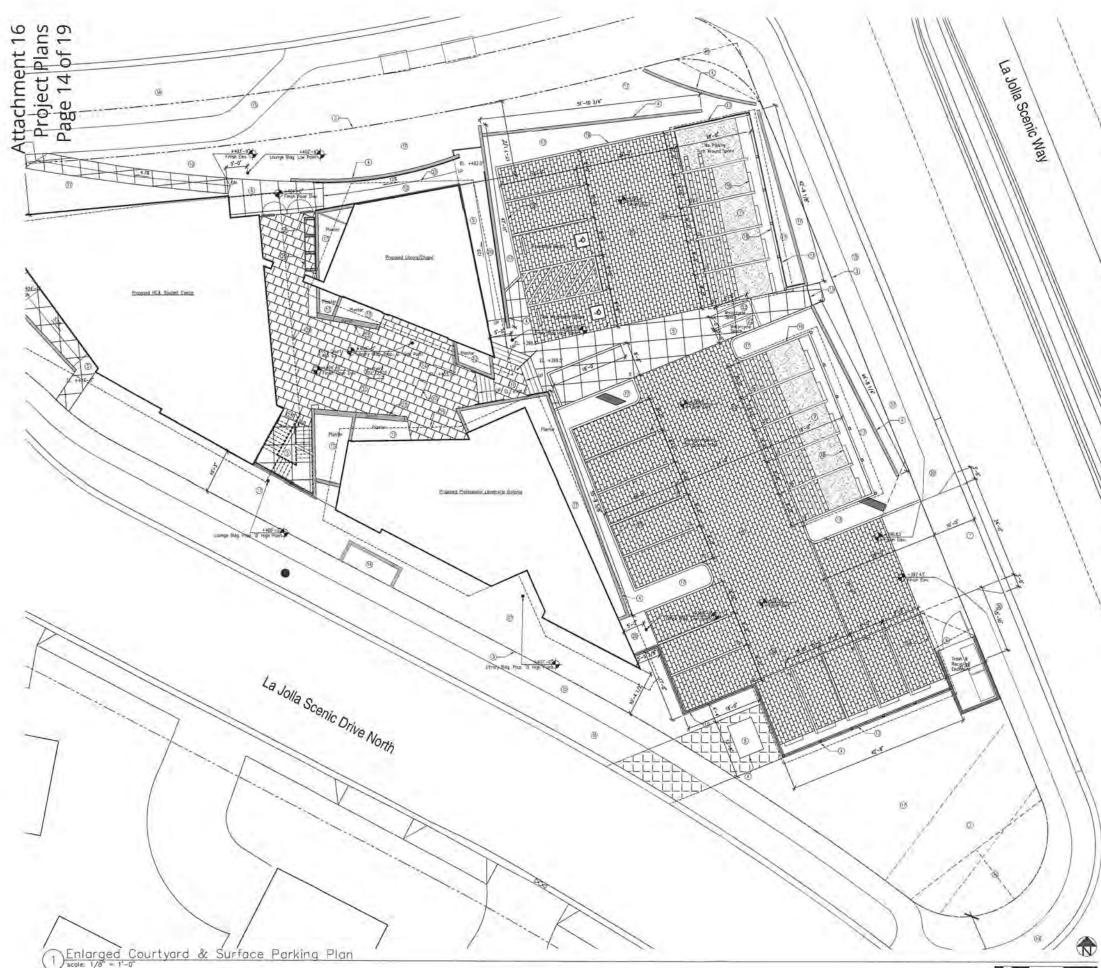


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5. No objects higher than 36 inches may be proposed in the establicy areas any gontion of the visibility areas lies within the public right of way, the weeksitum in these areas will exceed 24 inches in begint.

M.W. STEELE

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Hillel Center for Jewish Life San Diego, California

Phase I: 8976 Clittridge Avenue La Jolla, California 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037



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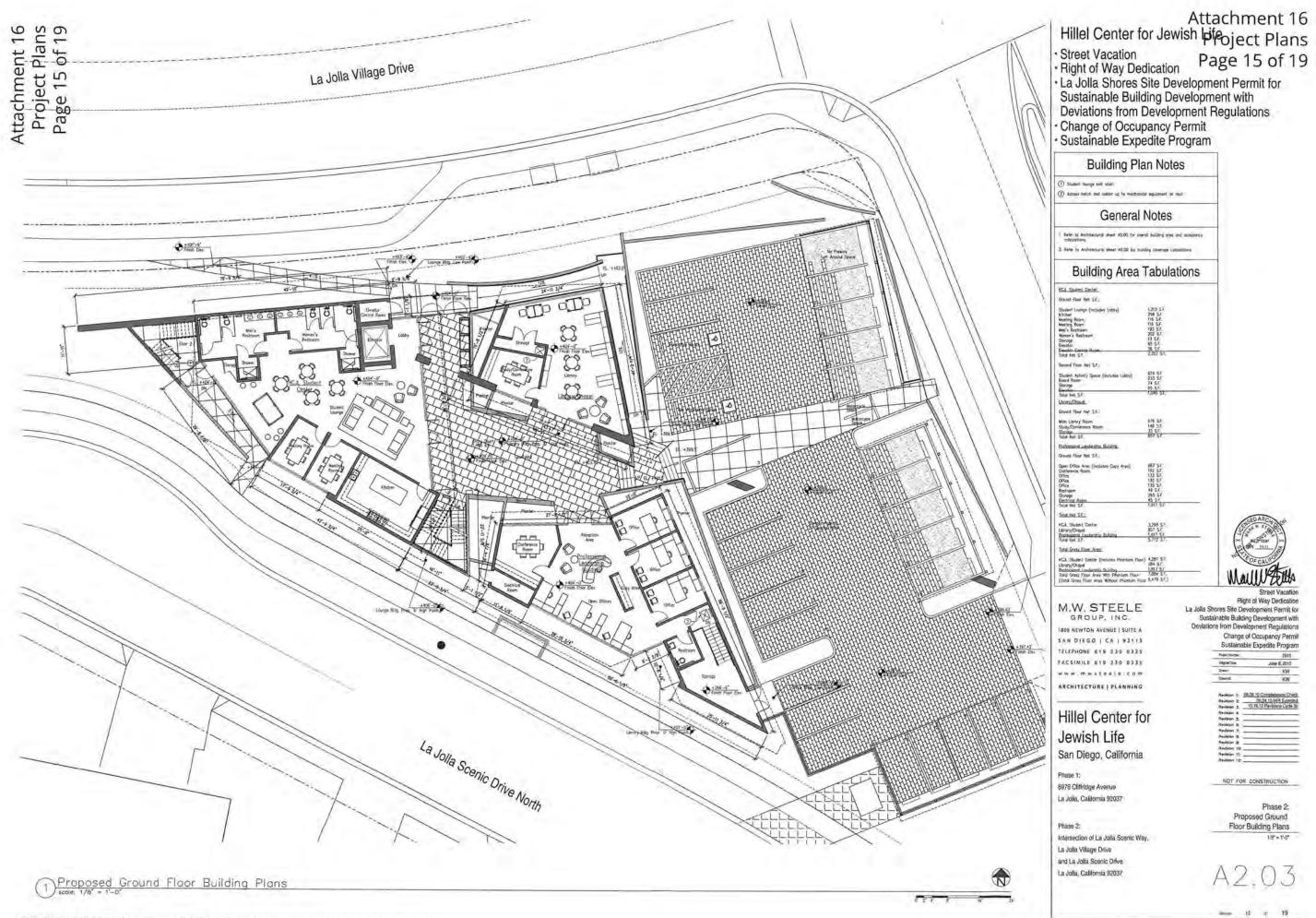
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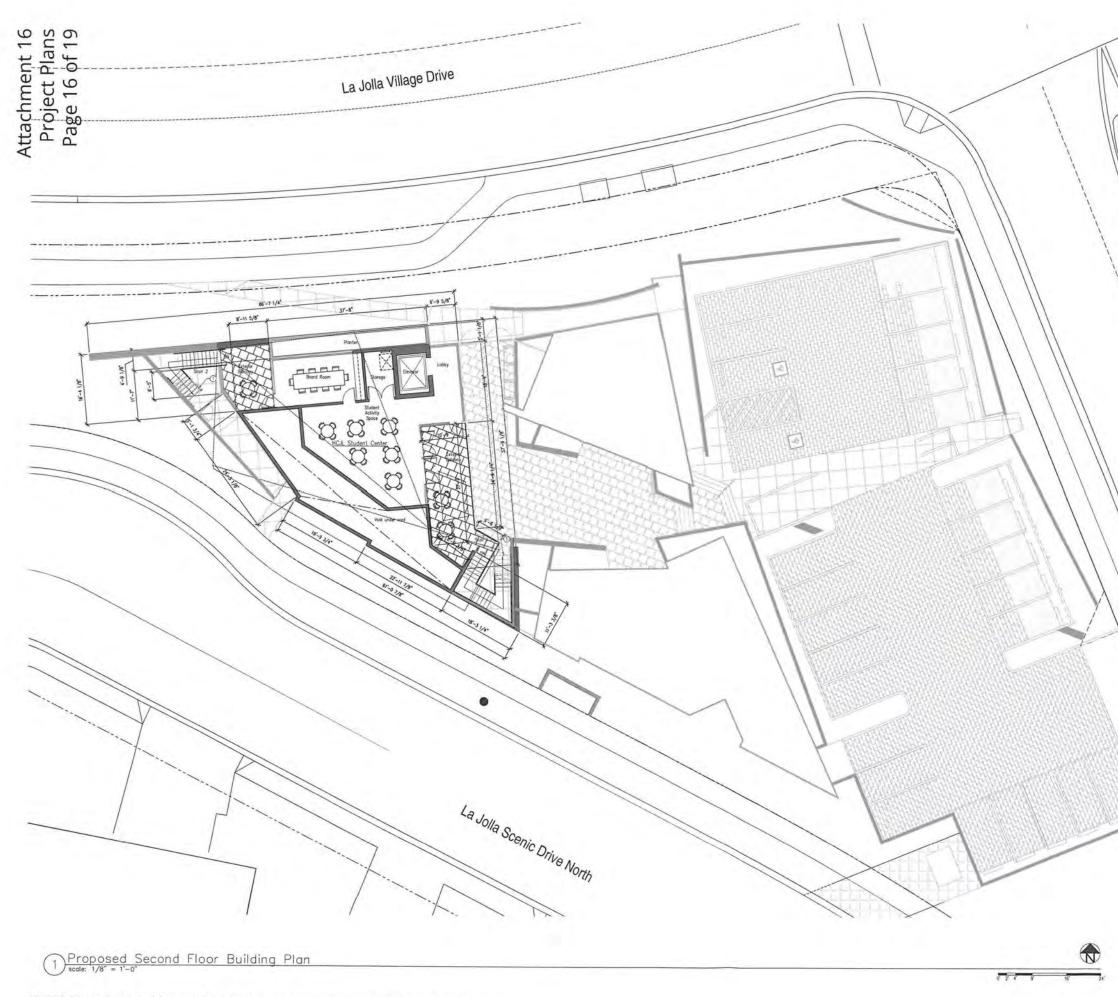
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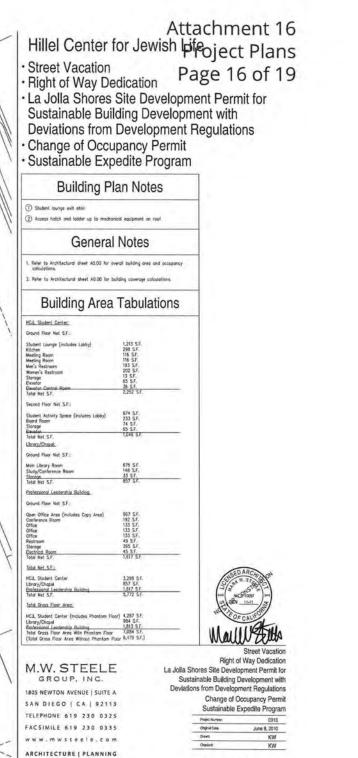
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# Hillel Center for Jewish Life San Diego, California

Phase 1:

8976 Cliffridge Avenue La Jolla, California 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037

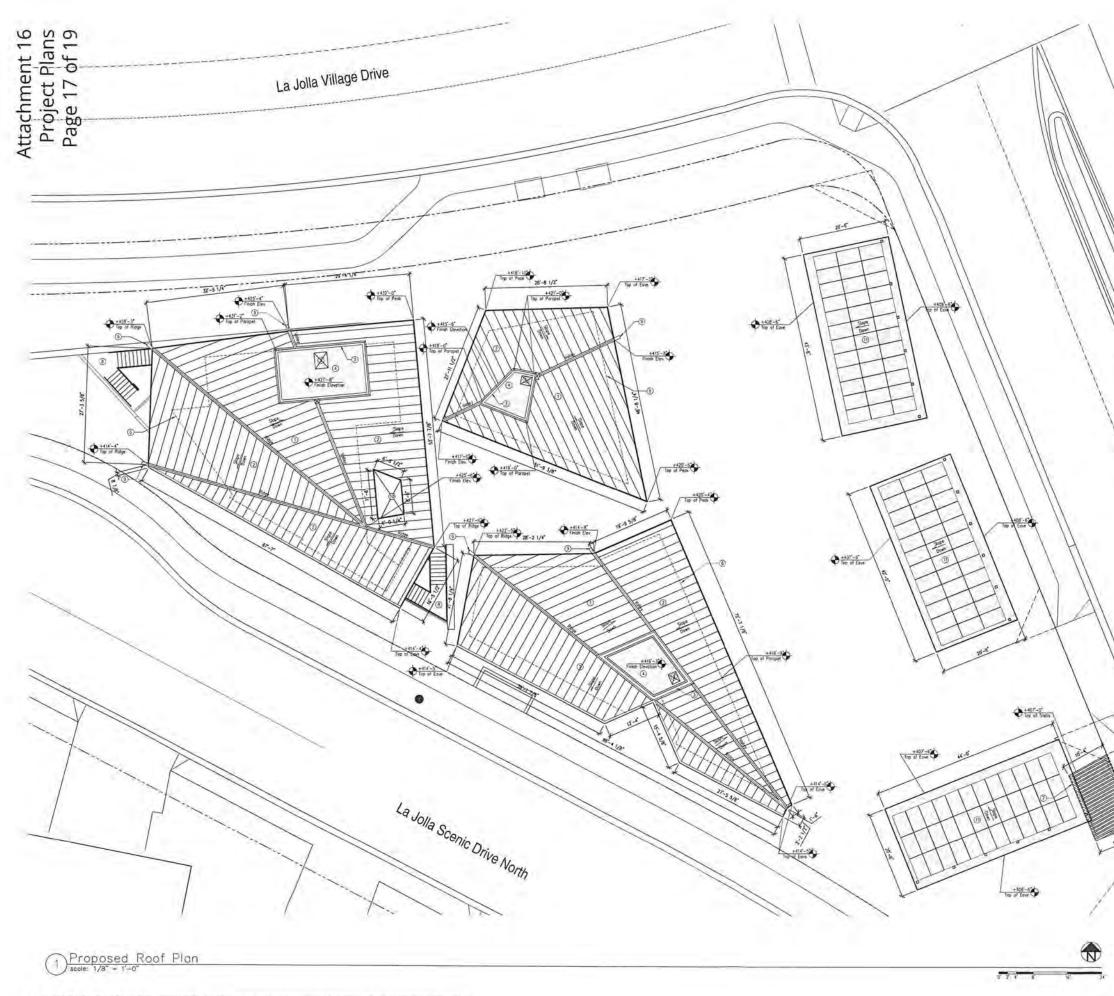
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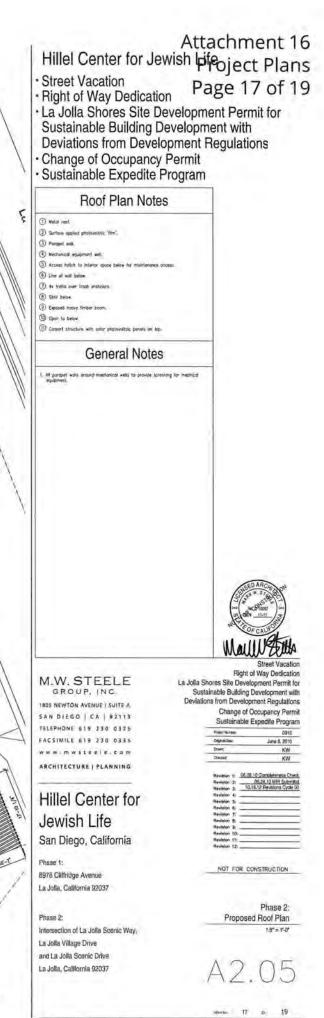
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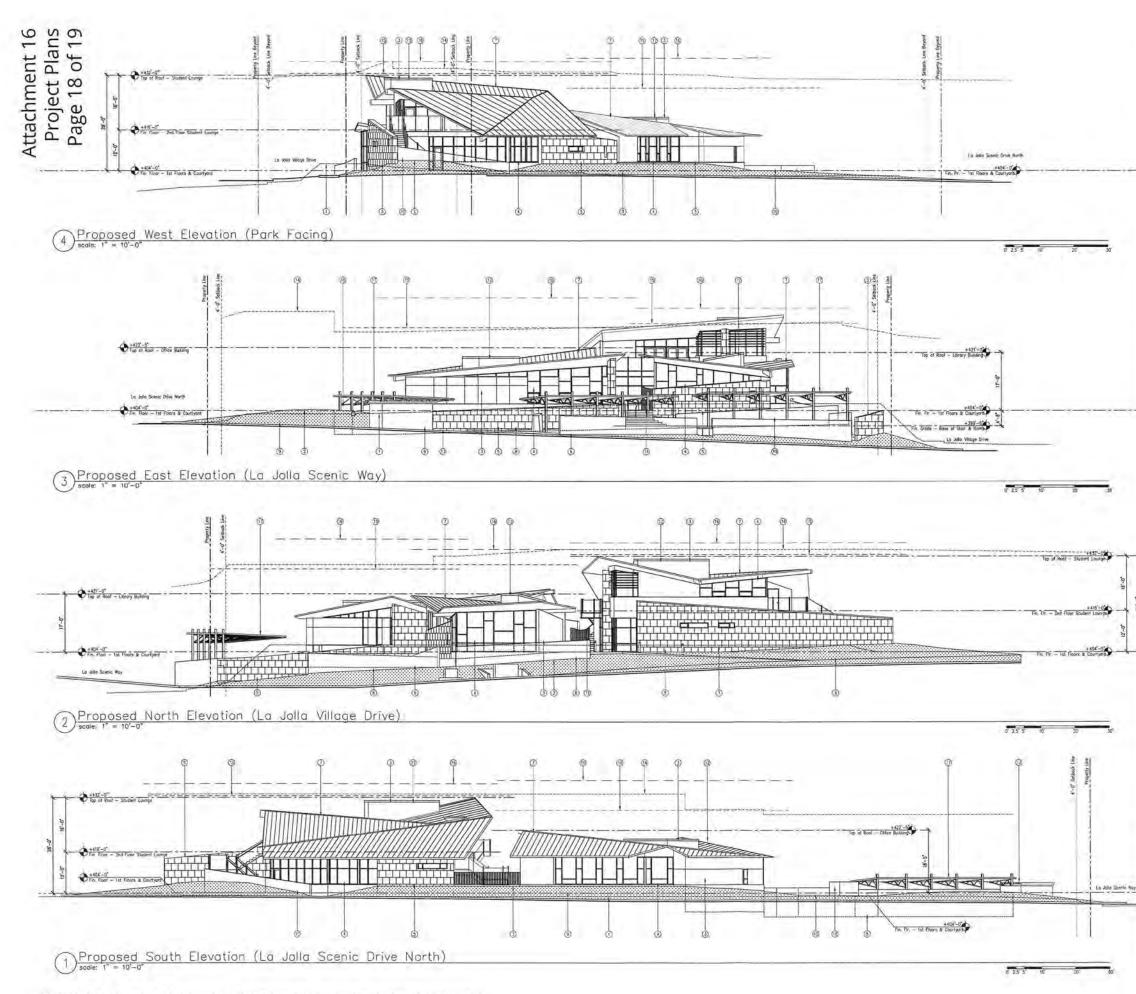
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# Attachment 16 Hillel Center for Jewish Pleoject Plans

Street Vacation
 Right of Way Dedication

# Page 18 of 19

- La Jolla Shores Site Development Permit for Sustainable Building Development with Deviations from Development Regulations
- Change of Occupancy Permit
   Sustainable Expedite Program

### **Elevation Notes**

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<ul> <li>Landscuping</li> <li>molectals</li> </ul>	- refer to Landscope Drawings for all adving and planting
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	at limit line: $50^{\circ}0^{\circ}$ line from the high point within $5^{\circ}0^{\circ}$ at relat.
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M.W. STEELE GROUP, INC. 1805 NEWTON AVENUE | SUITE A SAN DIEGO | CA | 92113

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### Hillel Center for Jewish Life San Diego, California

Phase 1: 8976 Cliffridge Avenue La Jolla, California 92037

#### Phase 2:

Intersection of La Jolla Scenic Way, La Jolla Village Drive and La Jolla Scenic Drive La Jolla, California 92037

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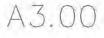
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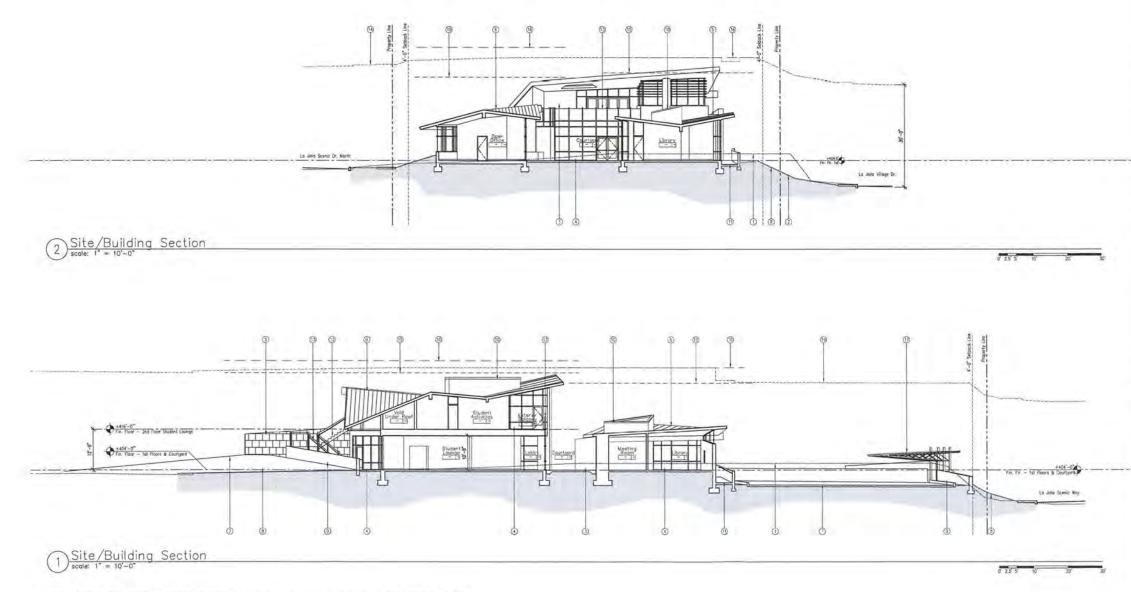
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Phase 2: Proposed Elevations 1"= 10-0\*



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Attachment 16 Project Plans Page 19 of 19



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Phase 1: 8976 Cliffridge Avenue La Jolla, California 92037	NOT FOR CONSTRUCTION
Phase 2:	Phase 2: Site/Building Sections

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