



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: September 2, 2021 REPORT NO. PC-21-037

HEARING DATE: September 9, 2021

SUBJECT: 1821 TORREY PINES ROAD VACATION, Process Five Decision

PROJECT NUMBER: [648590](#)

OWNER/APPLICANT: Craig Family Survivor's Trust, Schroedel Family Trust, Bisharat Family Trust, and Fan Jiao and Bao Xiao Jin Revocable Living Trust, Owners and Jawad Bisharat, Applicant

### SUMMARY

Issue: Should the Planning Commission recommend City Council approval of a Coastal Development Permit and Public Right-of-Way Vacation for the vacation of an unimproved 0.27-acre portion of Torrey Pines Road in the La Jolla Community Plan and Local Coastal Program Land Use Plan area?

#### Staff Recommendation:

1. Recommend the City Council approve a resolution determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (Minor Alterations);
2. Recommend the City Council Approve Coastal Development Permit No. 2354674; and
3. Recommend the City Council Approve Public Right-of-Way Vacation No. 2354675

Community Planning Group Recommendation: On September 3, 2020, the La Jolla Community Planning Association voted on consent 15-0-1 to deny the application (Attachment 10)

Environmental Review: Staff has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (Minor Alterations). In addition to the project, the project's CEQA Exemption will be considered by City Council during the subsequent City Council's public hearing (Attachment 7)

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the Applicant. The portions of the vacated right-of-way will revert to the abutting parcels as the fee owners.

## BACKGROUND

The 0.27-acre project site is located at the southernmost portion of Torrey Pines Road between Princess Street and Hillside Drive (Attachment 1 and Figure 1). The project site is bordered on the north by Torrey Pines Road, Hillside Drive to the east, and residential development to the south and west. The site is in the RS-1-5 Zone, Coastal Overlay Zone (Non-Appealable Areas 1 & 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach and Coastal Impact), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Transit Priority Area within the La Jolla Community Plan area. The La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) designates the site as Very Low Density Residential (0-5 units/acre [du/ac]) and is not identified for potential public parking or for any additional improvements related to transit.



**Figure 1** – Aerial View of project site looking south

The project site is not within or adjacent to the Multiple Species Conservation Program (MSCP), or the Multiple Habitat Planning Area (MHPA), and does not contain any other type of Environmentally Sensitive Lands (ESL) as defined in SDMC section [113.0103](#). The project site is approximately 520 linear feet away from the Pacific Ocean and is not located within the First Public Roadway. There are no public view corridors, vantage points, or physical access routes from the project site, as identified in the Community Plan.

## DISCUSSION

### Project Description:

The project is within the Coastal Overlay Zone and requires a Coastal Development Permit pursuant to San Diego Municipal Code (SDMC) section [126.0702](#). Pursuant to SDMC section [125.0940](#), a Process Five, Public-Right-of-Way Vacation approval is also required. The project proposes to vacate a 0.27-acre (11,889 square feet) portion of Torrey Pines Road located at 1802 Amalfi Street, 1821 Torrey Pines Road,



**Figure 2** – Street view project site looking southwest

1834 Amalfi Street, and 7840 Sierra Mar Drive (Figure 2).

The portion of Torrey Pines Road to be vacated is no longer required as a public street, and the vacation will not adversely affect existing public improvements. The proposed Public Right-of-Way Vacation within Torrey Pines Road would revert the vacated 11,889 square-foot area to the abutting parcels' underlying fee owners (Figure 3).

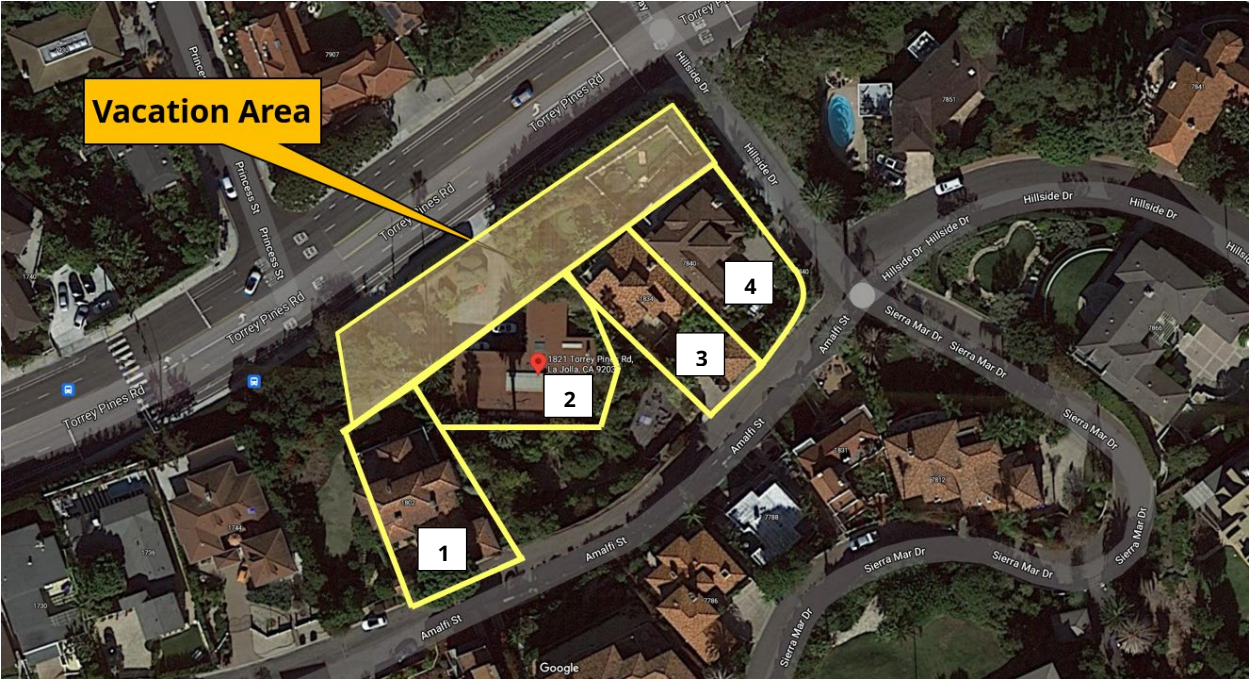


Figure 3 – Proposed portion of Torrey Pines Road to be vacated.

The table below contains the total square feet (SF) of land each property owner would obtain for private ownership:

	<b>Property Address</b>	<b>Assessor's Parcel Number</b>	<b>SF of Parcel</b>	<b>SF of Land Obtained</b>	<b>Total SF of Parcel after Vacation</b>
<b>1</b>	1802 Amalfi Street	350-161-0100	8,849 SF	1,699 SF	10,548 SF
<b>2</b>	1821 Torrey Pines Road	350-161-0900	8,811 SF	5,166 SF	13,977 SF
<b>3</b>	1834 Amalfi Street	350-161-0300	6,844 SF	2,123 SF	8,967 SF
<b>4</b>	7840 Sierra Mar Drive	350-161-0400	7,279 SF	2,901 SF	10,180 SF

The Community Plan does not identify this portion of Right-of-Way as an arterial street, major street, nor coastal access facility. The vacation will not result in a physical change to the project site and the underlying land use within the right-of-way will retain its current zoning and Community Plan designations in compliance with Community plan.

Conditions of approval would include Owner/Permittee preparing Covenants, Conditions, and Restrictions (CC&R's) for sharing the operation and maintenance of an existing 6" private lateral within a portion of the proposed street vacation, and Owner/Permittee being required to record private sewer easement proposed in area to be vacated.

Easements within the area of the vacation will be reserved for Cox Communications, San Diego Gas & Electric Company, and Pacific Bell Telephone Company dba AT&T.

Additional Easement Reservations include:

- 15' Public Drainage Easement to the east of the project site located at 7840 Sierra Mar Drive.
- 10' Public Slope Easement northeast of the project site behind the face of the retaining wall located at 1821 Torrey Pines Road, 1834 Amalfi Street, and 7840 Sierra Mar Drive.
- Private Sewer Easement northwest of the project site located at 1821 Torrey Pines Road.

The project does not propose any development, nor deviations or variances from regulations or policy documents. It is consistent with the Community Plan land use designation of Low Medium Residential (9-15 du/ac) and meets all the rules and regulations of the San Diego Municipal Code.

#### Community Plan Analysis:

The La Jolla Community Plan and Local Coastal Program designates the project site as Public Right-of-way. The Transportation Element of the Community Plan identifies this section of Torrey Pines Road for a 4-Lane Modified Collector Street along with Class II bicycle facilities – all of which are existing in the current right-of-way configuration. Additionally, the community plan does not identify this section of the street for potential public parking or for any improvements related to transit. The community plan identifies a public vantage point at Torrey Pines Road and Princess Street, however the vantage point provides views out to the ocean and would not be affected by the proposed right-of-way vacation.

#### Project-Related Issues:

The La Jolla Community Planning Association voted to deny the project because the Public Right-of-Way along Torrey Pines Road should be maintained for possible enhancement, expansion, or modification. City staff have reviewed the project and determined Torrey Pines Road is classified as a 4-lane Modified Collector Street along with Class II bicycle facilities constructed to its ultimate width.

#### Conclusion:

The Public Right-of-Way (PROW) proposed for vacation will not result in a physical change to the property. City staff recommends the Planning Commission recommend the City Council approve Coastal Development Permit No. 2354674 and Public Right-of-Way Vacation No. 2354675.

ALTERNATIVES

1. Recommend the City Council APPROVE Coastal Development Permit No. 2354674 and Public Right-of-Way Vacation No. 2354675, with modifications.
2. Recommend the City Council DENY Coastal Development Permit No. 2354674 and Public Right-of-Way Vacation No. 2354675, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



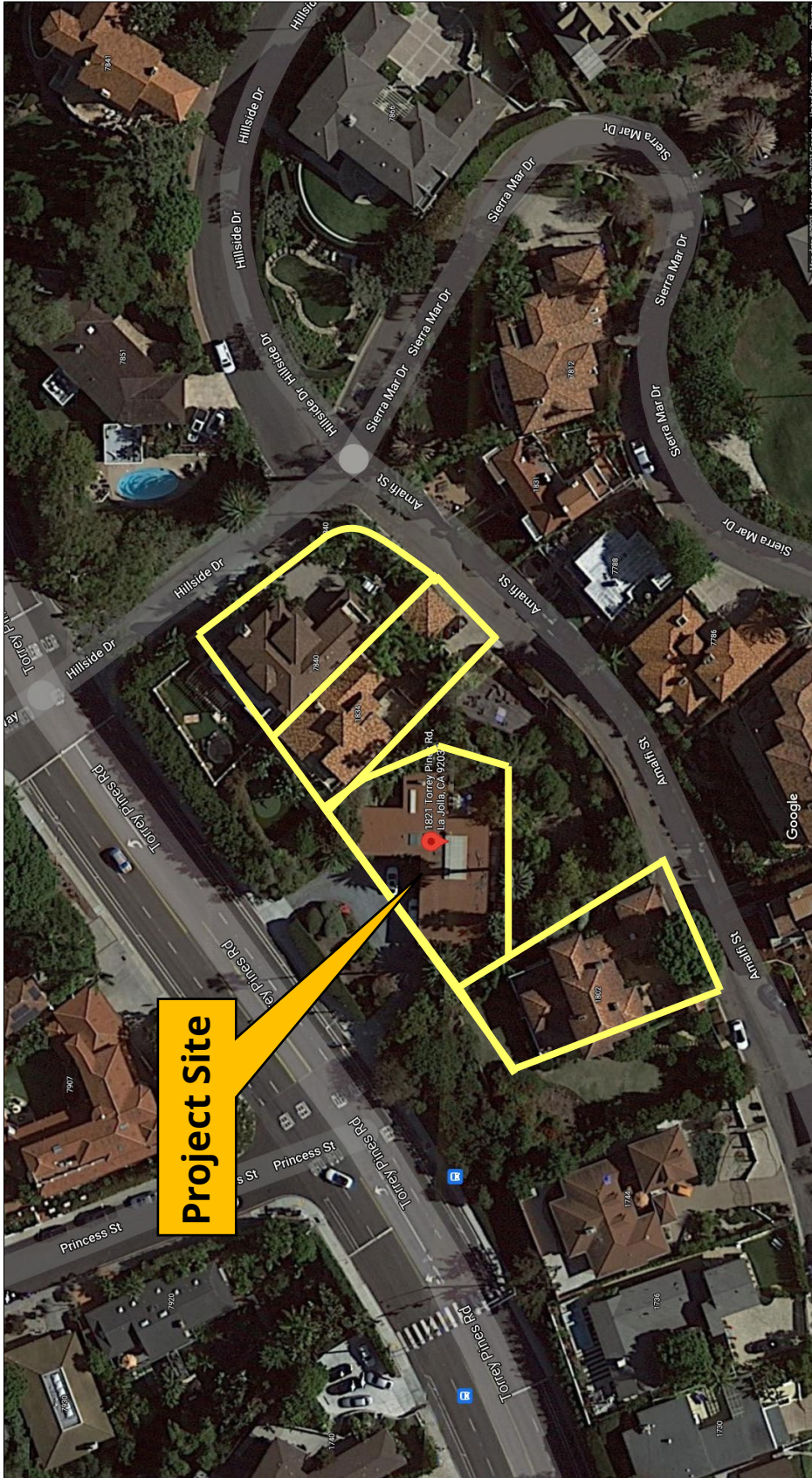
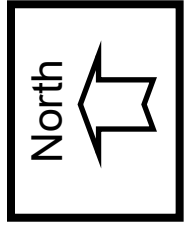
Tim Daly  
Assistant Deputy Director  
Development Services Department



Benjamin Hafertepe  
Development Project Manager  
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Vacation Resolution with Findings
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption Resolution
8. Exhibit A-Legal Description
9. Exhibit B-Public Right-of-Way Drawing and CDP Exhibit
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement

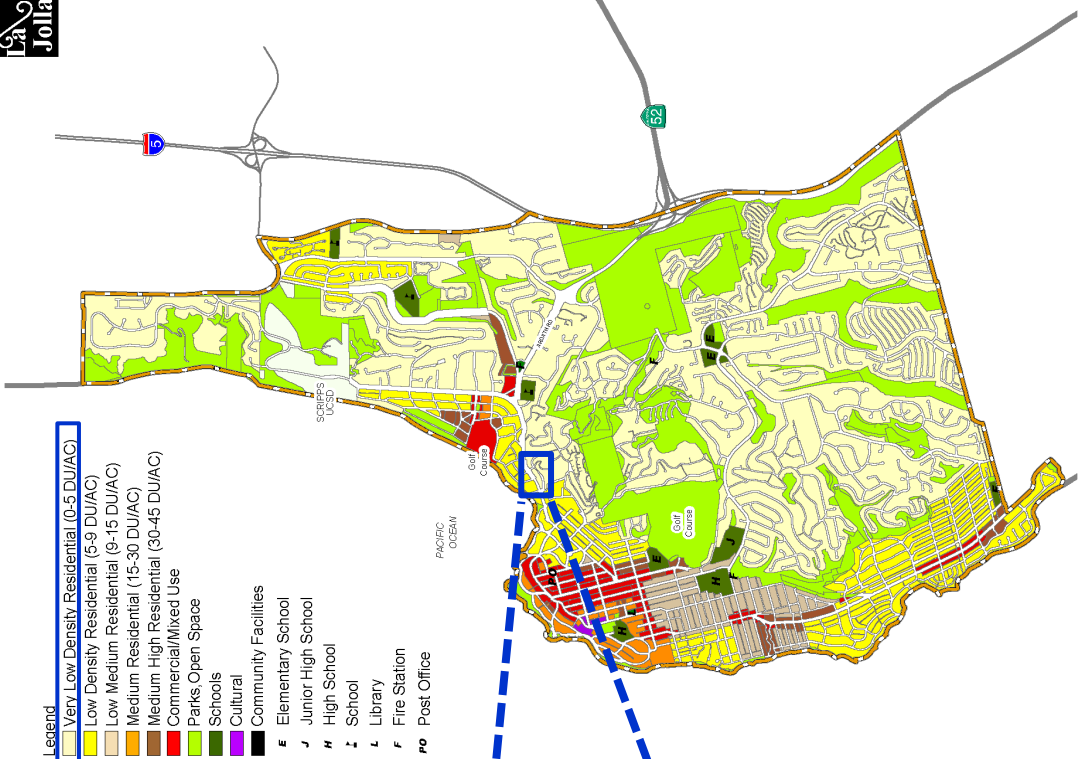
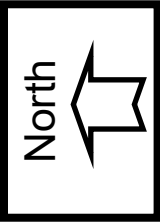


**Project Site**

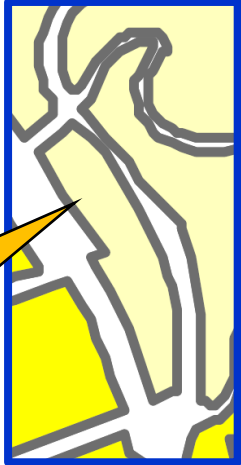
## Aerial Photograph

1821 Torrey Pines Road Vacation  
Project No. 648590 – 1821 Torrey Pines Road

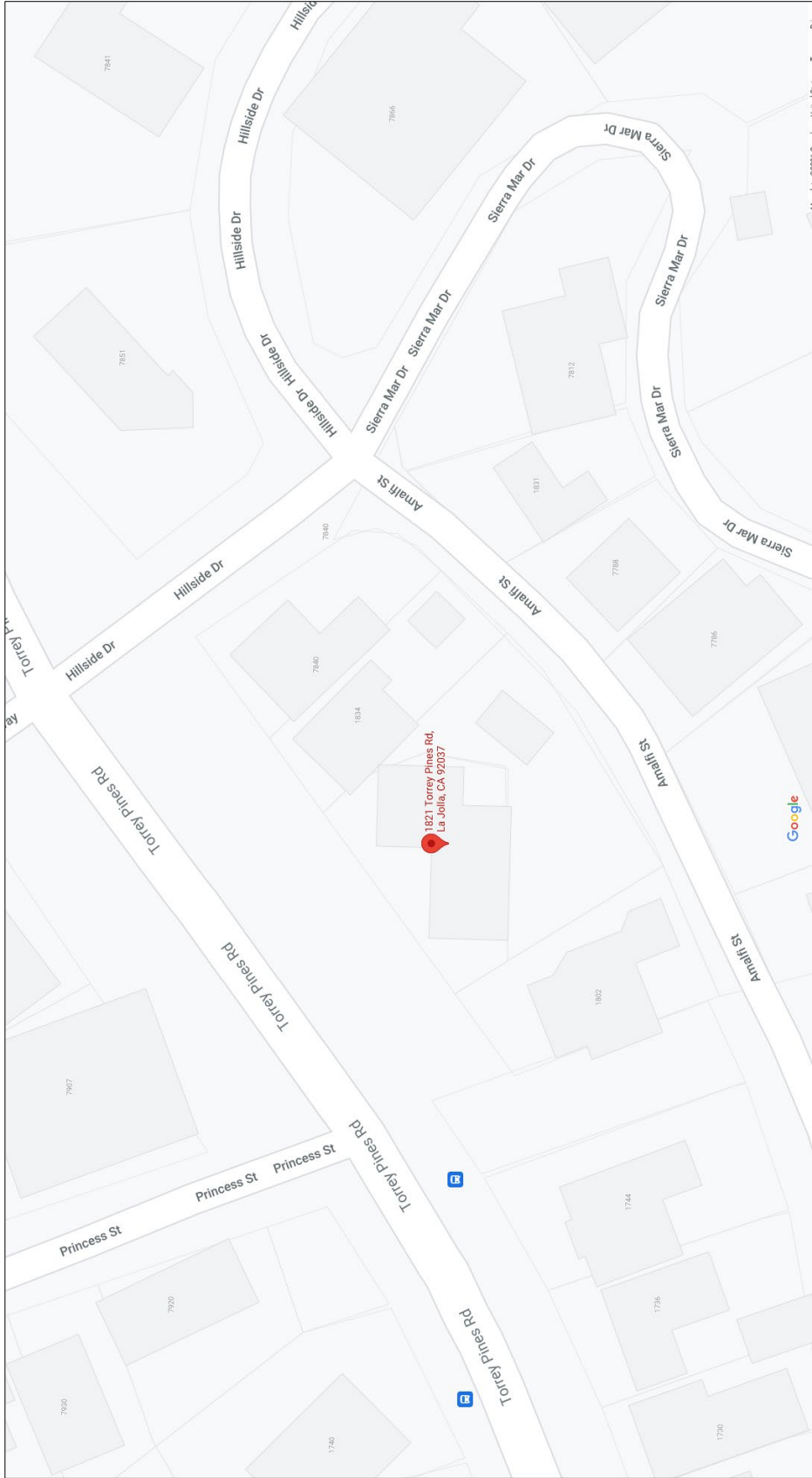
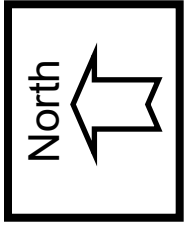




**Project Site**



**Land Use Map**  
 1821 Torrey Pines Road Vacation  
 Project No. 648590 – 1821 Torrey Pines Road



# Project Location Map

1821 Torrey Pines Road Vacation  
Project No. 648590 – 1821 Torrey Pines Road





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

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
ADOPTING FINDINGS FOR AND APPROVING THE PUBLIC RIGHT-OF-  
WAY VACATION OF A PORTION OF TORREY PINES ROAD FOR 1821  
TORREY PINES ROAD VACATION PROJECT NO. 648590

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, Jawad Bisharat filed an application to vacate a 0.27-acre portion of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road, and 7840 Sierra Mar Drive, being described as Public Right-of-Way Vacation No. 2354675; and

WHEREAS, Public Right-of-Way Vacation No. 2354675 is located on properties owned by Craig Family Survivor's Trust, Schroedel Family Trust, Bisharat Family Trust, and Fan Jiao and Bao Xiao Jin Revocable Living Trust; and

WHEREAS, in connection with Public Right-of-Way Vacation No. 2354675, the City desires to reserve and except public easements; 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,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to Public Right-of-Way Vacation No. 2354675, the Council finds pursuant to San Diego Municipal Code (SDMC) section 125.0941 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.**

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road, and 7840 Sierra Mar Drive. The site is in the RS-1-5 Zone and Coastal Overlay Zone. The proposed public right-of-way vacation would revert the vacated 11,899-square-foot area to the abutting parcels. The Transportation Element of the community plan identifies this section of Torrey Pines Road for a 4-lane Modified Collector Street along with Class II bicycle facilities - all of which exist in the current right-of-way configuration. Additionally, the community plan does not identify this section of the street for potential public parking or for any additional improvements related to transit. The area of vacation reserves easements for public storm drains, SDG&E, and AT&T public utilities. Therefore, there is no present or prospective use for the public right-of-way, either for the facility for which 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.**

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The site is in the RS-1-5 Base Zone and Coastal Overlay Zone. As a public right-of-way, the City controls and is liable for the area that cannot be used for public purposes. Properties adjacent to the right of way will benefit from the vacation because they will control, maintain and be responsible for the area of the vacation. The City and County will benefit from the increase in property tax, which in turn, benefits the general public with the increase in funds. The public also benefits by the reduction of liability to the City of San Diego from land it controls yet gains no benefit or use from. Therefore, 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.**

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The land which is subject of the public right-of-way vacation is in the RS-1-5 Base Zone within the adopted La Jolla Community Plan and Local Coastal Program (Community Plan). The Transportation Element of the Community Plan identifies this section of Torrey Pines Road for a 4-lane Modified Collector Street along with Class II bicycle facilities - all of which are existing in the current right-of-way configuration. Additionally, the Community Plan does not identify this section of the street for potential public parking or for any additional improvements related to transit. The project does not propose any development and does not affect the Community Plan. Therefore, the vacation does not adversely affect any applicable land use plan.

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

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The site is in the RS-1-5 Base Zone and Coastal Overlay Zone. Torrey Pines Road was originally established by Superior Court Decree 14,891 as 150' right-of-way. There will be no change to the improved road width. It is a 4-lane modified collector street, with Class II bike lane. The Community Plan does not identify any additional improvements to this portion of Torrey Pines Road. The public will benefit from the additional revenue from property taxes and the reduction of liability to the City. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that Right-of-Way Vacation No. 2354675 in connection with Coastal Development Permit No. 2354674, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 41638-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that said street vacation is conditioned upon the following:

1. Prior to recordation of the Public Right of Way Vacation, Owner/Permittee shall prepare Covenants, Conditions & Restrictions for sharing the operation and maintenance of an existing 6" private lateral within a portion of the proposed street vacation.
2. Prior to recordation of the Public Right of Way Vacation, Owner/Permittee will be required to record private sewer easement proposed in area to be vacated.

**ATTACHMENT 4**

(R-[Reso Code])

BE IT FURTHER RESOLVED, that the City of San Diego reserves and excepts from Public Right-of-Way Vacation No. 2354675 the permanent easement for public utility purposes, as more particularly described hereinafter:

1. 15' Public Drainage Easement to the east of the project site located at 7840 Sierra Mar Drive.
2. 10' Public Slope Easement northeast of the project site behind the face of the retaining wall located at 1821 Torrey Pines Road, 1834 Amalfi Street, and 7840 Sierra Mar Drive.

BE IT FURTHER RESOLVED, that the easements reserved herein are in, under, over, upon, along, and across that portion of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road, and 7840 Sierra Mar Drive, vacated by this Document and as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 41638-B, marked as Exhibit "B."

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 \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

[Initials]:[Initials]  
[Month]/[Day]/[Year]  
Or.Dept:DSD  
Document No:

CITY COUNCIL RESOLUTION NO. \_\_\_\_\_  
COASTAL DEVELOPMENT PERMIT NO. 2354674  
**1821 TORREY PINES ROAD VACATION - PROJECT NO. 648590**

WHEREAS, Craig Family Survivor's Trust, Schroedel Family Trust, Bisharat Family Trust, and Fan Jiao and Bao Xiao Jin Revocable Living Trust, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit to vacate a portion of Torrey Pines Road known as the 1821 Torrey Pines Rd. Vacation project, located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road & 7840 Sierra Mar Drive, and legally described as: Being a portion of Torrey Pines Road established per Superior Court of the County of San Diego, State of California, Final Decree and Order of Condemnation No. 14891, recorded in the Office of the County Recorder of San Diego County in Book 645, page 386, o.r. said portion of the road is also lying within Pueblo Lot 1285 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 by James Pascoe in 1870, filed in the Office of the County Recorder of San Diego County and is known also as Miscellaneous Map No. 36, more particularly described as follows: The southeasterly 42 feet of said Torrey Pines road bounded on the southwest by a line parallel with and 9.61 feet northeasterly of the center line of Princess Street and on the northeast by a line beginning at the intersection of the southeasterly right of way line of Torrey Pines Road and the southwesterly right of way line of Hillside Drive, (being the most northerly corner of assessor parcel numbered 350-161-04), and projected perpendicular to the centerline of Torrey pines road, as shown on Parcel Map No. 20816, in the City of San Diego, recorded September 8, 2010 as file number 2010-0472647, o.r. Containing 11,889.44 square feet (0.273 ac), more or less in the La Jolla Community Plan area, in the RS-1-5 Zone, Coastal Overlay Zone (Non- Appealable Areas 1 & 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach and Coastal Impact), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Transit Priority Area within the La Jolla Community Plan area; and

WHEREAS, on September 9, 2021, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 2354674 pursuant to Resolution No.

**[INSERT Planning Commission Resolution Number]** -PC voted to recommend

**[INSERT: City Council approval/disapproval]** of the Permit; 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 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 Coastal Development Permit No. 2354674:

**A. COASTAL DEVELOPMENT PERMIT [SDMC SECTION 126.0708]**

**1. Findings for all Coastal Development Permits:**

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

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The project site is zoned RS-1-5 and designated Low Medium Residential (9-15 units/acre [du/ac]) in the La Jolla Community Plan and Local Coastal Land Use Plan (Community Plan). The project site is surrounded by existing single-family uses.

The proposed site does not contain any existing physical accessway utilized by the general public to and along the ocean and other scenic coastal areas. The proposed site is not identified in the Community Plan as a proposed accessway to be utilized by the general public for providing access to the ocean or other scenic coastal area, nor is the proposed site identified as a public view resource. The project site is approximately 520 linear feet southeast of the Pacific Ocean and the beaches and bluffs located there. The action is the vacation of a portion of Torrey Pines Road, no obstruction to views to and along the ocean and other scenic coastal areas will occur as a result of the street vacation.

The Community Plan does not identify this segment of Torrey Pines Road for physical access to the beach and coastline, nor does it designate any public view resources along Torrey Pines Road relative to the project site. The portions of vacated right-of-way will revert to the owners of the abutting parcels.

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

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

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The project site is zoned RS-1-5 and designated Low Medium Residential (9-15 du/ac) in Community Plan. The project site is surrounded by existing single-family uses.

The proposed activity is exempt from CEQA pursuant to Section 15304 (Minor Alterations) of the State CEQA Guidelines. The portion being vacated is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area and does not contain any other type of environmentally sensitive lands as defined in the San Diego Municipal Code Section 113.0103, therefore this vacation will not adversely affect environmentally sensitive lands.

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

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The project site is zoned RS-1-5 and designated Low Medium Residential (9-15 du/ac) in Community Plan. The project site is surrounded by existing single-family uses.



The proposed coastal development is the vacation of unimproved public right-of-way. The vacation will not result in a physical change to the project site. The adopted La Jolla Community Plan does not identify this portion of Right-of-Way as an arterial street, major street, nor coastal access facility. The right-of-way ownership will revert to the abutting parcels. The underlying land use within the right-of-way will retain its current zoning and Community Plan designations in compliance with Community plan.

The project does not propose any development, nor deviations or variances from regulations or policy documents. It is consistent with the land use designation, conforms with the Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The Torrey Pines Road Right of Way Vacation project proposes to vacate 11,889 square feet of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road and 7840 Sierra Mar Drive. The project site is zoned RS-1-5 and designated Low Medium Residential (9-15 du/ac) in Community Plan. The project site is surrounded by existing single-family uses.

The project site is not located between the sea and the first public roadway, is not a designated view corridor with views to the Pacific Ocean, is not a designated viewshed or scenic overlook, and does not contain a public accessway, as identified in the La Jolla Community Plan. There is no development planned with this street vacation. Therefore, the proposed vacation is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

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

BE IT FURTHER RESOLVED, that Coastal Development Permit No. 2354674 is granted to Craig Family Survivor's Trust, Schroedel Family Trust, Bisharat Family Trust, and Fan Jiao and Bao Xiao Jin Revocable Living Trust, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

**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: 24008409

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2354674  
**1821 TORREY PINES ROAD VACATION PROJECT NO. 648590**  
CITY COUNCIL

This Coastal Development Permit No. 2354674 is granted by the City Council of the City of San Diego to BISHARAT FAMILY TRUST, CRAIG FAMILY SURVIVOR'S TRUST, SCHROEDEL FAMILY TRUST, AND FAN JIAO AND BAO XIAO JIN REVOCABLE LIVING TRUST, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.27-acre site is located at 802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road & 7840 Sierra Mar Drive in the RS-1-5 Zone, Coastal Overlay Zone (Non-Appealable Areas 1 & 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach and Coastal Impact), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Transit Priority Area within the La Jolla Community Plan area. The project site is legally described as: Being a portion of Torrey Pines Road established per Superior Court of the County of San Diego, State of California, Final Decree and Order of Condemnation No. 14891, recorded in the Office of the County Recorder of San Diego County in Book 645, page 386, o.r. said portion of the road is also lying within Pueblo Lot 1285 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 by James Pascoe in 1870, filed in the Office of the County Recorder of San Diego County and is known also as Miscellaneous Map No. 36, more particularly described as follows: The southeasterly 42 feet of said Torrey Pines road bounded on the southwest by a line parallel with and 9.61 feet northeasterly of the center line of Princess Street and on the northeast by a line beginning at the intersection of the southeasterly right of way line of Torrey Pines Road and the southwesterly right of way line of Hillside Drive, (being the most northerly corner of assessor parcel numbered 350-161-04), and projected perpendicular to the centerline of Torrey pines road, as shown on Parcel Map No. 20816, in the City of San Diego, recorded September 8, 2010 as file number 2010-0472647, o.r. Containing 11,889.44 square feet (0.273 ac), more or less.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to vacate a portion of Torrey Pines Road located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road & 7840 Sierra Mar Drive described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "B"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Vacating a portion of Torrey Pines Road totaling 11,889 square feet located at 1802 Amalfi Street, 1834 Amalfi Street, 1821 Torrey Pines Road & 7840 Sierra Mar Drive;
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by **[ENTER DATE typically 3 years, including the appeal time]**.

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

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

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

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

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

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

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

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

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

11. Prior to the recordation of the Public Right of Way Vacation, Owner/Permittee shall prepare Covenants, Conditions, and Restrictions (CC&R's) for sharing the operation and maintenance of an existing 6" private lateral within a portion of the proposed street vacation.

12. Prior to the recordation of the Public Right of Way Vacation, Owner/Permittee will be required to record private sewer easement proposed in area to be vacated.

**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 [INSERT Approval Date] and [Approved Resolution Number].

**ATTACHMENT 6**

Coastal Development Permit No. 2354674

Date of Approval: XX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Benjamin Hafertepe  
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.

**BISHARAT FAMILY TRUST**  
Owner/Permittee

**CRAIG FAMILY SURVIVOR'S TRUST**  
Owner/Permittee

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

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

**SCHROEDEL FAMILY TRUST**

**FAN JIAO AND BAO XIAO JIN REVOCABLE LIVING TRUST**

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

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

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

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

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO DETERMINING THAT THE APPROVAL OF THE  
1821 TORREY PINES ROAD VACATION PROJECT NO.  
648590 IS CATEGORICALLY EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
PURSUANT TO CEQA GUIDELINES SECTION 15305.

WHEREAS, the project which proposes to vacate a 0.27-acre (11,889 square feet) portion of Torrey Pines Road located at 1802 Amalfi Street, 1821 Torrey Pines Road, 1834 Amalfi Street, and 7840 Sierra Mar Drive. The portion of Torrey Pines Road to be vacated is no longer required as a public street, and the vacation will not adversely affect existing public improvements.

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Development Services Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15305 and that no

exception to the exemption, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Project, and

WHEREAS, on [insert date of Council meeting], the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the project meets the criteria set forth in CEQA Section 15305, which allows for minor alterations to land as long as the average slope on site is less than 20% on average and would not result in any changes in land use or density. Since the project site does not contain slopes greater than 20% on average across the site and would not change land use or increase density the exemption applies.

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

BE IT RESOLVED, that the Council of the City of San Diego determines that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15305 and that an exception to the exemption as set forth in CEQA Guidelines section 15300.2 does not apply.

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



APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

[Initials]:[Initials]  
[Month]/[Day]/[Year]  
Or.Dept:[Dept]  
Doc. No.

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

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

**EXHIBIT A  
LEGAL DESCRIPTION  
(STREET VACATION-EASEMENT RESERVATION-  
PORTION TORREY PINES ROAD)**

BEING A PORTION OF TORREY PINES ROAD ESTABLISHED PER SUPERIOR COURT OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FINAL DECREE AND ORDER OF CONDEMNATION NO. 14891, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY IN BOOK 645, PAGE 386, O.R. SAID PORTION OF THE ROAD IS ALSO LYING WITHIN PUEBLO LOT 1285 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 BY JAMES PASCOE IN 1870, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AND IS KNOWN ALSO AS MISCELLANEOUS MAP 36, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEASTERLY 42 FEET OF SAID TORREY PINES ROAD BOUNDED ON THE SOUTHWEST BY A LINE PARALLEL WITH AND 9.61 FEET NORTHEASTERLY OF THE CENTER LINE OF PRINCESS STREET AND ON THE NORTHEAST BY A LINE BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF HILLSIDE DRIVE, (BEING THE MOST NORTHERLY CORNER OF ASSESSOR PARCEL NUMBERED 350-161-04), AND PROJECTED PERPENDICULAR TO THE CENTERLINE OF TORREY PINES ROAD, AS SHOWN ON PARCEL MAP NO. 20816, IN THE CITY OF SAN DIEGO, RECORDED SEPTEMBER 8, 2010 AS FILE NUMBER 2010-0472647, O.R.

CONTAINING 11,889.44 SQUARE FEET (0.273 AC), MORE OR LESS

RESERVING THEREFROM AN EASEMENT AND RIGHT OF WAY IN FAVOR OF COX COMMUNICATIONS CALIFORNIA, LLC., A DELAWARE LIMITED LIABILITY COMPANY ITS SUCCESSORS AND ASSIGNS, AS IT MAY REQUIRE FROM TIME TO TIME, TO CONSTRUCT, PLACE, OPERATE, REPAIR, MAINTAIN, REPLACE AND REMOVE AERIAL AND/OR UNDERGROUND TELECOMMUNICATIONS EQUIPMENT CONSISTING OF ONE OR MORE LINES OF CABLE, WIRES, CONDUITS, PEDESTALS, GUYS, ANCHORS AND ALL NECESSARY FIXTURES AND APPURTENANCES.

RESERVING THEREFROM AN EASEMENT AND RIGHT OF WAY IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY OVER SAID VACATION AREA TO ERECT, CONSTRUCT, CHANGE THE SIZE OF, IMPROVE, RECONSTRUCT, RELOCATE, REPAIR, REMOVE, MAINTAIN AND USE FACILITIES CONSISTING OF UNDERGROUND ELECTRIC AND GAS FACILITIES, COMMUNICATION FACILITIES AND ALL APPURTENANCES INCLUDING NECESSARY TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND FOR PIPELINES AND APPURTENANCES,

## ATTACHMENT 8

TOGETHER WITH THE RIGHT OF INGRESS THERETO AND EGRESS THEREFROM OVER SAID EASEMENT AND OVER OTHER PRACTICAL ROUTES. NO BUILDING OR OTHER STRUCTURE SHALL BE PERMITTED WITHIN THE EASEMENT. SDG&E'S PRIOR WRITTEN CONSENT SHALL BE REQUIRED BEFORE PLANTING ANY TREES OR INCREASING/DECREASING THE GROUND ELEVATION WITHIN THE EASEMENT.

RESERVING THEREFROM AN EASEMENT AND RIGHT OF WAY IN FAVOR OF PACIFIC BELL TELEPHONE COMPANY, DBA AT&T CALIFORNIA AS IT MAY FROM TIME TO TIME REQUIRE TO CONSTRUCT, PLACE, OPERATE, INSPECT, MAINTAIN, REPAIR, REPLACE AND REMOVE SUCH UNDERGROUND COMMUNICATION FACILITIES (INCLUDING INGRESS THERETO AND EGRESS THEREFROM) CONSISTING OF WIRES, CABLES, CONDUITS, PIPES, MANHOLES, HANDHOLES, SERVICE BOXES, ABOVEGROUND MARKERS, RISERS, SERVICE PEDESTALS, UNDERGROUND AND ABOVEGROUND SWITCHES, FUSES, TERMINALS, TERMINAL EQUIPMENT CABINETS, TRANSFORMERS WITH ASSOCIATED CONCRETE PADS, ASSOCIATED ELECTRICAL CONDUCTORS, NECESSARY FIXTURES AND APPURTENANCES.

ALSO RESERVING THEREFROM A 15 FOOT-WIDE EASEMENT FOR DRAINAGE, IN FAVOR OF THE CITY OF SAN DIEGO, OVER SAID VACATION AREA, THE CENTERLINE OF WHICH IS PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF HILLSIDE DRIVE, AS SHOWN ON SAID PARCEL MAP NO. 20816; THENCE ALONG THE NORTHEASTERLY SIDELINE OF SAID STREET VACATION NORTH 35°20'27" WEST 10.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 55°55'49" WEST 33.57 FEET TO A POINT ON THE NORTHERLY LINE OF SAID STREET VACATION, AND THE POINT OF TERMINUS. THE SIDE LINES OF SAID EASEMENT TO BE LENGTHENED OR SHORTENED SO AS TO END ON THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID VACATION.

CONTAINING 481.86 SQUARE FEET (0.011AC), MORE OR LESS

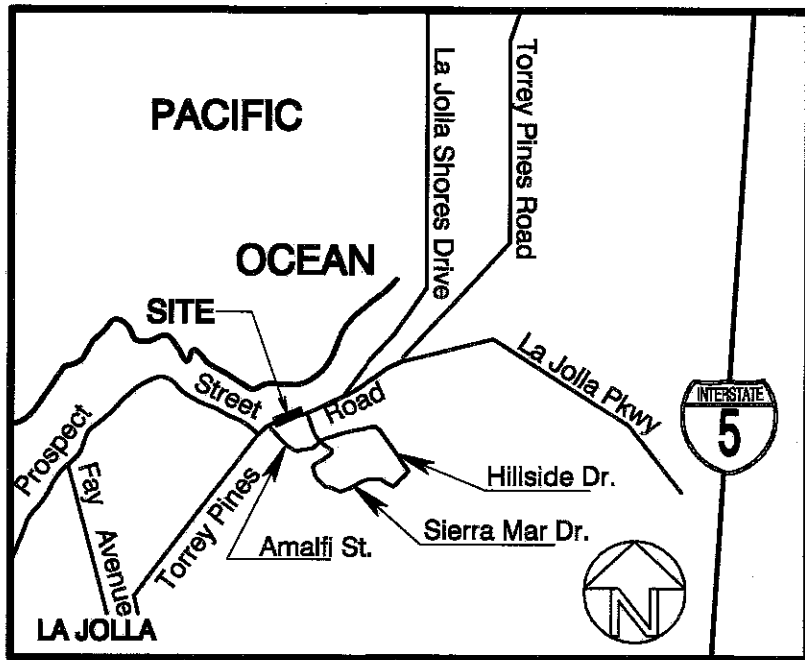
ALSO RESERVING THEREFROM AN EASEMENT FOR SLOPES IN FAVOR OF THE CITY OF SAN DIEGO, OVER SAID VACATION AREA, WHICH IS PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF HILLSIDE DRIVE AS SHOWN ON SAID PARCEL MAP NO. 20816; THENCE ALONG THE NORTHEASTERLY SIDELINE OF SAID STREET VACATION NORTH 35°20'27" WEST 42.00 FEET TO THE TRUE POINT OF BEGINNING; BEING THE MOST NORTHEASTERLY POINT OF SAID STREET VACATION; THENCE SOUTH 54°39'33" WEST 136.23 FEET ALONG THE NORTHERLY LINE OF SAID STREET VACATION;

## ATTACHMENT 8

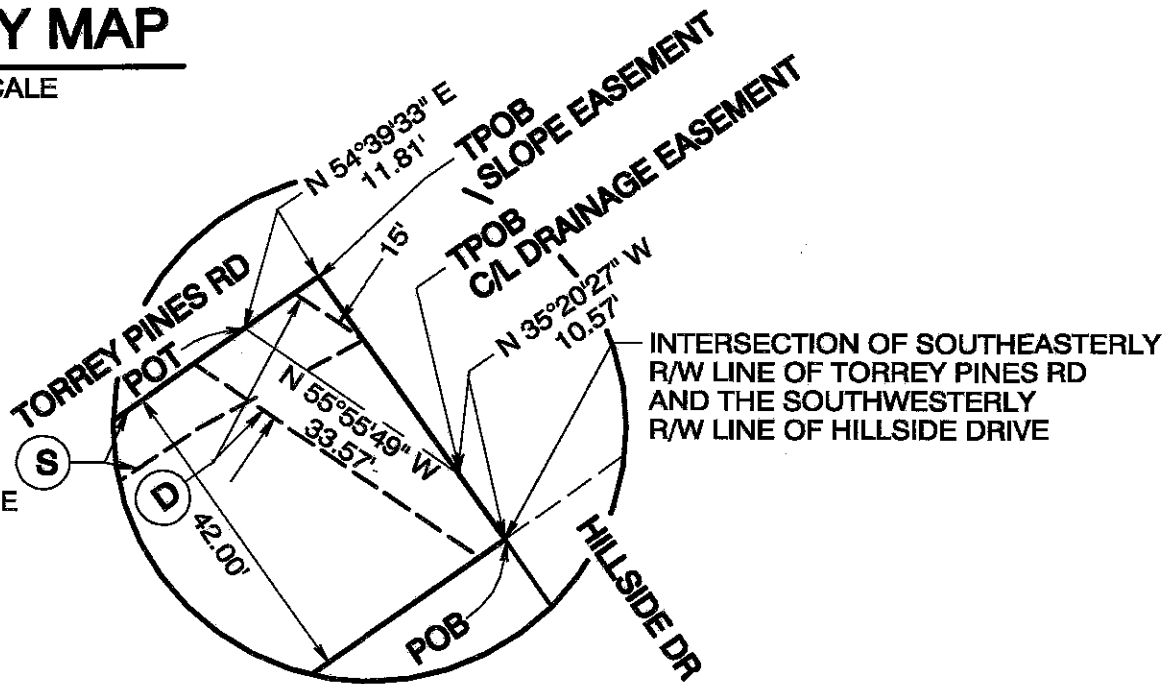
THENCE LEAVING SAID NORTHERLY LINE, SOUTH 35°20'27" EAST 5.71 FEET;  
THENCE NORTH 55°03'22" EAST 80.57 FEET; THENCE NORTH 56°23'47" EAST 31.73  
FEET; THENCE NORTH 61°29'33" EAST 24.12 FEET TO A POINT ON THE  
NORTHEASTERLY LINE OF SAID STREET VACATION; THENCE NORTH 35°20'27"  
WEST 10.10 FEET ALONG SAID NORTHEASTERLY OF SAID STREET VACATION TO  
THE TRUE POINT OF BEGINNING OF SAID STREET VACATION, AND THE POINT OF  
BEGINNING.

CONTAINING 904.24 SQUARE FEET (0.021 AC), MORE OR LESS



**VICINITY MAP**

NOT TO SCALE



**BASIS OF BEARINGS:**

THE SOUTHEASTERLY RIGHT OF WAY LINE OF TORREY PINES ROAD AS SHOWN ON PARCEL MAP NO. 20816. I.E. N54°39'33"E

**REFERENCES**

PARCEL MAP 20816

**APNs**

350-161--01, 03, 04 & 09

**LEGEND**



PARCEL A INDICATES PUBLIC STREET (TORREY PINES ROAD), VACATED CONTAINS 11,889.44 SQUARE FEET (0.273 ACRES)

( ) INDICATES RECORD DATA PER PM 20816

[ ] INDICATES RECORD DATA PER SUPERIOR COURT FINAL DECREE AND ORDER NO. 14,891, RECORDED APRIL 29, 1914 IN BOOK 645, PAGE 386, OF DEEDS

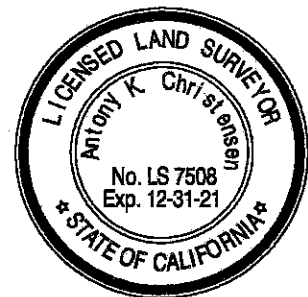
POB POINT OF BEGINNING

TPOB TRUE POINT OF BEGINNING

POT POINT OF TERMINUS

**EASEMENT RESERVATION  
DETAIL**

NOT TO SCALE



A2019-59

**CHRISTENSEN ENGINEERING & SURVEYING**

7888 SILVERTON AVENUE, SUITE J  
SAN DIEGO, CA 92126  
(858) 271-9901

*Anthony K. Christensen*

12-22-2020

ANTONY K. CHRISTENSEN  
L.S. 7508, EXPIRES 12-31-21

DATE

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

DATE RECORDED \_\_\_\_\_

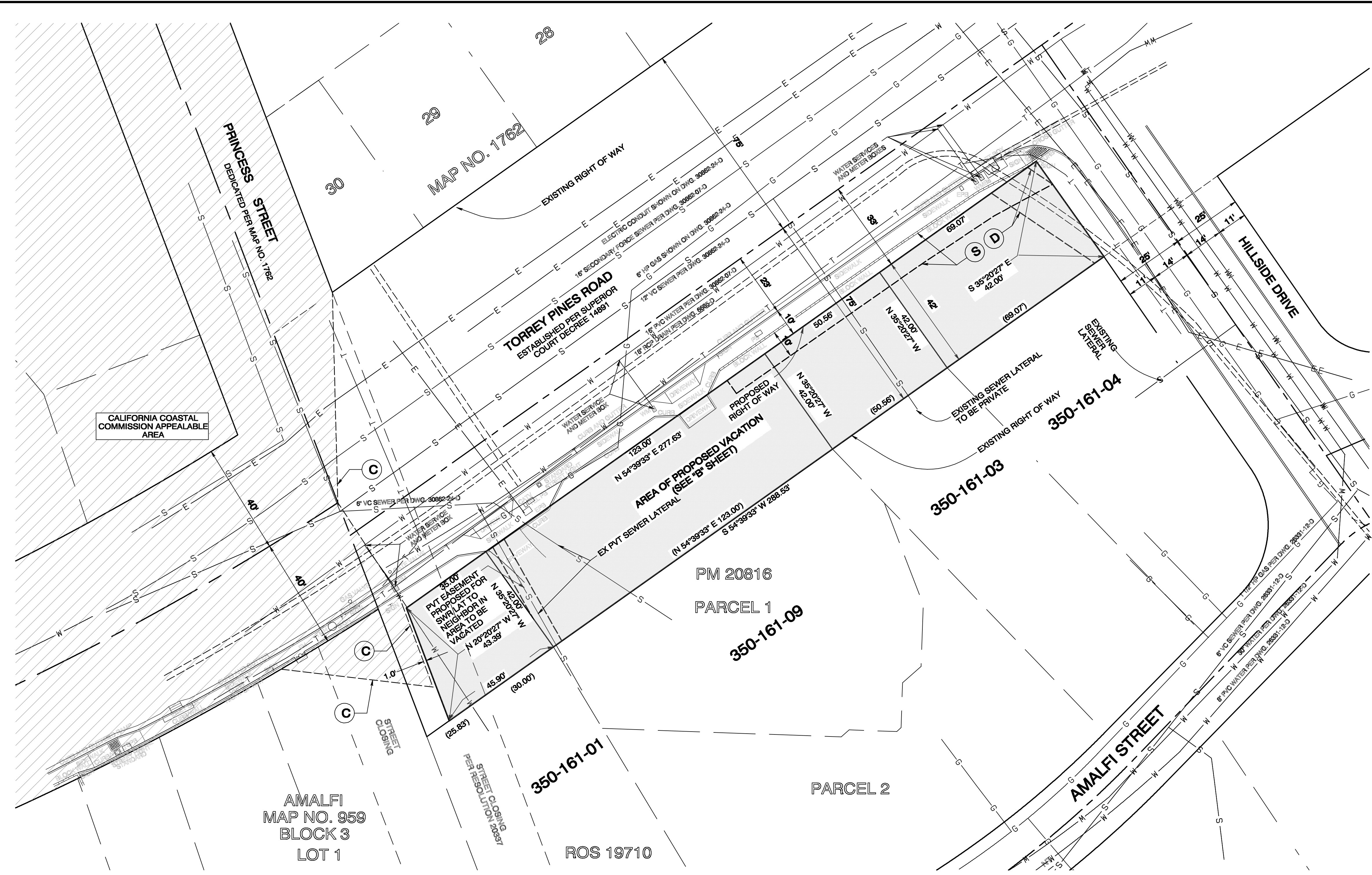
**STREET VACATION AND EASEMENT RESERVATION**

PORTION OF TORREY PINES ROAD BETWEEN HILLSIDE DRIVE  
AND PRINCESS STREET

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S. 648590
ORIGINAL	CE&S				SHEET 1 OF 2 SHEETS	IO NO. 24008409
					<i>Frank R. Lopez</i> FOR CITY LAND SURVEYOR ENGINEER	1888-6249 CCS 83 COORDINATES
					12/29/2020 DATE	248-1689 LAMBERT COORDINATES
						<b>41638-1-B</b>



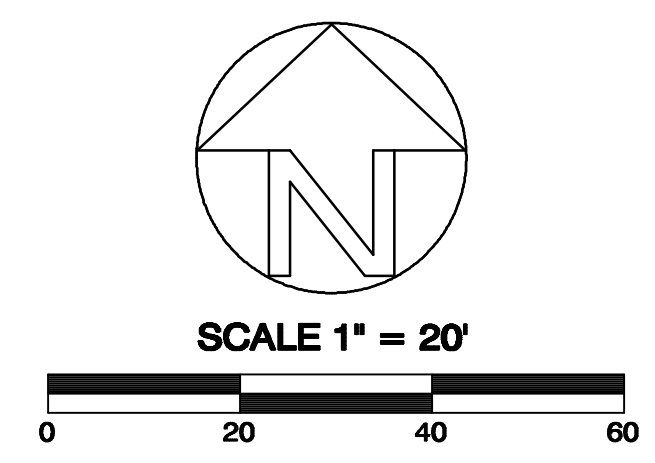
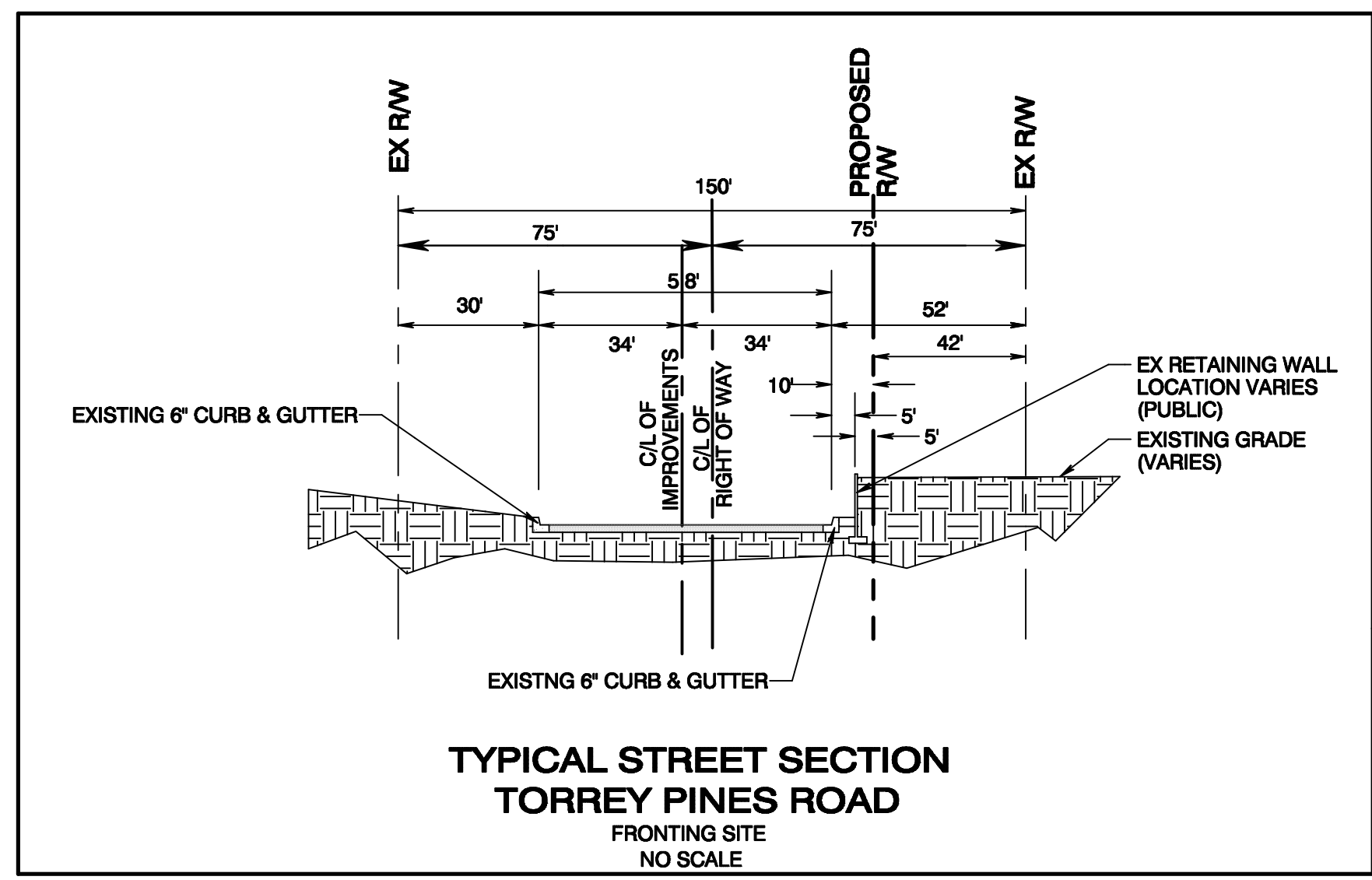
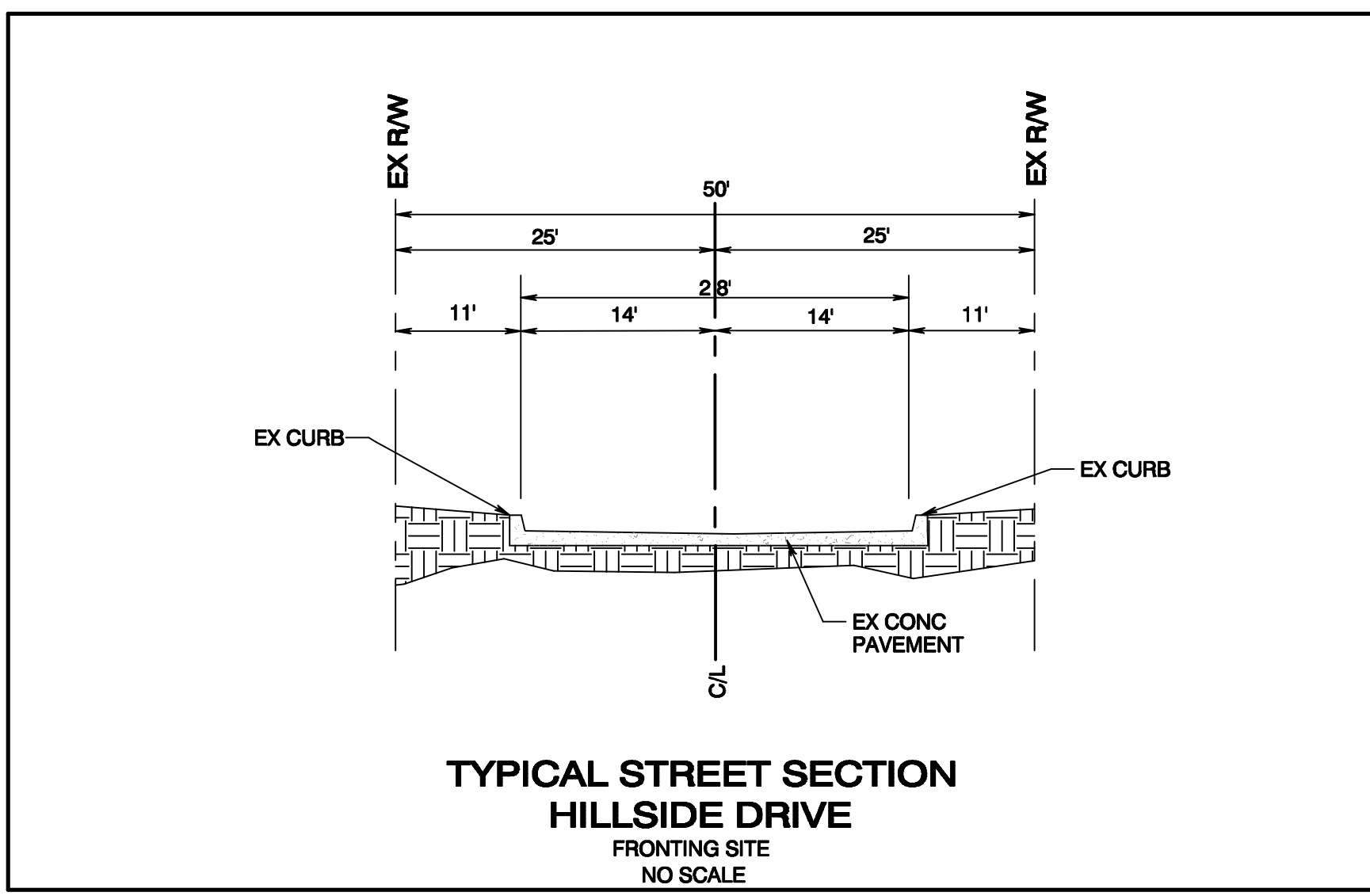
**RIGHT OF WAY VACATION  
COASTAL DEVELOPMENT PERMIT  
PTS 648590**



**NOTE:**

- (C)** LINE DEPICTING A PORTION OF THE EASTERLY AND SOUTHERLY EXTENT OF CALIFORNIA COASTAL COMMISSION APPEALABLE AREA PER CITY OF SAN DIEGO ORDINANCE O-17067 NS (10-17-1988). VACATION IS OUTSIDE SAID APPEALABLE AREA
- (D)** 15' PUBLIC DRAINAGE EASEMENT RESERVED (SEE SHEET DWG 41638-B)
- (S)** PUBLIC SLOPE RESERVED (SEE SHEET DWG 41638-B) PROVIDES 10' FROM BACK OF WALL FOR SLOPE

THE AREA OF VACATION TO HAVE EASEMENTS RESERVED IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY, COX CABLE AND PACIFIC BELL TELEPHONE COMPANY, DOING BUSINESS AS AT&T CALIFORNIA



*Anthony K. Christensen*  
ANTONY K. CHRISTENSEN  
L.S. 7508, EXPIRES 12-31-21  
DATE 01-11-21



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


Project Address:  
7840 SIERRA MAR DR.  
1821 TORREY PINES RD.  
1802 AND 1834 AMALFI ST.  
LA JOLLA, CA 92037

Project Name:  
TORREY PINES ROAD STREET VACATION

Sheet Title:  
EXISTING TORREY PINES ROAD  
R/W IMPROVEMENT EXHIBIT

Revision 5:  
Revision 4: 01-11-21 REVISE B-SHEET CALLOUT  
Revision 3: 11-03-20 ADD SLOPE EASEMENT  
Revision 2: 10-21-20 ADDRESS CITY COMMENTS  
Revision 1: 09-20-20 ADDRESS CITY COMMENTS

Original Date: APRIL 30, 2020  
Sheet 1 Of 1

Page 3	City of San Diego · Information Bulletin 620	May 2020
	City of San Diego Development Services	<h2 style="margin: 0;">Community Planning Committee Distribution Form</h2>
Project Name: 1821 Torrey Pines Rd. - Christensen		Project Number: 648590
Community: La Jolla		
For project scope and contact information (project manager and applicant), log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a> . Select "Search for Project Status" and input the Project Number to access project information.		
<input type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input checked="" type="checkbox"/> Vote to Deny		
# of Members Yes 15	# of Members No 0	# of Members Abstain 1
Conditions or Recommendations: Denied because PROW on Torrey Pines Rd. should be maintained for possible enhancement, expansion, or modification of TP Rd.		
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		
NAME: Suzanne Weissman		
TITLE: Secretary, LJCPA		DATE: September 05, 2020
<i>Attach additional pages if necessary (maximum 3 attachments).</i>		



**La Jolla Community Planning Association  
Trustee Meeting Draft Minutes  
3 September 2020 6pm**

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Regular Meetings: 1st Thursday each month, La Jolla Recreation Center, 615 Prospect St

PO Box 889, La Jolla CA 92038  
<https://lajollacpa.org>  
[info@lajollacpa.org](mailto:info@lajollacpa.org)

President: Diane Kane  
1st Vice President: Greg Jackson  
2nd Vice President: Helen Boyden  
Secretary: Suzanne Weissman  
Treasurer: Mike Costello

**Online meeting, registration required. Instructions:**

<https://lajollacpa.org/ljcpa-online-meeting-instructions/>

Copy and paste the URL into your browser if clicking on it fails. Viewing, listening, and speaking at the meeting require registration. To have attendance counted toward membership or voting, registration must be in the member's name.

Meetings are recorded. Please make sure mobile or noisy **devices are off** or silent, and in online meetings keep microphones muted except to speak. Please **address the chair** and refer to projects or issues, not to applicants or opponents. For Action Items, chair calls on public and then trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands as appropriate.

**LJCPA welcomes donations** in cash at physical meetings or by check to "LJCPA". Please email the Treasurer ([emsmike@san.rr.com](mailto:emsmike@san.rr.com)) for instructions and address.

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the issues or projects are considered by the LJCPA:

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday,  
4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday,  
4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair Andy Fotsch, 3rd Monday, 4:00  
pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

Materials & Comments page for projects, issues, & reports:

<https://lajollacpa.org/ljcpa-9-3-2020-materials-comments/>

**Trustees present:** Ahern, Boyden, Brady, Costello, Davidson, Fitzgerald, Ish, Jackson, Kane, Little, Mangano, Manno, Neil, Steck, Weiss, Weissman **Absent:** Courtney, Shannon

**1. Call to Order (6:07pm)**

**1.1. Approve Agenda (action item)** Motion to approve. (Boyden/Steck) **Vote:** unanimous, Motion carries

**1.2. Approve Minutes (action item)** Motion to approve (Jackson/Boyden) **Vote:** unanimous, Motion carries.

## **2. Non-Agenda Public Comment**

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. In general, requests for LJCPA to take formal action or positions should be submitted to the President at least 72 hours in advance so that the public can be notified via the published Agenda.

**Rasumssen:** On behalf of Melinda Merryweather, thanks to CPA and T & T for their support on La Jolla Farms Rd. red curbs. Ten red curbs were replaced adding ten parking spaces on that road.

**Moore:** I am Will Moore running for City Council District 1. I am a small business lawyer, active in community for a long time making sure San Diego follows the model of LJ as a walkable community. Appreciate your vote. 858-210-7999

**Merten:** Two projects under construction that significantly exceed the overall structure height allowed for hillside development. On steeply sloping sites in Coastal Zone the maximum overall height of a structure is 30 ft. plus 10 ft. for slope, or 40 ft. max. DSD has allowed at 7615 Hillside Dr. an overall structure height of more than 55 ft. and at 2042 Via Casa Alta an overall height of 74 ft. I am asking CPA to take an active role to convince DSD to require these 2 projects be brought into conformance with overall height limitations of the SDMC. If allowed to stand, these code violations will set a precedent for future projects in LJ.

**Little:** to clarify this is not the same measurement as Prop. D 30 ft. plumb line measurement.

## **3. Consent Agenda (consolidated action item)**

The Consent Agenda enables LJCPA to ratify recommendations of joint committees or boards in a single vote, upon which those committee/board recommendations become the recommendation of LJCPA. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LJCPA at a subsequent meeting.

### **3.1. 1821 Torrey Pines (648590, Christensen)**

(Process 5) Public Right-of-Way Vacation and Coastal Development Permit to vacate a portion of Torrey Pines Rd located at 1802 Amalfi St, 1834 Amalfi St, 1821 Torrey Pines Rd & 7840 Sierra Mar Dr. The site is in the RS-1-5 Base Zone and Coastal (Appealable) Overlay Zone within the La Jolla Community Planning Area, and Council District 1.

**DPR: Findings CANNOT be made, right-of-way should be retained for possible enhancement, expansion, or modification of Torrey Pines Rd, passes 4-1-1**

### **3.2. 8455 El Paseo Grande (665412, Harper)**

(Process 3) Coastal and Site Development Permit for demolition of an existing single dwelling unit and construction of a new single dwelling unit, located at 8455 El Paseo Grande. The 0.142-acre site is in the LJSPD-SF zone, Coastal (Appealable), Coastal Height

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin:0;">Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
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**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  Other Public Use/Location

**Project Title:** Portion of Torrey Pines Road Vacant **Project No. for City Use Only:** \_\_\_\_\_  
**Project Address:** 7840 Sierra Man Drive, 1821 Torrey Pines Road, 1848 Amalfi Street

**Specify Form of Ownership/Legal Status (please check):**  
 Corporation  Limited Liability or  General  What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

**Property Owner**  
 Name of Individual: Schroedl, David Trustee, SCHROEDL FAMILY TRUST  Owner  Tenant/Lessee  Successor Agency  
 Street Address: 1821 Torrey Pines Road UTA dtd July 21, 1980  
 City: La Jolla State: CA Zip: 92037  
 Phone No: 619-450-0818 Fax No: \_\_\_\_\_ Email: SCHROEDL001@comcast.com  
 Signature: [Signature] Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No

**Applicant**  
 Name of Individual: Jawad Bisharat  Owner  Tenant/Lessee  Successor Agency  
 Street Address: 7840 Sierra Man Drive  
 City: La Jolla State: CA Zip: 92037  
 Phone No: 358-454-7808 Fax No: \_\_\_\_\_ Email: jawad@insuranceservices.com  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No

**Other Financially Interested Persons**  
 Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_ Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No



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

# Ownership Disclosure Statement

FORM  
DS-318

October 2017

Approval Type: Check appropriate box for type of approval requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  Other Public ROW Vacation

Project Title: Portion of Torrey Pines Rd. Vacation Project No. For City Use Only: \_\_\_\_\_  
 Project Address: 7840 Sierra Mar Dr., 1821 Torrey Pines Rd., 1802, 1834 Amalfi St.

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

Corporation  Limited Liability Co.  General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

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Property Owner

Name of Individual: Craig Family Survivors Trust - Ann Craig Givner  Tenant/Lessee  Successor Agency

Street Address: 1802 Amalfi Street

City: La Jolla State: CA Zip: 92037

Phone No.: 858-344-9560 Fax No.: \_\_\_\_\_ Email: Ann\_Craig@aol.com

Signature: [Signature] Date: 19 September 2019

Additional pages Attached:  Yes  No

Applicant

Name of Individual: Jawad Bisharat  Owner  Tenant/Lessee  Successor Agency

Street Address: 7840 Sierra Mar Drive

City: La Jolla State: CA Zip: 92037

Phone No.: 858-454-7008 Fax No.: \_\_\_\_\_ Email: jawad@fginsuranceservices.com

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

Other Financially Interested Persons

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_


City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

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	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin:0;">Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
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**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  **Other** Public Right of Way Vacation

**Project Title:** Portion of Torrey Pines Road Vacation **Project No. For City Use Only:** \_\_\_\_\_  
**Project Address:** 7840 Sierra Mar Drive, 1821 Torrey Pines Road, 1834 Amalfi Street and 1802 Amalfi Street

**Specify Form of Ownership/Legal Status (please check):**  
 Corporation  Limited Liability -or-  General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

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**Property Owner**

Name of Individual: Fan Jiao and Gao Xiao Jin  Owner  Tenant/Lessee  Successor Agency  
 Street Address: 1834 Amalfi Street  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 858-366-8011 Fax No.: \_\_\_\_\_ Email: jgao@bhhsca.com  
 Signature:  Date: 19 Sep 2019  
 Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: Jawad Bisharat  Owner  Tenant/Lessee  Successor Agency  
 Street Address: 7840 Sierra Mar Drive  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 858-454-7808 Fax No.: \_\_\_\_\_ Email: jawad@fginsuranceservices.com  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

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

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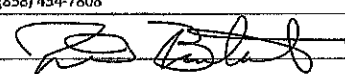
	<p><b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000</p>	<h1 style="margin:0;">Ownership Disclosure Statement</h1>	<p><b>FORM DS-318</b></p> <p>October 2017</p>
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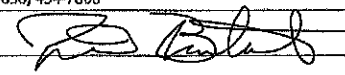
**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment •  Other Public ROW Vacation

**Project Title:** Portion-Torrey Pines Road Vacation **Project No. For City Use Only:** \_\_\_\_\_  
**Project Address:** 7840 Sierra Mar Drive, 1821 Torrey Pines Road, 1843 Amalfi Street

**Specify Form of Ownership/Legal Status (please check):**  
 Corporation  Limited Liability -or-  General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

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**Property Owner**  
Name of Individual: Bisharat Family Trust  Owner  Tenant/Lessee  Successor Agency  
Street Address: 7840 Sierra Mar Drive  
City: La Jolla State: CA Zip: 92037  
Phone No.: (858) 454-7808 Fax No.: \_\_\_\_\_ Email: jawad@fginsuranceservices.com  
Signature:  Date: 9/9/2019  
Additional pages Attached:  Yes  No

**Applicant**  
Name of Individual: Jawad Bisharat  Owner  Tenant/Lessee  Successor Agency  
Street Address: 7840 Sierra Mar Drive  
City: La Jolla State: CA Zip: 92037  
Phone No.: (858) 454-7808 Fax No.: \_\_\_\_\_ Email: jawad@fginsuranceservices.com  
Signature:  Date: 9/9/2019  
Additional pages Attached:  Yes  No

**Other Financially Interested Persons**  
Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Additional pages Attached:  Yes  No