



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: January 31, 2018 REPORT NO. HO-18-005

HEARING DATE: February 7, 2018

SUBJECT: EC SCHOOLS, Process Three Decision

PROJECT NUMBER: [555943](#)

OWNER/APPLICANT: Manchester Financial Building, LLC, Owner, EC Schools, Lessee, and Claude Anthony-Marengo, Marengo Morton Architects, Applicant.

### SUMMARY

Issue: Should the Hearing Officer approve the operation of an educational facility use within an existing five-story office building located at 7979 Ivanhoe Avenue in the La Jolla Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 1990747.

Community Planning Group Recommendation: On October 5, 2017, the La Jolla Community Planning association voted 9-2-2 to recommend approval of the proposed project without conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k) (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 5, 2017 and the opportunity to appeal that determination ended December 19, 2017.

### BACKGROUND

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the La Jolla Planned District Ordinance (LJPDO) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking with 175 parking spaces. The building was constructed in 1978.

## DISCUSSION

The project proposes operating an educational facility use within the existing building with tenant improvements to the second floor area. The tenant improvements would convert approximately 5,957 square feet of the second floor's overall 17,886 square feet interior office space to be utilized as a new vocational English school. The private school, EC School, proposes to relocate their current operations from 1010 and 1012 Prospect Street in La Jolla to this new location. The school caters to foreign students and foreign professionals to provide educational classes in English, business English, college preparation, and exam preparation. The typical student age demographics is from 16 to 60-plus years old.

The school proposes the enrollment of 270 students with 24 school staff members and will operate between the hours of 8 AM to 6 PM. Off-street parking is required for the school use and provided within the building's parking garage at a ratio of 1 parking space per 5 students for a total of 59 parking spaces. No exterior building structure improvements are proposed for the project; however, public improvements to install a new sidewalk curb ramp and new alley way apron at the abutting Roslyn Lane are required. The project site is exempt from a Coastal Development Permit pursuant to SDMC Section 126.0704(a), Improvements to existing structures.

The Community Plan designates the project site as Office Commercial and the goal is to maintain a diversified, yet balanced land use pattern which includes providing adequate levels of commercial retail services, residential development and cultural opportunities within existing commercial areas, while limiting additional office use within commercially designated districts. The proposed educational use within a portion of the existing office building does not increase additional office use on the site and is consistent by providing additional diversified uses at the project site and a cultural learning environment within the community.

Zone 1 LJPDO along Girard Avenue and Prospect Street includes the primary retail and visitor oriented commercial area in the core of La Jolla. Zone 1 also allows other uses to be permitted, subject to a Special Use Permit consistent with San Diego Municipal Code (SDMC) Sections 159.0210 and 159.0211 of the LJPDO. In addition, other uses designated in SDMC Section 151.0401 that are permitted in other commercial zones of the City under a Conditional Use Permit (CUP) are permitted in Zones 1 provided they are processed as a Special Use Permit and comply with all the requirements and standards of SDMC Sections 159.0210 and 159.0211 of the LJPDO. The SDMC provides a separate discretionary entitlement identified as a Special Use Permit specifically within the LJPDO; however, the proposed educational facility use has applied for a CUP pursuant to SDMC Section 126.0303 and was also reviewed consistent with SDMC Sections 159.0210 and 159.0211 of the LJPDO.


## CONCLUSION

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft CUP and Special Use Permit findings and conditions to support approval of the project. Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

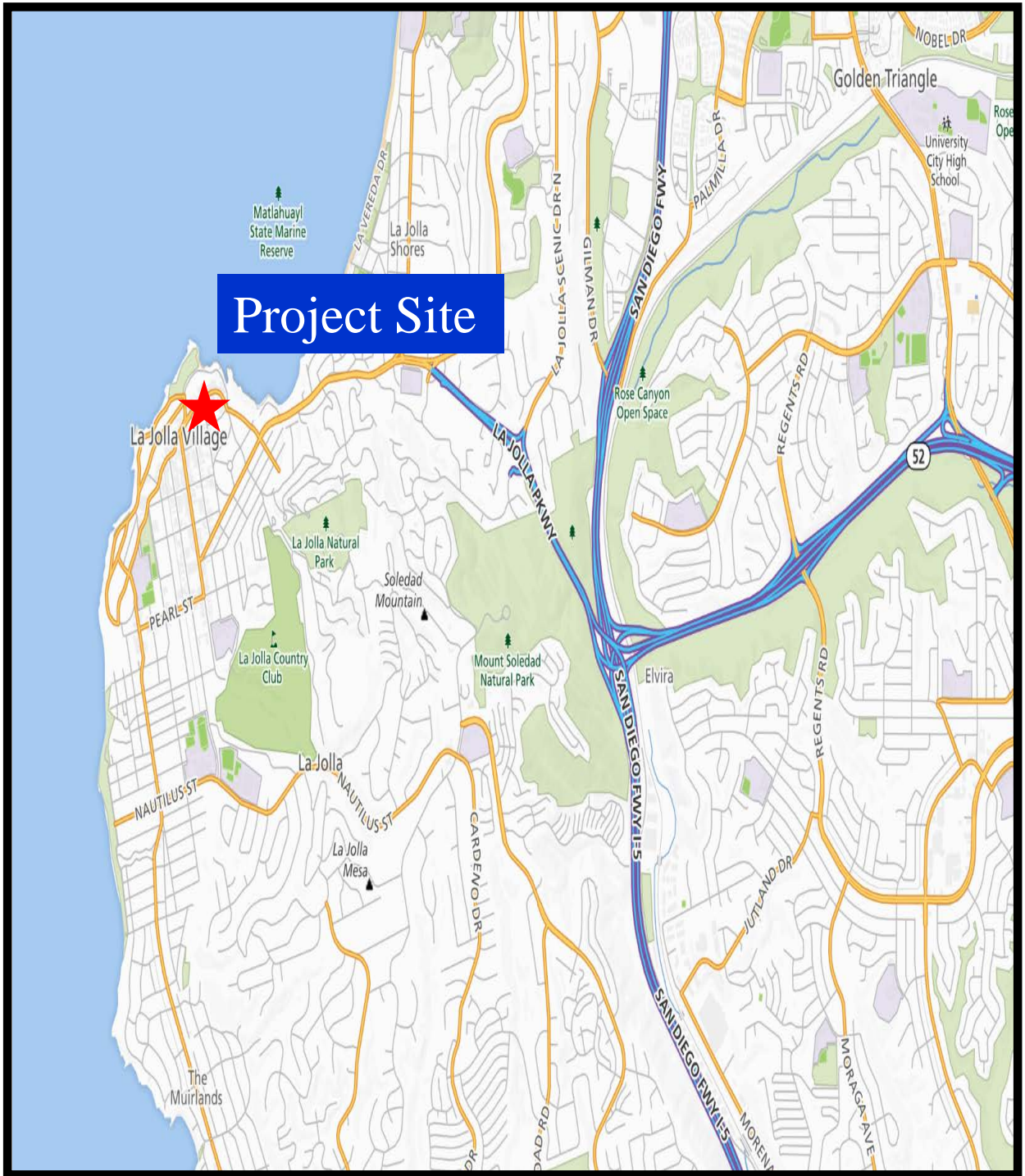
1. Approve Conditional Use Permit No. 1990747, with modifications.
2. Deny Conditional Use Permit No. 1990747, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

  
\_\_\_\_\_  
Tim Daly  
Development Project Manager

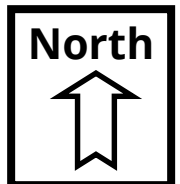
Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit Resolution
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Plan Exhibits



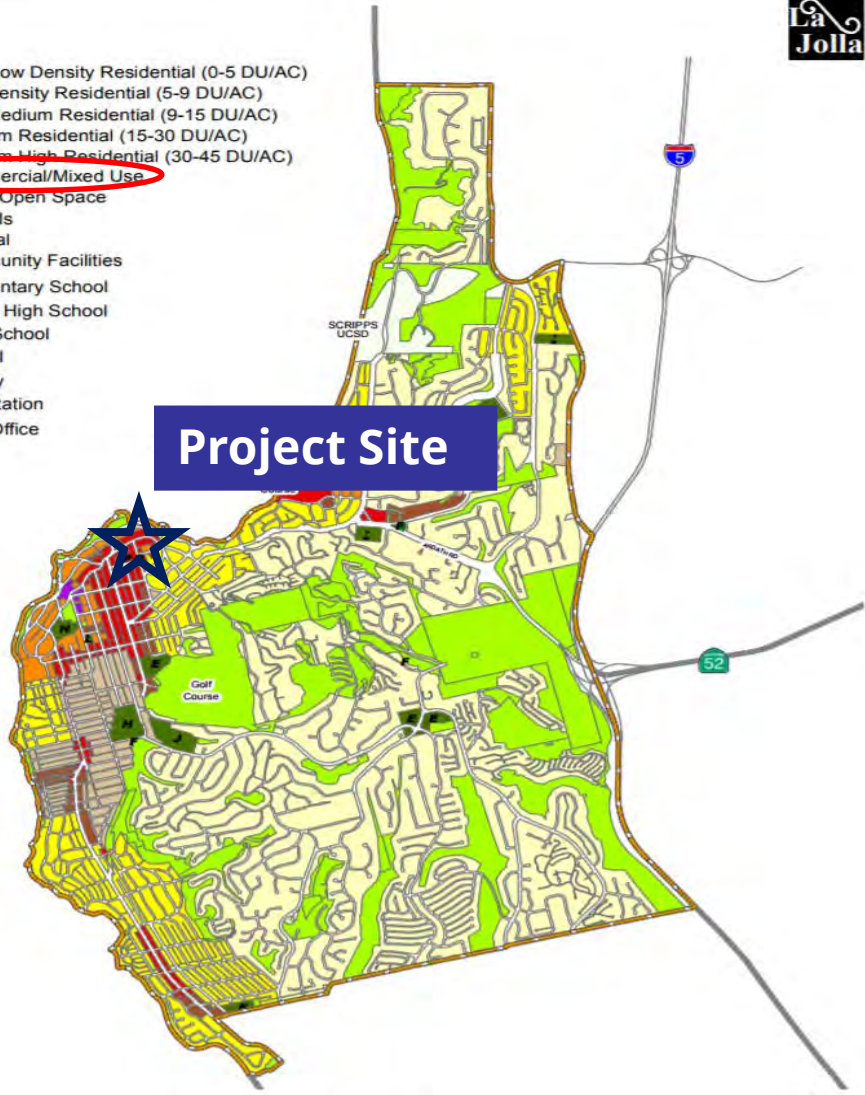
## **Project Location**

**EC Schools, Project No. 555943  
7979 Ivanhoe, La Jolla CA**





- Legend
- Very Low Density Residential (0-5 DU/AC)
  - Low Density Residential (5-9 DU/AC)
  - Low Medium Residential (9-15 DU/AC)
  - Medium Residential (15-30 DU/AC)
  - Medium High Residential (30-45 DU/AC)
  - Commercial/Mixed Use**
  - Parks, Open Space
  - Schools
  - Cultural
  - Community Facilities
  - Elementary School
  - Junior High School
  - High School
  - School
  - Library
  - Fire Station
  - Post Office

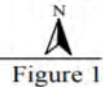


**Project Site**

### Community Land Use Map



**La Jolla Community Plan**  
City of San Diego · Planning Department

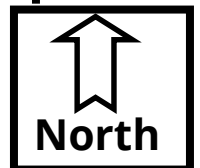


Map Document: g:\GIS\PGIS\publications\mapdata\la\_jolla pub 2004\la\_jolla\_PLU.mxd  
9/19/2005 - 2:45:57 PM



## La Jolla Community Land Use Map

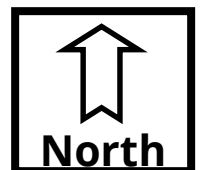
EC Schools, Project No. 555943  
7979 Ivanhoe, La Jolla CA





## Aerial Photo

EC Schools, Project No. 555943  
7979 Ivanhoe, La Jolla CA



HEARING OFFICER, RESOLUTION NO. HO-XXXXX  
CONDITIONAL USE PERMIT NO. 1990747  
**EC SCHOOLS - PROJECT NO. 555493**

WHEREAS, MANCHESTER FINANCIAL BUILDING LLC, a Delaware Company, Owner and EC ENGLISH SCHOOLS, Permittee, filed an application with the City of San Diego for a permit to operate an educational facility use within an existing five-story office building's second floor office space converted into a 5,957-square-foot vocational English school (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1990747), on portions of a 0.60-acre site;

WHEREAS, the project site is located at 7979 Ivanhoe Avenue in of the La Jolla Planned District Ordinance (PDO) Zone 1 area of the La Jolla Community Plan and Local Coastal Land Use Plan area;

WHEREAS, the project site is legally described as Lots 7, 8 and 9 in Block 52 of La Jolla Park, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego County on March 22, 1887;

WHEREAS, on December 5, 2017 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301 (Existing Facilities); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on February 7, 2018, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1990747 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated February 7, 2018.

**CONDITIONAL USE PERMIT [SDMC Section 126.0305]**

**(a) The proposed development will not adversely affect the applicable land use plan.**

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the La Jolla Planned District Ordinance (LJPDO) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking. The development consists operating an educational facility use within the building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school. The Community Plan designates the project

site as Office Commercial and the goal is to maintain a diversified, yet balanced land use pattern which includes providing adequate levels of commercial retail services, residential development and cultural opportunities within existing commercial areas, while limiting additional office use within commercially designated districts.

The proposed educational use within a portion of the existing office building does not increase additional office use on the site and is consistent by providing additional diversified uses at the project site and a cultural learning environment within the community. Therefore, the proposed development will not adversely affect the applicable land use plan.

**(b) The proposed development will not be detrimental to the public health, safety, and welfare.**

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the LJPDO within the Community Plan area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking. The development consists of operating an educational facility use within the building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school.

The proposed tenant improvements will increase the energy efficiency of the office building through the replacement of outdated mechanical heating and cooling equipment, and will contribute to its vitality by providing an attractive streetscape and updated public improvements to meet City standards. The permit prepared for this project includes various conditions and exhibits of approval relevant to achieving compliance with the regulations of the Land Development Code in effect for the project site; and such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety, and general welfare of the persons residing, working, or attending in the area. These conditions include standards which pertain to number of students and staff, operational hours, minimum parking required on the site, and public improvements. Furthermore, the City's Environmental Analysis Section has reviewed the proposed use of the existing facility and has determined this action is exempt from CEQA. Therefore, the educational facility use within the existing office building will not have a significant impact on public health, safety, and welfare.

**(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the LJPDO within the Community Plan area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking. The development consists of operating an educational facility use within the building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school.



The Land Development Code permits such use if a Conditional Use Permit (CUP) is approved and no exterior building additions are proposed to the facility. The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Land Development Code. These conditions include standards which pertain to number of students and staff, operational hours, minimum parking required on the site, and necessary public improvements. No variance or deviation is requested as a part of this application. Therefore, the proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

**(d) The proposed use is appropriate at the proposed location.**

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the LJPDO within the Community Plan area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking. The development consists of operating an educational facility use within the building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school.

The vocational English school use within the existing office building and the continued office facility development shall be compatible with the existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. The surrounding area is characterized by a mix of office, commercial and retail uses. The vocational English school will provide a diversified educational use to serve the community, is compatible with the surrounding land uses, and appropriate at the proposed location.

**SPECIAL USE PERMIT [SDMC 159.0210(b)]**

**(1) The project is consistent with the Purpose and Intent Section of the La Jolla Planned District Ordinance (Section 159.0101).**

The 0.60-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the LJPDO within the Community Plan area. The project site is currently developed with an existing five-story, 79,494 square-foot office building over three levels of parking. The development consists operating an educational facility use within the building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school.

The existing building was constructed in 1978. The coastal building height is effectively at 30 feet. The existing building's square footage does not change with the proposed tenant improvements and the existing 175 off-street parking spaces within the buildings' three levels of underground parking would not be modified.

The intent of this LJPDO Section is to implement the goals and objectives of the adopted Community Plan and the Progress Guide and General Plan of the City of San Diego. The proposed tenant improvements do not change the condition of the existing office

building. The proposed project does not impact the protection and enhancement of scenic vistas to the ocean, shoreline and hillside areas. By not changing the building envelope, the traditional building scale and facades of the office building are maintained. The proposed public improvements add to the beautification of the streetscape through appropriate landscaping, street furniture, and sidewalk surface treatment, including ADA compliance access. Finally, the proposed improvement maintain the required parking standards, which are consistent with the need to maintain the pedestrian scale of the commercial areas, reduce peak hour traffic congestion, and assure that office uses do not come to dominate such areas nor adversely affect the retail continuity of the major commercial streets. Therefore, the project is consistent with the Purpose and Intent Section of the LJPDO Section 159.0101.

**(2) The project is consistent with the applicable Use and Development Regulations of the La Jolla Planned District Ordinance.**

The project is requesting a CUP to allow for an educational facility use within an existing five-story office building's converted second floor office space for a 5,957 square-foot vocational English school. The project is consistent with the Purpose and Intent Section of the LJPDO Section 159.0101; the applicable Use and Development Regulations of the LJPDO; and with the standards identified in LJPDO Sections 159.0210 and 159.0211.

The proposed project will be developed within private property and will not encroach upon any existing physical access way legally used by the public or any proposed public access way identified in the Community Plan. The proposed development is contained within the legal lot area and complies with all applicable site setbacks.

The project site land use designation is Office Commercial. According to the Community Plan, the goal is to encourage the continuation of small lot commercial retail development along the major retail-oriented streets, such as Girard Avenue, Wall Street, Herschel Avenue, Fay Avenue, Silverado Street, and Prospect Street. Design buildings along this area in a manner that provides setbacks from corner lots and provides open areas and view corridors to the ocean. The proposed tenant improvements do not modify any of the existing views to the ocean.

The proposed project would adhere to community goals regarding public view preservation and public view enhancement as the development is entirely contained within the existing building envelope has been designed in a manner so as not to intrude into any of the identified public view corridors and has also been designed to achieve a harmonious visual relationship between the bulk and scale of the existing older, adjacent office buildings, and the proposed tenant improvement.

Thus, the proposed educational facility use and associated tenant improvements will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the La Jolla Local Coastal Program Land Use Plan; and the proposed improvement will continue to not impact protect public views to and along the ocean and other scenic coastal areas as specified in the Community Plan.

**(3) The project is consistent with the standards identified in Sections 159.0210 and 159.0211.**

The San Diego Municipal Code (SDMC) Section 159.0211(m), Other Uses Permitted under a Special Use Permit, specifically includes schools and other uses allowable under CUPs in other commercial and residential zones of the City, as identified in SDMC Section 151.0401, and any other discretionary permits issued by the City shall be permitted subject to the processing of a Special Use Permit under the terms of SDMC Section 159.0211. The development consists of operating an educational facility use within an existing office building with tenant improvements to the second story for the conversion of approximately 5,957 square feet of interior office space to be utilized as a new vocational English school.

Consistent with SDMC Sections 159.0210 and 159.0211, the proposed private school use complies with the City's CUP requirements for review of the development with uses that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone. As noted in the above CUP findings (a) through (d), the proposed educational use facility will not adversely affect the applicable land use plan, will not be detrimental to the public health, safety, and welfare, complies with the regulations of the Land Development Code and does not request any deviations, and is appropriate at the proposed location. Therefore, the project is consistent with the standards identified in SDMC Sections 159.0210 and 159.0211.

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, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1990747, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1990747, a copy of which is attached hereto and made a part hereof.

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Tim Daly  
Development Project Manager  
Development Services

Adopted on: February 7, 2018

IO#: 24007333

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

INTERNAL ORDER NUMBER: 24007333

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 1990747  
**EC SCHOOLS PROJECT NO. 555493**  
HEARING OFFICER

This Conditional Use Permit No. 1990747 (Permit) is granted by the Hearing Officer of the City of San Diego to Manchester Financial Building LLC, a Delaware Company, Owner and EC English Schools, Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0303 and 159.0210. The 0.60-acre-site is located at 7979 Ivanhoe Avenue in the La Jolla Planned District Ordinance (PDO) Zone 1 Area of the La Jolla Community Plan and Local Coastal Land Use Plan area. The project site is legally described as Lots 7, 8 and 9 in Block 52 of La Jolla Park, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego County on March 22, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a 5,957-square-foot educational facility use within an existing 79,494 square-foot, five-story office building's converted second floor office space, as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 7, 2018, on file in the Development Services Department. The project shall include:

- a. Operate a 5,957-square-foot educational facility use with 270 students and 24 staff members within the existing five-story office building's converted second floor office space;
- b. Off-street parking; and
- c. 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 February 21, 2021.
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.

**CLIMATE ACTION PLAN REQUIREMENTS:**

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

**ENGINEERING REQUIREMENTS:**

12. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing curb ramp and construct a new curb ramp at the alley/Roselyn Lane's entrance with current City Standard curb ramps with truncated domes, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing damaged alley apron with current City Standard alley apron, satisfactory to the City Engineer.

14. Prior to the issuance of any construction permit, the 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.

15. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

**PLANNING/DESIGN REQUIREMENTS:**

16. 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.

17. The Owner/Permittee shall operate an educational facility use, with the student and staff maximums of 270 and 24 respectively, between the hours of 8:00 AM and 6:00 PM on the subject property as shown on the Exhibit "A."

18. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

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

**TRANSPORTATION REQUIREMENTS**

20. A minimum of 59 automobile parking spaces shall be provided as indicated in the project's Exhibit "A." All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC

**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.

## ATTACHMENT 5

- 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 Hearing Officer of the City of San Diego on February 7, 2018 and Resolution No. HO-XXXX.

DRAFT



Permit Type/PTS Approval No.: Conditional Use Permit No. 1990747  
Date of Approval: February 7, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Tim Daly  
Development Project Manager

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

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

**MANCHESTER FINANCIAL BUILDING LLC, a Delaware Company**  
Owner

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

**EC English Schools**  
Permittee

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

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

**NOTICE OF EXEMPTION**

**ATTACHMENT 6**

*(Check one or both)*

TO:  RECORDER/COUNTY CLERK  
P.O. Box 1750, MS A-33  
1600 PACIFIC HWY, ROOM 260  
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
1222 FIRST AVENUE, MS 501  
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH  
1400 TENTH STREET, ROOM 121  
SACRAMENTO, CA 95814

Project No.: 555943

Project Title: EC Schools

PROJECT LOCATION-SPECIFIC: The project is located at 7979 Ivanhoe Avenue, La Jolla California. within the La Jolla Community Planning Area.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

Description of nature and Purpose of the Project: Conditional Use Permit (CUP) and interior tenant improvements for the conversion of an existing second floor office space to a 5,957 square foot vocational English school. The project would relocate a previously permitted school located at 1010 and 1012 Prospect Street to the proposed location at 7979 Ivanhoe Avenue. The overall population of the school, including staff and students would be 294 individuals. The 0.60 acre site is located within the Coastal Overlay zone (Non-Appealable) and within the La Jolla Community Planning and Local Coastal Program Land Use Plan area. The project complies with all height and bulk regulations and is located on a site that is currently developed with public utilities in place to serve the facility.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: EC English Schools, Adam Marvel, 1012 Prospect Street Suite 200, La Jolla CA 92037 (917) 363-7874

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)( 4); 15269 (b)(c)..
- CATEGORICAL EXEMPTION: 15301 (Existing Facilities))
- STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined that the project would not have the potential to cause a significant effect on the environment. Since the project would operate within an existing space, is not expanding a use, and would only make minor modifications the project meets the criteria set forth in CEQA Section 15301 and the exceptions listed in CEQA Section 15300.2 would not apply.

**ATTACHMENT 6**


LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?  
( ) YES      ( ) NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

 / SENIOR PLANNER

12/5/2017  
DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



## La Jolla Community Planning Association

October 16, 2017

To: Morris Dye, Development Services Dept.

CC. C.A. Marengo

Subject: La Jolla Community Planning Association Vote

RE: English School: 7979 Ivanhoe Avenue, La Jolla, CA. 92037

On 10/5/2017 at the Regular Meeting of the La Jolla Community Planning Association Trustees reviewed the English School as an Action item on Full Review: Conditional Use Permit to convert an existing second floor office space to a 5,957 square foot Vocational English School. The 0.60 acre site located within the Coastal Overlay zone (Non Appealable) at 7979 Ivanhoe Avenue in Zone 1 of the La Jolla Planned District within the La Jolla Community Plan area.

The LJCPA made the following motion to recommend the project:

Findings can be made for a Conditional Use Permit to convert an existing second floor office space to a 5,597 square foot to a vocational school. 9-2-2.

**Sincerely,**

**Brian Will, Vice President**

858-456-7900

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
-----------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------	---------------------------------------------	--------------------------------------------

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

**Project Title:** EC English School **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 7979 Ivanhoe Avenue, San Diego, CA 92037

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

Corporation  Limited Liability -or-  General - What State? DE Corporate Identification No. 20175167421  
 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: Manchester Financial Building, LLC  Owner  Tenant/Lessee  Successor Agency

Street Address: 2550 Fifth Avenue, Suite 900

City: San Diego State: CA Zip: 92103

Phone No.: (619) 678-0411 Fax No.: (619) 546-0846 Email: jlozier@manchesterfinancialgroup.com

Signature:  Date: 12-15-17

Additional pages Attached:  Yes  No

**Applicant**

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

**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

## Manchester Financial Building, LLC

## SCHEDULE B

Member

<u>Name</u>	<u>Mailing Address</u>	<u>Agreed Value of Capital Contribution</u>	<u>Limited Liability Company Interest</u>
Landmark Construction Company of San Diego	2550 Fifth Avenue 9 <sup>th</sup> Floor San Diego, California 92103	\$100.00	100%

Richard V. Gibbons - President  
2550 Fifth Avenue, Suite 900  
San Diego, CA 92103

Ryan Kiesel - Vice President  
2550 Fifth Avenue, Suite 900  
San Diego, CA 92103