



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 12, 2024 REPORT NO. PC-24-045

HEARING DATE: September 19, 2024

SUBJECT: ADELANTE TOWNHOMES, Process Four Decision

PROJECT NUMBER: [PRJ-1073585](#)

OWNER/APPLICANT: Pelican Venture LP, a California Limited Partnership/Stephen Dalton Architects

SUMMARY

Issue: Should the Planning Commission approve the demolition of an existing office building, subdivision of one lot into 13 residential condominium units and one commercial unit for the construction of a new two-story mixed-use building with 13 multiple dwelling units (one dwelling unit will be affordable to very low-income households at 30 percent of 50 percent of Area Median Income (AMI), one commercial unit, and basement level covered parking on a 0.3-acre site located at [5575 La Jolla Boulevard](#) within the [La Jolla Community Planning area](#)?

Proposed Actions:

- APPROVE Coastal Development Permit No. PMT-3189488 and Tentative Map No. PMT-3189489.

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

Housing Impact Statement: The project proposes the construction of 13 multiple-dwelling units where none exist today. The La Jolla Plan District zoning allows up to 29 dwelling units per acre which would result in 9 dwelling units on the 0.3-acre site. The project proposes to deed-restrict 10 percent of the Base Density units, or one unit, to be affordable to very low-income households and utilizes the Affordable Housing Density Bonus. The site is within a Highest Resource Area as shown on the [2024 California Tax Allocation Committee/Housing and Community Development Opportunity Map](#).

Community Planning Group Recommendation: On May 4, 2023, the La Jolla Community Planning Association voted 10-3-1 to recommend approval of the project without conditions (Attachment 9).

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 31, 2024, and the opportunity to appeal that determination ended on June 14, 2024.

BACKGROUND

Location: The proposed development is on a 0.3-acre site located on one parcel at 5575 La Jolla Boulevard within the La Jolla Community Plan area (Attachment 1).

Existing Use: The site is currently occupied by a single-story commercial building with accommodating surface parking, utilities, and landscaping. The site is located east of La Jolla Boulevard, south of Forward Street, north of an automotive repair shop, and west of an alley which has existing residential structures on the opposite side. The La Jolla Boulevard contains existing neighborhood and visitor commercial uses.

Existing Grade: Existing grades are relatively flat with elevations of approximately 85 to 90 feet Mean Sea Level (MSL) across the site.

Plan District Zoning: The development project site is currently in the La Jolla Planned District - Zone 4 (LJPD-4). Under San Diego Municipal Code (SDMC) section [159.0301\(f\)](#), this zone includes neighborhood commercial areas characterized by small retail shops. Development standards for this plan district zone are intended to maintain the retail community serving and visitor-serving uses and encourage the development of some community-serving offices, and residences. The LJPD-4 zone allows retail establishments, offices, residential development (limited to 29 dwelling units per net acre (du/acre) pursuant to SDMC [159.0302\(a\)\(3\)](#)) and subject to the development controls of the La Jolla Planned District.

Overlay Zones: The development project site lies within the Complete Communities Mobility Choices: Mobility Zone 2, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Paleontological Sensitivity Area (High), Parking Impact Overlay Zone (Beach Impact), Transit Area Overlay Zone, and the Transit Priority Area.

Community Plan Designation: The project site is designated as Multiple Use in the General Plan and Commercial/Mixed Use in the La Jolla Community Plan. The Community Plan further designates the project site as Neighborhood Commercial within the Bird Rock neighborhood.

DISCUSSION

Project Description:

The project proposes the demolition of an existing office building, subdivision of one lot into 13 residential condominium dwelling units and one commercial unit for the construction of a two-story mixed-use building consisting of 13 multi-dwelling units (one dwelling unit will be affordable to very

low-income households at 30 percent of 50 percent of AMI) and 1,060 square-foot commercial space, and basement level parking totaling 16,366 square feet (Figure 1). The proposed project will replace the existing 15 parking stalls on the site by providing basement level covered parking with a total of 23 parking spaces (15 automobiles, 2 motorcycles, and 6 bicycles) designated for the residents of the building. Access to the underground parking garage will be provided by an existing curb cut/driveway parking aisle on La Jolla Boulevard.

The project site is in the Coastal Height Limit Overlay Zone, which implements a maximum 30-foot height limit. The height limit intends to preserve public views of the Pacific Ocean. As proposed, the project's structure height is 30 feet and does not exceed the maximum height limit imposed by the Coastal Height Limit.



Figure 1 – Rendering looking east

Required Approvals

- A Process 2 Coastal Development Permit per SDMC section [126.0707\(a\)](#) is required for development within the non-appealable area of the Coastal Overlay Zone.
- A Process 4 Tentative Map per SDMC section [125.0430](#) is required since condominium projects, as defined in California Civil Code section [4125](#), are considered a subdivision of land subject to the provisions of the California Subdivision Map Act and San Diego Municipal Code. Condominium projects creating five or more condominium units require the filing of a Tentative Map and a Final Map.

This project is subject to the Inclusionary Affordable Housing Regulations of San Diego Municipal Code [Chapter 14, Article 2, Division 13](#). The applicant has requested a density bonus for a housing development pursuant to California Government Code Sections [65915-65918](#) and San Diego Municipal Code [Chapter 14, Article 3, Division 7](#). The project site is in the LJP4-4 Zone which allows a base density of 29 du/acre pursuant to SDMC [159.0302\(a\)\(3\)](#). The property is 0.3 acres, and the allowable density is 9 dwelling units ($29 \times 0.30 = 8.7$ rounded up to 9). The applicant proposes 11 percent of the project (9 units \times 11 percent = 0.99 rounded to 1 unit) will be affordable to very low-income households with rents at 30 percent of 50 percent of AMI for a period of 55 years. Therefore, the provision of the one density bonus affordable unit at 50 percent AMI shall also satisfy the applicant's obligations under the Inclusionary Affordable Housing Regulations. By providing the affordable unit, the project will meet the requirements of San Diego Municipal Code Section [143.0720\(l\)\(2\)](#) and [Table 143-07A](#) which provides for a 35 percent density bonus (9 units \times 35 percent = 3.15 rounded to 4 units) for a total of 13 units and eligibility for two incentives.

Pursuant to SDMC [143.0740\(a\)](#), an incentive means any of the following:

- 1.) A deviation to a development regulation;
- 2.) Approval of mixed-use zoning in conjunction with a residential development provided that the commercial, office, or industrial uses:
 - a. Reduce the cost of the residential development; and
 - b. Are compatible with the proposed residential development; and
 - c. Are compatible with existing or planned development in the area where the proposed residential development will be located.
- 3.) Any other incentive proposed by the applicant, other than those identified in Section [143.0740\(b\)](#), that results in identifiable, actual cost reductions.

The applicant is requesting one incentive and reserving the right to allocate its second incentive if needed in the future. The requested incentive is described as follows:

- An incentive from SDMC section [159.0306](#) to modify the ground floor and street frontage requirements due to the identifiable and actual cost savings associated with providing residential units on the ground floor rather than building out that space for commercial use in satisfaction of the street frontage requirements.

The applicant has provided a cost estimate showing the additional expense that would be required to satisfy the development standard and building out the identified ground floor space for commercial use, as compared to the reduced expense associated with the building residential units. The following exhibit provided by the applicant illustrates the identifiable and actual cost savings associated with providing residential units on the ground floor rather than building out the space for commercial use in satisfaction of the 50% retail street frontage requirements stated in the La Jolla Planned District (LJPD)-4 Zone of the La Jolla Community Plan.

The cost estimate below was prepared by Murfey Company, Inc., a licensed general contractor, and shows the additional expense that would be required to build out the ground floor space for commercial use compared to the reduced cost associated with building residential units. The cost savings associated with providing residential units on the ground floor and 1,060 square feet of commercial space rather than space for commercial along the entirety of La Jolla Boulevard is \$1,146,937.00.

| PROJECT COSTS: | Corner Retail | All Retail @ LJB |
|---|----------------------|-------------------------|
| Construction | | |
| Garage | \$ 821,850 | \$ 1,109,498 |
| Commercial | \$ 215,629 | \$ 616,239 |
| Contingency | \$ 782,437 | \$ 871,062 |
| Tenant Improvement Leasing Commissions | | |
| Tenant Improvement Allowance | \$ 185,500 | \$ 525,000 |
| Leasing Commissions | \$ 16,695 | \$ 47,250 |
| | | |
| TOTAL PROJECT COSTS: | \$ 2,022,111 | \$ 3,169,048 |
| DIFFERENCE WITH ALL RETAIL @ LJB | | \$ 1,146,937 |

According to SDMC section [143.0743](#), an applicant proposing a density bonus shall be entitled to a waiver for any residential development for which a written agreement and a deed of trust securing the agreement is entered into by the applicant and the San Diego Housing Commission. A waiver means a request by an applicant to waive or reduce a development standard that physically precludes the construction of development. Pursuant to SDMC section [143.0743\(e\)](#), there is no limit on the number of waivers an applicant may request. The applicant is requesting 9 waivers as follows:

1. A waiver from SDMC section [159.0307\(c\)\(1\)](#) to waive the maximum floor area ratio (FAR) of 1.0 (12,890 square feet) and to allow an FAR of 1.27 (16,366 square feet). The proposed FAR is required to accommodate the floor area of the housing development. Requiring compliance with the maximum floor area ratio of the LJP4-4 zone would physically preclude the construction of the project.
2. A waiver from SDMC section [159.0307\(e\)](#) for the requirement that a street façade envelope shall be created along any property line adjacent to any public street. The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45-degree angle toward the interior of the lot. The project proposes eliminating this requirement.
3. A waiver from SDMC section [159.0309\(d\)](#) which requires at least 150 square feet per unit in private open space areas such as balconies, patios, and courtyards. The project will provide private open space for 10 out of the 13 total multi-dwelling dwelling units.
4. A waiver from SDMC section [159.0409](#) which requires an on-site loading area of at least 600 square feet. The project proposes to eliminate this requirement.
5. A waiver from SDMC section [142.0560\(c\)](#) which requires the minimum dimensions for automobile parking aisles at permitted angles for one-way and two-way circulation are shown in Table 142-05L which requires 20 feet of aisle width for two-way circulation. The project proposes a 19-foot-wide entry access aisle into the parking garage.
6. A waiver from SDMC section [131.0456](#) which requires common open space in RM zones of at least 300 feet, or 25 feet per dwelling unit, whichever is greater. The project proposes 13 dwelling units which equates to 325 square feet, but a waiver is proposed to eliminate this requirement.
7. A waiver from SDMC section [159.0307\(b\)\(6\)\(A\)](#) which requires that a building on a street corner lot shall be set back behind an imaginary line that connects a point on each of the street front property lines which is distant from the corner by a length equal to 20 percent of the parcel frontage along that street, or 20 feet, whichever is less. The project proposes to reduce this requirement from a 20-foot triangle to an 8-foot triangle.
8. A waiver from SDMC section [142.0560\(d\)\(3\)](#) which states that aisles that do not provide through circulation shall provide a turnaround area at the end of the aisle that is clearly

marked to prohibit parking and that has a minimum equivalent to a parking space. Compliance with the vehicular circulation requirement would physically preclude construction of the project.

9. A waiver from SDMC section [142.0530\(g\)](#) which requires motorcycle parking spaces for non-residential portion of the project to be provided at a ratio of two percent of the number of automobile parking spaces provided or two spaces, whichever is greater. Compliance with the motorcycle parking requirement would physically preclude the construction of the project which is a qualifying density bonus project. The project proposes to eliminate this requirement from 2 commercial motorcycle parking spaces to zero commercial motorcycle parking spaces.

The proposed development includes one for-sale very low-income for sale affordable dwelling unit for households at 30 percent of 50 percent AMI, therefore, in accordance with SDMC section [143.0743\(b\)](#), the applicant shall be entitled waivers unless the City makes a written finding of denial based on substantial evidence of any of the following:

- (1) The waiver would have a significant, quantifiable, direct, and unavoidable impact upon health, safety, or the physical environment for which there is no feasible method to mitigate or avoid the impact;
- (2) The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
- (3) The waiver would be contrary to state or federal law. Requested waiver(s) shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no waiver shall be granted without such compliance.
- (4) Within the Coastal Overlay Zone, the waiver would be inconsistent with the resource protection standards of the City's Local Coastal Program or the environmentally sensitive lands regulations, with the exception of density.

Each of the requested incentive and waivers has been reviewed as they relate to the proposed project and the impact on the surrounding neighborhood. During the review process, it has been determined the requested waivers do not have a significant unavoidable impact upon health, safety, or physical environmental. The property is not listed in the California Register of Historical Resources, and there is no evidence of the requested waivers being contrary to state or federal law. The waivers were analyzed in compliance with CEQA and the project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects). There is no evidence of the waivers being inconsistent with the resources protection standards of the Local Coastal Program and the project site does not contain environmentally sensitive lands. The requested incentive and waivers are appropriate and will result in a project that efficiently utilizes the subject property and provides housing for a diverse and mixed population, affordable housing near major transit stops and stations, and develop resource-

efficient development located near employment, shopping, schools, recreation, and walking/bicycling infrastructure, in conformance with the goals and policies of the La Jolla Community Plan and the General Plan's Housing Element. Precluding each requested waiver would not allow the construction of the proposed housing development.

Community Plan Analysis:

Land Use

The Community Plan designates the 0.3-acre site as Neighborhood Commercial and is located on La Jolla Boulevard within the Bird Rock neighborhood. The Neighbor Commercial designation includes uses such as convenience stores, florists, restaurants, specialty stores, and professional offices, and promotes mixed-use residential and commercial development along transit corridors to encourage affordable housing options. The Community Plan Commercial Element contains goals to promote mixed-use residential and commercial development along transit corridors such as the neighborhood commercial areas of La Jolla Boulevard, to encourage affordable housing opportunities and reduce traffic congestion and parking space needs within the Bird Rock retail area. The La Jolla Community Plan contains a policy to promote mixed-use development in the commercial areas. While it does not identify the applicable residential density for a mixed-use development under this land use designation, the Community Plan identifies that this area is within the La Jolla Plan District which allows for mixed use developments up to 29 dwelling units per acre pursuant to SDMC [159.0302\(a\)\(3\)](#). The Community Plan recommends redevelop structures within the Bird Rock retail district to include mixed-use residential/commercial development to provide opportunities for more affordable housing in La Jolla.

Coastal Views

The Community Plan contains detailed descriptions for existing or potential shoreline access for the Bird Rock area as shown in Appendix A – Coastal Access Sub Areas. The proposed project site is located on a property at the corner of Forward Street and La Jolla Boulevard. The community plan shows that an unobstructed public view corridor exists along Forward Street from La Jolla Boulevard to the Pacific Ocean as shown on Figure H: Subarea H: Bird Rock Visual Access. Due to the site location, the proposed residential development would not obstruct the view corridor along Forward Street.

Urban Design

The Community Plan contains recommendations to avoid abrupt transitions in scale between commercial buildings and adjacent residential areas by utilizing transitions in bulk and scale to create visual interest and create a sense of enclosure for pedestrians; gradual transitions in scale between commercial and residential uses are preferred. It recommends designing larger structures in a manner that reduces actual or apparent bulk with the use of building articulation and to provide landscaping to add texture to blank walls, soften edges and provide a sense of pedestrian scale. The Community Plan also recommends that new buildings preserve the bulk and scale and street landscape of the surrounding structures as viewed from the public right-of-way. It also promotes transitions in scale between older and newer structures through the use of diagonal or off-setting planes, building articulation, roofline treatment, and variations within front yard setback requirements. Consistent with the plan's recommendations, the project proposes using several

different building materials to articulate the building, including red tiling for the roof, white stucco and accent tiles for the building façade, wood trellises to be constructed over stairwells and other open spaces on the second floor, wrought iron railing for several balconies on the second floor, stacked barrel tiles, awnings on the second floor, and brick veneers for walls on the first floor.

Additionally, the project would meet recommendations for the installation of street trees along the sidewalk by maintaining the existing *Cassia Leptophylla* trees on the northern side of the project site on Forward Street and planting additional *Jacaranda* trees on the western side of the property on La Jolla Boulevard.

Mobility

The Transportation Element of the La Jolla Community Plan recommends providing off-street parking facilities and requires that all proposed developments maintain and enhance public access to the coast by providing adequate parking. The proposed project would replace the existing 15 parking stalls on the site by providing basement level covered parking with a total of 23 parking stalls designated for the residents of the building. Access to the underground parking garage will be provided by an existing curb cut/driveway parking aisle on La Jolla Boulevard.

Conclusion:

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 General Plan, La Jolla Community Plan, and Land Development Code. With the approval of the Coastal Development Permit and Tentative Map, the project meets all applicable regulations and is consistent policies in the applicable land use plans. Staff supports the determination that the development project is consistent with the goals and policies and development regulations in effect for this site per the SDMC, the General Plan, and the La Jolla Community Plan. Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. PMT-3189488 and Tentative Map No. PMT-3189489, with modifications.
2. Deny Coastal Development Permit No. PMT-3189488 and Tentative Map No. PMT-3189489, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Renee Mezo
Assistant Deputy Director
Development Services Department



Benjamin Hafertepe
Development Project Manager
Development Services Department

Attachments:

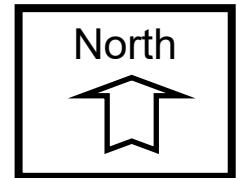
1. Aerial Photograph
2. Community Plan Land Use Map
3. Location Map
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. Draft Tentative Map Conditions
7. Draft Tentative Map Resolution with Findings
8. CEQA Notice of Exemption
9. Ownership Disclosure Statement
10. Community Planning Group Recommendation
11. Site Development Plans
12. Tentative Map



Aerial Photograph

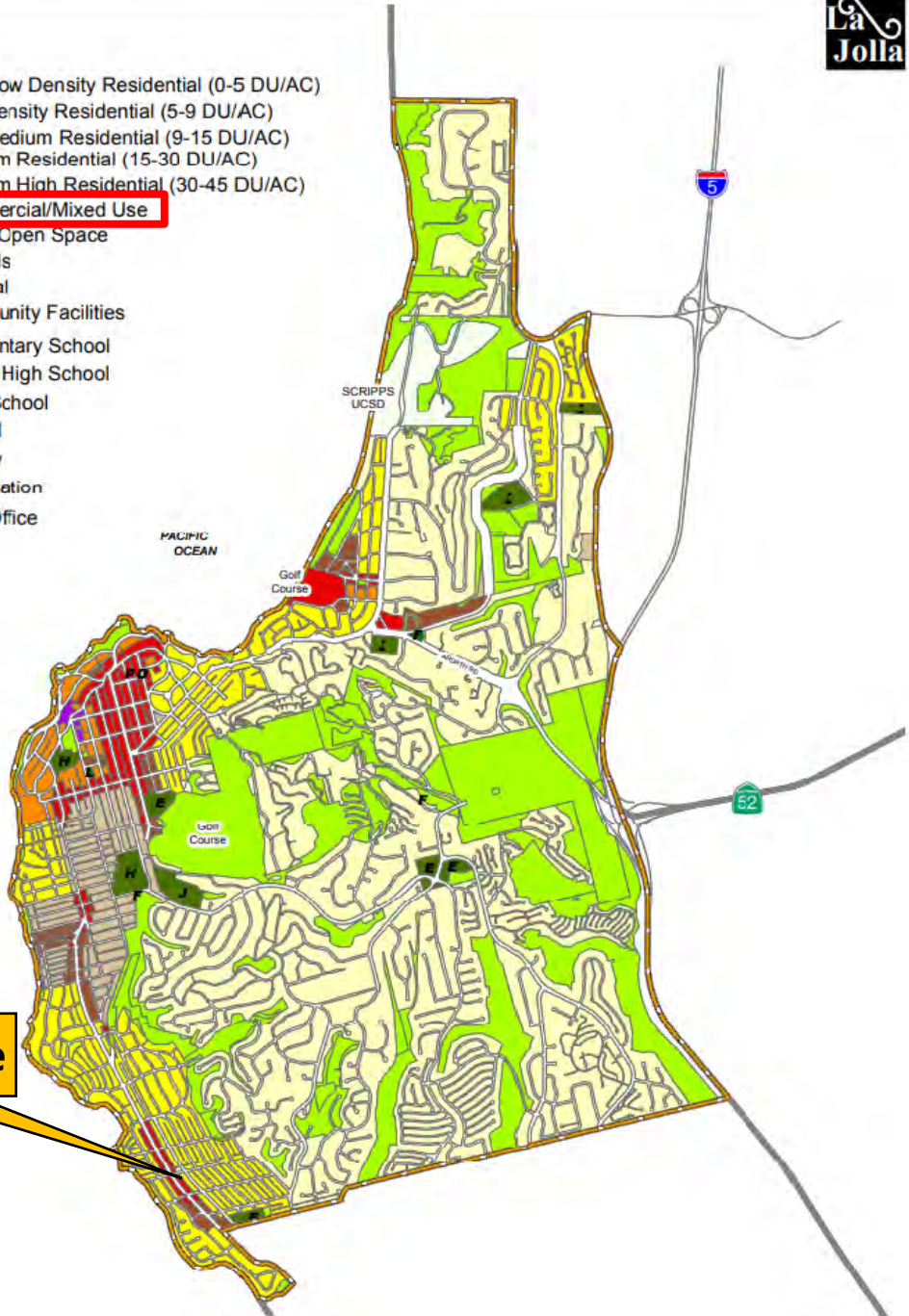
Adelante Townhomes

PRJ-1073585 - 5575 La Jolla Boulevard





- 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
 - E Elementary School
 - J Junior High School
 - H High School
 - S School
 - L Library
 - F Fire Station
 - PO Post Office



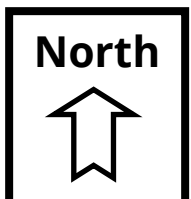
Project Site

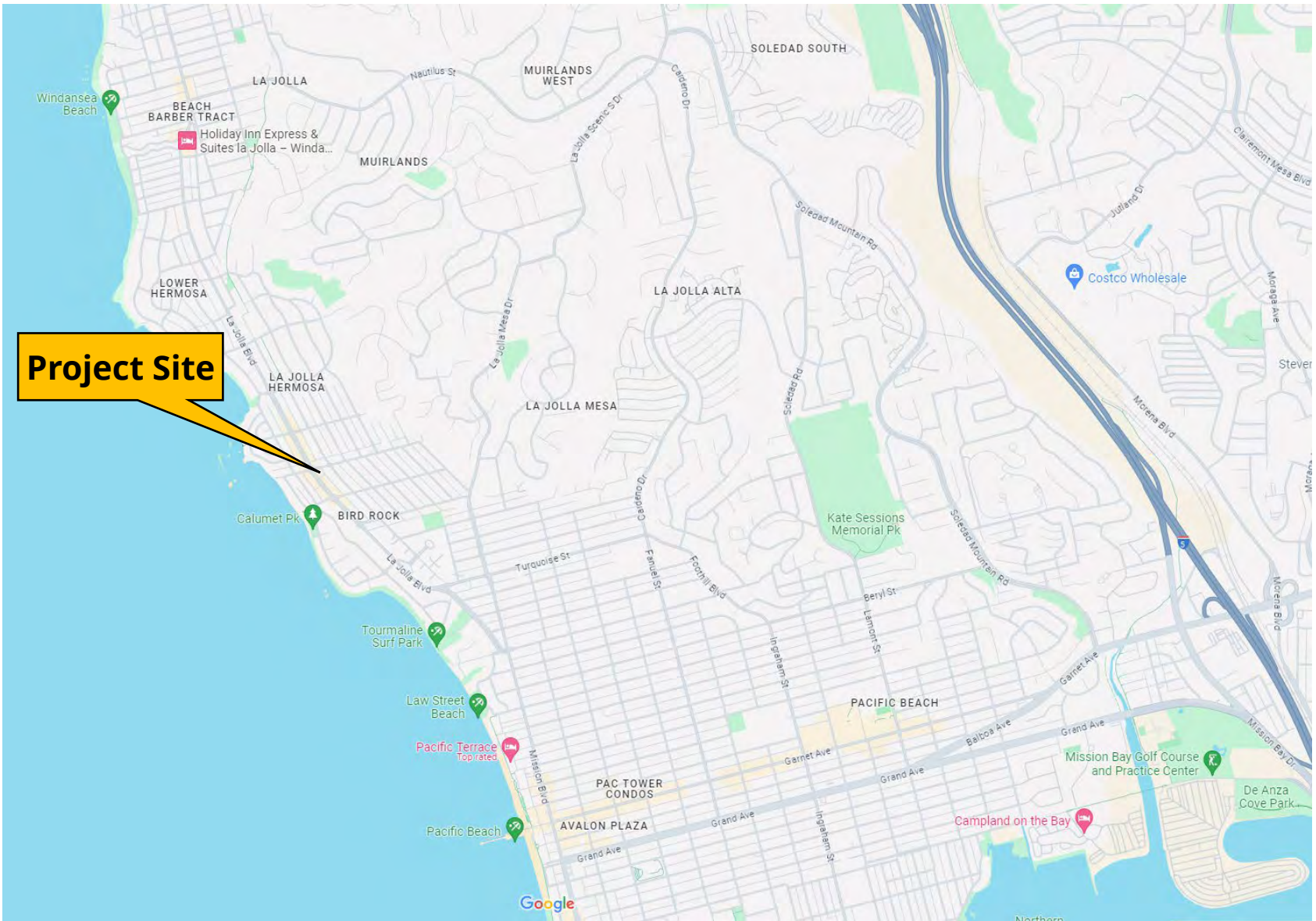


Land Use Map

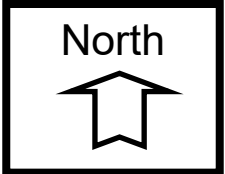
Adelante Townhomes

PRJ-1073585 - 5575 La Jolla Boulevard





Location Map
Adelante Townhomes
PRJ-1073585 – 5575 La Jolla Boulevard



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: 24009411

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3189488
ADELANTE TOWNHOMES - PROJECT NO. PRJ-1073585
PLANNING COMMISSION

This Coastal Development Permit No. PMT-3189488 is granted by the Planning Commission of the City of San Diego to PELICAN VENTURE LP, a California Limited Partnership, or successor in interest, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.3-acre site is located at 5575 La Jolla Boulevard in the La Jolla Planned District-4 Zone (LJPD-4), Complete Communities Mobility Choices: Mobility Zone 2, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Paleontological Sensitivity Area (High), Parking Impact Overlay Zone (Beach Impact), Transit Area Overlay, and the Transit Priority Area within the La Jolla Community Plan area. The project site is legally described as: Parcel 1 of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, according to Map Thereof Filed in the Office of the County Recorder of San Diego County, March 4, 1998. Parcel 2: An Easement for Vehicular and Pedestrian Ingress and Egress to and from the Dominant Tenement for the Nonexclusive Use of Grantee and the Agents, Employees, Guests and Invitees of Grantee, and for the Repair and Maintenance of the Easement Area Over a Portion of Parcel 2 Of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, filed In the Office of the County Recorder of San Diego County, March 4, 1998, described as Follows: Beginning at the most Westerly Corner of Said Parcel 2; Thence North 53° 42' 43" East along the Northwesterly Line of Said Parcel 2 A Distance of 84.69 Feet; Thence South 36° 21' 31" East 26.00 Feet; Thence South 53° 42' 43" West 84.61 Feet to the Southwesterly Line of Said Parcel 2; Said Point also being the Beginning of a Non Tangent 3,138.80 Foot Radius Curve to the Right, Concave Northeasterly, a Radial to Said Beginning of Curve Bears South 53° 14' 14" West; Thence Northwesterly along Said Curve Through a Central Angle Of 00° 28' 29", a Distance of 26.00 Feet to the Point of Beginning, Per Grant of Easement Recorded April 15, 1998, as Instrument No. 1998-0210460, filed in the Office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee, or successor in interest, to demolish an existing office building, subdivide one lot into 13 residential condominium units and one commercial unit to construct a new two-story mixed-use building with 13 multi-dwelling units, 1,060 square-foot commercial space, and basement level parking described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated, September 19, 2024, on file in the Development Services Department

The project shall include:

- a. Demolition of an existing office building;
- b. The subdivision of one lot into 13 residential condominium units and one commercial unit subject to Tentative Map No. PMT-3189789;
- c. The construction of a new two-story mixed-use building consisting of 13 multi-dwelling units, 1,060 square-foot commercial space, and basement level parking totaling approximately 16,366 square feet;
- d. Allowable incentives and waivers from the following development regulations of the San Diego Municipal Code (SDMC);
 - An incentive from SDMC section 159.0306 to modify the ground floor and street frontage requirements due to the identifiable and actual cost savings associated with providing residential units on the ground floor rather than building out that space for commercial use in satisfaction of the street frontage requirements.
 - A waiver from SDMC section 159.0307(c)(1) waive the maximum floor area ratio (FAR) of 1.0 (12,890 square feet) and to allow an FAR of 1.27 (16,366 square feet). The proposed FAR is required to accommodate the floor area of the housing development. Requiring compliance with the maximum floor area ratio of the LJP4-4 zone would physically preclude the construction of the project.
 - A waiver from SDMC section 159.0307(e) for the requirement that a street façade envelope shall be created along any property line adjacent to any public street. The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45-degree angle toward the interior of the lot. The project proposed eliminating this requirement.
 - A waiver from SDMC section 159.0309(d) which requires at least 150 square feet per unit in private open space areas such as balconies, patios, and courtyards. The project provides private open space for 10 out of the 13 total multi-dwelling dwelling units.
 - A waiver from SDMC section 159.0409 which requires an on-site loading area of at least 600 square feet. The project proposes to eliminate this requirement.
 - A waiver from SDMC section 142.0560(c) which requires the minimum dimensions for automobile parking aisles at permitted angles for one-way and two-circulation are shown in Table 142-05L which requires 20 feet of aisle width for two-way circulation. The project proposes a 19-foot-wide entry access aisle into the parking garage.

- A waiver from SDMC section 131.0456 which requires common open space in RM zones of at least 300 feet, or 25 feet per dwelling unit, whichever is greater. The project proposes 13 dwelling units which equates to 325 square feet, but a waiver is proposed to eliminate this requirement.
 - A waiver from SDMC section 159.0307(b)(6)(A) which requires that a building on a street corner lot shall be set back behind an imaginary line that connects a point on each of the street front property lines which is distant from the corner by a length equal to 20 percent of the parcel frontage along that street, or 20 feet, whichever is less. The project proposes to reduce this requirement from a 20-foot triangle to an 8-foot triangle.
 - A waiver from SDMC section 142.0560(d)(3) which states that aisles that do not provide through circulation shall provide a turnaround area at the end of the aisle that is clearly marked to prohibit parking and that has a minimum equivalent to a parking space. Compliance with the vehicular circulation requirement would physically preclude construction of the project, which is a qualifying density bonus project.
 - A waiver from SDMC section 142.0530(g) which requires motorcycle parking spaces for the non-residential portion of the project to be provided at a ratio of two percent of the number of automobile parking spaces provided or two spaces, whichever is greater. Compliance with the motorcycle parking requirement would physically preclude the construction of the project which is a qualifying density bonus project. The project proposes to eliminate this requirement from 2 commercial motorcycle parking spaces to zero commercial motorcycle parking spaces.
- e. Landscaping (planting, irrigation, and landscape related improvements);
- f. Off-street parking; and
- g. 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 October 3, 2027.

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

AFFORDABLE HOUSING REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

13. Prior to issuance of any building permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the San Diego Municipal Code and Inclusionary Affordable Housing Regulations of San Diego Municipal Code Chapter 14, Article 2, Division 13. The Owner/Permittee shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable affordability conditions consistent with the San Diego Municipal Code. The Agreement will specify that in exchange for the City's approval of the Project, which contains a 35% density bonus (4 units in addition to what is permitted by the underlying zoning regulations), alone or in conjunction with any

incentives or concessions granted as part of Project approval, the Owner/Permittee shall provide 1 affordable unit with rents of no more than 30% of 50% of AMI for no fewer than 55 years.

ENGINEERING REQUIREMENTS:

14. The Coastal Development Permit shall comply with all Conditions of the Final Map for the Tentative Map No. PMT-3189489.
15. Prior to the issuance of any building permit the Owner/Permittee shall dedicate, and assure by permit and bond, the improvement of an additional 2.5 feet of the adjacent alley, satisfactory to the City Engineer.
16. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond full width (P.L to P.L.) alley pavement per current City Standard adjacent to the site to satisfaction of the City Engineer.
17. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond the installation of alley apron per current City Standard on Forward Street as shown on the approved Exhibit "A" to satisfaction of the City Engineer.
18. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond installation of alley curb ramp on Forward Street satisfactory to City Engineer.
19. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond closure of existing driveway and installation of new curb/gutter per current City Standards on Forward Street satisfactory to the City Engineer.
20. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond replacement of existing driveway with a 25-foot wide standard driveway adjacent to the site on La Jolla Boulevard satisfactory to the City Engineer as shown on approved Exhibit "A" .
21. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond, the replacement of the existing damaged concrete bus pad per current City Standard on La Jolla Blvd satisfactory to the City Engineer as shown on approved Exhibit "A".
22. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond replacement of existing curb and sidewalk per current City Standards along La Jolla Boulevard as shown on approved Exhibit "A" satisfactory to the City Engineer.
23. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement from the City Engineer for proposed sidewalk underdrains/curb outlet private walk and private wall /stairs within public right of way as shown on approved Exhibit "A".
24. The project proposes to export 2700 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with

the Standard Specifications for Public Works Construction (the "Green Book"), 2018 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

26. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

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

LANDSCAPE REQUIREMENTS:

29. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

30. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree, which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

31. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)6.

32. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the

Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

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

34. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

35. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

36. Prior to Certificate of Occupancy, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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

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

PLANNING/DESIGN REQUIREMENTS:

39. The 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 authorized by the appropriate City decision maker in accordance with the SDMC.

40. 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.

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

42. 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:

43. The Owner/Permittee will provide the following Vehicles Miles Traveled (VMT) reduction measures:

- a. Provide on-site shared bicycle fleet parking in the location shown in Exhibit "A". The number of bicycles provided shall be equal to the number of bicycle spaces that otherwise be required by SDMC Table 142-05C, or five bicycles, whichever is greater. The project proposed 6 bicycle spaces.
- b. Provide a bike repair station in the location shown in Exhibit "A".
- c. Provide two (2) low-cost amenities features to an existing transit stop (above existing conditions), including a trash receptacle and static schedule.

These improvements shall be completed and operational prior to first occupancy, satisfactory to the City Engineer.

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on September 19, 2024, and [Approved Resolution Number].

Coast Development Permit No. PMT-3189488
Date of Approval: September 19, 2024

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.

**PELICAN VENTURE LP, a California limited
partnership**
Owner/Permittee

By _____
Russell C. Murfey
Manager

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

PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. PMT-3189488
ADELANTE TOWNHOMES - PROJECT NO. PRJ-1073585

WHEREAS, PELICAN VENTURE LP, a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing office building, subdivide one lot into 13 residential condominium units and one commercial unit to construct a new two-story mixed-use development building with 13 multi-dwelling units, 1,060 square-foot commercial space, and basement level parking (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3189488), on portions of a 0.3-acre site;

WHEREAS, the project site is located at 5575 La Jolla Boulevard in the La Jolla Planned District-4 Zone (LJPD-4), Complete Communities Mobility Choices: Mobility Zone 2, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Paleontological Sensitivity Area (High), Parking Impact Overlay Zone (Beach Impact), Transit Area Overlay, and the Transit Priority Area within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, according to Map thereof filed in the Office of the County Recorder of San Diego County, March 4, 1998. Parcel 2: An Easement for Vehicular and Pedestrian Ingress and Egress to and from the Dominant Tenement for the Nonexclusive Use of Grantee and the Agents, Employees, Guests and Invitees of Grantee, and for the Repair and Maintenance of the Easement Area Over a Portion of Parcel 2 Of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, filed In the Office of the County Recorder of San Diego County, March 4, 1998, described as follows: Beginning at the most Westerly Corner of Said Parcel 2; Thence North 53° 42' 43" East along the Northwesterly Line of Said Parcel 2 A Distance of 84.69 Feet; Thence South 36° 21' 31" East 26.00 Feet; Thence South 53° 42' 43" West 84.61 Feet to

the Southwesterly Line of Said Parcel 2; Said Point also being the Beginning of a Non Tangent 3,138.80 Foot Radius Curve to the Right, Concave Northeasterly, a Radial to Said Beginning of Curve Bears South 53° 14' 14" West; Thence Northwesterly along Said Curve Through a Central Angle Of 00° 28' 29", a Distance of 26.00 Feet to the Point of Beginning, Per Grant of Easement Recorded April 15, 1998, as Instrument No. 1998-0210460, filed in the Office of the County Recorder of San Diego County.

WHEREAS, on May 31, 2024, 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 15332 (In-Fill Development Projects) 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 September 19, 2024, the Planning Commission of the City of San Diego considered Coastal Development Permit No. PMT-3189488 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. PMT-3189488:

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 project site is located at 5575 La Jolla Boulevard in the La Jolla Planned District (LJPD)-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-

Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000-square-foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for-sale affordable unit, approximately 1,060 square feet of retail on the first floor, and 23 parking spaces below grade (15 automobiles, 2 motorcycles, and 6 bicycles).

The La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) designates the site as Commercial / Mixed Use, and more specifically as Neighborhood Commercial, and permits uses such as convenience stores, florists, restaurants, specialty stores, and professional offices (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 86, Item 1). As part of its Balanced Communities discussion, the Community Plan calls for higher density housing along transit corridors and encouraging the use of the City's Affordable Housing Density Bonus Program (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 71, Item 5[d]). The LJPD- Zone 4 includes neighborhood commercial areas characterized by small retail shops. Development in this zone is dominated by community serving and visitor service retail uses. Development standards for this zone are intended to maintain retail community serving, and visitor-serving uses and encourage the development of some community-serving offices, and residences (San Diego Municipal Code (SDMC) §159.0301(f)). Residential development is limited to a base density of 29 dwelling units per net acre (SDMC §159.0302(a)(3)), prior to any additional units allowed by the state housing density bonus, and subject to the development standards of the LJPD.

There is no coastal access from the project site, which is located 0.12 miles east of the Pacific Ocean. By providing underground parking utilizing the existing driveway along La Jolla Boulevard and the easement (Instrument No. 1998-0210460) shared with the property to the south, the proposed project furthers the Community Plan's acknowledgement that "the placement of driveways underground or along the alleyway for vehicular access rather than from the street, as well as landscaping of interior yards, has helped to make multiple dwelling unit development more consistent with the character of La Jolla" (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 67).

As a density bonus affordable housing project, the project complies with the applicable development standards of the LJPD and satisfies the Community Plan's Residential Land Use goal to "introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels" (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 67). Further, the project adheres to goals, outlined in the Commercial Land Use Element section of the Community Plan, to promote mixed-use residential and commercial development along transit corridors such as the commercial areas of La Jolla Boulevard, to encourage affordable housing opportunities, particularly within the Bird Rock retail area (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 81). In addition, the proposed development meets the

Community Plan goal of maintaining “La Jolla as a primarily residential and recreational oriented community” by providing residential development (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 5). The project will not exceed the 30-foot height limit of the Coastal Height Limit Overlay Zone.

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 project site is within a developed, urban environment and does not contain environmentally sensitive lands. The subject property is approximately 0.12-miles (650-feet) from the Pacific Ocean, 85 to 90-feet above mean sea level and is located above the 100-year floodplain. The site is not within or adjacent to the Multi Habitat Planning Area (MHPA) of Multiple Species Conservation Program and does not contain any other type of Environmentally Sensitive Lands (ESL) as defined in San Diego Municipal Code Section 113.0103. Therefore, the proposed development will not adversely affect ESL as none are present on site.

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 project site is located at 5575 La Jolla Boulevard in the LJP4-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000 square foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for sale affordable unit, approximately 1,100 square feet of retail on the first floor, and 23 parking spaces below grade (15 automobiles, 2 motorcycles, and 6 bicycles).

The Community Plan designates the site as Commercial / Mixed Use, and more specifically as Neighborhood Commercial, and permits uses such as convenience stores, florists, restaurants, specialty stores, and professional offices (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 86). As part of its Balanced Communities discussion, the Community Plan calls for higher density housing along transit corridors and encouraging the use of the City's Affordable Housing Density Bonus Program (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 71, Item 5[d]).

Pursuant to SDMC §159.0302(a)(3), residential development is limited to a base density of 29 dwelling units per net acre, which would allow 9 residential units onsite. The project proposes one Very Low-Income (VLI) unit, and the 11.1% dedication would result in a 35% density bonus and the allocation of two incentives pursuant to SDMC §143.0740 Table 143-07A. The base density of nine units multiplied by the 35% density bonus would equal 3.15 units. Per SDMC §143.0720(n), density calculations resulting in fractional units shall be rounded up to the next whole number, resulting in four bonus density units. Therefore, the project proposes 13 dwelling units including one VLI affordable unit. The applicant identified one incentive and reserved the other that was earned. The following one incentive and ten waivers are listed below:

Incentive #1: The incentive requested would modify the ground floor and street frontage requirements pursuant to SDMC §159.0306 due to the identifiable and actual cost savings associated with providing residential units on the ground floor rather than building out that space for commercial use in satisfaction of the street frontage requirements. The Owner/Permittee further reserves the right to allocate its second incentive if needed in the future.

Waivers: The project would use nine affordable density bonus waivers to eliminate the following requirements that would otherwise physically preclude construction of the project.

1. Floor Area Ratio (FAR) – SDMC section 159.0307(c)(1) imposes a maximum of 1.0 FAR, or 12,890 square feet. The Project as designed would utilize 1.27 FAR, or 16,366 square feet. Imposition of the FAR requirement from section 159.0307(c)(1) would physically preclude construction of the Project, which is a qualifying density bonus project.
2. Street Façade Envelope –SDMC section 159.0307(e) states that a street facade envelope shall be created along any property line adjacent to any public street. The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45-degree angle toward the interior of the lot. The Project proposes eliminating this requirement.
3. Private Exterior Open Space – SDMC section 159.0309(d) requires at least 150 square feet per unit in private open space areas such as balconies, patios and courtyards. The project provides private open space for 10 of the 13 total units.
4. Loading Area Regulations – SDMC section 159.0409 requires an on-site loading area of at least 600 square feet. The Project proposes to eliminate this requirement.
5. Minimum Dimensions for Automobile Parking Aisles – SDMC section 142.0560(c) states that the minimum dimensions for automobile

parking aisles at permitted angles for one-way and two-way circulation are shown in Table 142-05L which requires 20-feet of aisle width for two-way circulation. The Project proposes a 19-foot-wide entry access aisle into the parking garage.

6. Common Open Space in RM Zones – SDMC section 131.0456 requires common open space of at least 300 square feet, or 25 square feet per dwelling unit, whichever is greater. The Project proposes 13 dwelling units would equate to 325 square-feet, but a waiver is requested to eliminate this requirement.
7. Street Corner Lot Setback – SDMC section 159.0307(b)(6)(a) states that a building on a street corner lot shall be set back behind an imaginary line that connects a point on each of the street front property lines which is distant from the corner by a length equal to 20 percent of the parcel frontage along that street, or 20 feet, whichever is less. The Project proposes eliminating this requirement.
8. Vehicular Circulation Within Parking Facilities – SDMC section 142.0560(d)(3) states that aisles that do not provide through circulation shall provide a turnaround area at the end of the aisle that is clearly marked to prohibit parking and that has a minimum area equivalent to a parking space. Compliance with the vehicular circulation requirement would physically preclude construction of the Project, which is a qualifying density bonus project.
9. Nonresidential Uses – SDMC section 142.0530(g) states that motorcycle parking should be provided at a ratio of 2 percent of the number of automobile parking spaces provided or two spaces, whichever is greater. Compliance with the motorcycle parking requirement would physically preclude construction of the Project, which is a qualifying density bonus project. The project proposes to eliminate this requirement from 2 commercial motorcycle parking spaces to zero commercial motorcycle parking spaces.

None of the requested incentives or waivers would pose a specific adverse impact to health or human safety, nor would they affect a designated historical resource. They do not violate state or federal law. Accounting for the above incentive and waivers, the project complies with the applicable development standards of the La Jolla Planned District (LJPD), and it satisfies the Community Plan's Residential Land Use goal to "introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels" (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 67). In addition, the proposed development meets the general Community Plan goal of maintaining "La Jolla as a primarily residential and recreational oriented community" by providing residential development (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 5). 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 project site is located at 5575 La Jolla and the project site is a previously improved lot located approximately 0.12-miles (650-feet) from the Pacific Ocean. The project site is not located between the first public roadway and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Thus, this finding is not applicable.

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 Planning Commission, Coastal Development Permit No. PMT-3189488 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-3189488, a copy of which is attached hereto and made a part hereof.

Benjamin Hafertepe
Development Project Manager
Development Services

Adopted on: September 19, 2024

IO#24009411

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. PMT-3189489
ADELANTE TOWNHOMES - PROJECT NO. PRJ-1073585

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Map will expire September 19, 2027.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Tentative Map shall conform to the provisions of Coastal Development Permit No. PMT-3189488.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

6. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the San Diego Housing Commission to provide one affordable housing unit in compliance with the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code §§ 143.0301 et seq.).

ENGINEERING

7. The Subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written

confirmation from applicable utilities that the conversion has taken place, or provide other means to ensure the undergrounding, satisfactory to the City Engineer.

8. The subdivider shall comply with City of San Diego Street Design Manual-Street Light Standards and Council Policy 200-18.
9. Prior to issuance of any building permit, the Subdivider shall assure that existing power poles on Forward Street and the alley adjacent to the site will be removed/undergrounded to the satisfaction of the City Engineer.
10. Whereas the map proposes the subdivision of a 0.3-acre site into one (1) lot for a 13-unit residential condominium and one commercial condominium.
11. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
12. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

13. Prior to the expiration of the tentative map, a Final Map to subdivide the property into (13) thirteen residential condominium units and (1) one commercial unit shall be recorded in the County Recorder's office.
14. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition. If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Final Map.
15. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495. All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.
16. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.

17. The Final Map shall:
- a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground shall be shown on the map.
18. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
19. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."

GEOLOGY

20. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Offsite improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering. Based on the current design, it was determined that the project has sufficient existing utility infrastructure without any additional offsite improvements required. Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

ATTACHMENT 6

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24009411

DRAFT

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. PMT-3189489, ADELANTE TOWNHOMES
PROJECT NO. PRJ-1073585

WHEREAS, PELICAN VENTURE LP, a California Limited Partnership, Subdivider, and Maximilian Lebl, Surveyor, submitted an application to the City of San Diego for a Tentative Map No. PMT-3189489 for the demolition of an existing office building, subdivision of one lot into 13 residential condominium units and one commercial unit for the construction of a new two-story mixed-use building with 13 multi-dwelling units, 1,060 square-foot commercial space, and basement-level covered parking. The project site is located at 5575 La Jolla Boulevard in the La Jolla Planned District-4 Zone (LJPD-4), Complete Communities Mobility Choices: Mobility Zone 2, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Paleontological Sensitivity Area (High), Parking Impact Overlay Zone (Beach Impact), Transit Area Overlay, and the Transit Priority Area within the La Jolla Community Plan area. The property is legally described as Parcel 1 of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, according to Map Thereof Filed in the Office of the County Recorder of San Diego County, March 4, 1998. Parcel 2: An Easement for Vehicular and Pedestrian Ingress and Egress to and from the Dominant Tenement for the Nonexclusive Use of Grantee and the Agents, Employees, Guests and Invitees of Grantee, and for the Repair and Maintenance of the Easement Area Over a Portion of Parcel 2 Of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, filed In the Office of the County Recorder of San Diego County, March 4, 1998, described as Follows: Beginning at the most Westerly Corner of Said Parcel 2; Thence North 53° 42' 43" East along the Northwesterly Line of Said Parcel 2 A Distance of 84.69 Feet; Thence South 36° 21' 31" East 26.00 Feet; Thence South 53° 42' 43" West 84.61 Feet to the Southwesterly Line of Said Parcel 2; Said Point also being the Beginning of a Non Tangent 3,138.80 Foot Radius Curve to the Right, Concave

Northeasterly, a Radial to Said Beginning of Curve Bears South 53° 14' 14" West; Thence Northwesterly along Said Curve Through a Central Angle Of 00° 28' 29", a Distance of 26.00 Feet to the Point of Beginning, Per Grant of Easement Recorded April 15, 1998, as Instrument No. 1998-0210460, filed in the Office of the County Recorder of San Diego County; and

WHEREAS, the Map proposes the Subdivision of a 0.3-site into 13 residential condominium units and one commercial condominium unit; and

WHEREAS, on May 31, 2024, 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 15332 (In-Fill Development Projects); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is fourteen (14), thirteen (13) residential units and one (1) commercial condominium unit; and

WHEREAS, on September 19, 2024, the Planning Commission of the City of San Diego considered Tentative Map No. PMT-3189489, and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral

presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. PMT-3189489:

A. TENTATIVE MAPS FINDINGS [SDMC Section 125.0440]

1. Findings for all Tentative Maps:

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

The project site is located at 5575 La Jolla Boulevard in the LJP4-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000 square foot office building for the construction of a new two-story building with 13 for-sale dwelling units, including one for sale affordable unit, approximately 1,100 square feet of retail on the first floor, and 15 parking spaces below grade (15 automobiles, 2 motorcycles, and 6 bicycles).

The Community Plan designates the site as Commercial / Mixed Use, and more specifically as Neighborhood Commercial, and permits uses such as convenience stores, florists, restaurants, specialty stores, and professional offices (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 86). As part of its Balanced Communities discussion, the Community Plan calls for higher density housing along transit corridors and encouraging the use of the City's Affordable Housing Density Bonus Program (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 71, Item 5[d]).

Pursuant to SDMC section SDMC §159.0302(a)(3), residential development is limited to a base density of 29 dwelling units per net acre, which would allow 9 residential units onsite. The project proposes one Very Low-Income (VLI) unit, and the 11.1% dedication would result in a 35% density bonus and the allocation of two incentives pursuant to SDMC §143.0740 Table 143-07A. The base density of nine units multiplied by the 35% density bonus would equal 3.15 units. Per SDMC §143.0720(n), density calculations resulting in fractional units shall be rounded up to the next whole number, resulting in four bonus density units. Therefore, the project proposes 13 dwelling units including one VLI affordable unit. The applicant identified one incentive and reserved the other that was earned. The following one incentive and ten waivers are necessary for development of the project:

Incentive #1: The incentive requested would modify the ground floor and street frontage requirements pursuant to SDMC §159.0306 due to the identifiable and actual cost savings associated with providing residential units on the ground floor rather than building out that

space for commercial use in satisfaction of the street frontage requirements. The Applicant further reserves the right to allocate its second incentive if needed in the future.

Waivers: The project would use nine affordable density bonus waivers:

1. Floor Area Ratio (FAR) – SDMC section 159.0307(c)(1) imposes a maximum of 1.0 FAR, or 12,890 square feet. The Project as designed would utilize 1.27 FAR, or 16,366 square feet. Imposition of the FAR requirement from section 159.0307(c)(1) would physically preclude construction of the Project, which is a qualifying density bonus project.
2. Street Façade Envelope –SDMC section 159.0307(e) states that a street facade envelope shall be created along any property line adjacent to any public street. The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45-degree angle toward the interior of the lot. The Project proposes eliminating this requirement.
3. Private Exterior Open Space – SDMC section 159.0309(d) requires at least 150 square feet per unit in private open space areas such as balconies, patios and courtyards. The Project provides private open space for 10 of the 13 total units.
4. Loading Area Regulations – SDMC section 159.0409 requires an on-site loading area of at least 600 square feet. The Project proposes to eliminate this requirement.
5. Minimum Dimensions for Automobile Parking Aisles – SDMC section 142.0560(c) states that the minimum dimensions for automobile parking aisles at permitted angles for one-way and two-way circulation are shown in Table 142-05L which requires 20-feet of aisle width for two-way circulation. The Project proposes a 19-foot-wide entry access aisle into the parking garage.
6. Common Open Space in RM Zones – SDMC section 131.0456 requires common open space of at least 300 square feet, or 25 square feet per dwelling unit, whichever is greater. The Project proposes 13 dwelling units would equate to 325 square-feet, but a waiver is requested to eliminate this requirement.
7. Street Corner Lot Setback – SDMC section 159.0307(b)(6)(a) states that a building on a street corner lot shall be set back behind an imaginary line that connects a point on each of the street front property lines which is distant from the corner by a length equal to 20 percent of the parcel frontage along that street, or 20 feet, whichever is less. The Project proposes eliminating this requirement.
8. Vehicular Circulation Within Parking Facilities – SDMC section 142.0560(d)(3) states that aisles that do not provide through circulation shall provide a turnaround area at the end of the aisle that is clearly marked to prohibit parking and that has a minimum area equivalent to a parking space. Compliance with the vehicular circulation requirement would physically preclude construction of the Project, which is a qualifying density bonus project.

9. Nonresidential Uses – SDMC section 142.0530(g) states that motorcycle parking should be provided at a ratio of 2 percent of the number of automobile parking spaces provided or two spaces, whichever is greater. Compliance with the motorcycle parking requirement would physically preclude construction of the Project, which is a qualifying density bonus project.

None of the requested incentives or waivers would pose a specific adverse impact to health or human safety, nor would they affect a designated historical resource. They do not violate state or federal law. Accounting for the above incentive and waivers, the project complies with the applicable development standards of the La Jolla Planned District (LJPD), and it satisfies the Community Plan's Residential Land Use goal to "introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels" (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 67). In addition, the proposed development meets the general Community Plan goal of maintaining "La Jolla as a primarily residential and recreational oriented community" by providing residential development (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 5).

Therefore, the proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

b. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

Finding No. A. 1. a is herein incorporated by reference. The lot meets the minimum lot size and dimension regulations of the LJPD. Pursuant to SDMC §159.0302(a)(3), residential development is limited to a base density of 29 dwelling units per net acre, which would allow 9 residential units onsite. The project proposes one Very Low-Income (VLI) unit, and the 11.1% dedication would result in a 35% density bonus and the allocation of two incentives pursuant to SDMC §143.0740 Table 143-07A. The base density of nine units multiplied by the 35.0% density bonus would equal 3.15 units. Per SDMC §143.0720(n), density calculations resulting in fractional units shall be rounded up to the next whole number, resulting in four bonus density units. Therefore, the project proposes 13 dwelling units including one VLI. The project will not exceed the 30-foot height limit of the Coastal Height Limit Overlay Zone.

Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

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

The project site is located at 5575 La Jolla Boulevard in the LJPD-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000-square-foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for-

sale affordable unit, approximately 1,100 square feet of retail on the first floor, 15 parking spaces below grade and approximately 1,828 square feet of roof decks.

The lot meets the minimum lot size and dimension regulations of the LJPD. Additionally, the existing public utility infrastructure is sufficient to service this proposed development per the requirements laid out in the sewer design guide and water facilities design guide. This was determined via the preparation of a water capacity analysis and sewer flow generation analysis and confirmed by the City's water and sewer, water modeling, and fire safety departments. The proposed subdivision complies with all applicable Tentative Map requirements outlined in SDMC Section 144.0211 through 144.0240. Therefore, the proposed subdivision is physically suitable for the type and density of development in the area.

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

The project site is located at 5575 La Jolla Boulevard in the LJPD-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000 square foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for sale affordable unit, approximately 1,100 square feet of retail on the first floor, 15 parking spaces below grade and approximately 1,828 square feet of roof decks.

The project site is within a developed, urban environment and does not contain sensitive biological resources. The subject property is approximately 0.12-miles (650-feet) from the Pacific Ocean, 85 to 90-feet above mean sea level and is located above the 100-year floodplain. The site is not within or adjacent to the MHPA and does not contain any other type of ESL as defined in SDMC Section 113.0103. Furthermore, the project has been designed to meet all water quality treatment and stormwater detention requirements of a priority development project.

The project is exempt from CEQA pursuant to CEQA Section 15332 (in-fill development). The project site has no value as a habitat for endangered, rare or threatened species and approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality. Therefore, the proposed coastal development is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

e. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

Finding No. A. 1. a is herein incorporated by reference.

The lot meets the minimum lot size and dimension regulations of the LJPD. In particular, the proposed subdivision complies with all applicable requirements of SDMC sections 144.0211 through 144.0240. The Tentative Map was reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approval that include providing public improvements required to access the site and all improvements including sidewalk widths, parkway design and pedestrian circulation requirements have been met with the proposed design. Furthermore, through a water capacity and hydraulic analysis completed with the discretionary phase of this project, it was determined, and agreed upon with the City's water modeling, water and sewer, and fire safety divisions that the existing water infrastructure is sufficient to provide all required domestic and fire flow demands and that the existing hydrants surrounding the site provide sufficient coverage without the need to install more or change any existing configuration. Therefore, the design of the subdivision or the type of improvement will not be detrimental to public health, safety, and welfare.

- f. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The project site is located at 5575 La Jolla Boulevard in the LJPD-4 zone of the La Jolla Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact), and Transit Priority Area. The project includes the demolition of an existing 3,000 square foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for sale affordable unit, approximately 1,100 square feet of retail on the first floor, 15 parking spaces below grade and approximately 1,828 square feet of roof decks.

The project site is located in a developed urban neighborhood. There is an existing easement adjacent to the project site to the south which runs east and west used for vehicular and pedestrian ingress and egress. The site will continue to utilize the easement to grant access to the project site's basement level parking garage from the existing public street, where curb, gutter, driveway, and sidewalk improvements are proposed. Therefore, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project includes the demolition of an existing 3,000-square-foot office building and the construction of a new two-story building with 13 for-sale dwelling units, including one for-sale affordable unit, and one commercial unit. The proposed subdivision has been designed to preserve access to light, air, and open space. The dwelling units have been oriented in an H-shape to provide as much opportunity for operable windows as possible. Avoiding large interior spaces without operable windows makes it easier to cool down the building during warm afternoons simply through cross ventilation.

The windows will utilize low-E glazing to lower the solar heat gain through the windows while utilizing awnings to help shade large windows and adding architectural interest. The majority of the units have private decks, which allow residents to enjoy ocean breezes on warmer days as an alternative to cool down. The parking for the property is provided below grade, which avoids the need for a large surface parking lot that would gain heat throughout the day. Reducing large areas of hardscape provides opportunities for more planting and helps reduce the heat island effect. The building itself will have a red tile roof that complies with cool roof requirements and use white stucco walls, which naturally gain less heat because of their color. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The proposed subdivision will provide one new commercial unit and thirteen new residential units, with one unit designated as affordable with a sale price accessible to an individual who earns no more than 30% of 50% of area median income for a term of no fewer than 55 years. The City's Affordable Housing Regulations allows for the construction of an additional four units above the site's base density. As a density bonus affordable housing project, the project complies with the applicable development standards of the LJP, and it satisfies the Community Plan's Residential Land Use goal to "introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels" (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 67). In addition, the proposed development meets the general Community Plan goal of maintaining "La Jolla as a primarily residential and recreational oriented community" by providing residential development (La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014, pg. 5). The subdivision of the site into thirteen residential condominiums and approximately 1,060 square-feet of retail space will increase property tax revenue, which provides a public benefit.

Thus, the effects of the proposed subdivision on the housing needs of the region and those needs have been balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. PMT-3189489, hereby granted to PELICAN VENTURE LP, a California Limited Partnership, or successor in interest subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Benjamin Hafertepe
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24009411

DRAFT

NOTICE OF EXEMPTION

TO: Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

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 Title / Number: 5575 La Jolla/ PRJ-1073585

State Clearinghouse No.: N/A

Project Location-Specific: 5575 La Jolla Boulevard, La Jolla, California 92037

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: The project proposes a Coastal Development Permit (CDP) and Tentative Map (TM) to demolish an existing office building, subdivide one lot into 14 condominium units (13 Residential + 1 Commercial), and construct one new two-story mixed-use building totaling 16,366 square feet (sf) with approximately 1,060 sf of commercial space, 13 multi-dwelling units (one unit will be affordable to very low-income households at 30% of 50% of Area Median Income - AMI), basement level covered parking, and associated landscape improvements onsite and within the public right of way. The 0.30-acre site in the La Jolla Planned District-4 Zone (LJPD-4) and Coastal Overlay Zone (Non-Appealable 2) within the La Jolla Community Plan area, Coastal Height Limit Overlay Zone, Complete Communities Mobility Choices (Mobility Zone 2), Parking Impact Overlay Zone (Beach Coastal), Transit Area Overlay Zone, and Transit Priority Area. LEGAL DESCRIPTION: Parcel 1 of Parcel Map No. 17993, in the City of San Diego, County of San Diego, State of California, According to Map Thereof Filed in the Office of the County Recorder of San Diego County, March 4, 1998, APN 357-532-29.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Hannah Williams, Email: hannah@sdarchitects.net, (972) 742-0141.

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: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332 (In-Fill Development Projects).

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15332. The project is consistent with the existing land use designation, and all applicable general plan policies as well as with the applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than 5 acres and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects related to air quality, noise, traffic or water quality. The site can be adequately serviced by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

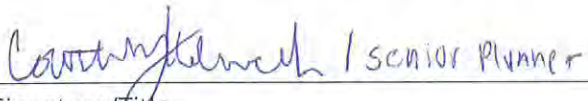
Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

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 the California Environmental Quality Act.

 / Senior Planner
Signature/Title

June 17, 2024
Date

Check One:

- Signed by Lead Agency
 Signed by Applicant

Date Received for Filing with County Clerk or OPR:

| | | | |
|--|---|---|---------------------|
|  | City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000 | <h1>Ownership Disclosure Statement</h1> | FORM |
| | | | DS-318 |
| | | | 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: Adelante Townhomes **Project No. For City Use Only:** _____

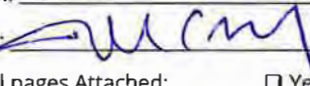
Project Address: 5575 La Jolla Blvd
La Jolla, Ca 92037

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

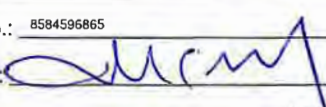
Corporation Limited Liability -or- General - What State? CA Corporate Identification No. _____
 Partnership Individual

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: Pelican Venture LP Owner Tenant/Lessee Successor Agency
 Street Address: 2050 Hancock Street, Suite B
 City: San Diego State: CA Zip: 92110
 Phone No.: 8584596865 Fax No.: _____ Email: caz@murleycompany.com
 Signature:  Date: 9/29/22
 Additional pages Attached: Yes No

Applicant

Name of Individual: Russell C. Murfey Owner Tenant/Lessee Successor Agency
 Street Address: 2050 Hancock Street, Suite B
 City: San Diego State: CA Zip: 92110
 Phone No.: 8584596865 Fax No.: _____ Email: russ@murleycompany.com
 Signature:  Date: 9/29/22
 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

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.

| | | |
|--|---|---|
| Page 3 | City of San Diego · Information Bulletin 620 | August 2018 |
|  | City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 | Community Planning Committee Distribution Form |
| | Project Name: Adelante Townhomes | Project Number: 1073585 |
| Community: La Jolla | | |
| <p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p> | | |
| <input checked="" type="radio"/> 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 type="checkbox"/> Vote to Deny | | Date of Vote: May 04, 2023 |
| # of Members Yes 10 | # of Members No 3 | # of Members Abstain 1 |
| Conditions or Recommendations: | | |
| <input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) | | |
| NAME: Suzanne Baracchini | | |
| TITLE: LJCPA Trustee/Secretary | | DATE: May 04, 2023 |
| <p align="center"><i>Attach additional pages if necessary (maximum 3 attachments).</i></p> | | |

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM



**La Jolla Community Planning Association
Trustee Meeting **Minutes****

LJCPA
P.O. Box 889, La Jolla CA
92038
<https://lajollacpa.org>
info@lajollacpa.org

May 4, 2023, 6:15pm
Bishops School
Main Dining Room
7607 La Jolla Blvd.
La Jolla, CA 92037

President: Harry Bubbins
1st VP: Diane Kane
2nd VP: Suzanne Baracchini
Secretary: Suzanne Baracchini
Treasurer: Larry Davidson

LJCPA Trustee Meeting Starts 6:15pm following LJCPA Annual Meeting at 6pm.

Regular monthly meetings: 1st Thursday each month.

For attendance to count, sign-in must be in the member's name. Refer to projects or issues, not to applicants or opponents. For **action** items, chair calls on the public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by acclamation, roll call, or show of hands. **The public is encouraged to participate in Committee/Board meetings before LJCPA discussion:**

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 Thursday, 4:00 pm

T&T – Traffic & Transportation Board, Chair Brian Earley, 3rd Tuesday 4:00 pm

Join LJCPA, become a member, sign up here: <https://lajollacpa.org/membership-application/>

Procedural

LJCPA has 18 Elected Trustees:

Quorum Present: (14) Ahern, Baracchini, Bubbins, Davidson, Fremdling, Kane, Kreideman, Rasmussen, Rudick, Steck, Terry, Weissman, Will, Williams

Absent: (4) Brady, Hostomska, Weiss

Not Yet Sworn In: (1) Courtney

1. **Approve Agenda Action**

Joe Terry: Agenda Item 6, Adelaide Townhomes should be amended to show PDO findings - 3/13: findings **CANNOT** be made, 6-0-1 :

2. Motion to Approve Agenda with PDO findings amendment: [Baracchini/ Rudick]
Motion passed unanimously 13-0-1

Approve Minutes Action

No Motion to Approve Minutes, item moved to June Agenda.

3. **Elect 2nd Vice President Action**

President Bubbins: Suzanne Baracchini has resigned as 2nd Vice President

Motion to Elect Jodi Rudick as 2nd Vice President: [Steck/Kane]

Motion passed unanimously 13-0-1

4. **Swear in Newly Elected Trustees Action**

Barbara Bry, Enhance La Jolla/MAD Village of La Jolla swore in elected Trustees Suzanne Weismann and Brian Williams and extended an invitation to trustees and the public to attend Enhance La Jolla Day, May 13th 9-11am, in front of Union Bank, La Jolla.

Non-Agenda Public Comment

(Items not on the agenda. 2 minutes or less. No votes or action)

Phil Merten: Concerned that members of the La Jolla Project Review Committees are not following their responsibilities as required by the LJCPA ByLaws. Specifically Article II Corporate Purposes & General Provisions, Section 2. Project Review *“the LJCPA shall focus such review on conformance with the Land Development Code (Chapters 11, 12, 13 & 14 of the Municipal Code), the adopted Community Plan and/or General Plan”*. The LJCPA reviews discretionary permit applications such as CDP & SDP’s, the SDMC requires decision makers to make certain findings. The required findings are that a project must be conforming with the La Jolla Community Plan and Local Coastal Program and comply with San Diego Municipal Code. Motions are made by the review committees that findings can be made for a project when those motions are approved by a majority of committee members without explaining the findings that are being approved. Without an explanation are we to assume the findings are those required by the municipal code? There are committee recommendations for projects before you tonight that say findings can be made when the project neither conforms with the community plan nor complies with the SDMC. In conclusion I urge the Planning Association Trustees, Committee Chairpersons and all review committee members to become familiar with the land development code and the La Jolla Community Plan so that committee review, motions made and committee recommendations are in accordance with the project review provisions of the LJCPA ByLaws and are consistent with City CP 600-24.

Sheri Lightner: Echoed much of Mr. Merten comments above. Encouraged trustees and committee members to become familiar with LJCPA Bylaws and CP 600-24. City Indemnification requires that the group be officially recognised by the city. Suggested training for trustees and committee members and to abide by the Brown Act. DPR & PDO committees violate the LJCPA Bylaws. Expectations of the public are for consistent, inclusive and transparent behavior of the trustees and committees.

Consent Agenda

5. Consolidate, Accept, & Adopt Committee Judgments **Action**

Committee/Board recommendations to which no Trustee objects. Consent items are voted together, without presentation or debate. Upon approval the Committee/Board recommendations become LJCPA's. Anyone may "pull" Consent items for full discussion and vote at a subsequent meeting.

5.1. 6825 La Jolla Blvd "Bathey Residence" (693412, Frontis)

(Process 2) Easement Vacation to vacate sewer easement and Coastal Development Permit to convert 1-story residence to mixed use retail & office space with Junior Accessory Dwelling Unit and add 2nd floor residence located at 6825 La Jolla Blvd. The 0.13-acre site is in the La Jolla Planned District-4 and Coastal (Non-Appealable) Overlay Zone and Coastal Height Limit Overlay, Parking Impact Overlay Zones, and within the La Jolla Community Plan area and CD 1.

*DPR 2/21: findings **CAN** be made, 6-2-1*

5.2. 6308 Avenida Cresta "Cohenour Residence" (106770, Sammon)

(Process 2) Proposed project to demo existing 1-story, 2,506 sq. ft single-family residence and existing site walls. The project will construct a new, 4, 998 sq. ft., single-family residence including Roof Terrace, Site Improvements, and Covered Terrace. The .225 acre site is located at 6308 Avenida Cresta in the RS-1-7 zone, Coastal Overlay (non-appealable) Zone, Transit Priority Area, Parking Impact Zone, Coastal Height Limitation Overlay Zone, and Geo Hazard 53, in the La Jolla Community Plan area, CD 1

*DPR 2/21: findings **CAN** be made, 7-0-1*

5.3. 960 West Muirlands (1077208, Lytle)

960 West Muirlands Drive (0.222-acre site) in the RS-1-2 and RS-1-5 within the Coastal (Non-Appealable-1) Overlay Zone, Coastal Height Limit Overlay Zone, Complete Communities Mobility Choices (CCMC Mobility Zone 2), Parking Impact Overlay Zone (PIOZ-Coastal-Impact), Transit Priority Area (TPA), Paleontological Sensitivity Area of the La Jolla Community Plan Area

within Council District 1 to demolish an existing single-family residence and construct a new two-story single-family residence with a 472-square foot deck and a subterranean basement two-car garage.

- Process 2 – Coastal Development Permit pursuant to San Diego Municipal Code (SDMC) Section 126.0707 to demolish an existing single dwelling unit and construct a new single dwelling unit.

DPR 4/11: findings **CAN** be made, 4-0-1

5.4. 6064 Avenida Chamnez (1070315, Lyon)

Process 3 Site Development Permit for a proposed 1,241 sf deck, 1,402 sf addition, and 800 sf interior remodel to an existing 1,819 sf single-family residence at 6064 Avenida Chamnez. The 0.37-acre site is located in the RS-1-4 zone, Coastal (Non-Appealable) Overlay zone, and ESL within the La Jolla Community Plan and Council District 1.

DPR 4/18: findings **CAN** be made, 3-0-1

5.5. 8421 Whale Watch Way “Lowrey Terrace” (1079879, Ritter)

La Jolla: Remodel and addition of an existing 3-story with basement, 3,834 SF single family homes into a 3-story with basement 9,435 SF single family home.

PRC 4/20: finds **CAN** be made, 4-0-1

5.6. 8330 Prestwick Dr “Prestwick Residence” (1065876, Sanchez)

(Process 3) Demolish existing residence for the construction of a 10,510 square-foot single-family residence with walkout subterranean basement, pool, retaining wall, terrace, garage, and associated site work at 8330 Prestwick Drive. The 0.56-acre site is in the La Jolla Shores Planned District – Single Family (LJSPD-SF) and Coastal Overlay Zone (Non-Appealable-2), Coastal Height Limitation, Brush Management Zone, Very High Fire Hazard Severity Zone, Complete Communities Mobility Choices (CCMC-Mobility Zone 4), Parking Impact Overlay Zone-Costal within the La Jolla Plan area, CD 1.

PRC 2/16: findings **CAN** be made, 5-0-2

5.7. Motion to Approve Change of Hourly Parking Time Limit

from 1 hour to 90 Minutes between Kline and Silverado Streets:

T&T 4/18: **APPROVE** 7-0-0

5.8. Motion to Approve Street Closure for La Jolla Open Aire Market

conditional upon receiving the Permit from Department of Special Events:

T&T 4/18: **APPROVE** 7-0-0

Motion to Approve Consent Agenda: [Baracchini/Steck]

Motion passed unanimously 13-0-1

Comments from Elected Officials, Agencies & Other Entities

- Council 1 (LaCava): Steve Hadley, 619-236-6611, srhadley@sandiego.gov
Steve Hadley: Handed out flier invitation to budget forum Saturday, May 6th, 10am at LJ Rec Center. There will be an overview of FY24 Budget and listen to community input. La Jolla Parkway resurfacing work has begun between 9pm- 5am (only one lane open) and hope to be finished by Memorial Day Weekend.
- SD Mayor's Office (Gloria): Emily Piatanesi, 619-964-6637, epiatanesi@sandiego.gov
Emily Piatanesi: (Absent) shared a lengthy [report via email](#)
- County 3 (Lawson-Remer): Celsey Taylor, 858-289-9195, Celsey.Taylor@sdcountry.ca.gov
Absent
- Assembly 77 (Boerner): Mariah Kallhoff, 760-434-7605, Mariah.Kallhoff@asm.ca.gov
Mariah Kallhoff: Assembly Member has dropped her last name and will go by Tasha Boerner. Please visit website to see status updates <https://a77.asmdc.org/>
- Senate 38 (Blakespear): Aurora Livingston 760-642-0809, aurora.livingston@sen.ca.gov
Aurora Livingston: La Jolla has two California State Senators due to redistricting (Blakespear & Sen. Pro Tempore, Toni Atkins). The Governor will release his Budget proposal in mid-May, final bill will have to be passed by June 15th, 2023.
- SD Airport Authority: Ivonne Velazquez, 619-400-2453, ivelazqu@san.org
Absent
- SD Planning: Marlon Pangilinan, 619-235-5293, mpangilinan@sandiego.gov
Marlon Pangilinan: Annual Planning Group training based on the revised Council Policy 600-24, June 12th, invitations are forthcoming. Requested LJCAP Roster. New members can continue to take the E-COW training online (old council policy) until new training goes into effect. Working on a website regarding the CPG recognition process. Applications for Council recognition will be online starting June. Applications will be due by December 31st, 2023.
- UCSD Planning: Anu Delouri, 858-610-0376, adelouri@ucsd.edu
Absent
- Senate 39 (Atkins): Cory Reed : Gave update on "Protect our Progress Bill" no cuts to programs, no middle class tax increases, rejects proposed cuts and delays to key infrastructure investments. Billion dollars for child care rate enhancements, augments housing program "California Dream For All", 3 Billion for schools and community colleges, 4.3 Billion tax cut to small businesses.

Local Project Reviews (Limit to 4 Projects, Action as noted)

6. Adelante Townhomes (1073585, Wynn)

pulled from January 5 consent agenda

Coastal Development Permit and Tentative Map for the demolition of an existing office building, subdivision of one lot into 13 condominium units, and construction of one new two-story multi-family residential building with a basement level, covered parking, and roof decks totaling 21,485 square feet located at 5575 La Jolla Boulevard. The 0.30-acre site is in the La Jolla Planned District-4 Zone (LJPD-4) and Coastal Overlay Zone (Non-Appealable 2) within the La Jolla Community Plan area.

DPR 12/20/22: **permits be granted** 5-1-1
 PDO 1/9/23: **Supports Project** (notes non-conforming to PDO) 6-1-0
 LJCPA 2/2/23: Findings **CAN** be made 9-2-1
 LJCPA 3/2/23: **Rescinds** approval 10-0-1
 PDO 3/13/23: **project denied** (non-conforming to PDO) be made, 6-0-1
 DPR 4/11/23: findings **CAN** be made, 3-2-0

Applicant Russ Murfey [Murfey Company]: Presented Adelante Townhome Project. Project is unchanged, shared responses to City comments. Summarized previous committee reviews and decisions, incentives and waivers. Number one item is density bonus State Law allows use of incentives and waivers to eliminate certain items of the PDO, in particular Retail {space}. Murfey Company emailed the Director of San Diego Housing Commission who confirmed their density bonus assumptions and valuations are correct. Project meets SDMC. This project is a "For Sale" project and the City is aware. Described unit sizes. There are 8 one bedrooms out of 13. Affordable unit is applied to the majority (one bedrooms) therefore will be a one bedroom unit.

Public Comments were provided in support of the project to alleviate the housing crisis and more residents to support the existing retail.

Phil Merten: Two requirements, the project must comply with the SDMC and the La Jolla Community Plan. Site is in the middle of the commercial area of Bird Rock; the La Community Plan states this area is for commercial mixed use. There is no commercial use in this project. This project is not in accordance with the La Jolla Community Plan, the findings for CDP cannot be made on this issue alone. Encouraged trustees to uphold the community plan. The only way to change the zoning designation on this site is to do a plan update and get approval of the California Coastal Commission and then return to LJCPA for approval.

Sherri Lightner/Don Schmidt: Gave lengthy opposition to the proposed project summarized in this submitted memo [20230223 CPA Memo.pdf](#) Concluded this is not affordable housing. Millions of dollars spent on Bird Rock Traffic Plan and is a part of the City's Climate Action Plan.

Cragi Bender [Bird Rock Merchant Group]: Merchant district has experienced significant growth over the past year. Working on "Welcome to Bird Rock" signage. Exploring more street lighting. ADelante occupies one of the most important corners in Bird Rock; the project is taking away merchants from the neighborhood. Sets a precedence. Craig's conclusion was that meeting the

LJPDO requirement for ground floor retail space is critical for the survival of Bird Rock merchants.

Tyler Wilkinson: Life long Bird Rock resident supports project.

Joe Terry: Speaking on behalf of Bird Rock Council opposes approval of this project and requested the LJCPA delay its recommendation to the City until it can make well informed decisions on compliance issues including whether the project is entitled to the affordable housing awards that are claimed. Mr. Terry reiterated many of the comments and concerns above.

Applicant Russ Murfey [Murfey Company]: Density Bonus meets the provisions of the Land Use Code.

Joe Terry: Main concern is approval without required amount of retail space puts Bird Rock at risk by decreasing incentives for commercial prop owners to upgrade their buildings to attract and retain viable tenants and will increase incentive to replace their buildings with Adelante-like developments without retail space. Over time will significantly reduce retail space in Bird Rock. Request that decision to approve the project be delayed.

Jodi Rudick: What is the current retail vacancy rate in Bird Rock?

Applicant Russ Murfey [Murfey Company]: 22 Vacant units

Jodi Rudick: When was the last time La Jolla Planned District Ordinance (PDO) was updated or reviewed.

Deborah Marengo: Originally PDO document was 1986

Jodi Rudick: Why did you make the decision not to put retail on the first level?

Applicant Russ Murfey [Murfey Company]: Doesn't make sense, already too much retail. Current banking crisis, getting a project financed is near to impossible and when retail is added banks won't touch it. This project is representative of the current market.

Jodi Rudick: Is there precedence in La Jolla where retail was waived.

Applicant Russ Murfey [Murfey Company]: Yes. Approved by LJCPA Corner of Gravilla/La Jolla blvd. and others.

Bob Steck: Asked Brian Will [DPR, Chair] why this project was approved and why it meets all these rules that are being opposed.

Brian Will [DPR]: Density bonus was confirmed to be correctly calculated, incentive system is built into SDMC but doesn't bleed over into the community plan. Opinion is: Plans create codes, codes are the execution of the Plan. Incentives allow you to waive certain parts of the code and the fact that they don't verbally tie that back to the community plan is more "ticky tac" than he is willing to go. SDMC is clear and you can use these incentives to waive certain aspects of the code and this has been the case at the City for years.

Larry Davidson: Asked email/letter from San Diego Housing Commission be read "*In general the density bonus assumptions and calculations you shared below are correct.....*". Bothered by this statement, it sounds very vague.

Glen Rasmussen: Personally feel don't need more retail in Bird Rock but want to be sure the correct law is applied to this project and is highly in doubt.

Motion to Approve Project: [Will/Baracchini]

Vote Count: [YES] Ahern, Baracchini, Fremdling, Kane, Kreideman, Rasmussen, Rudick, Weissman, Will, Williams. [NO] Davidson, Steck, Terry [Abstain] Bubbins

Motion Passes: 10-3-1

7. **7213 Castellana** "Castellana Residence" (1062557, Sparks)

pulled from april 11 consent agenda

(Process 2 & 3) Construct a three-story, 10,120-square-foot 6,292 (SF) residence on an existing vacant parcel (APN: 350-541-0600) located at Castellana Road, near Crespo Drive. The 0.27-acre site is in the Residential Single Dwelling Unit (RS-1-5) Base Zone, Coastal (Non-Appealable), Coastal Height Limitation and Geological Hazard Categories (12, 53, 27) Overlay Zones in the La Jolla Community Plan and Local Coastal Plan area.

DPR 3/21: findings **CAN** be made, 4-2-1

Applicant Presentation: Addressed issues for project being pulled from agenda (1) Height of the trellis and (2) encroachment of angle to building plane envelope of the eave.

Motion to Approve Project: [Will/Baracchini]

Vote Count: [YES] Baracchini, Fremdling, Kreideman, Rudick, Will, Williams. [NO] Ahern Davidson, Kane, Rasmussen, Steck, Terry, Weissman [Abstain] Bubbins

Motion Fails: 6-7-1

Motion to Deny Project: [Ahern/Steck]

Findings cannot be made for the Castellana Road development project for consistency with the La Jolla Community Plan per the Goal on page 81, for Residential Land Use, "Preserve existing streetscape themes", page 84, Community character. "Avoid extreme and intrusive changes to the residential scale"; page 90 Community Character, a. Limit bulk and scale b. side yard setbacks; home does not set back 2nd and 3rd floors, c. create building articulation. For large lots reduce FAR. e. 2nd and 3rd stories should be set back up to the 30-foot height limit. As per Building Code, north-west corner of building projects above the angled building envelope height (2) exceeds the 30 ft. maximum allowed plumb line *structure height* at the front of the building.:

Vote Count: [YES] Ahern, Davidson, Fremdling, Kane, Rasmussen, Steck, Terry, Weissman [NO] Baracchini, Will, Williams [Abstain] Bubbins, Kreideman, Rudick

Motion Passes: 8-3-3

8. **812 Havenhurst Pt** (697754, Gonzalez)

pulled from april 11 consent agenda

(Process 3) Coastal Development Permit and Site Development Permit for the demolition of an existing single family residence and the construction of a 12,979 sq. ft., 3-story single family residence at 812

Havenhurst Point. The 0.51-acre site is in the RS-1-4, Coastal (Non-appealable) overlay zones within the La Jolla Community Plan area. Council District 1.

*DPR 3/21: findings **CANNOT** be made, 5-1-1*

Andy Michelletti [Secretary of Muirlands Point Declarations and Prescriptions Committee]:

Request to deny project.

Brain Will: Very large project, immediate neighbor had privacy concerns, majority of homes are low rambling roof style and this design is not consistent with the neighborhood.

Diane Kane: Agenda says this project was already denied by DPR. The dilemma that this project presents, It complies with the code but the reasons to not recommend it are based on the subjective measures described in the Community Plan. The City usually does not recognize Community Plan (Community character) objections.

Motion to support DPR decision: [Rudick/Baracchini]

Vote Count: [YES] Ahern, Baracchini, Davidson, Fremdling, Kane, Kreideman, Rasmussen, Rudick, Steck, Terry, Weissman, Williams. [NO] Will [Abstain] Bubbins

Motion Passes: 12-1-1

9. **7443 Eads Av (1070073, Marengo)**

pulled from april 11 consent agenda

Process 2 Coastal Development Permit. The permit is for the addition of a new dwelling unit, a new accessory dwelling unit, and a new Junior accessory dwelling unit to an existing single-family residence located at 7443 Eads Avenue. The 0.16-acre site is in the RM-1-1 zone, Coastal (Non-Appealable) Overlay Zone, and Coastal Height Limit Overlay Zone of the La Jolla Plan area.

*DPR 3/21: findings **CAN** be made, 6-0-1*

Motion to support the findings of DPR: [Rudick/Steck]

Motion passed unanimously 13-0-1

Claude Anthony Marengo [Applicant]: Public has the right to have items pulled from the consent agenda but would be nice to know who is pulling an item and why. Applicants need to be able to prepare to address reasons why the project has been pulled from the Consent Agenda. Why should an applicant give a full presentation if the specific issues have not been stated. DPR (sub-committee) already reviewed the entire project. Pulled items up for review should address specific reasons for the project being pulled.

Jodi Rudick: Time for ByLaws review.

City/State/UCSD Project Reviews (Action as noted)

(none)

Policy Discussion, Reviews & Recommendations (Action as noted)

(none)

Officer Reports (Action as noted)**Presidents Report:** [Harry Bubbins]:

Thanked everyone for their patience as he is new to the position. Thanked all officers and past officers. Need to review the Bylaws for short and long term, need an ad-hoc committee. CPC discussed housing package 2.0. Looking for a volunteer representative from LJCPA. Training will be in June for all LJCPA Trustees. Thanked Brian Williams, LJCPA Trustee & Bishops School Facilities Manager, for securing Bishops for tonight's meeting location. Is meeting with all Trustees. LJCPA has received some attendance questions during the COVID era and will be reviewing.

735 Nautilus Street/#693284 - Decision to Appeal City of San Diego, DSD approval of CDP [Project #693284, 735 Nautilus Street] to demolish an existing single-family residence and construct two new 3,121 square-foot single-family dwelling units with basements that will include a 310 square-foot accessory dwelling unit within each unit, and associated site improvements. The 0.15-acre site is located at 735 Nautilus Street and is in the RM-1-1 Zone and Coastal (Non-Appealable Area) Overlay Zone within the La Jolla Community Plan area. This development is within the Coastal Overlay Zone and the application was filed on October 6, 2021.

Previous Motions:

DPR 3/15/22: findings CAN be made, 3-2-1

LJCPA Trustee Motion 5/5/22: (Will/Costello) Findings cannot be made this project does not comply with municipal code plumb line height measurement as pertains to the roof deck on the western edges of the structure nor does it apply to the angled set back at the eastern edge of the building.

Voice Vote: 12-3-1 Motion Carries. **Yea:** Ahern, Brady, Costello, Davidson, Fremdling, Hostomska, Rasmussen, Rudick, Shannon, Terry, Weissman, Will **Nay:** Baracchini, Boyden, Jackson **Abstain:** Steck

Glen Rasmussen: What's the impact of an appeal on LJCPA

Diane Kane: No financial impact. Need to attend in person downtown and the possibility of prevailing is slim. If a committee could not make findings to support and their recommendation to deny the project and LJCPA supports the denial, it was on the committee to develop the argument of why they did not approve the project and present that information at the hearing rather than having the president do it.

Brian Will: Valid reason to fight this project due to SDMC violations.

Phil Merten: Value in pointing out to the Planning Commission where City staff make erroneous decisions and approves projects.

Motion to not appeal : [Rasmussen/Rudick]

Vote Count: [YES], Rasmussen, Rudick, [NO] Ahern, Baracchini, Davidson, Fremdling, Kane, Kreideman, Steck, Terry, Weissman, Will, Williams. [Abstain] Bubbins

Motion Fails: 2-11-1

Motion to appeal: [Williams/Kreidman]

Vote Count: [YES] Ahern, Baracchini, Davidson, Fremdling, Kane, Kreideman, Steck, Terry, Weissman, Will, Williams. [NO] Rasmussen, Rudick [Abstain] Bubbins

Motion Passes: 11-2-1

Secretaries Report: [Suzanne Baracchini] Nothing to report.

Treasurer's Report: [Larry Davidson]: Reported as stated below.

| | |
|--|-----------------|
| Beginning Balance, April 1, 2023: | \$698.38 |
| Total Income: | 122.00 |
| Total (Expenses): | (0.00) |
| Net Income-Expenditure: | 122.00 |
| Ending Balance, April 30, 2023: | \$820.38 |

Reports from Standing, Ad Hoc and other Committees (information only)

- **CPC** (Bubbins) - included in Presidents Report
- **2023 Municipal Code Amendment Request Update** (Kane)

The Land Development Code (LDC) contains regulations for the development and use of property including zoning, subdivisions and other related land use activities. The Planning Department monitors and continually updates the code to simplify and streamline the permitting processes, assure compliance with state and federal regulations, and eliminate unnecessary barriers, redundancies and contradictions.

Diane Kane: Code Amendment updates compiled by Coastal View Corridor Committee and DPR were submitted by April 30th deadline.

Non-Agenda Trustee Comment (information only)

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Suzanne Weissman: Short Term rental codes are now being enforced. Need neighbors to comply with the code. The Get It Done App has a new section to report violations.

Steve Hadley: AirBnB had removed rentals from San Diego who did not have a permit with the City accounted for approximately 30% of rentals.

Adjourn to next LJCPA meeting

Regular meeting June 1st, 2023, 6pm, venue to be determined.

Meeting adjourned 8:42pm

Minutes prepared by Suzanne Baracchini, LJCPA Secretary