



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: May 3, 2018 REPORT NO. PC-18-030

HEARING DATE: May 10, 2018

SUBJECT: The Sporting Club TM Process Four Decision

PROJECT NUMBER: [527398](#)

REFERENCE: Planned Commercial Development (PCD) No. 82-0544 and
PCD No. 96-0456, "The Aventine."

OWNER/APPLICANT: W-JMA LA JOLLA OWNER VII, LLC, Owner/Leppert Engineering, Applicant

SUMMARY

Issue: Should the Planning Commission approve the subdivision of a parcel containing existing development into two parcels with a deviation to lot design located at 8930 University Center Lane within the University Community Planning area?

Staff Recommendations:

1. Approve Tentative Map No. 1852556; and
2. Approve Planned Development Permit No. 2124540.

Community Planning Group Recommendation: On November 14, 2017, the University Community Planning Group voted 13-1-2 to recommend approval of the project without recommendations/conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15315 (Minor Land Divisions). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 1, 2018, and the opportunity to appeal that determination ended March 15, 2018.

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

Housing Impact Statement: The continued use of the site for commercial purposes and the proposed subdivision would have no effect on the provision of housing.

BACKGROUND

The project site is located at 8930 University Center Lane, southeast of the intersection of Interstate 5 and La Jolla Village Drive. The site is zoned CO-1-2 and is designated for commercial uses within the University Community Plan. The site is located within the Aventine campus (the Aventine), which is an 11.7-acre mixed-use development constructed in 1989. The Aventine includes hotels, restaurants, an 11-story office building, and a health club. (Please see Attachments 1-4.)

The Aventine represents the northern four lots within a larger 38-acre Planned Commercial Development (PCD) approved by City Council on June 14, 1984 as PCD No. 82-0544. This PCD was revised in 1985 by the Planning Director, pursuant to Resolution No. 5865, allowing the construction of the Aventine. Parking for the Aventine is located in three centrally-located underground parking structures accessed from private drives. These parking structures can be used by all occupants and visitors of the Aventine development.

On November 20, 1996, additional modifications to the Aventine campus, approved by the Hearing Officer under PCD 96-0456, allowed the expansion of the hotel, offices, and health club. The expansion included additional shared parking.

On November 4, 1999, Parcel Map No. 18367 was recorded, adjusting lot lines to match the as-built conditions of the site. This map included multiple 3-dimensional parcels that reflected the shared nature of uses within the site and within buildings. The current application proposes to subdivide one parcel (Parcel 3) within the development.

On February 8, 2016, a Substantial Conformance Review (SCR) No. 1648455 approved the conversion of a portion of the health club to office space. The change in use was found to substantially conform to the previous approvals.

DISCUSSION

Project Approvals:

A Tentative Map is required for the proposed subdivision of land. A Planned Development Permit is required for the requested deviation to allow a lot without public street frontage, as required per San Diego Municipal Code (SDMC) Section 144.0221.

Project Description:

The project proposes to subdivide a 0.90-acre parcel (Parcel 3) containing two existing uses within two separate structures. See figure 1 to the right. Parcel 3 contains a 3-story, cylindrically-shaped commercial building. Parcel 3 also extends three-dimensionally into a single-story underground gymnasium.

The gymnasium, "The Sporting Club," is physically located within the subterranean parking garage of

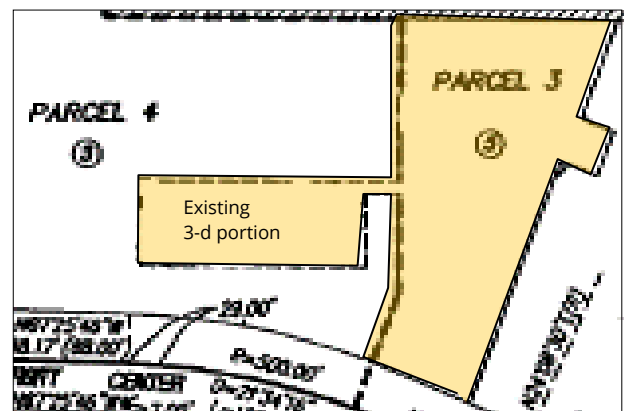


Figure 1: Parcel 3

an 11-story office tower complex located in Parcel 4. Parcel 4 surrounds the three-dimensional portion of Parcel 3 (containing the gym) on all sides (top, bottom, front and back), except for an 8-foot segment connecting the gymnasium to the cylindrically-shaped office building through a covered walkway. A new lot line would split Parcel 3 at this location (See figure 2).

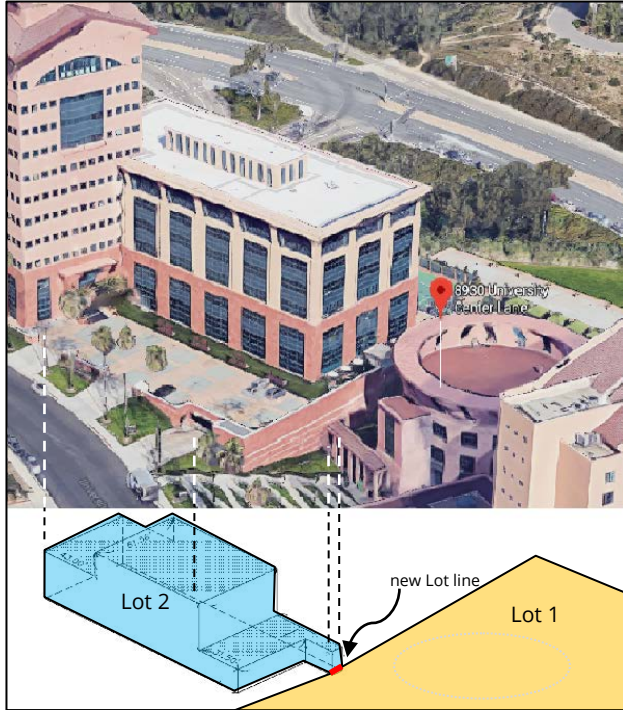


Figure 2: Proposed Lot 2 and a portion of Lot 1.

Proposed Lot 1 would be 0.674 acres and retain the cylindrically-shaped commercial building. Proposed Lot 2 would create a separate three-dimensional, below-grade lot for the gymnasium and measure 0.230 acres (See figure 2).

SDMC Section 144.0221 (Lot Design Requirements for Tentative Maps) requires all lots to have frontage on a public street and meet the lot design requirements of the underlying zone or meet the standards specified in a Planned Development Permit. Proposed Lot 2 would not front a public street to provide access, and therefore, requests a deviation from this requirement. However, access to the project site is provided by a private drive that interconnects the underground parking garages to a public street (University Center Lane); so fronting a public street to provide access is not necessary in this unique situation. Providing frontage for the lot

would not be possible due to its location, below grade, within the built development. If designed in strict conformance to the base zone regulations, development on site would require demolition, redesign, and reconstruction of adjacent/attached buildings. With the allowable deviation, the proposed subdivision is appropriate at this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations. By granting a deviation at this location, the subdivision would not affect the continued operation of the Aventine. Combined with the development regulations within PCD 96-0456/82-0544, the Aventine would continue to comply with all regulations as outlined in the SDMC.

Conclusion:

With the requested deviation, staff supports a determination that the proposed subdivision is consistent with the recommended land use and development standards in effect for this site pursuant to the adopted Subdivision Map Act, the University Community Plan, the San Diego Municipal Code. Staff has prepared draft findings and draft conditions of approval, and recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Planned Development Permit No. 2124540 and Tentative Map No. 1852556, with modifications.

2. Deny Planned Development Permit No. 2124540 and Tentative Map No. 1852556, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



PJ Fitzgerald
Asst. Deputy Director
Development Services Department

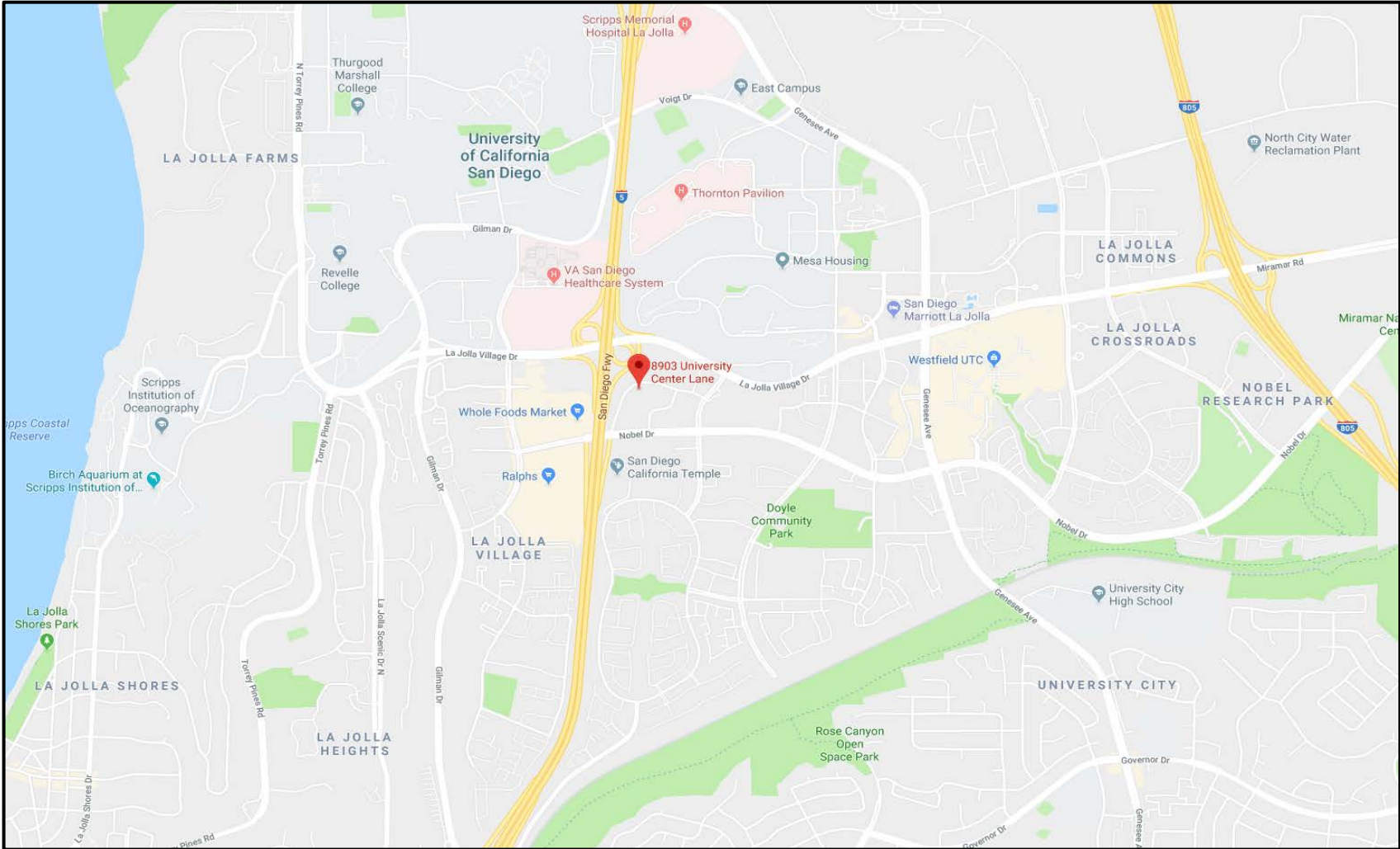


Francisco Mendoza
Development Project Manager
Development Services Department

PJF/FM

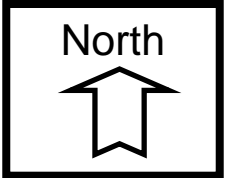
Attachments:

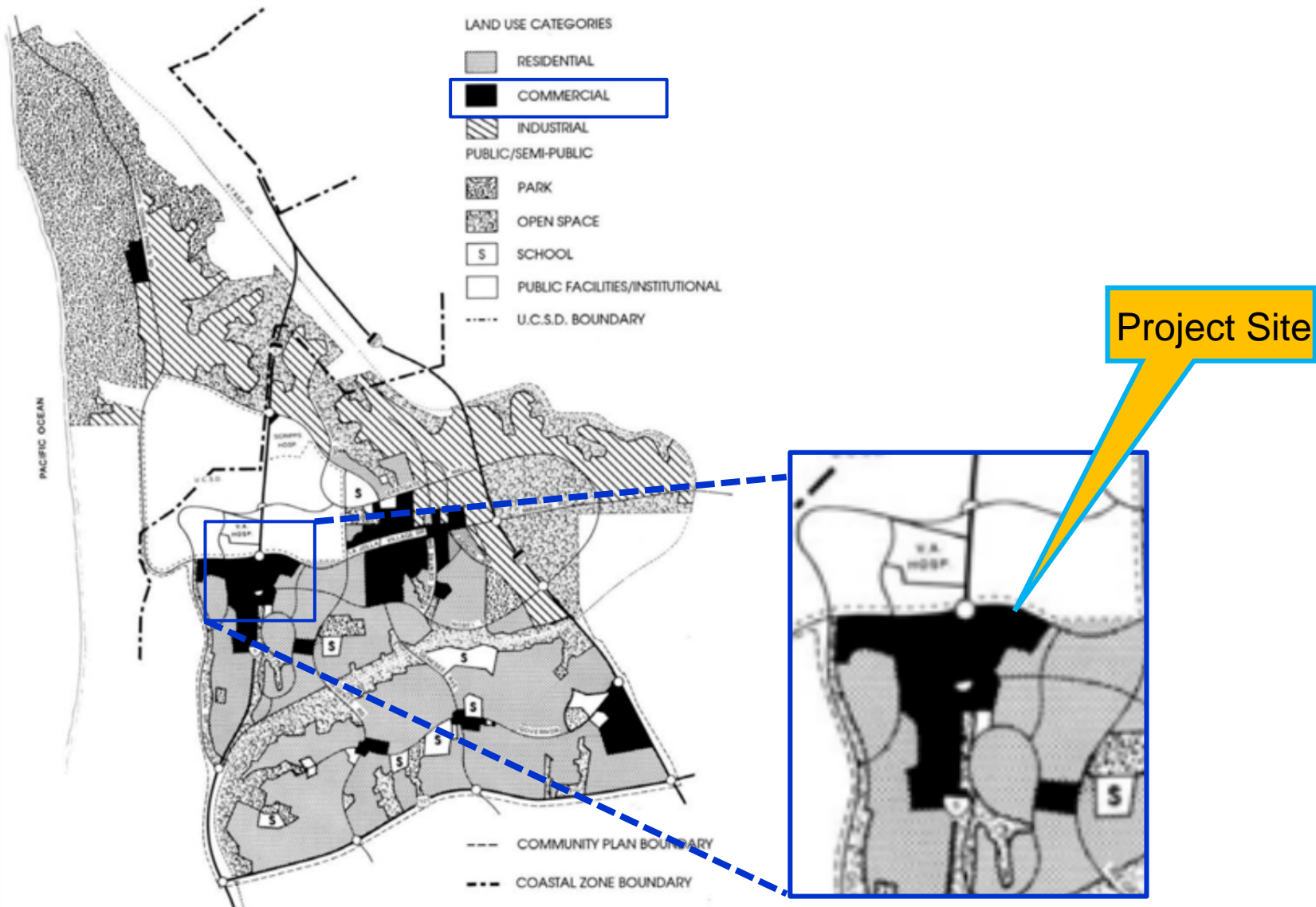
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photographs
4. Site Photographs
5. Draft Map Resolution with Findings
6. Draft Map Conditions
7. Draft PDP Resolution with Findings
8. Draft PDP Conditions
9. Environmental Exemption
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Copy of Recorded Permit PCD 96-0456
13. Tentative Map



Project Location Map

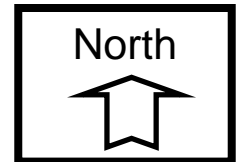
The Sporting Club TM
PROJECT NO. 527398 – 8930 University Center Lane

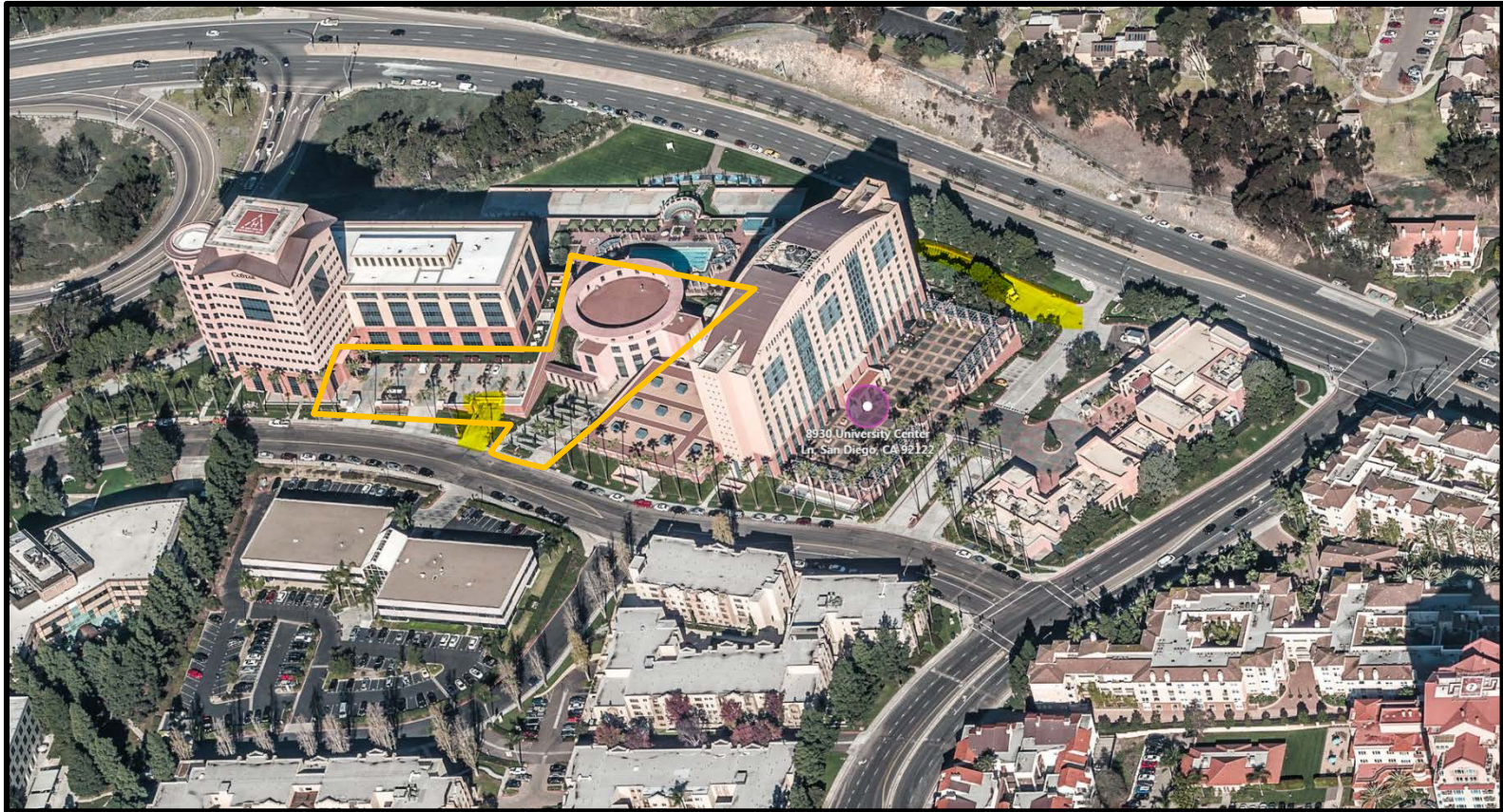




Land Use Map

The Sporting Club TM
 PROJECT NO. 527398 – 8930 University Center Lane

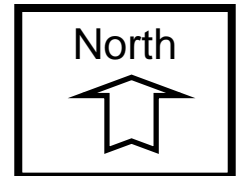


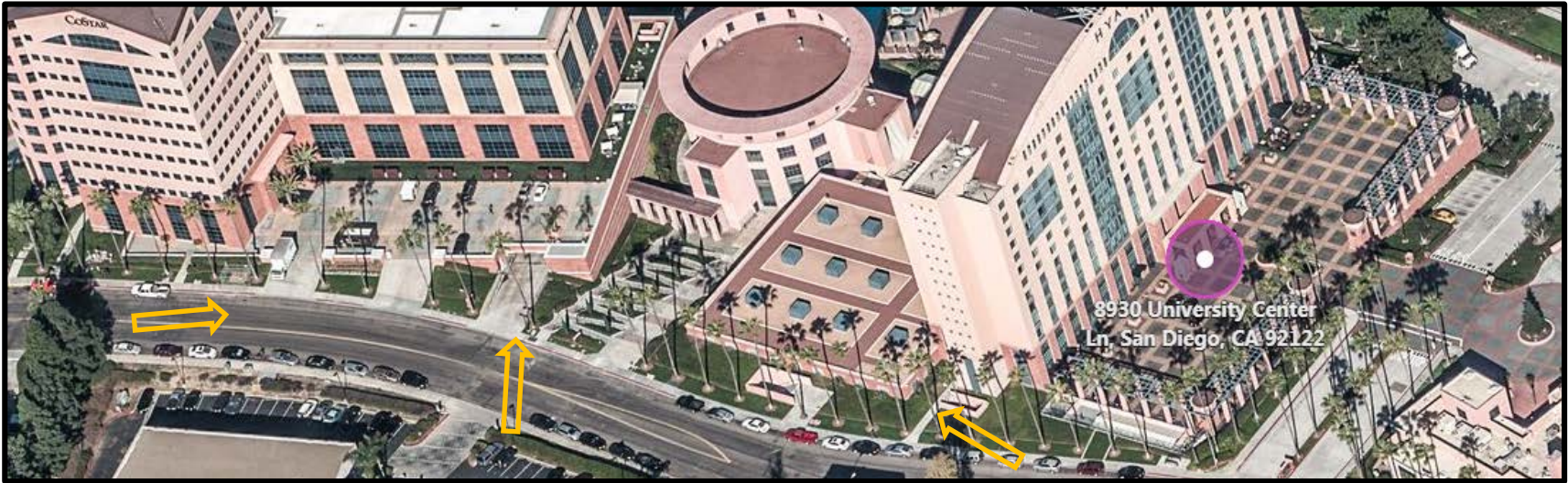


Aerial Photograph

[The Sporting Club TM](#)

PROJECT NO. 527398 - 8930 University Center Lane

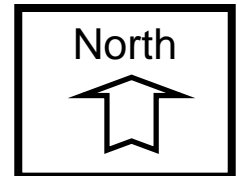




Site Photographs

The Sporting Club TM

PROJECT NO. 527398 – 8930 University Center Lane



PLANNING COMMISSION RESOLUTION NUMBER _____-PC-1
TENTATIVE MAP NO. 1852556

THE SPORTING CLUB TM - PROJECT NO. 527398

WHEREAS, W-JMA LA JOLLA OWNER VII, L.L.C., a Delaware limited liability company, Subdivider, and, JOHN D. LEPPERT, Engineer, submitted an application to the City of San Diego for a Tentative Map (Tentative Map No. 1852556). The project site is located at 8930 University Center Lane in the CO-1-2 Zone, the Airport Influence Area (Marine Corps Air Station (MCAS) Miramar), the Community Plan Implementation Overlay Zone (CPIOZ-A), the Very High Fire Severity Zone, and the Parking Impact Overlay Zone (Campus) of the University Community Plan. The property is legally described as: Parcel 3 of Parcel Map No. 18367, 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, California, November 4, 1999; and

WHEREAS, the Tentative Map proposes the Subdivision of a 0.90-acre site into two lots; and

WHEREAS, on March 1, 2018, 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 15315 (Minor Land Divisions) 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, on May 10, 2018, the Planning Commission of the City of San Diego considered Tentative Map No. 1852556, 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. 1852556:

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

The proposed subdivision of a 0.90-acre parcel within a 11.7-acre property will create two lots. The proposed two lots comply with the goals and objects of the University Community Plan, which designates the site for Commercial development with the goal of providing a complete range of goods and services for the residents of the community. The project site is currently entitled under Planned Commercial Development (PCD) No. 96-0456 and PCD No. 82-0544, which was revised by Planning Director Resolution No. 5865, allowing the existing mixed-use development, including the existing gym and offices within the existing 0.90-acre parcel. No additional development is proposed with this subdivision and no construction or grading is permitted by this Tentative Map. A street light will be constructed adjacent to the project site, consistent with the adopted policies established by the City Council of San Diego. As the proposed two lots will not change existing buildings nor existing uses on the site, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. 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.

The project proposes the subdivision of a 0.90-acre lot (Parcel 3) containing existing development located within a larger 11.7-acre mixed-use commercial property known as the Aventine. Parcel 3 contains a 3-story, cylindrically-shaped commercial building. Parcel 3 also extends three-dimensionally into a single-story underground gymnasium. The proposed subdivision would divide Parcel 3 into two lots, separating the gymnasium into a separate, three-dimensional lot.

Proposed Lot 1 would be 0.674 and retain the cylindrically-shaped commercial building. This lot meets all requirements of the SDMC.

Proposed Lot 2 would create a separate three-dimensional, below-grade lot for the gymnasium and measure 0.230 acres. SDMC section 144.0221 (Lot Design Requirements for Tentative Maps) requires all lots to have frontage on a public street for access, and meet the lot design requirements of the underlying zone, or meet the standards specified in a Planned Development Permit. Proposed Lot 2 would not front a public street to provide access, and therefore, requests a deviation from this requirement. Proposed Lot 2 is located below grade, and a part of the Aventine, where frontage and access is provided pursuant to PCD 96-0456/82-0544, from private drives leading to underground, shared parking. Subdividing Parcel 3 would continue the commercial uses in the same manner as they exist.

By granting a deviation at this location, the subdivision would not affect the continued operation of the Aventine. Combined with the development regulations of PCD 96-0456/82-0544, the proposed subdivision complies with all other regulations as outlined in the SDMC. Therefore, with a deviation processed through a Planned Development Permit, the proposed subdivision complies with the applicable development regulations of the SDMC, PCD 96-0456/82-0544, and any allowable deviations pursuant to the Land Development Code.

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

The 0.90-acre site contains existing development, private access, and is designated for the type and density of development constructed on site. The proposed subdivision would not alter the buildings currently complying with the Land Development Code. The proposed subdivision would not change the existing uses nor construct any new development. Therefore, the site is physically suitable for the type and density of development.

4. 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 proposed subdivision requires no private improvements, no construction, and no grading. A street light will be constructed adjacent to the project site. The urban, developed project site does not contain, nor is it adjacent to, sensitive biological resources, Multi-Habitat Planning area, Environmentally Sensitive lands, or fish or wildlife habitats. Therefore, the design of the subdivision or the proposed improvements are not like to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The subdivision does not propose new development or construction. The subdivision will not change existing buildings or improvements on-site as constructed pursuant to PCD 96-0456/82-0544. Proposed Lot 2 is located below grade, and a part of the Aventine, where frontage and access is provided pursuant to PCD 96-0456/82-0544, from private drives leading to underground, shared parking. These existing private drives and shared parking were designed and constructed to City Standards, which assures the safety of the public using these facilities. A street light will be constructed adjacent to the project site, which will facilitate improved public safety. Therefore, the design of the subdivision of the type of improvement will not be detrimental to the public health, safety, and welfare.

6. 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.

There are no existing public access easements located within the project boundaries, as shown on Tentative Map No. 1852556. As such, no conflict would occur with the proposed subdivision, and there would be no conflict with any easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

The proposed design would not modify existing buildings on site, nor modify structures, building materials, site orientation, architectural treatments, placement and selection of plant materials to provide, therefore, the design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. 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.

As the subdivision would create no additional housing, nor modify existing buildings and uses on site, there would be no employment, fiscal, public services, or environmental impacts beyond those which have already occurred.

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. 1852556, is hereby granted to W-JMA LA JOLLA OWNER VII, L.L.C., subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Francisco Mendoza
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007123

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 1852556,
THE SPORTING CLUB TM – PROJECT NO. 527398.

ADOPTED BY RESOLUTION NO. _____-PC-1 ON MAY 10, 2018.

GENERAL

1. This Tentative Map will expire May 25, 2021.
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 Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel 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 Subdivision shall conform to the provisions of Planned Development Permit No. 2124540 and Planned Commercial Development No. 96-0456.
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.

ENGINEERING

6. The following will be conditions of the Tentative Map Resolution that the Subdivider will need to satisfy/assure before the Parcel Map is recorded.
7. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install a new street light adjacent to the site on University Center Lane, satisfactory to the City Engineer.
8. The Subdivider shall ensure that all existing and new onsite utilities serving the subdivision shall be undergrounded with the appropriate permits.

9. The Subdivider shall ensure that all existing 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 assure the undergrounding, satisfactory to the City Engineer.
10. 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

11. "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].
12. "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."
13. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (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 distances shall be shown on the map.

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

ATTACHMENT 6

pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.

- 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.
- 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. 24007123

PLANNING COMMISSION RESOLUTION NO. _____-PC-2
PLANNED DEVELOPMENT PERMIT NO. 2124540
THE SPORTING CLUB TM - PROJECT NO. 527398

WHEREAS, W-JMA LA JOLLA OWNER VII, L.L.C., a Delaware limited liability company, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide and create a lot that deviates from lot design requirements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2124540), on portions of a 0.90-acre site; and

WHEREAS, the project site is located at 8930 University Center Lane in the CO-1-2 zone, the Airport Influence Area (Marine Corps Air Station (MCAS) Miramar), the Community Plan Implementation Overlay Zone (CPIOZ-A), the Very High Fire Severity Zone, and the Parking Impact Overlay Zone (Campus) within the University Community Plan area; and

WHEREAS, the project site is legally described as: Parcel 3 of Parcel Map No. 18367, 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, California, November 4, 1999; and

WHEREAS, on March 1, 2018, 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 15315 (Minor Land Divisions); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section (SDMC) 112.0520; and

WHEREAS, on May 10, 2018, the Planning Commission of the City of San Diego considered Planned Development Permit No. 2124540 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated May 10, 2018.

A. PLANNED DEVELOPMENT PERMIT [SDMC Section 126.0605]

1. Findings for all Planned Development Permits:

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

The Sporting Club TM Project (Project) is located within the University Community Plan and is designated for commercial development. The 0.90-acre parcel is part of a 11.7-acre property containing commercial development constructed in 1989

pursuant to Planned Commercial Development (PCD) Nos. 96-0456 and 82-0544 (the Aventine). The proposed subdivision will create a lot without frontage to a public street for access; however, access and parking amongst all uses on the site is shared and controlled by the Aventine pursuant to PCD 96-0456/82-0544. The project proposes no construction or grading and does not change the existing buildings built on site, nor the existing uses. As the existing uses meet the recommendations of the community plan, the proposed development will not adversely affect the applicable land use plan.

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

The Project does not propose new development or construction, nor change existing buildings or improvements on-site as constructed pursuant to PCD 96-0456/82-0544. The proposed lot is located below grade, and a part of the Aventine where frontage and access is provided pursuant to PCD 96-0456/82-0544 from private drives to underground, shared parking. These existing private drives and shared parking were designed and constructed to City Standards, which assures the safety of the public using these facilities. A street light will be constructed adjacent to the project site, which will facilitate improved public safety. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The Project proposes the subdivision of a 0.90-acre lot (Parcel 3) containing existing development located within a larger 11.7-acre mixed-use commercial property known as the Aventine. Parcel 3 contains a 3-story, cylindrically-shaped commercial building. Parcel 3 also extends three-dimensionally into a single-story underground gymnasium. The proposed subdivision would divide Parcel 3 into two lots, separating the gymnasium into a separate, three-dimensional lot.

Proposed Lot 1 would be 0.674 and retain the cylindrically-shaped commercial building. This lot meets all requirements of the SDMC.

Proposed Lot 2 would create a separate three-dimensional, below-grade lot for the gymnasium and measure 0.230 acres. SDMC section 144.0221 (Lot Design Requirements for Tentative Maps) requires all lots to have frontage on a public street for access, and meet the lot design requirements of the underlying zone, or meet the standards specified in a Planned Development Permit. Proposed Lot 2 would not

front a public street to provide access, and therefore, requests a deviation from this requirement. Proposed Lot 2 is located below grade, and a part of the Aventine where frontage and access is provided pursuant to PCD 96-0456/82-0544 from private drives to underground, shared parking. The proposed subdivision would continue the commercial uses in the same manner as they exist, where all uses for the Aventine share access and parking. Providing frontage for the lot would not be possible due to its location below grade within the existing development. If designed in strict conformance to the base zone regulations, development on site would require demolition, redesign, and reconstruction of the Aventine development. By granting a deviation at this location, the subdivision would not affect the continued operation of the Aventine. Combined with the development regulations within PCD 96-0456/82-0544, the Aventine would continue to comply with all other regulations as outlined in the SDMC. Therefore, with the requested deviation, the proposed subdivision is appropriate at this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 2124540, 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. 2124540, a copy of which is attached hereto and made a part hereof.

Francisco Mendoza
Development Project Manager
Development Services

Adopted on: May 10, 2018

Internal Order No.: 24007123

fm 7-17-17

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: 24007123

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 2124540
THE SPORTING CLUB TM - PROJECT NO. 527398
PLANNING COMMISSION

This Planned Development Permit No. 2124540 is granted by the Planning Commission of the City of San Diego to W-JMA LA JOLLA OWNER VII, L.L.C., a Delaware limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] 126.0504. The 11.7-acre site is located at 8930 University Centre Lane in the CO-1-2, Airport Influence Area (Marine Corps Air Station (MCAS) Miramar), Community Plan Implementation Overlay Zone (CPIOZ-A), Very High Fire Severity Zone, and Parking Impact Overlay Zone (Campus) of the University Community Plan. The 0.90-acre project parcel is legally described as: Parcel 3 of Parcel Map No. 18367, 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, California, November 4, 1999;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide a 0.90-acre parcel into two lots (one three-dimensional) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 10, 2018, on file in the Development Services Department.

The project shall include:

- a. Lot 1: a 0.674-acre lot with an existing 3-story commercial building
Lot 2: a 0.230-acre three-dimensional lot with an existing one-story gymnasium with a deviation to street frontage;
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 25, 2021.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary construction 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.

ENGINEERING REQUIREMENT:

11. This Permit shall comply with all Conditions of the Parcel Map for Tentative Map No. 1852556.

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 May 10, 2018 and Resolution No. _____-PC-2.

ATTACHMENT 8

Planned Development Permit No. 2124540
Date of Approval: May 10, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Francisco Mendoza
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.

W-JMA LA JOLLA OWNER VII, L.L.C.
Owner/Permittee

By _____
Todd Chapman
President

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



THE CITY OF SAN DIEGO

Date of Notice: March 1, 2018

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007123

PROJECT NAME / NUMBER: THE SPORTING CLUB / 527398**COMMUNITY PLAN AREA:** University**COUNCIL DISTRICT:** 1**LOCATION:** 8930 University Center Lane, San Diego CA, 92122

PROJECT DESCRIPTION: A request for a TENTATIVE MAP and a PLANNED DEVELOPMENT PERMIT to subdivide a parcel into two legal parcels. Parcel 1 would be 0.674-acre and retain the existing 3-story commercial building. Parcel 2 would be 0.230-acre and would retain the existing single-story gymnasium. The project is requesting a deviation from minimum street frontage. All structures are existing and there is no proposed construction. The 0.90-acre project site is located at 8930 University Center Lane. The project site is designated commercial and zoned CO-1-2 within the University Community Plan area. Additionally the project site is within the Airport Influence Area (Marine Corps Air Station (MCAS) Miramar), Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar), Community Plan Implementation Overlay Zone (CPIOZ-A), Very High Fire Hazard Severity Zone, and Parking Impact Overlay Zone (Campus). (LEGAL DESCRIPTION: Parcel 3 of Parcel Map No. 18367 in the City of San Diego, County of San Diego, State of California.)

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15315 (Minor Land Divisions).**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15315 (Minor Land Divisions) which allows for the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was

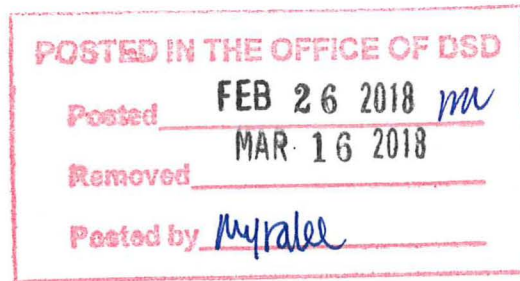
not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. Furthermore, the exceptions listed in 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Morris Dye
MAILING ADDRESS: 1222 First Avenue, MS 301, San Diego, CA 92101-4153
PHONE NUMBER / EMAIL: (619) 446-5201 / mdye@sandiego.gov

On March 1, 2018 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (March 15, 2018). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



Mendoza, Francisco

From: Janay Kruger <janay_kruger@msn.com>
Sent: Tuesday, November 21, 2017 5:07 PM
To: Mendoza, Francisco; tromero@leppertengineering.com
Subject: Sporting club map

Follow Up Flag: Follow up
Flag Status: Completed

Hi Pancho.

On November 14, 2017, the university community planning group voted to approve the sporting club Map and PDP. The vote was 13 in favor, 1 in opposition, 2 abstentions, and the chair doesn't vote.

If you have further questions or need more information. Please give me a call.

Janay Kruger
Chair

Sent from my iPhone

Project Title: The Sporting Club at the Aventure	Project No. (For City Use Only) 527398
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation
 Limited Liability -or-
 General) What State? _____ Corporate Identification No. 201511310257
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Yes No

Corporate/Partnership Name (type or print):
W-Jma La Jolla Owner VII, L.L.C.

Owner Tenant/Lessee

Street Address:
900 N Michigan Avenue, Suite 1900

City/State/Zip:
Chicago, IL 60611

Phone No: 415-728-0791 Fax No: _____

Name of Corporate Officer/Partner (type or print):
Todd Chapman

Title (type or print):
President

Signature : _____ Date: 11/29/16

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

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DOC # 1997-0077385
21-FEB-1997 09:32 AM

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
DEPARTMENT

AND WHEN RECORDED MAIL TO
INTAKE SECTION
MAIL STATION 301

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY SMITH, COUNTY RECORDER

RF:	15.00	FEES:	38.00
AF:	21.00		
MF:	1.00		
CF:	1.00		

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 96-0456
HEARING OFFICER
HYATT AVENTINE EXPANSION
AMENDMENT TO PCD NO. 82-0544

This Planned Commercial Development Permit Amendment is granted by the Development Services Director of the City of San Diego to CUSHMAN & WAKEFIELD (AGENT FOR EQUITABLE LIFE ASSURANCE SOCIETY), Permittee, and THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES (AGENT FOR SPECIAL ACCOUNT 16-III), Owner, pursuant to Section 101.0910 of the Municipal Code of the City of San Diego.

1. Permission is hereby granted to Owner/Permittee to amend previously approved PCD No. 82-0544 and construct a Planned Commercial Development, on an 11.70-acre property located at 3777 La Jolla Village Drive, described as Lot Nos. 1, 2, 3, and 4, University Center, Map No. 10987, in the Commercial Office ("CO") Zone, within the University Community Plan area.

2. The facility shall consist of the following:

- a. Expansion of the existing 618,200-square-foot Hyatt Aventine hotel/ office/ sports club development, including construction of a new 40,000-square-foot parking garage; construction of a new 5,600-square-foot pavilion; construction of tenant improvements to the existing 16th floor of the hotel to accommodate 25 new hotel rooms; and modifications to the existing signage and pedestrian circulation/pathway design on site;
- b. Landscaping;
- c. Off-street parking; and
- d. Incidental accessory uses as may be determined incidental and approved by the Development Services Director.

3. A total of 1,339 parking spaces will be available for use at the Hyatt Aventine development. The parking structures may be constructed in two (2) separate phases as indicated on Exhibit "A," dated November 20, 1996. Not fewer than 1,245 off-street parking spaces shall be provided in Phase One of the project construction, and shall be maintained on the property in the location shown on Exhibit "A," dated November 20, 1996, on file in the office of

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Development Services Department. Parking spaces shall comply with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

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

- a. The Permittee signs and returns the permit to the Development Services Department; and
- b. The Permit and Planned Commercial Development Permit Amendment is recorded in the office of the County Recorder.

5. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Development Services Department, for approval. Plans shall be in substantial conformity to Exhibit "A," dated November 20, 1996, on file in the office of the Development Services Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

6. Landscape Conditions.

a. Prior to the issuance of any grading, or building permits, complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), shall be submitted to the Development Services Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A' dated November 6, 1996, Landscape Concept Plan, on file in the office of the Development Services Department. No change, modifications or alterations shall be made unless appropriate applications, Findings of Substantial Conformance, or amendment of this permit shall have been granted.

b. Prior to the issuance of any Certificate of Occupancy for any building, it shall be the responsibility of the Permittee to install all approved landscape and obtain all required landscape inspections.

c. All approved landscape shall be maintained in a disease, weed and litter free condition at all times and shall not be modified or altered unless this permit has been amended. Modifications such as severely pruning or "topping" of trees is not permitted unless specifically noted in this permit.

d. If any existing or installed landscape (including hardscape, landscape features, etc.) indicated on the approved plans is damaged or removed during demolition, construction or at any time after issuance of any permit or Certificate of Occupancy, it shall be repaired and/or replaced in kind and equivalent size per the approved plans within 30 days by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the

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largest size commercially available and/or an increased number) to the satisfaction of the City Manager.

7. Water Utilities Conditions.

- a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units are located on a dead-end main then a looped system shall be installed.
- b. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water as specified in City Council Ordinance O-17327. The developer shall design and install a reclaimed water distribution system within the development in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution within the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
- c. The developer shall design all water and sewer facilities to the most current edition of the Water Utilities Department's Water & Sewer Design Guide. If facilities do not meet the current standards, then such facilities shall be private.

8. Fire Safety Conditions.

- a. Provide building address numbers visible and legible from street or road fronting property or a directory for the new pavilion structure (UFC 10.208);
- b. Show location of all existing fire hydrants on the site plan to conform with Fire Department Policy #F-85-1 (UFC 10.207);
- c. Post indicator valves, fire department connections, and alarm bell to be located on the address/access side of the pavilion structure (UFC 1001.4).

9. Site Engineering Conditions.

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

b. All grading shall conform to requirements in accordance with Sections 62.0401 - 62.0423 of the City of San Diego Municipal code in a manner satisfactory to the City Engineer.

c. This development is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been, or will be, established to finance public facilities required for the community plan area. Therefore, in connection with this development, the developer shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the Planning Director. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

d. Informational Item:

This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

11. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Development Services Director; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion;
- c. The permit has been revoked by the City.

The property included within this Planned Commercial Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Development Services Director or the permit has been revoked by the City of San Diego.

12. This Planned Commercial Development Permit Amendment may be canceled or revoked if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City of San Diego or Permittee.

13. This Planned Commercial Development Permit Amendment is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

14. This Planned Commercial Development may be developed in phases. Each phase shall be constructed prior to the sale or lease to individual owners or tenants to ensure that all development is consistent with conditions and exhibits submitted to and approved by the Planning Director.

15. The permittee/applicant shall comply with all requirements of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.

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

17. Details of all exterior illumination shall be submitted prior to issuance of building permits. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are directed.

18. Any signage proposed for the project as part of future building permits shall be approved by the Development Services Manager and shall conform with Chapter X, Article 1, Division 11 of the Municipal Code of the City of San Diego.

19. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises, unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of the building having walls or visual screening with construction and appearance similar to the main building.

20. The effective date of this permit shall be the date of final action following all appeal dates and proceedings or the effective date of a concurrent rezoning case. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0910, M, of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director. This Planned Commercial Development Permit Amendment must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 111.1122 of the Municipal Code.

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

management requirements is found by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, the Development Services Director shall have the right, but not the obligation, to review this Permit to confirm that the purpose and intent of the original approval will be maintained.

22. The issuance of this permit by the City of San Diego does not authorize the applicant for said permit 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 U.S.C. Section 1531 et seq.).

APPROVED by the Development Services Director of the City of San Diego on November 20, 1996.

**HEARING OFFICER RESOLUTION NO. D-393
GRANTING PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 96-0456
AMENDMENT TO PCD PERMIT NO. 82-0544**

WHEREAS, CUSHMAN & WAKEFIELD (AGENT FOR EQUITABLE LIFE ASSURANCE SOCIETY), Permittee, and THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES (AGENT FOR SPECIAL ACCOUNT 16-III), Owner, filed an application for a Planned Commercial Development Permit Amendment to develop subject property located at the 3777 La Jolla Village Drive, described as Lot Nos. 1, 2, 3, and 4, University Center, Map No. 10987, in the Commercial Office ("CO") Zone, within the University Community Plan area; and

WHEREAS, on November 20, 1996, the Hearing Officer of the City of San Diego considered Planned Commercial Development Permit Amendment No. 96-0456 pursuant to Section 101.0910 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

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

1. That the Hearing Officer adopts the following written Findings, dated November 20, 1996:

PLANNED COMMERCIAL DEVELOPMENT PERMIT FINDINGS:

a. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The proposed amendment complies with the University Community Plan designation of "commercial visitor and office uses" and the General Plan, and provides a continued benefit to the community as a hotel/ office/ sports club commercial development.

b. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. Conditions in the permit, including the requirement to install landscaping for screening purposes along La Jolla Village Drive adjacent to the new parking garage structures, and the provision of 1,339 parking spaces will ensure that property in the vicinity is not adversely affected.

c. The proposed use will comply with the relevant regulations in the Municipal Code.

2. That said Findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Hearing Officer, Planned Commercial Development Permit Amendment

No. 96-0456, is hereby GRANTED to Owner/Permittee in the form and with the terms and conditions set forth in Planned Commercial Development Permit Amendment No. 96-0456, a copy of which is attached hereto and made a part hereof.


Patricia J. Fitzgerald
Project Manager

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RESOLUTION NUMBER R-392

ADOPTED ON November 20, 1996

WHEREAS, on June 13, 1996, CUSHMAN & WAKEFIELD submitted an application to the Development Services Department for an AMENDMENT TO PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 82-0544; and

WHEREAS, the permit was set for a public hearing to be conducted by the Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on November 20, 1996; and

WHEREAS, the Hearing Officer of the City of San Diego considered the issues discussed in the Addendum No. 96-0456 to Environmental Impact Report No. 82-0544;

NOW/ THEREFORE, BE IT RESOLVED, by the Hearing Officer that it be, and it is hereby certified, that Addendum to Environmental Impact Report No. 82-0544, in connection with Amendment No. 96-0456 to Planned Commercial Development Permit No. 82-0544 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Administrative Code Section 15000 et seq.), that the report reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer.

By:


Patricia J. Fitzgerald
Project Manager

ALL-PURPOSE CERTIFICATE

Type/Number of Document: CDP/PCD No. 96-0456

Date of Approval: November 20, 1996

Effective Date: December 6, 1996

STATE OF CALIFORNIA

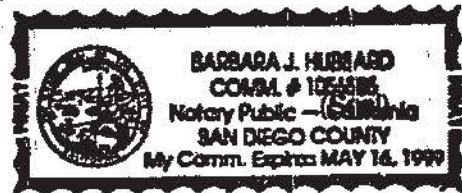
COUNTY OF SAN DIEGO

Patricia J. Fitzgerald
Patricia J. Fitzgerald, Project Manager

On Jan. 24, 1997 before me, BARBARA J. HUBBARD (Notary Public), personally appeared Patricia J. Fitzgerald, Project Manager, Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Barbara J. Hubbard*
Barbara J. Hubbard



PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF PERMITTEE(S) THEREUNDER.

Signed *Raul J. Pallares*
Typed Name Raul J. Pallares
THE EQUITABLE LIFE
ASSURANCE SOCIETY OF THE
UNITED STATES

Signed *Brian Galligan*
Typed Name Brian Galligan
CUSHMAN AND WAKEFIELD

STATE OF CALIFORNIA
COUNTY OF ORANGE

On 1-29-97 before me, CHERYL DELL'ANNO (Name of Notary Public) personally appeared RAUL PALLARES, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Cheryl L. Dell'Anno*



(Seal)

ORIGINAL

CERTIFICATE OF ACKNOWLEDGMENT

CAL-42

State of California

County of SAN DIEGO } ss.

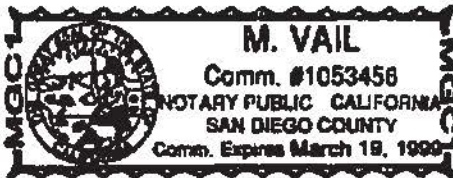
On February 5, 1997 before me, M. Vail
(date) (name and title of officer)

_____, personally appeared

Brian Galligan
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

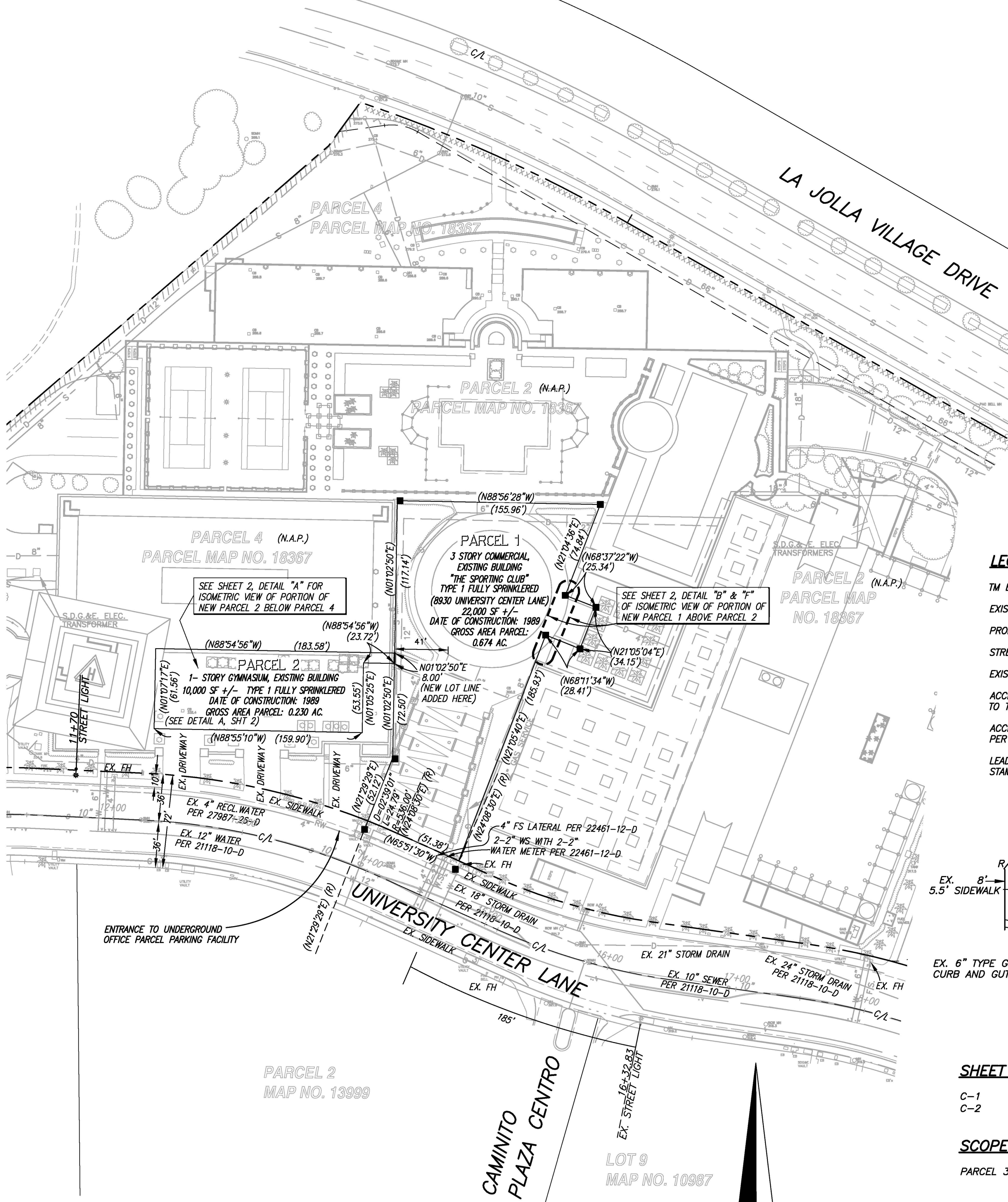
[Signature]
Notary's Signature



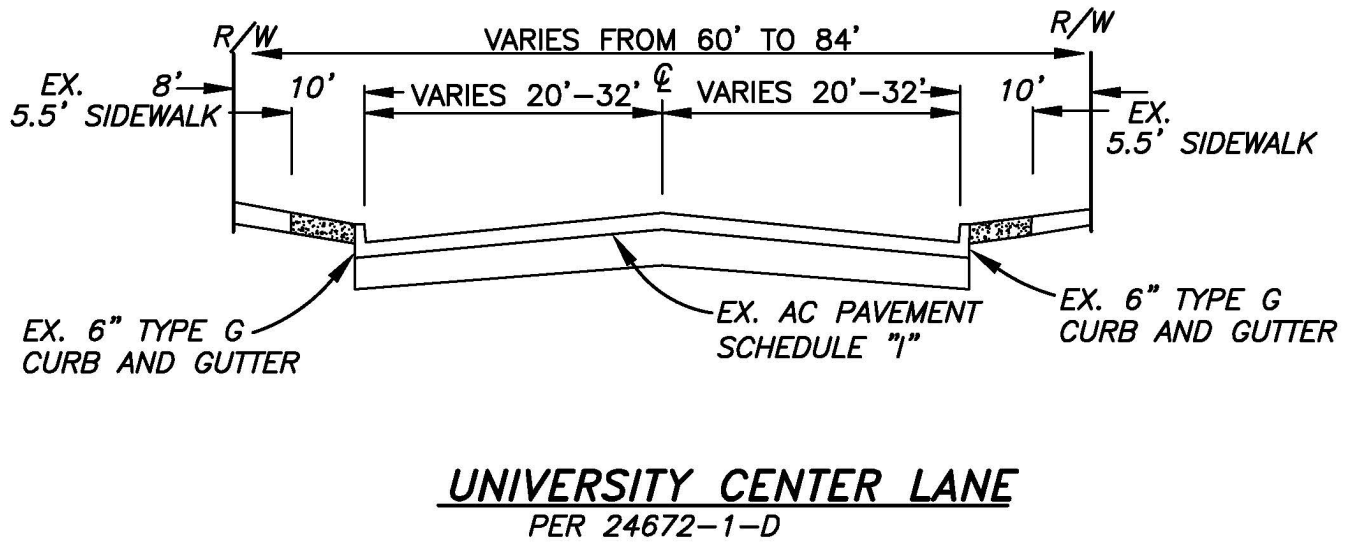
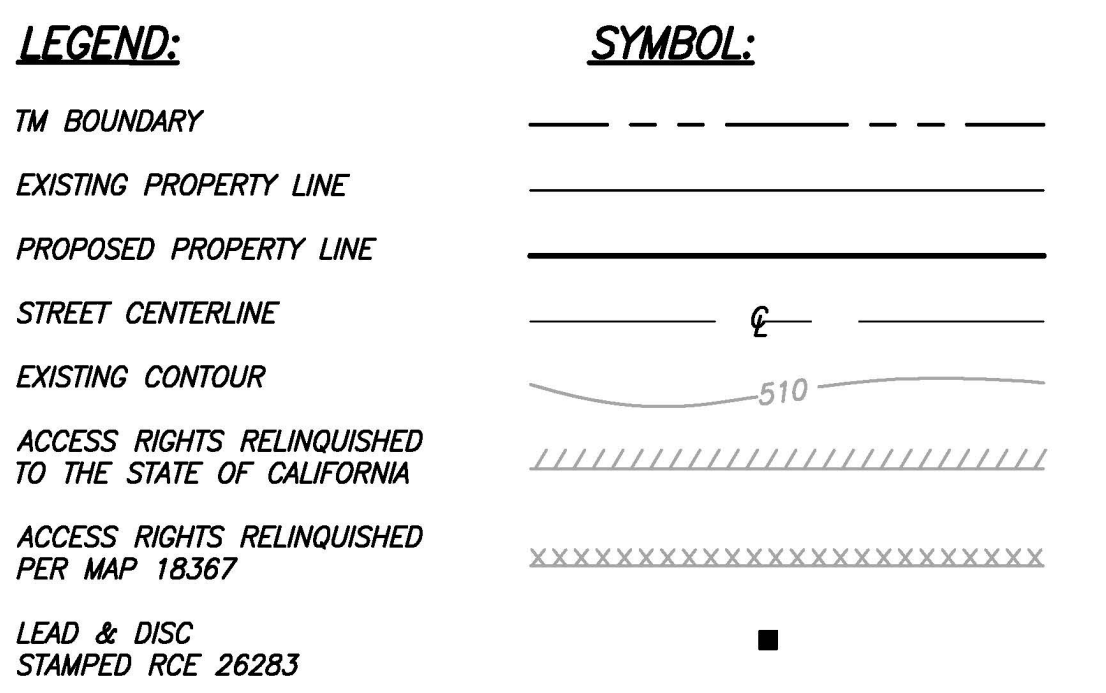
Planned Commercial Development
Permit No. 96-0456 Hearing Officer
Amendment to PCD No. 82-0544

THE SPORTING CLUB AT THE AVENTINE

TENTATIVE MAP NO. 1852556



PDP:
 A PDP PERMIT IS BEING PROCESSED CONCURRENT WITH THIS TENTATIVE MAP TO ACCOMMODATE A SINGLE DEVIATION REQUEST. THE DEVIATION WILL PERMIT PROPOSED PARCEL 2 TO NOT HAVE FRONTAGE WITH A PUBLIC STREET. FRONTAGE IS NOT REQUIRED FOR THIS PROJECT AS ALL ACCESS AND PARKING REQUIREMENTS ARE PROVIDED VIA THREE PARKING STRUCTURES LOCATED AS THE AVENTINE CAMPUS. RIGHTS TO THE ACCESS AND PARKING ARE ADDRESSED IN THE CC&RS FOR THE AVENTINE CAMPUS (SEE EASEMENT NOTE 4 BELOW).



SHEET INDEX:

- C-1 TENTATIVE MAP (TM) NO. 1852556
- C-2 TENTATIVE MAP (TM) NO. 1852556 - ISOMETRIC VIEWS

SCOPE OF WORK:

PARCEL 3 DIVIDED INTO 2 PARCELS WITH A NEW 8' LOT LINE

OWNER:

W-JMA LA JOLLA OWNER VII, LLC
 900 N MICHIGAN AVENUE, SUITE 500
 CHICAGO, IL 60611

BY: TODD CHAPMAN, PRESIDENT DATE:

EXISTING/PROPOSED UTILITIES:

- THE EXISTING UTILITIES ARE SHOWN ON THE PLAN.
- THERE ARE NO NEW UTILITIES PROPOSED.

OVERHEAD ELECTRICAL UTILITIES:

ALL UTILITIES ARE UNDERGROUND.

REQUIRED DEVELOPMENT APPROVALS:

- TENTATIVE MAP (TM)
- PLANNED DEVELOPMENT PERMIT (PDP)

PROPOSED ACCESS:

- ACCESS WILL BE TAKEN OFF OF UNIVERSITY CENTER LANE

GROSS SITE AREA AND PARCEL SIZES:

EXISTING: PARCEL 3: 0.9 ACRES (THIS ACREAGE DOES NOT TAKE INTO CONSIDERATION THE THREE-DIMENSIONAL ASPECT OF THIS PARCEL).

PROPOSED: PARCEL 1: 0.674 AC AND PARCEL 2: 0.230 ACRES

DEVELOPMENT SUMMARY:

- EXISTING NUMBER OF PARCELS: 1
- PROPOSED NUMBER OF PARCELS: 2

MAPPING NOTE:

A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO EXPIRATION OF THE TENTATIVE PARCEL MAP, IF APPROVED. A DETAILED PROCEDURE OF SURVEY MUST BE SHOWN IN THE PARCEL MAP WITH ALL PROPERTY CORNERS MARKED WITH DURABLE SURVEY MONUMENTS

GRADING AND DRAINAGE:

NO GRADING IS PROPOSED WITH THIS PROJECT.

EASEMENT NOTES:

THE FOLLOWING EASEMENTS ARE GENERAL EASEMENTS WITH NO LOCATIONS SET FORTH AND CANNOT BE PLOTTED ON THE MAP:

- EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED SEPTEMBER 6, 1984 AS FILE NO 84-340292, O.R.
- VARIOUS EASEMENTS RESERVED IN THE DOCUMENT ENTITLED: "MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR UNIVERSITY CENTER", RECORDED NOVEMBER 29, 1984 AS FILE NO. 84-446026, O.R.
- EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED DECEMBER 7, 1988 AS FILE NO. 88-628572, O.R.
- VARIOUS EASEMENTS RESERVED IN THE DOCUMENT ENTITLED: "DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS (AVENTINE)", RECORDED ON JULY 2, 1999 AS FILE NO. 1999-0463397, O.R.

CERTIFICATION STATEMENT

I HEREBY ACKNOWLEDGE AND CERTIFY THAT:

- I AM ACCOUNTABLE FOR KNOWING AND COMPLYING WITH THE GOVERNING POLICIES, REGULATIONS AND SUBMITTAL REQUIREMENTS APPLICABLE TO THIS PROPOSED DEVELOPMENT;
- I HAVE PERFORMED REASONABLE RESEARCH TO DETERMINE THE REQUIRED APPROVALS AND DECISION PROCESS FOR THE PROPOSED PROJECT, AND THAT FAILURE TO ACCURATELY IDENTIFY AN APPROVAL OR DECISION PROCESS COULD SIGNIFICANTLY DELAY THE PERMITTING PROCESS;
- I HAVE TAKEN THE PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW TRAINING AND AM ON THE APPROVED LIST FOR PROFESSIONAL CERTIFICATION;
- MAINTAINING MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW PRIVILEGE REQUIRES ACCURATE SUBMITTALS ON A CONSISTENT BASIS;
- SUBMITTING INCOMPLETE DOCUMENTS AND PLANS ON A CONSISTENT BASIS MAY RESULT IN THE REVOCATION OF MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW;
- IF REQUIRED DOCUMENTS OR PLAN CONTENT IS MISSING, REVIEW WILL BE DELAYED; AND THIS SUBMITTAL PACKAGE MEETS ALL THE MINIMUM SUBMITTAL REQUIREMENTS CONTAINED IN LAND DEVELOPMENT MANUAL, VOLUME 1, CHAPTER 1, SECTION 4.

RESPONSIBLE CERTIFIED PROFESSIONAL NAME:

John D. Leppert 08/07/17
 SIGNATURE DATE

ENGINEER:

LEPPERT ENGINEERING CORPORATION
 5190 GOVERNOR DRIVE, SUITE 205
 SAN DIEGO, CA 92122

BY: *John D. Leppert* DATE: 08/07/17
 JOHN D. LEPPERT RCE 26283 EXPIRES: 03/31/18



PURPOSE OF MAP:

RESUBDIVISION OF PARCEL 3 OF PM 18367 INTO 2 PARCELS TO RETAIN THE RECREATIONAL USE ON ONE PARCEL AND TO CREATE OFFICE USE FOR THE OTHER PARCEL.

EXISTING LEGAL DESCRIPTION:

345-190-27-00:
 PARCEL 3 OF PARCEL MAP NO. 18367, 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, CALIFORNIA, NOVEMBER 4, 1999.

ASSESSOR'S PARCEL NO.'S:

345-190-27-00

OWNER/APPLICANT: W-JMA LA JOLLA OWNER VII, LLC
SITE ADDRESS: 8930 UNIVERSITY CENTER LANE SAN DIEGO, CA 92122

ZONING INFORMATION:

COMMUNITY PLAN:
 UNIVERSITY CITY COMMUNITY PLAN AREA
 BASE ZONE:
 CO-1-2
 OVERLAYS:
 AIRPORT INFLUENCE AREA (AIA)
 COMMUNITY PLAN IMPLEMENTATION (A)
 FIRE BRUSH ZONES 300 FT BUFFER
 FIRE HAZARD SEVERITY ZONE
 PARKING IMPACT
 GEOLOGIC HAZARD CATEGORIES: 52

BENCHMARK:

BRASS PLUG AT THE WESTERLY CURB AT THE INTERSECTION OF LA JOLLA VILLAGE DRIVE AND LEBON DRIVE.
 ELEVATION: 301.924 M.S.L.
 DATUM: MEAN SEA LEVEL (NGVD 29)
 BRASS PLUG SET IN LEAD AT THE TOP OF CURB

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTERLINE OF LA JOLLA VILLAGE DRIVE, I.E. N60°00'23"W PER MAP NO. 10987 AND PARCEL MAP NO. 18367.

TOPOGRAPHY SOURCE:

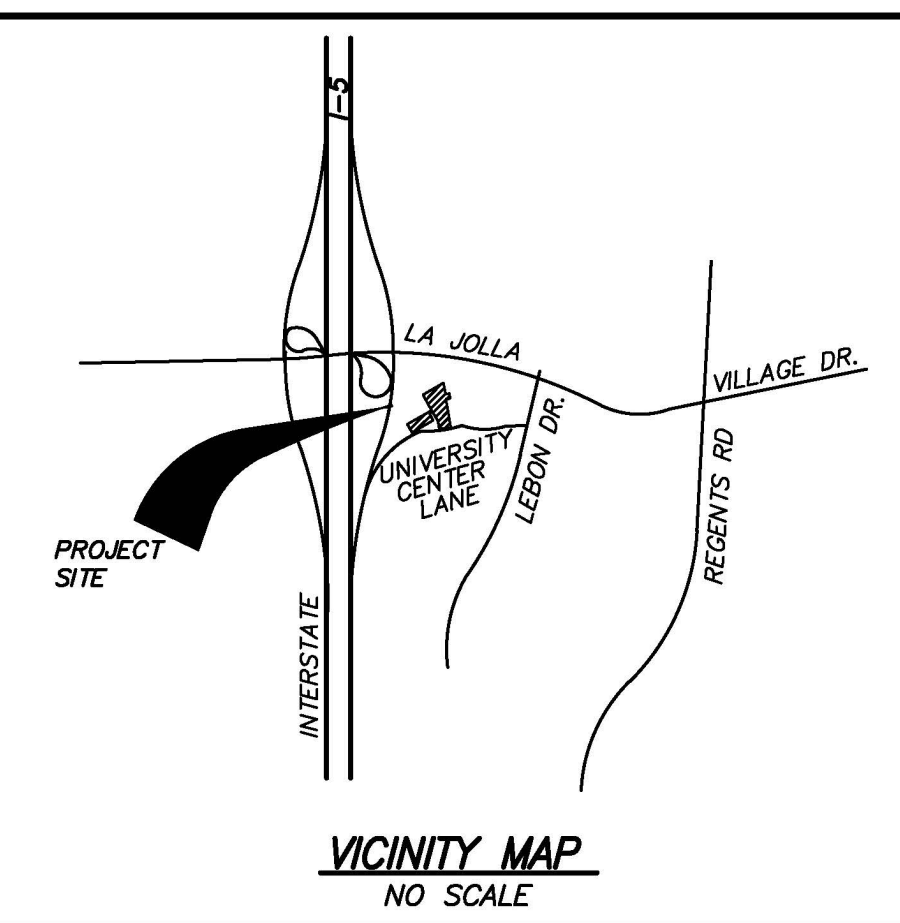
SOURCE: SOUTHWEST AERIAL MAPPING
 11722 SORRENTO VALLEY ROAD, SUITE F
 SAN DIEGO, CA 92121
 DATE: 1-28-1999

PRIOR DEVELOPMENT APPROVALS, SETBACKS AND FRONTAGE:

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 82-0544, RECORDED ON OCTOBER 4, 1983 AS FILE NO. 83-355405 AND RE-RECORDED NOVEMBER 17, 1983 AS FILE NO. 83-418484 OF OFFICIAL RECORD, AND AS MODIFIED JANUARY 10, 1986 AS FILE NO. 86-010882, AND AS AMENDED PER PCD PERMIT NO. 96-0456 RECORDED ON FEBRUARY 21, 1997 AS FILE NO. 1997-0077385, O.R.

SAID PCD PERMIT SETS ASIDE ALL THE SET BACK AND FRONTAGE REQUIREMENTS NORMALLY REQUIRED BY THE UNDERLYING ZONE AS DEFINED IN THE CITY OF SAN DIEGO'S ZONING ORDINANCE.

AN SCR WAS APPROVED FEBRUARY 9, 2016 AS PROJECT NO. 444800 WHICH AUTHORIZED OFFICE USES IN THE SPORTING CLUB FACILITY.



PREPARED BY:
 NAME: LEPPERT ENGINEERING CORPORATION
 ADDRESS: 5190 GOVERNOR DRIVE, SUITE 205 SAN DIEGO, CALIFORNIA 92122-2848
 PHONE #: (858) 597-2001

PROJECT ADDRESS:
 8930 UNIVERSITY CENTER LANE
 SAN DIEGO, CA 92122

PROJECT NAME:
 THE SPORTING CLUB AT THE AVENTINE
 TENTATIVE MAP

SHEET TITLE:
 TENTATIVE MAP (TM) NO. 1852556 AND PDP
 SITE PLAN

REVISION 14: _____
 REVISION 13: _____
 REVISION 12: _____
 REVISION 11: _____
 REVISION 10: _____
 REVISION 9: _____
 REVISION 8: _____
 REVISION 7: _____
 REVISION 6: _____
 REVISION 5: _____
 REVISION 4: _____
 REVISION 3: _____
 REVISION 2: 10-18-17
 REVISION 1: 01-23-17

ORIGINAL DATE: 12-02-16

SHEET C-1 OF 2
 SHEET TITLE: TENTATIVE MAP (TM) NO. 1852556 AND PDP
 SITE PLAN
 PTS# 527398

NO.	DATE	BY	DESCRIPTION	NO.	DATE	BY	DESCRIPTION
6				12			
5				11			
4				10			
3	12/08/17	LW	LEC	9			
2	01/23/17	KS	CITY REVISIONS	8			
1	12/02/16	KS	ORIGINAL	7			

NO.	DATE	BY	DESCRIPTION	REGISTRATION
12				
11				
10				
9				
8				
7				
6				
5				
4				
3				
2				
1				

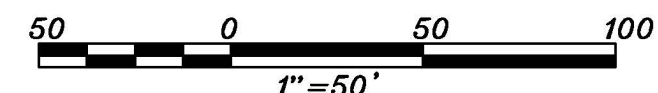
APPROVED BY ENGINEER: _____
 R C E 26283

FILE CODE: UC 6.11-28.16 DATE: _____

REGISTRATION: R C E 26283 DATE: _____

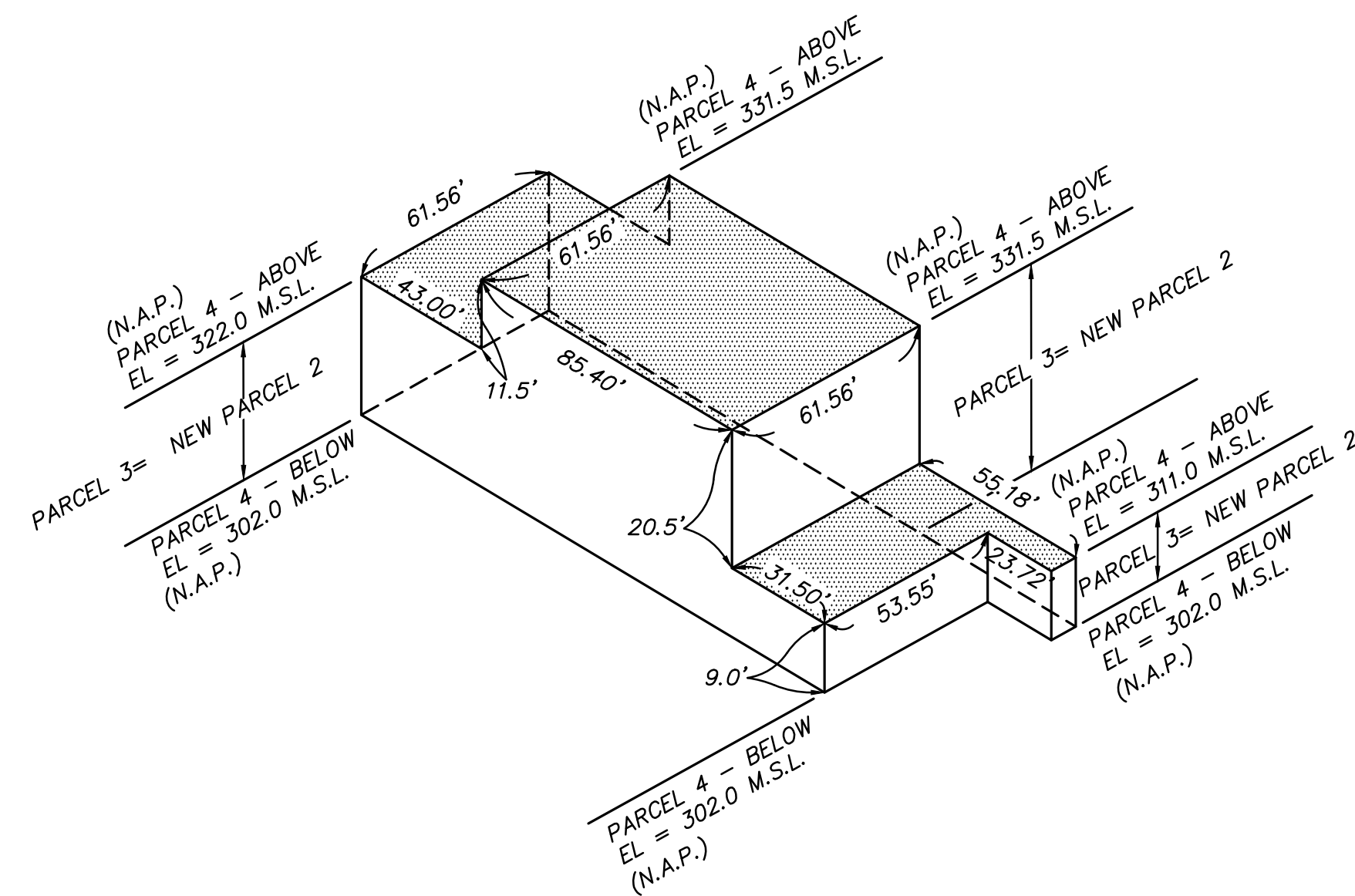
PREPARATION AND REVISION LOG

Leppert Engineering Corporation
 5190 GOVERNOR DRIVE, S-205
 SAN DIEGO, CA 92122
 (858) 597-2001



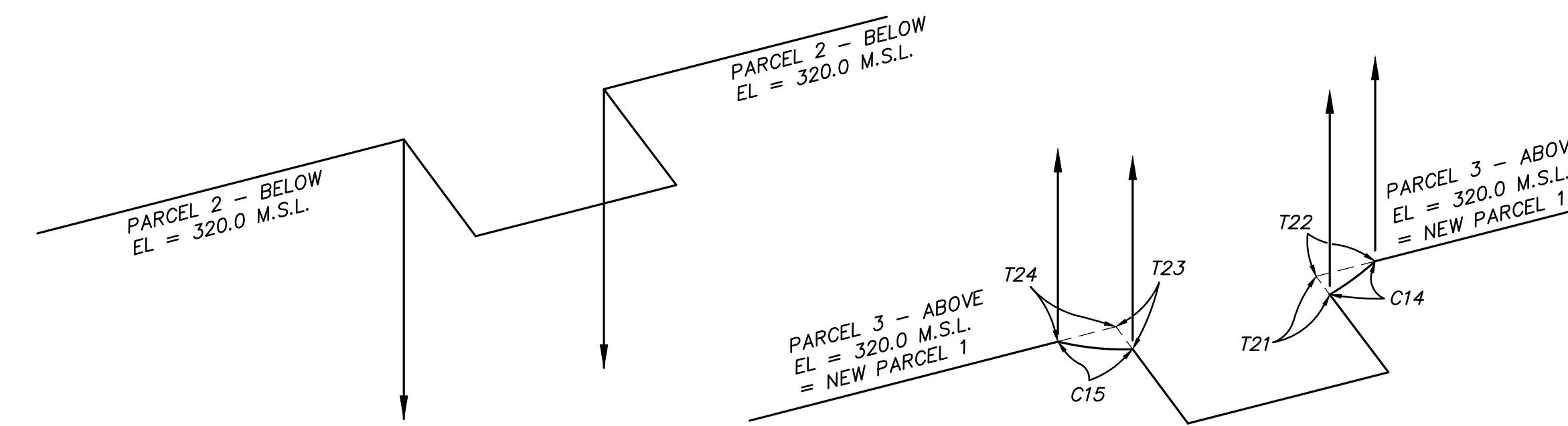
THE SPORTING CLUB AT THE AVENTINE TENTATIVE MAP NO. 1852556

ISOMETRIC VIEWS



DETAIL 'A'

S/E ISOMETRIC VIEW OF PARCEL 3 (NEW PARCEL 2) and 4
NO SCALE



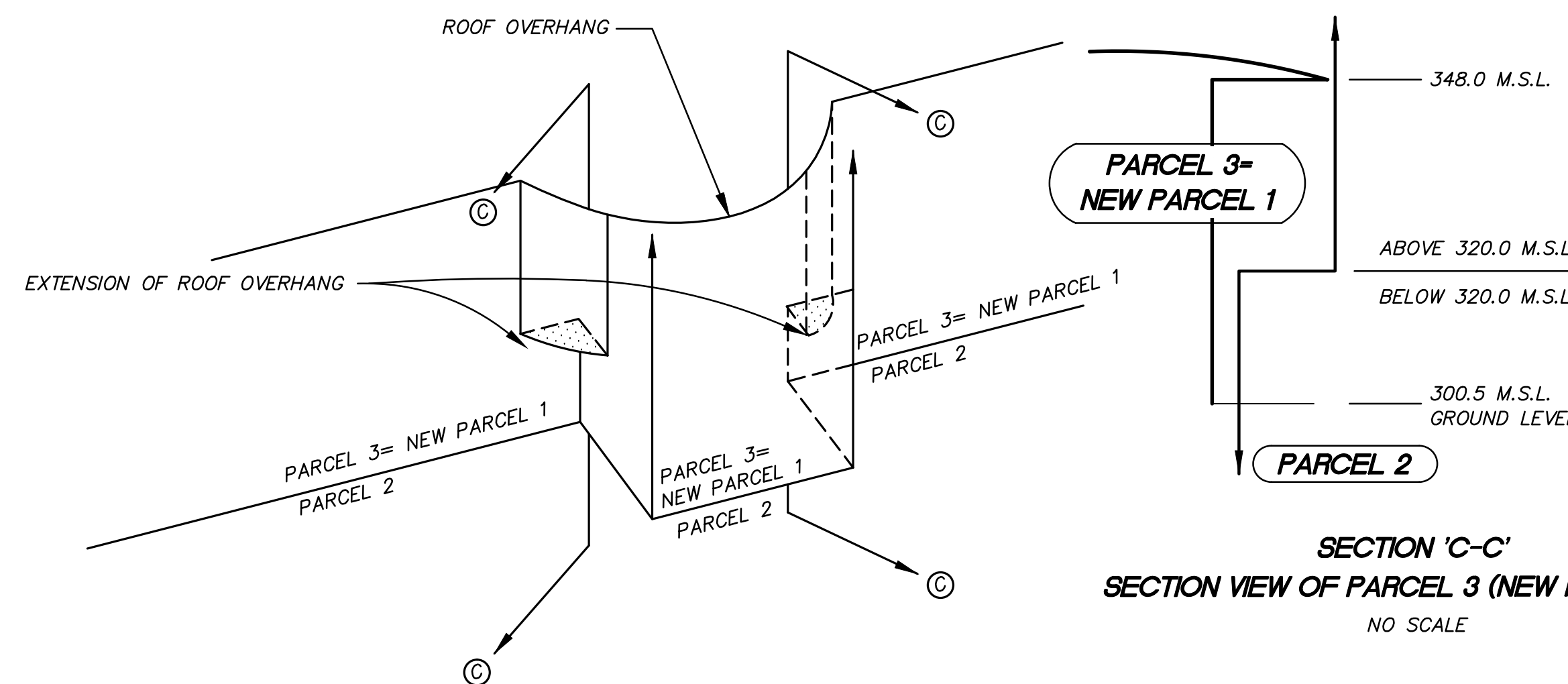
DETAIL 'B'

S/E ISOMETRIC VIEW OF PARCEL 2 AND 3 (NEW PARCEL)
SEE SHEET 1 FOR DIMENSION REFERENCES
NO SCALE

PARCEL 2 AND 3 (NEW PARCEL)

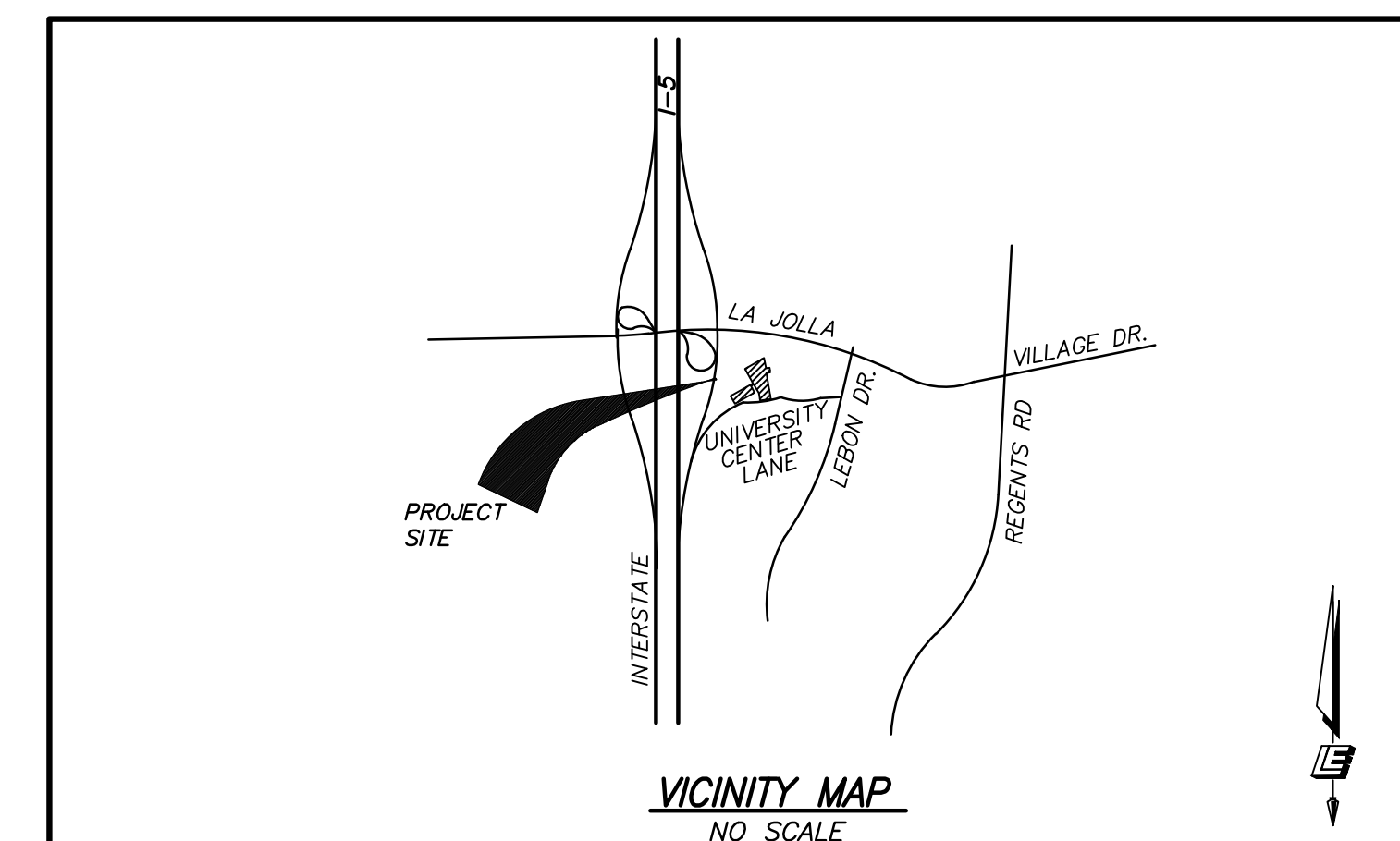
LINE DATA		
NO.	BEARING	DISTANCE
T21	N68°37'22"W	1.30'
T22	N21°04'36"E	4.26'
T23	N68°11'34"W	4.47'
T24	N21°05'40"E	11.92'

CURVE DATA			
NO.	RADIUS	DELTA	ARC LENGTH
C14	59.53'	7°39'23"	7.96'
C15	59.53'	14°13'54"	14.79'



SECTION 'C-C'
SECTION VIEW OF PARCEL 3 (NEW PARCEL 1) and 2
NO SCALE

DETAIL 'F'
S/E ISOMETRIC VIEW OF PARCEL 3 (NEW PARCEL 1)
NO SCALE



VICINITY MAP
NO SCALE

NOTE: THE ISOMETRIC VIEWS WERE TAKEN FROM THE APPROVED PARCEL MAP NO. 18367

NOTE: ALL ANGLES ARE 90°, UNLESS OTHERWISE SHOWN.

PREPARED BY:
NAME: LEPPERT ENGINEERING CORPORATION
ADDRESS: 5190 GOVERNOR DRIVE, SUITE 205
SAN DIEGO, CALIFORNIA 92122-2848
PHONE #: (858) 597-2001

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PROJECT NAME:
THE SPORTING CLUB AT THE AVENTINE
TENTATIVE MAP

SHEET TITLE:
TENTATIVE MAP (TM) NO. 1852556
ISOMETRIC VIEWS

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REVISION 7: _____
REVISION 6: _____
REVISION 5: _____
REVISION 4: _____
REVISION 3: _____
REVISION 2: _____
REVISION 1: 01-23-17

ORIGINAL DATE: 12-02-16

SHEET C-2 OF 2

PTS# 527398

NO.	DATE	BY	DESCRIPTION	NO.	DATE	BY	DESCRIPTION
6				12			
5				11			
4				10			
3				9			
2	01/23/17	KS	CITY REVISIONS	8			
1	11/23/16	KS	ORIGINAL	7			
APPROVED BY ENGINEER				REGISTRATION			
FILE CODE UC 6.11-28.16				R.C.E. 26283			
DATE				DATE			

PREPARATION AND REVISION LOG

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San Diego, Ca 92122
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