

CORRECTED COPY

(R-2006-980)
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3306
5/9/06

RESOLUTION NUMBER R-301433

DATE OF FINAL PASSAGE MAY 9, 2006

WHEREAS, Robert Marshall, an Individual, Owner/Hillel of San Diego, a Religious Corporation, Permittee, (Phase I); and City of San Diego, a Municipal Corporation, Owner/Hillel of San Diego, a Religious Corporation, Permittee (Phase II), filed an application with the City of San Diego for a planned development permit/site development permit to continue to use an existing single-family dwelling for religious offices and related purposes in Phase I entitlement and to develop a triangular shaped parcel with a 12,000 square-foot Jewish religious center with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, known as the Hillel of San Diego project, located at 8976 Cliffridge Avenue (Phase I) and within the triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North (Phase II), and legally described as Lot 67, La Jolla Highlands, Unit No. 3, in the City of San Diego, County of San Diego, Parcel Map No. 3528 (Phase I) and a Portion of Lot 1299, Miscellaneous Map 36, Pueblo Lands, in the City of San Diego, County of San Diego (Phase II), in the La Jolla Community Plan area, in the SF zone of the La Jolla Shores Planned District, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone; and

WHEREAS, on February 10, 2005, the Planning Commission of the City of San Diego considered Planned Development Permit [PDP] No. 158095/Site Development Permit [SDP] No. 158094, and pursuant to Resolution No. 3676-PC voted to recommend City Council denial of the of the Permit; and

WHEREAS, the matter was set for public hearing on May 9, 2006, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 158095/Site Development Permit No. 158094:

A. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE [SDMC] SECTION 126.0604

1. The proposed development will not adversely affect the applicable land use plan. The proposed development consists of a Phase I plan to continue use of a single-family residence at 8976 Cliffridge Avenue as religious offices with the addition of six off-street required parking spaces until such time as the Phase II improvements are approved for occupancy, at which time the owner of the residence will revert it back to residential use and maintain two off-street parking spaces.

Phase II consists of the construction of a 12,000 square-foot Jewish student center above a subterranean 68-space parking garage of 17,000 square-feet of area. The Phase II site is a triangular area bounded by La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North. Development of the site will also require easement reservations and street vacations and dedication. A 10,000 square-foot landscaped area required by the City Council will be

developed between the existing residence and new Hillel facility. To the north is the campus of the University of California at San Diego while a vacant area and youth athletic fields lie to the west with a detached single-family neighborhood to the immediate south and a Planned Residential Development to the east.

This development is located within the SF (Single-family) zone of the La Jolla Shores Planned District within the La Jolla Community Plan boundary. The SF zone permits use for churches temples and buildings of a religious nature. The Hillel facility is for a Jewish student center, serving primarily the Jewish student population on the neighboring college campus, where religious services will take place on-site. The Planned Development Permit addresses specifically the inability to meet all parking needs on-site through the reasonable square-footage of the functionable space and the capability to supply all parking on the site. The City Council has required the retention of 10,000 square-feet of landscaping as a public amenity and the triangular shape of the parcel, even with the additional site area gained by the street vacations, constrains the ability to design sufficient parking on-site. The applicant is required to secure a shared parking agreement(s) for sixty-seven off-site parking spaces prior to the issuance of building permits to meet the 135 off-street parking space requirement for Friday evening Shabbat services and for the 143 off-street parking spaces required for special event occurrences. Only sixty-eight off-street parking spaces are provided on-site. Additional off-site parking will meet needs for higher attendance religious services and occasional special events. Deviations from the Street Design Manual by the City Engineer address bikeway/pedestrian path width requirements from the intersection of La Jolla Village Drive/Torrey Pines Road to La Jolla Scenic Drive/Cliffridge Avenue, the intersection design for Cliffridge Avenue/La Jolla Scenic Drive North, for the back of sidewalk utility width area along the La Jolla Scenic Drive North frontage, and for driveway/curb cut widths at 8976 Cliffridge Avenue and the Phase II garage entry.

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

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

The 42,400 square-foot site that includes the residence, area of City owned property known commonly as Site 653 and the area of proposed street vacations, is zoned SF (Single-family) within the boundaries of the La Jolla Shores Planned District and the La Jolla Community Plan. The use is specifically listed as a permitted use in the SF zone. The proposed development is requested to be a 2-phase project with the religious office use of the single-family residence terminating with occupancy of Phase II and the residence reverting back to residential use. The City Council required 10,000 square-foot landscaped area and a bike/pedestrian path required by City staff will separate the new religious student center from the adjacent single-family residence. The new structure lies across La Jolla Scenic Drive North from

other residences. The design is a 1-story elevation with mounded landscape area, a single entry point and minimal windows. The use inherently represents a larger structure for its different purpose but the overall design is relatively consistent to the neighborhood in low profile, materials, setbacks and landscape buffer. The subterranean garage is accessed from La Jolla Scenic Way on the east and the full impact of building mass is visible on the northeast corner of the site away from the residential neighborhood to the south.

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

Additional consideration was given to compatibility requirements of the La Jolla Shores Planned District Ordinance. A survey of development within a 300-foot radius indicated that the Hillel facility, with its use of earth tone colored stucco, stone cladding, masonry blocks, earth tone colored concrete, wood siding, dual-glazed windows, metal trellis and metal roof, together with a 1-story low profile elevation facing the residential neighborhood, would be compatible and in keeping with the intent of the Ordinance given that this use is different but in the same zone/neighborhood.

With conditions of approval and plans and exhibits on file for the development of the site, the development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed development of this 2-phased Jewish student center in an existing residence and adjoining vacant City owned tract of land generally located on the south side of La Jolla Village Drive and north side of La Jolla Scenic Drive North, complies with all regulations of the Land Development Code. The guiding land use regulations are contained in the La Jolla Shores Planned District Ordinance and the applicable SF zone regulations. The religious use of the site for religious services and as a Jewish student center, is a permitted use in the SF zone. The design of the new structure and associated site improvements is consistent with other development within the neighborhood, recognizing that the use is different from that of a single-family detached residence. The main project issue for this option constrained triangular shaped parcel, has been the ability to meet parking requirements on-site. While the facility will meet parking needs on-site for the Phase I religious office use of an existing single-family residence, the sixty-eight parking spaces provided for the Hillel facility fall sixty-seven spaces short of the 135 space requirement. The City staff has considered off-site parking through secured shared parking agreements and the applicant is required to obtain those prior to the issuance of building permits, to the satisfaction of the City Engineer, for the additional off-site parking for Friday evening Shabbat religious services and occasional special events. This situation will require extra procedures for Hillel to perform to assure that the parking is utilized and works without negatively impacting the adjoining neighborhood. Monitoring by the City will be done and the parking situation can be re-evaluated for modifications to assure Hillel meets its parking needs.

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

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

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

5. Any proposed deviations pursuant to SDMC Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The "Hillel" project is a Jewish student religious center currently using a single-family residence at 8976 Cliffridge Avenue for religious offices but planned to terminate with the anticipated development of the Phase II development and occupancy of a 12,000 square-foot facility over a 17,000 square-foot subterranean garage for sixty-eight vehicles. The total site area of 42,400 square-feet of area will decrease to 33,518 square-feet when the residence reverts back to single-family residential use. A further reduction in developable area to 23,518 square-feet results from the development of the 10,000 square-feet of landscaped area required by the City Council at the intersection of La Jolla Village Drive/Torrey Pines Road, as a neighborhood amenity. Design and use of the site is further constrained by its triangular shape and maintaining a design profile compatible with the adjacent single-family neighborhood to the south, as required by the La Jolla Shores Planned District Ordinance.

From the start of negotiations with the City Council to develop this site and preliminary reviews with City staff, parking was recognized as problematic from the standpoint of providing the required minimum parking on-site to meet the needs of the projects multi-use

area. The City will consider off-site shared parking if it is secured through agreements, meets criteria and can be conditioned and monitored to assure parking needs are satisfied. Parking for the facility has been calculated as 135 on-site parking spaces required but the architect cannot provide more than sixty-eight on-site spaces in the garage and meet minimum floor area needs to all functions of the facility. This Planned Development Permit allows the City to evaluate off-site parking which the applicant must secure prior to the issuance of building permits, for the additional sixty-seven spaces required for Friday evening Shabbat services and seventy-five for the higher attendance occasional special events. The City's Transportation staff has carefully analyzed the parking needs as well as the Planning Department staff, and it is felt that these agreements, if implemented and performed properly per the conditions of the accompanying permit, will serve the needs of the facility and not impose a burden on the neighborhood. A shuttle service will be implemented, signage posted, the users of the facility informed and communication between sites maintained. The City will monitor this situation and consider modifications to the conditions, uses and other aspects if warranted.

For the planned or anticipated highest use of the project, 143 off-street parking spaces are required. Only sixty-eight spaces are accommodated on-site. For Friday evening Shabbat services, 135 off-street spaces are required based on the calculation of 3,566 square feet of the worship area. For the occasional special events, the 143 off-street parking spaces are only available if shared parking agreements are secured and operated by the parameters contained within the Site Development Permit.

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

B. SITE DEVELOPMENT PERMIT SDMC SECTION 126.0504

1. Findings for all Site Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. The proposed 2-phased project site is located within the La Jolla Shores Planned District and the La Jolla Community Plan area. The combined site is 42,400 square-feet in area including public rights-of-way to be vacated. Phase I is an existing single-family residence on a 8,882 square-foot lot (post lot-line adjustment) currently in use as a religious office and related uses and Phase II is a 33,518 square-foot site required by the City Council of the City of San Diego to landscape a 10,000 square-foot area as a public benefit and a 23,518 square-foot development area proposed for a 12,000 square-foot Jewish student religious center with a 17,000 square-foot parking garage below.

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

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

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

b. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed 2-phased development, that retains use of an existing single-family residence for religious offices until occupancy of Phase II is completed and the facilities approved for occupancy, has been evaluated by City staff for compliance with adopted land use documents, zoning, development guidelines and principles. MND No. 6098 has been prepared and evaluated impacts in the areas of Paleontological areas and Parking. The La Jolla Shores Planned District zoning and land use designation of SF permits churches, temples and buildings used for religious purposes as well as the prevalent use for single-family residential development. The satisfaction of on-site parking to meet the needs of the scope of the development has long been a concern of the City staff and the community. The applicant has provided the City with information on the proposed sanctuary area seating, the schedule of events held at the Hillel center (as well as on-campus and off-site in various other locations) and for Shabbat and special events. The days, hours and frequencies have been evaluated and off-site shared parking agreements have been assured and evaluated by the City to sufficiently determine that parking will not be detrimental to the public health, safety, and welfare. An evaluation of the parking will be conducted to assure its implementation and to evaluate the need to amend conditions should problems be determined to exist. The design of the site and structure has been determined by City staff to conform to the neighborhood given that single-family detached residences exist to the south and a planned residential development (under a Conditional Use Permit) lies to the east and that this project is within the same zone but an entirely different use with inherent, and expected, design differences. The property to the north contains the campus of the University of California at San Diego and the property to the west is within the La Jolla Community Plan but not the Planned District.

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

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

c. **The proposed development will comply with the applicable regulations of the Land Development Code.** The project application consists of a 2 Phase land use proposal with Phase I being the continued use of a constructed single-family residence at 8976 Cliffridge Avenue in the SF zone of the La Jolla Shores Planned District as religious offices until such time as the Phase II Jewish student center on the triangular shaped parcel adjoining to the east is constructed and approved for occupancy. The existing single-family residence was constructed according to all codes and regulations in effect at the time and the only requirement for the change of use is an increase in off-site parking. Prior to its use as religious offices, the residence was required to maintain two off-street parking spaces but a previous owner had converted the garage to an office in violation of regulations and the religious office use has not complied to date with the parking requirements. With this approval, six parking spaces will be provided at the residence and when the religious office use terminates with occupancy of Phase II, two off-street parking spaces will be maintained for its reuse as a residence.

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

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

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

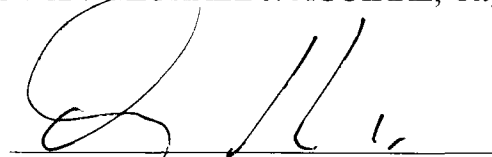
BE IT FURTHER RESOLVED, that Planned Development Permit No. 158095/Site Development Permit No. 158094 is granted to Robert Marshall, Owner (Phase I) and the City of San Diego, Owner (Phase II) and Hillel of San Diego, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

BE IT FURTHER RESOLVED, that the lot line boundary adjustment as shown on Parcel

Map No. 188004 is approved.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:pev
06/20/06
12/05/06 Cor.Copy
Or.Dept:Clerk
R-2006-980
MMS #2450

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-1438

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

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

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees to continue to use an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement and to develop a triangular-shaped parcel with a 12,000 square-foot Jewish student religious center, with a lower level garage of 17,000 square-feet of area as a Phase II entitlement, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 9, 2006, as modified by the conditions of approval imposed by the City Council, on file in the Development Services Department.

The project or facility shall include:

- a. Phase I: Continued use of a 1,792 square-foot single-family residence and garage/storage structure at 8976 Cliffridge Avenue for religious offices

and related use until such time as the proposed Phase II is developed and approved for occupancy; and

Phase II: The development of a 2-level Jewish student religious center consisting of a main level main floor plan use area of 12,000 square-feet and a subterranean garage of 17,000 square-feet for the parking of sixty-eight vehicles, trash enclosures and elevators;

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

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and

- b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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. This Permit may be utilized in phases. Each phase shall be consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits).

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

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

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 6098 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Paleontological Resources
Parking

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

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

ENGINEERING REQUIREMENTS:

18. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
19. The drainage system proposed for this development, as shown on the approved plans, is subject to approval by the City Engineer.
20. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
21. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of sidewalk on La Jolla Village Drive, La Jolla Scenic Way and La Jolla Scenic Drive North along the property frontage, new curb, gutter and sidewalk along the vacated area at Cliffridge Avenue and La Jolla Scenic Drive North, a connection to the City storm drain in La Jolla Scenic Way, three sidewalk underdrains (one in each adjacent street), a pedestrian ramp at La Jolla Village Drive and La Jolla Scenic Way and a 24-foot driveway on La Jolla Scenic Way, all satisfactory to the City Engineer.
22. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance, satisfactory to the City Engineer.
23. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, consistent with the approved Water Quality Technical Report.
24. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan [WPCP]. The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
25. Prior to the issuance of any building permits, the applicant shall process the street vacation and dedication drawings and drawings for the easement reservations, all satisfactory to the City Engineer.
26. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for two D-27 sidewalk underdrains (in La Jolla Village Drive and La Jolla Scenic Drive North) and a connection to the City drain system.

LANDSCAPE REQUIREMENTS:

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

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

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

30. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40-square feet area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

31. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within thirty days of damage and prior to issuance of a Certificate of Occupancy.

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

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

TRANSPORTATION REQUIREMENTS:

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

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

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

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

38. The applicant shall provide a minimum of sixty-eight on-site, underground parking spaces. In its discretion, applicant may employ parking lifts to achieve this number, but applicant may not exceed the elevations submitted by the applicant in the plan, or shown on the "Site Section," and that is 22 feet, 6 inches in height. Applicant shall not prohibit any of its staff, visitors or person participating in its on-site activities from parking in the garage. Applicant acknowledges that any such closure is grounds for the immediate suspension of all operations by the Development Services Department and the Neighborhood Code Compliance Department or the City Manager, in his or her sole discretion.

39. In the event of a cancellation of a shared parking agreement, the applicant will immediately suspend any activities with more than 204 people in attendance, which would effectively bring the cap down to what sixty-eight spaces would support, including Shabbat services and occasional special events at the facility until an equivalent parking management plan or shared parking agreement is secured and approved by the City Manager in his or her sole discretion and executed by the applicant. In the event of failure of the parking shuttle to operate during any Shabbat services, the applicant will immediately suspend any activities with more than 204 people in attendance at the facility until the shuttle services is resumed and the resumed operation is approved by the City Manager in his or her sole discretion and executed by the applicant. At any time after the first year of operation of the facility, the City Manager may, in his or her sole discretion, require that this Shabbat services off-site parking requirement and shuttle requirement be continued or discontinued. This would take sixty-seven parking spaces, in addition to the sixty-eight on-site spaces that would be the parking requirement. If for any reason the off-street parking is not satisfied or the shuttle is not available, the occupancy of the facility shall be limited to 204 people, which is what the sixty-eight on-site parking spaces would support.

40. In the event of cancellation of the shared parking agreement, the applicant will immediately suspend any activities with more than 204 people in attendance for Shabbat services and occasional Special Events (which are limited to six times a year for the first year and up to nine times a year thereafter with the approval of the City Manager) at the facility until an equivalent parking management plan or shared parking agreement is

secured and approved by the City Manager in his or her sole discretion and executed by the applicant. In the event of failure of the parking shuttle to operate during occasional Special Events, the applicant will immediately suspend any activities with more than 204 people in attendance (including Shabbat services and occasional special events) at the facility until shuttle service is resumed and the resumed operation is approved by the City Manager in his or her sole discretion and executed by the applicant.

41. The number of occasional Special Events for the first twelve months of operation shall be limited to six. The number may be increased after the first year to a maximum of nine occasional special events per year with the approval of the City Manager, in his or her sole discretion, where Code Enforcement will be in charge of supervising the number of these events.

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

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

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

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

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

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

48. Prior to the issuance of its building permit, applicant shall deposit \$20,000 into a dedicated fund for the express purpose of the Development Services Department and Neighborhood Compliance Code Department enforcement and monitoring of the permit conditions, with the proviso that if the \$20,000 is used for enforcement and dips below \$10,000 it will be replenished back to \$20,000. The fund shall be interest bearing with interest, minus administrative fees, accruing to Permittee. Two years thereafter, a deposit of \$10,000 per year plus Consumer Price Index may be required in the sole discretion of

the City Manager in subsequent years. Any portion of this deposit that is unused will be returned to the applicant.

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

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

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

52. Prior to the issuance of the first building permit, the applicant shall install a pedestrian ramp on the west side of the intersection of La Jolla Scenic Drive North and Cliffridge Avenue.

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

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

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

56. The gate to the subterranean garage shall be monitored by Hillel's staff during all occasional Special Events.

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

- a) Provide staff at both Hillel facility and the off-site location to monitor parking for occasional special events.
- b) Publicize the availability of off-site parking and transportation prior to the occasional special events.

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

58. The TDM plan shall be adopted as a condition of the permit. The monitoring program shall be conducted by applicant and evaluated by the City Manager at least nine times and no more than twelve times during the first year, and at least three times and no more than five times per year in subsequent years. The monitoring after the first year shall be conducted during times when school is in session and at least once during an occasional Special Event.

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

60. The applicant shall notify the La Jolla Shores Association whenever the Traffic and Transportation Committee of the La Jolla Community Planning Association considers issues related to the TDM Plan.

PLANNING/DESIGN REQUIREMENTS:

61. Hillel hours of operation shall be limited to 7:00 A.M. to 10:00 P.M. daily and events will be concluded by 10:00 P.M., allowing for clean up and closing of the facility by 11:00 p.m. Hillel may observe Jewish holidays, customs and ritual practices for High Holiday, Shavuot, Purim, Passover and other Jewish special observances provided that the above hours of operation are observed and these occasional Special Events shall comply with Condition No. 41 of this Permit.

62. Weekend hours, which are not limited in the proposal, shall be limited to Saturday from 8:00 A.M. to 10:00 P.M. and Sunday from 10:00 A.M. to 6:00 P. M. unless there is a Jewish Holiday or other occasional Special Event, where the hours of operation revert to the typical weekday hours specified in condition No. 61 above.

63. The building capacity shall be capped at 250 people, and 400 for "special events." A "special event" is any event attended by more than 250 people.

64. There shall be no deliveries or trash pick-up before 8:00 A.M. on any day.

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

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

67. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

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

69. No building additions, including patio covers, shall be permitted unless approved by the City Manager.

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

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

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

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

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

75. Applicant shall pay for the undergrounding of the two utility lines that are located onsite, and the undergrounding project shall be completed before the issuance of the occupancy permit.
76. Applicant shall add a drinking fountain, trash receptacle and one 3-seated bench that Hillel will maintain. Applicant will maintain a recycling program in its facility.
77. Applicant agrees not to oppose the formation of a maintenance assessment district.
78. The courtyard will not be used for outside gatherings of more than ten people, except for Sukkot and similar religious rituals. This would not preclude visitors from going out on the patio or using the patio during gatherings within the center.
79. No alcohol will be allowed, except for religious rituals.
80. Smoking will not be allowed on the site.
81. Air-conditioning units will be acoustically abated.
82. Outside amplified noise is prohibited.
83. A 3-foot glass wall will be added to the top of the patio wall at the northeast corner of the property.
84. Outside lighting will be limited to low-voltage lighting for safety and way-finding when the facility is unoccupied.
85. Overnight events are prohibited.
86. Use or rental to outside groups for commercial purposes is prohibited.
87. Hillel will advise visitors to the Center on Friday night Shabbat and during occasional Special Events not to park in the neighborhood and that individuals that fail to comply with this policy will be asked to move their car or to leave the Hillel Center.
88. Applicant agrees to participate in a Neighborhood Advisory Committee consisting of one representative of the University of California San Diego, two representatives appointed by the La Jolla Shores Association, two representatives appointed by Hillel; one neighborhood resident appointed by the City Council Representative for District One, and one neighborhood resident appointed by the City Manager. The Committee shall be formed within thirty days of the issuance of building permits, while working on construction issues as well, and shall work to facilitate appropriate interchange and beneficial collaboration between the applicant and the surrounding community, resolve disputes if possible, and advise the Development Services Department and the Neighborhood Code Compliance Department and the City Manager of any disputes that are not resolved.

89. The defendant will agree to defend and indemnify the City of San Diego against any actions related to the legality of the sale or lease of the site.

LONG-RANGE PLANNING:

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

WASTEWATER REQUIREMENTS:

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

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

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

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

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

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

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

WATER REQUIREMENTS:

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

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

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

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

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

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

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

105. Prior to the first final inspection of any building permit for the Hillel of San Diego project, all public water facilities necessary to serve this development shall be complete

and operational in a manner satisfactory to the Water Department Director and the City Engineer.

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

MAPPING:

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

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the City Council of the City of San Diego on May 8, 2006 by Resolution No. R-301433.

AUTHENTICATED BY THE CITY MANAGER

By _____

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

ROBERT MARSHALL,
an Individual, Owner (Phase I)

By _____

HILLEL OF SAN DIEGO,
a Religious Corporation, Permittee
(Phase I and II)

By _____

City of San Diego,
a Municipal Corporation, Owner (Phase II)

By _____

NOTE: Notary acknowledgments

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

PERMIT/OTHER - Permit Shell 11-01-04

Passed by the Council of The City of San Diego on MAY 09 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MAY 09 2006

Date of final passage _____.

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By

Mary Cepeda

Deputy

Office of the City Clerk, San Diego, California

Resolution Number

R 301433