



THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED: November 26, 2008

REPORT NO.: 08-175

ATTENTION: Council President and City Council  
Agenda of December 2, 2008

SUBJECT: Hillel of San Diego Student Center, Project No. 149437.  
Council District 1. Process Five.

REFERENCE: Planning Commission Report No. PC-08-119  
<http://www.sandiego.gov/planning-commission/pcreports/08119.pdf>

**REQUESTED ACTION:** Approval of a two phased development, with Phase I to retain the existing use of a single-family residence and garage/storage structure for religious offices and related uses; and Phase II the development of a 12,100 square-foot religious student center over a subterranean garage on a vacant 0.77-acre site on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way within the La Jolla Community Plan.

**STAFF RECOMMENDATION:**

1. **Certify** Mitigated Negative Declaration No. 149437, and **Adopt** the Mitigation Monitoring and Reporting Program;
2. **Approve** Site Development Permit No. 527861;
3. **Approve** Public Right-of-Way Vacation No. 527860; and
4. **Approve** Easement Acquisition No. 584509.

**SUMMARY:**

**Planning Commission Recommendation:**

On November 6, 2008, following the staff presentation, testimony in favor and in opposition, lengthy discussion, and multiple motions, the Planning Commission voted 4-1-2 to recommend denial to the City Council. The initial motion proposed by the Commission was to approve the project as proposed, with a clear directive that the parking lifts within the subterranean parking garage must be workable when constructed. However, the initial motion to recommend approval failed by a vote of 2-3. In an effort to obtain the required number of affirmative votes (4) to move the project along to City Council, the same Commissioner who made the motion to recommend approval, made a subsequent motion to recommend denial, which passed by a vote of 4-1.

As shown on the conceptual plans before the Commission on November 6, the layout of the parking structure would not allow adequate space for the parking requirements of the San Diego Municipal Code (SDMC) to be met. As discussed below, the applicant has redesigned the parking layout which now fully meets the SDMC requirements.

The Planning Commission discussion focused on the following issue areas:

- Parking;
- Use of the site and the compatibility of the proposed use with that of the surrounding development;
- Bulk and Scale of the proposed development, and compatibility of the project's bulk and scale with that of the surrounding development;
- Enforcement of the permit conditions and conditions of the Transportation Demand and Parking Management Plan (TDPMP); and
- The Status of the project's prior approvals.

Following each of the Planning Commission's concerns, is further discussion and staff's response to those concerns.

**Parking** – The Planning Commission expressed concern and asked numerous questions regarding use of parking lifts, the approved off-site parking agreement with the University of California, San Diego (UCSD), and a proposed shuttle service to those off-site lots.

**Staff Response:** Subsequent to the November 6, 2008 Planning Commission hearing, the applicant redesigned the parking garage layout to increase the area for the proposed parking lifts and to increase the parking space dimensions. The proposed parking lift is the Bend Pak HD-12SS (See Attachment 17). According to the City's parking standards, a parking space with obstructions on two sides (e.g., supporting columns, or posts of a parking lift), requires a 9 foot, 6 inch wide parking space. The applicant was able to increase the width of the parking spaces and the space around each space by reducing the number of striped and on-ground parking spaces from 40 to 36 spaces. In turn, the applicant is now proposing an increase in the number of parking spaces housing lifts from the previously proposed 28 to 32 spaces. The project continues to provide a total of 68 on-site parking spaces, with 32 of the 36 striped parking spaces utilizing parking lifts (equating to 64 total spaces) and four non-lift spaces. Each parking space has been designed to meet the City's standards in regards to width and depth, and would allow each driver to self-park using the lifts. During the normal workweek day the required parking for the project is 12 spaces, based upon the staffing and occasional student visitors expected.

Once a week on Friday nights the Hillel Student Center would host Shabbat services, with an allowable maximum capacity of 204 attendees. Using the City's standard parking rate of one parking space per three attendees, the required number of parking would be 68 spaces, which matches the proposed on-site parking. The applicant would utilize valet parking service for the Shabbat services to allow visitors to access their automobiles on demand. The valet service would allow access to the automobiles parked on either level of the lift space. It is anticipated that parking in these spaces would take minimal time and would not require a queue off-site, as the 60 seconds expected to lift each automobile would be absorbed parking other cars in adjacent lifts. In an abundance of caution, the permit has been conditioned to require the applicant to have in place an off-site parking agreement for up to 67 parking spaces for Shabbat services, over and above the code required 68 on-site parking spaces. Although the permit requires the availability of the additional parking over and above the code requirements, the permit still limits attendance at Shabbat services to no more than 204 visitors.

The applicant is proposing occasional special events for up to 400 visitors, up to six times for the first year, and up to a maximum of nine times a year after the first year. The permit has been conditioned to require the applicant to have an off-site parking agreement in place for up to 75 off-site parking spaces for occasional special events over and above the code required 68 on-site parking spaces.

Should the off-site spaces not be within 600 feet of the project site, the permit has been conditioned to require access to and from the off-site parking location via a shuttle service. This condition is applicable for both the Friday night Shabbat services and the occasional special events. The shuttle service would drop passengers off within the subterranean parking garage and would be provided one hour before to one hour after each event. The shuttle service would be anticipated to have a round-trip loop-time of approximately 15 minutes.

In the event that the designated off-site parking location is changed for Friday night Shabbat services, the permit has been conditioned to require the applicant to provide a parking attendant at the original location an hour before the scheduled start time until an hour after the scheduled start time, for the first two scheduled events after the location change, to direct any applicable vehicles to the new off-site parking location. Hillel would also be required to publish the change of location on its website and inform students by e-mail and other methods of the change of location as specified under the information program described within the TDPMP.

Also included as conditions of the Site Development Permit and TDPMP, are the following:

- Hillel shall provide staff at both the Hillel facility and the off-site parking locations to monitor parking for Shabbat services and occasional special events.

- The monitors of the parking locations will have two-way communication capability to ensure shuttle riders are served.
- Appropriate signage directing visitors to the off-site parking spaces would be provided, as required by the Site Development Permit.
- If for any reason the parking agreement for off-site parking is canceled or temporarily discontinued, the Hillel facility would not be allowed to exceed 204 visitors.
- If for any reason the parking shuttle fails to operate during any Shabbat services or occasional special events, Hillel would immediately suspend any activities with more than 204 people in attendance at the facility until the shuttle service is resumed and the resumed operation is approved by the Mayor/City Manager in his or her sole discretion.
- The Hillel facility would have an attendant monitor the garage entry. Should the garage be full, vehicles would be directed to the off-site parking location.
- 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).
- To insure the project follows the conditions of approval, the applicant would be required to maintain an account (minimum \$10,000, maximum \$20,000) for enforcement of these conditions by the Neighborhood Code Compliance Division of the Development Services Department.

**Use** - The Planning Commission was split as to the compatibility of the use of the site as a religious student center, with the single-family and institutional uses surrounding the development.

**Staff Response:** Uses which are permitted by right in the Single-Family (SF) Zone of the La Jolla Shores Planned District include single dwellings, public parks, public playgrounds, golf courses, schools, and churches, temples or other buildings used primarily for religious purposes. All of these uses are deemed to be compatible with one another because they are allowed by right, and they are deemed to be compatible with the applicable land use plan which is implemented through the SF Zone.

Hillel is a non-profit religious corporation whose mission is "To be a vibrant Jewish campus presence and to involve a maximum number of university-aged Jews in ways that foster a lasting commitment to Jewish life." Hillel works to accomplish its mission statement by providing: weekly Sabbath services and Jewish holiday services during the school year; classes on Jewish religion, including Bible, Talmud, ethics and holidays; adult Bar and Bat Mitzvah training; pastoral and spiritual counseling for Jewish students; and instruction for students who wish to convert to Judaism.

On the UCSD campus, Hillel is housed in the Office of Religious Affairs, and because it is a religious organization, is precluded by the University from having its own facility on campus. Hillel proposes to construct a permanent building on the project site to further the religious purposes of the corporation. Therefore, it is staff's position that the proposed use of the property is allowed by right.

**Bulk and Scale** – The Commission was again split on the compatibility of the project's bulk and scale with that of the surrounding single-family and institutional development.

**Staff Response:** The bulk and scale of the proposed building is commensurate with the size of the parcel. The square-footage for Phase II of the project site including the area of the public right-of-way vacation is 33,541 square feet, or about 0.77-acre. The bulk and scale of buildings within the Single Family (SF) Zone of the La Jolla Shores Planned District are controlled through the siting of buildings, a height limit of 30 feet, maximum lot coverage of 60 percent, and a minimum landscaping requirement of 30 percent of the lot area. As proposed, the religious student center is far below the limits of the La Jolla Shores Planned District, in that the maximum height would not exceed 22 feet, the lot coverage equates to approximately 36 percent, and 52 percent of the total lot area is landscaped. The proposed project floor area ratio is 0.47, and the average floor area ratio for adjacent single family properties is 0.47. The scale of the proposed building is relative to the surrounding single-family uses in that it is located on a large parcel that is 4 to 5 times the size of the surrounding single family lots; the proposed building is set into the ground to minimize the size of the building; and the center utilizes variations in height, textures, materials, and rooflines to create the appearance of a series of smaller, individual structures. The proposed landscaping surrounding the building would eventually obscure virtually any views of the building as large pine trees are proposed to be planted around the building.

**Enforcement** – The Planning Commission expressed concern regarding the enforcement of permit conditions and conditions included in the TDPMP regarding number of visitors for Friday night Shabbat Services and occasional special events.

**Staff Response:** The Neighborhood Code Compliance (NCC) Division of the Development Services Department would develop a program to monitor compliance, which would include periodic review of documentation from the applicant, and periodic inspections from NCC, performed at times in conjunction with the San Diego Police Department. In addition, the TDPMP has been required by condition of the Site Development Permit to avoid spillover parking on neighboring streets during the religious student center activities. The TDPMP includes a number of parking management strategies, including methods for monitoring parking activity, community outreach strategies, participation in a Neighborhood Advisory Committee, and requirements to perform post occupancy surveys, evaluations, and studies. For further information regarding the TDPMP and the required parking management strategies, please see Attachment 12.

As noted above, the applicant is required to maintain an account (minimum \$10,000, maximum \$20,000) for Development Service Department enforcement of these conditions.

**Prior Approval Status** – The Planning Commission questioned the status of the previous approval, and why a new application was being submitted versus an amendment.

**Staff Response:** As discussed in more detail in the Background section of the report below, an almost identical project was previously approved by the City Council, and that decision was later challenged in court. Given the current status of the previously approved application, it was determined, with the concurrence of the City Attorney's Office that the applicant would be allowed to resubmit a new application addressing the judge's concerns, and process it through the City's review process.

**Background:**

The project site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Planning Area, Coastal Height Limit Overlay Zone, and the Campus Parking Impact Overlay Zone. Properties to the south and east are designated for residential uses (5-9 dwelling units/acre) and are currently developed with detached single-family homes to the south, and attached single-family homes to the east, across La Jolla Scenic Way. Properties to the north and west are designated for Public Facilities/Institutional uses, with properties to the north developed with the University of California San Diego facilities, and properties to the west, beyond Torrey Pines Road, being currently vacant.

On March 3, 2005, an almost identical project came before the Planning Commission, which voted 5-0 to recommend denial to the City Council. The vote was based on the Planning Commission's belief that the use would not be compatible with the surrounding residential uses; therefore, they were not able to make the neighborhood compatibility finding. It was also the Planning Commission's belief that although the parking plan could meet the parking demand for occasional special events, it could not be depended on for the regular operation of the facility.

This same project first came before the City Council on September 27, 2005 and was continued. On May 9, 2006, after hearing public testimony and engaging in lengthy discussion, the City Council ultimately approved the Hillel Student Center by a vote of 6-2, with the addition of numerous parking and traffic related conditions.

The May 9, 2006 approval was challenged in court, and a judge ordered the City to set aside the Mitigated Negative Declaration and the associated project approvals, other than the resolution which authorized the sale of the site from the City of San Diego to Hillel of

San Diego. The judge found that the Mitigated Negative Declaration failed to adequately evaluate the pedestrians crossing La Jolla Village Drive, and the possibility of on-site raptors. The judge sent back the approvals and the Mitigated Negative Declaration to the City of San Diego, to be reconsidered in compliance with CEQA.

The judge's order was challenged by both the applicant and a group of project opponents. Given the pending status of the previous approvals, it was determined that the applicant would be allowed to resubmit a new application addressing the judge's concerns, and process it through the City's review process. Should the current application reach City Council prior to the legal action being resolved on the prior approvals, the prior approvals would be rescinded as a part of the current application, prior to the City Council action on the current application.

The applicant submitted the current Hillel Student Center Project on June 12, 2008. The project scope is generally the same as the previous application, with the addition of 28 on-site parking spaces supplied by parking lifts, and the incorporation of a roof-mounted photovoltaic system consisting of solar panels and the installation of a fuel cell sufficient to generate at least 30 percent of the project's projected energy consumption, meeting the requirements of City Council Policy 900-14. Each of the project's technical studies was redone, and the two areas of concern raised by the judge's order were addressed in new traffic and biology studies.

The owner and applicant converted the use of the existing single-family residence at 8976 Cliffridge Avenue from residential to religious use without obtaining a required Site Development Permit (SDP). A Code Compliance Case was opened by the City of San Diego Neighborhood Code Compliance Division of the Development Services Department. Since the applicant has applied for the required SDP as Phase I of the current application, the use of the single-family residence as a religious use has been allowed to continue, pending the outcome of the current application. If Phase II of the application is approved, the religious offices and related use at 8976 Cliffridge Avenue would move into the new 12,100 square-foot facility (Phase II) and the single-family home would revert back to its original use. Should Phase II be denied, the applicant would request the approval of Phase I on a permanent basis.

#### Project Description:

The Hillel Student Center Project consists of an application for a Site Development Permit, Easement Acquisition, and Public Right-of-Way Vacation for a two-phased development to continue the use of an existing single-family dwelling for religious offices and related purposes as a Phase I entitlement; and to develop a vacant triangular shaped parcel on the south side of La Jolla Village Drive between Torrey Pines Road and La Jolla Scenic Way with a 12,100 square-foot, one-story religious student center above a subterranean garage of 17,000 square-feet of area as a Phase II entitlement.

More specifically, Phase I involves the continued use of the 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. Phase I would include interior improvements to the existing single-family residence and construction of a parking lot to allow for the required off-street parking associated with the use of the single-family residence. The exterior elevations of the existing residence would not change.

There are two alternatives proposed for providing the required off-street parking spaces. Alternative I would provide six parking spaces; three standard spaces and one accessible space in the vacated cul-de-sac adjacent to the existing single family residence; and the remaining two spaces would be in the existing detached two-car garage existing on the lot (See Attachment 8, Sheet A2.0). This alternative involves construction of temporary sidewalk and parking improvements in the cul-de-sac/right-of-way proposed for vacation. Alternative II would provide six parking spaces; five standard spaces and one accessible space, within the western portion of the existing site (See Attachment 8, Sheet A2.1). This alternative would require the demolition of the existing detached 462 square-foot garage/storage area to provide adequate space for the cars on site.

Phase II involves the development of a two-level religious student center, with a maximum overall height of 22 feet above grade, consisting of an upper level main floor use area of 12,100 square-feet and a lower subterranean garage of 17,000 square-feet for the parking of 68 vehicles, trash enclosures, storage, and elevators. The religious student center level would contain three multi-purpose rooms, a library, lounge area, computer room, student offices, administrative offices, elevator, kitchen, storage, two restrooms, and three outdoor patios. The garage would also include a mechanical room, elevator, telephone cable room, service lobby, and trash/recycling area. The subterranean parking garage would be located directly beneath the proposed religious student center building. The vehicle entrance and exit would be located off of La Jolla Scenic Way, approximately 140 feet from La Jolla Village Drive, and 100 feet from La Jolla Scenic Drive North.

A previously approved traffic study, *Traffic Generation, Site Access and Parking Evaluation of Hillel Facility at UC San Diego*, dated May 11, 2004 was prepared for the proposed project by Kimley-Horn and Associates, Inc., to analyze the potential impact of the project on the roadway system and on the on-street parking in the area. A new Traffic study was prepared for the current project, *Traffic Impact Analysis, Hillel Facility*, dated July 7, 2008, prepared by Linscott, Law, and Greenspan.

The proposed project is estimated to generate 234 average daily trips on Fridays (Shabbat services) with 11 morning peak-hour trips and 8 evening peak-hour trips. Other days of the week would be estimated to generate lower traffic volumes. Once a week on Friday night, 58 vehicle trips are expected between the hours of 9:00 PM and 10:00 PM.

Proposed grading of the site would consist of 9,200 cubic yards of cut and 400 cubic yards of fill with an average depth of cut of 15 feet. Approximately 8,800 cubic yards of material would be exported offsite. The project proposes seven retaining walls along the southwestern, northern and eastern portions of the site with a maximum height of seven feet.



The exterior elevations of the student center building indicate the use of earth tone colored stucco, stone cladding, masonry blocks, earth tone colored concrete, wood siding, dual-glaze windows, metal trellises, and a metal roof. The project design incorporates a roof-mounted photovoltaic system consisting of solar panels and the installation of a fuel cell sufficient to generate at least 30 percent of the project's projected energy consumption, meeting the requirements of City Council Policy 900-14. In addition, the project proposes to meet the standards required to obtain a Leadership in Energy and Environmental Design (LEED) Silver rating.

Landscaping for the proposed project would consist of Torrey Pines, large screening shrubs, medium flowering shrubs, low spreading shrubs, low growing flowering shrubs, groundcover and hardscape areas. All proposed plants on the project site would be native species. Torrey Pines are proposed along the property line for the project site. Large screening shrubs and medium flowering shrubs are proposed along the outside walls of the proposed building. A combination of groundcover, low spreading shrubs and low growing flowering shrubs are proposed along the proposed building and along the property line with the proposed Torrey Pines. Hardscaped areas are proposed on the north and south portion of the site.

#### Community Plan Analysis:

The subject properties are designated as Low Density Residential (5-9 du/ac) in the La Jolla Community Plan. Religious uses are commonly found to fit within residential areas without adversely affecting the Land Use Plan. Additionally, the proposed use is permitted by the La Jolla Shores Planned District Ordinance which was adopted specifically to implement the Land Use Plan. The Hillel religious student center is located directly across the street from the University of California and on the northern edge of the adjacent residential neighborhood, making it an appropriate location for the student-related activity. The SF Zone of the La Jolla Shores Planned District lists churches, temples or buildings of a permanent nature, used primarily for religious purposes as permitted uses; therefore, the proposed use of a religious student center for Jewish students at UCSD would be a permitted and appropriate use for this site.

The current La Jolla Community Plan and Local Coastal Program Land Use Plan was adopted in February of 2004. The Plan designates the project parcels for Low Density Residential (5-9 du/ac) single-family residential development. The previous community plan was in effect from 1995 until the adoption of the current community plan in 2004, and had the project parcels designated as Parks, Open Space. The community plan in effect prior to 1995 had the property designated as Single-Family Residential. A community plan dating back to 1966 shows the project parcels designated for Single-Family Residential use.

The land use designation change in 2004 from Parks, Open Space back to Single-Family Residential use was done to bring the community plan into conformance with the existing La Jolla Planned District Ordinance, which includes the parcels within the Single-Family, or SF Zone. The La Jolla Community Plan and Local Coastal Program redesignation to

Single-Family Residential use was reviewed as a part of the Environmental Impact Report for the 2004 community plan update.

The proposed development incorporates a number of specific design features which would allow the religious student center to achieve compatibility with the existing residential development in the vicinity. The proposed religious student center utilizes variations in height, textures, and rooflines in order to create the appearance of a series of smaller, individual structures. In addition, lower portions of the structure would be concealed behind landscaped berms which would reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as both street trees and in informal groupings around the periphery of the project, and would further screen and soften the structure at maturity. Parking for the facility is located within a subterranean garage and meets the San Diego Municipal Code requirement of 68 vehicle parking spaces. The garage would also be equipped with a loading area, trash and recycling area, and a service elevator, so that any noise and visual impacts associated with these activities would be screened from surrounding residents.

In order to further minimize impacts to the adjacent residential neighborhood, staff has proposed specific conditions limiting the hours of operation for the religious student center and the frequency of special events. The center would be permitted to be open from 7:00 AM to 10:00 PM Monday - Friday, while all post-event cleanup and securing of the center must conclude by 11:00 PM. Weekend hours would be limited to Saturday from 8:00 AM to 10:00 PM and Sunday from 10:00 AM to 6:00 PM unless there is a Jewish Holiday or other occasional special event, where the weekday hours of operation would be allowed.

The number of occasional special events for the first twelve months of operation would 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 Development Services Department Director, in his or her sole discretion, where Neighborhood Code Compliance would be in charge of documenting the number of these events.

The project also implements policies of the La Jolla Community Plan which recommend enhanced pedestrian-orientation. Non-contiguous sidewalks are located along the La Jolla Village Drive and La Jolla Scenic Drive North frontages, with Torrey Pine trees and other landscaping planted between the curb and sidewalk. While screening the project from the adjacent residential neighborhood, this configuration would also buffer pedestrians from automobile traffic to create an environment conducive to walking and transit use. As such, students would be encouraged to use transit or walk from the UCSD campus to the religious student center, reducing automobile traffic and demand for parking at the center. By incorporating the cited design features and the conditions regarding operation of the center, the project implements the policies of the La Jolla Community Plan and would not adversely affect the residential land use designation of the subject properties.

### Environmental Analysis:

The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Paleontological Resources and Parking. Mitigated Negative Declaration Number 149437 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources and Parking.

### Project-Related Issues:

Community Planning Group Recommendation - The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly recommends that all applicants seek the recommendation of the La Jolla Community Planning Association, the officially recognized Community Planning Group for the La Jolla Community Planning Area. The project went before both groups and the results of their actions are detailed below.

On September 4, 2008, the La Jolla Community Planning Association (LJCPA) passed two motions; one taking action on the application, and the other providing direction to the President of the LJCPA regarding the project's environmental document (See Attachment 14).

In the first motion, the LJCPA voted 14-0-0 to recommend denial of the subject project, following the recommendations of the La Jolla Traffic and Transportation Board and the La Jolla Shores Permit Review Committee. The LJCPA recommended denial of the project because of the following:

1. Inadequate transportation plan with impacts on adjacent intersections and pedestrian movements;
2. Detrimental street vacation for which the findings cannot be made;
3. Insufficient parking;
4. Unpermitted use of a Student Center in the La Jolla Shores Planned District (LJSPD); and
5. The project does not meet the green space requirements of the LJSPD on its own without the public right of way vacations.

In the second motion, the LJCPA voted 14-0-0 to request that the President of the LJCPA send a letter to the City that:

1. Points out the errors in the draft Mitigated Negative Declaration (MND), and
2. Requests an Environmental Impact Report with better analysis of transportation, parking, street vacation, open space, land use, and community character.

On September 16, 2008 the La Jolla Shores Planned District Advisory Board (LJSPDAB) voted 4-0 to recommend denial of the project. Among a list of reasons, the LJSPDAB based their recommendation on traffic, impact on the surrounding neighborhood, non-conforming use as a student center, the proposed street vacation action, and non-use by the nearby single-family residential community.

Staff Response to Community Planning Group Issues – Following each of the LJCPA reasons for their denial recommendation, are responses from staff each issue.

1. Inadequate transportation plan with impacts on adjacent intersections and pedestrian movements - A comprehensive traffic study was completed for the project using City standards. In addition to the base analysis, a worst case analysis in terms of vehicular impact was conducted (assuming all patrons drive to the facility) and a worst case analysis in terms of pedestrian movements was conducted (assuming all patrons walk to the facility). These two extra analyses were conducted above and beyond the typical traffic study analyses. A full analysis of the La Jolla Village Drive/Torrey Pines Road, La Jolla Village Drive/La Jolla Scenic Way, La Jolla Scenic Drive North/Cliffridge Avenue, La Jolla Scenic Way/La Jolla Scenic Drive North, and La Jolla Scenic Drive North/Caminito Deseo intersections was completed in the project's traffic impact analysis. This analysis was completed for the scenarios listed below. No significant impacts were identified in terms of vehicular or pedestrian movements based on City of San Diego significance criteria.
  - a. Existing
  - b. Existing + cumulative projects
  - c. Existing + cumulative projects + project
  - d. 2030 without project
  - e. 2030 with project
2. Detrimental street vacation for which the findings cannot be made – It is staff's position that the street vacation findings can be made. As noted in the Public Right-of-Way Vacation Resolution (Attachment 9), there is no present or prospective use for the public right-of-way, either for the purpose for which it was originally required, or for any other public use of a like nature that can

be anticipated; the public would benefit from the vacation through the improved utilization of the land made available by the vacation; the vacation does not adversely affect any applicable land use plan; and the public facility for which the public right-of-way was originally acquired would not be detrimentally affected by this vacation.

La Jolla Scenic Drive North is a local street and there is little likelihood that the street would be widened to the width allowed by the current right-of-way. As designed, La Jolla Scenic Drive North would meet the design standards of the City of San Diego Traffic Design Manual. The applicant would maintain more than 10,000 square feet of landscaped and hardscaped area for public use, both visually and physically, with a bike and pedestrian path, grove of native Torrey Pine Trees, a park bench, trash receptacle, and public drinking fountain. In addition, any liability and maintenance cost would be transferred from the City to the property owner with this vacation. The intended use of the site is consistent with the community plan and SF Zone, which allows religious uses by right. Therefore, it is staff's position that the street vacation findings can be made.

3. Insufficient parking – The total parking requirement for proposed project is 74 spaces; with six (6) spaces for Phase I and 68 spaces for Phase II. The six parking spaces proposed for Phase I meet the requirements of the San Diego Municipal Code. Of the 68 parking spaces proposed for Phase II, 64 of the 68 spaces are proposed through the use of parking lifts, which meets the requirements of the San Diego Municipal Code. As described above, the project has been conditioned to require the maintenance of an off-site parking agreement with the University of California, San Diego for an additional 67 off-site parking spaces for Hillel's weekly Shabbat services, and up to 75 off-site parking spaces for occasional special events.
4. Unpermitted use of a Student Center in the La Jolla Shores Planned District (LJSPD) – The project is proposing the development of a 12,100 square foot religious student center, including associated administrative uses and functions. The Hillel project site is within the SF Zone of the La Jolla Shores Planned District, which permits churches, temples or buildings of a permanent nature, used primarily for religious purposes. Therefore, the religious student center is an allowable use at this location.
5. The project does not meet the green space requirements of the LJSPD on its own without the proposed public right-of-way vacation – This statement is true; however, the project as proposed could not be constructed on the site as it exists today without deviating substantially from the development regulations of the LJSPD. Should the vacated area not be included in the calculation, the minimum square footage of lot area to be landscaped would be 4,605 square feet, or 30 percent of 15,350 square feet of existing lot area. Given the approximate footprint of 12,100 square feet, the proposed development would

not be feasible without the public right-of-way vacation. In addition, the applicant compensated the City of San Diego for 33,518 square feet of lot area (amount of lot area should public right-of-way be approved) when the land sale was approved as a part of Council's action to approve, on May 9, 2006.

Section 1510.0304(h)(1) of the La Jolla Shores Planned District Ordinance states that in the Single-Family Zone, all of the property not used or occupied by structures, unplanted recreational areas, walks and driveways shall be landscaped and may include native materials, and in no case shall the landscaped area be less than 30 percent of the total parcel area. Should the public-right-of-way vacation be approved, the minimum square footage of lot area required to be landscaped would be 10,055 square feet, or 30 percent of 33,518 square feet of total lot area. The proposed project provides 17,906 square feet of landscaped area or 52 percent of the total lot area, which exceeds the minimum code requirement of 30 percent.

Bulk and Scale not consistent with the surrounding development – It is staff's position that the Hillel project is compatible with the neighboring structures. Alterations to the exterior or the height of the single-family home (Phase I) are not a part of this project, and would require additional review and approval by the City of San Diego, as conditioned in the project's Site Development Permit.

As fully discussed in the Community Plan Analysis, the proposed Phase II development incorporates a number of specific design features which would allow the religious student center to achieve compatibility with the existing residential development in the vicinity, including variations in design in order to create the appearance of a series of smaller, individual structures; and concealing lower portions of the structure behind landscaped berms which would reduce the overall scale of the structure as viewed from the adjacent residential neighborhood. Torrey Pine trees are proposed as part of the project's landscaping plan, which would further screen and soften the structure at maturity. In addition, the project's subterranean garage is houses the project's loading area, trash and recycling area, and service elevator, so that any noise and visual impacts associated with these activities would be screened from surrounding residents.

The maximum building height for the Hillel facility is 22 feet above the main finished floor elevation. This is well below the allowable 30 feet and is consistent with the adjacent single-family development, including the two-story single family residence on the corner of Cliffridge Avenue and La Jolla Scenic Drive North. Additionally, any of the surrounding single family residences are allowed to develop up to the 30-foot height limit consistent with the allowable building heights within the LJSPDO and the Proposition 'D' Coastal Height Limit. The La Jolla Playhouse Theater complex on the University of California, San Diego (UCSD) campus exists across La Jolla Village Drive, approximately 100 yards to the north, and is developed with multi-story structures. The nature and color of the Hillel

project's materials are similar to other structures in the neighborhood, and the design provides landscaping in excess of what is required.

Proposed Deviations – Following each deviation listed below, is staff's reason (**in bold**) for supporting that deviation. All three deviations seek to reduce the 24-foot width of curb cuts providing access to the project site:

1. Phase I, Alternative 1. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. Temporary deviation from the driveway width requirements, whereas, the applicant is proposing a 12-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes approval of Phase II and the public right-of-way vacation request. When Phase II is constructed, the religious offices and related use at 8976 Cliffridge Avenue will move into the new 12,100 square-foot facility (Phase II) and the single-family home will revert back to its original use, which only requires a 12-foot curb cut as a residential use.

**Staff supports this deviation to a 12 foot wide curb cut because the narrower driveway is temporary in nature which is expected to revert back to a single family residence, reduces the impacts to on-street parking and allows for appropriate separation between the driveway and the required pedestrian ramp which matches the existing pedestrian ramp on the opposite side of the street.**

2. Phase I, Alternative 2. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. Permanent deviation from the driveway width requirements, whereas, the applicant is proposing a 20-foot curb cut to access 8976 Cliffridge Avenue where the San Diego Municipal Code requires 24 feet for a non-residential use. This deviation assumes denial of Phase II and the Public Right-of-Way Vacation request, and the permanent use of the single family home at 8976 Cliffridge Avenue as a non-residential use.

**Staff supports this deviation to a 20-foot curb cut because the narrower driveway reduces the impacts to on-street parking while still accommodating two-way traffic.**

3. Phase II. A deviation from San Diego Municipal Code (SDMC) Section 142.0560 (j)(1) for minimum width of a non-residential driveway. Deviation from the driveway width requirements, whereas, the applicant is proposing a 22-foot curb cut to access the religious student center where the San Diego Municipal Code requires 24 feet for a non-residential use.

**Staff supports this deviation to a 22-foot wide curb cut to reduce the impacts to on-street parking and to match the proposed drive aisle as designed for the project still accommodating two-way traffic.**

FISCAL CONSIDERATIONS: All costs associated with the processing of this project are being recovered from a deposit account maintained by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: This specific project has not yet been before the City Council; however, an almost identical project was heard and approved by the City Council on May 6, 2006, by a vote of 6-2. Numerous traffic and parking related conditions were added by the Council at the May 6, 2006 hearing. Those conditions have been included in the current project's draft permit.

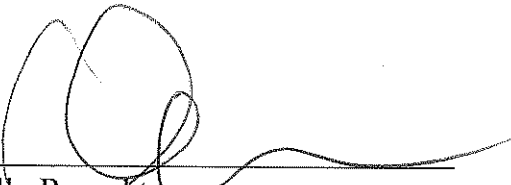
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The project site is located within the La Jolla Shores Planned District within the boundaries of the La Jolla Community Planning area. The decision-maker is required to consider the recommendation of the La Jolla Shores Planned District Advisory Board (LJSPDAB) and City staff strongly recommends that all applicants seek the recommendation of the La Jolla Community Planning Association, the officially recognized Community Planning Group for the La Jolla Community Planning Area.

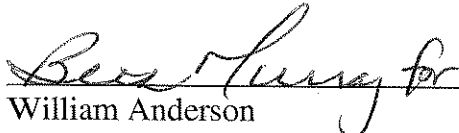
On September 4, 2008, the La Jolla Community Planning Association (LJCPA) passed two motions; one taking action to recommend denial of the project by a vote of 14-0-0, and the other providing direction to the President of the LJCPA regarding the project's environmental document. Please see the Project-Related Issues section of the report for more detail.

On September 16, 2008 the La Jolla Shores Planned District Advisory Board (LJSPDAB) voted 4-0 to deny the project. Please see the Project-Related Issues section of the report for more detail.

KEY STAKEHOLDERS:

The owners for the project are Robert Marshall and Hillel of San Diego and applicant for the project is Hillel of San Diego. Please see Attachment 16.

  
Kelly Broughton  
Director, Development Services Department

  
William Anderson  
Deputy Chief Operating Officer:  
Executive Director of City Planning and  
Development



ATTACHMENTS:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheets
5. Project Information and Site Plans
6. Civil Engineering Plans
7. Landscape Plans
8. Architectural Plans
9. Draft Right-of-Way Vacation Resolution and Exhibits
10. Draft Permit with Conditions
11. Draft Permit Resolution with Findings
12. Transportation Demand and Parking Management Plan
13. Shared Parking Agreement
14. La Jolla Community Planning Association Recommendation
15. La Jolla Shores Planned District Ordinance Advisory Board Recommendation
16. Ownership Disclosure Statement
17. Bend Pak HD-12SS Parking Lifts