



May 6, 2021

Watermark DM LP (C/O Kitchell Development Company, Marne Bouillon)
9330 Scranton Road, Suite 100
San Diego, CA 92121

**SUBJECT: Administrative Coastal Development Permit ACDP21-005
“Watermark Del Mar” Multiple Dwelling Unit Development Project**

Mr. Bouillon,

Thank you for your submittal for the above entitlement. In accordance with allowances of Program 2-G of the City’s 5th Cycle Housing Element, applicable provisions of State Density Bonus Law and (Senate Bill) SB 330, the Planning and Community Development Department has conducted a preliminary review of the submitted materials and determined the application to be **INCOMPLETE**. Included with this correspondence are both written comments and (attached) a PDF markup of the submitted project plans (the latter crafted using BlueBeam PDF editing software) that must be addressed and/or provided in order for the application to be deemed complete and eligible for continued processing. Note that with submittal of new or revised materials, and/or new information, additional comments or corrections may potentially be forthcoming.

Please include the following items with resubmittal. Do not provide hardcopies unless instructed.

- An electronic iteration (PDF) of the project plan-set transmitted to <https://delmar.sharefile.com/r-r84612b2ecd8a42c99e7cccadeedee99d> (the Planning Department “In-Box”), coupled with an email to my attention via elangan@delmar.ca.us, notifying of the upload of materials for review.
- A written response to each of the comments provided herein and on the mark-up project plans, and submittal of all requested information and materials.

If you have any questions or need further clarification, please contact me at (858) 793-6144 or via elangan@delmar.ca.us prior to resubmittal.

Sincerely,

Evan Langan, AICP
Associate Planner

GENERAL

1. Within a revised plan-set, please provide a site plan for the project which includes (at a minimum) the information listed below. While the submitted set already includes plans for each level of the proposed structure (in addition to landscaping and other materials), no dedicated site-plan has been provided to comprehensively illustrate the broad footprint of the proposed structure(s), surface improvements, areas of easement dedication, etc. Please update the Sheet Index to reflect the addition of this new sheet.
 - Project address and APN
 - Scale
 - North Arrow
 - City benchmark elevation
 - Date of plan preparation, including revision date(s)
 - Location and dimensions of all public and private easements
 - Indication of property encumbrances
 - Proposed footprint of structure(s)
 - Location of any accessory structure(s), e.g., sheds, pools, fencing, etc.
 - Dimensions of distances between all building and/or structures
 - Proposed building setbacks (front, rear, and sides)
 - Location of all structures adjacent to the subject property
 - Extensions and rooflines beyond building walls
 - Location of adjacent public right-of-way paving or improvements
2. The submitted ALTA survey includes an expired surveyor's stamp dated 9/30/2018. Submit an updated survey no older than six months from March 2021.
3. The subject property is located within the City's Floodplain Overlay, and therein, further designated as an "Area of Special Flood Hazard." Pursuant to Del Mar Municipal Code (DMMC) Section 30.56.060, "M" and "N," new structures so located shall:

(M) Have all electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(N) Have all fully enclosed areas below the lowest floor that are subject to flooding designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters with designs certified by a registered professional engineer or architect; or will have at least two openings no more than one foot above grade with a total net area of at least one square inch per square foot of flooded area.

The subject project proposes various (non-habitable) structures and equipment to be located below the property's Base Flood Elevation (BFE). It cannot be confirmed from submitted plans and information whether the project (as designed) would comply with the standards above. Please revise plans with appropriate details and notes that confirm the location of structures, equipment and general design would ultimately comply with all standards enumerated in DMMC Section 30.56.060.

ACDP21-005 (Watermark)

Incomplete Letter I

Page 3 of 7

4. The subject application includes two requests for “concessions” under Density Bonus Law intended (per submitted correspondence) to reduce project costs and thereby facilitate construction of affordable residential units. To support the stated contention of identifiable and actual cost reductions, please provide additional justification to demonstrate how cost reductions will provide for affordable housing costs. Please specify whether the affordable housing costs relate to owner occupied housing or rental housing.
5. The subject project proposes (via a concession request pursuant to State Density Bonus Law) a 50-foot buffer from the edge of the property’s wetland (brackish marsh). Please submit documentation (as prepared by qualified individuals) that describes and details the analysis utilized for determination of the delineated edge of the wetland from which the setback is derived.
6. In addition to the aforementioned Floodplain, the subject properties are also located within the following, additional zoning Overlays:
 - Lagoon: DMMC Chapter 30.53
 - Bluff, Slope and Canyon: Chapter 30.53

While stated requirements therein for discretionary entitlement review are waived (5th Cycle Program 2-G allowances), the Project remains subject to the following objective development standards and/or submittal requirements from the respective Overlays.

A. Lagoon Overlay

- DMMC Section 30.53.120 (A): (As stated above) please submit documentation (as prepared by a qualified individual) utilized for delineation of the boundaries (and ultimately buffer distance) of the property’s wetland (brackish marsh).
- DMMC Section 30.53.160 (A): Please submit documentation (written and/or illustrative analysis) from the Project landscape architect (or similar qualified individual) describing how native vegetation has been retained onsite, and a description of how non-invasive, drought tolerant species native to the San Diego coastal region and compatible with adjacent wetland habitat species were utilized in the Landscaping Plan. If these criteria were not met, please revise the Plan, coupled with submittal of the aforementioned landscape analysis.
- Conditions of approval will be included with an approved CDP to effect Project compliance with the following Sections of the DMMC:
 1. Section 30.53.120 (B)
 2. Section 30.53.130
 3. Section 30.53.140 (A - F)
 4. Section 30.53.150

B. Bluff, Slope and Canyon Overlay

- DMMC Section 30.52.110. Please submit the following:
 1. A slope analysis prepared by a licensed civil engineer which indicates the existing topography of the site shown in (minimum) two-foot interval contours and an indication, through shading or other visible means, of the areas of the property comprised of slopes of 25 percent grade or greater. Said computation of slope gradient shall be calculated between individual contour lines, rather than by averaging across multiple contour lines.
 2. A calculation of the areas, expressed in square feet, or acres as appropriate, of each contiguous area of slopes of 25 percent grade or greater and the total area in such slopes as determined through the requirements of the slope analysis.
 3. A geological reconnaissance survey and preliminary engineering geology report. Said report shall include the findings of a subsurface investigation of those areas of the site wherein development is proposed and shall be sufficient to identify the nature and magnitude of any unstable conditions in such areas. The report shall address projected soil stability over a 75-year life for proposed structures and shall include any alternatives or mitigation measures necessary to offset unstable conditions or hazards.

A geological report was submitted (GeoCon, June 19, 2018), but does not address the proposed project, rather provides analysis of an earlier design (38 units, etc.). Please revise and update this report to reflect current site conditions and the proposed project.

- To determine existing conditions, and the impact of proposed development - including specifically to defined “steep slopes” within the Overlay, vegetation and animal life - please submit a biological analysis of the two properties comprising the development site and which encompasses both areas of steep slope encroachment, as well as the aforementioned wetland, and any measures or mitigation proposed to minimize potentially adverse impacts.
- Conditions of approval will be included with an approved CDP to effect Project compliance with the following Sections of the DMMC:
 1. Section 30.52.120
 2. Section 30.52.130

- Pursuant to allowances enumerated in Government Code Section §65195 (d)(1)(A) and the submitted scope of work, the subject Project is entitled to two (2) concessions. Two concessions have been requested (detailed below) and are coupled with submitted justification as represented by the applicant pursuant to the cited Government Code section.

Zoning Requirement	Requested Concession	Applicant Justification
40 percent lot coverage (NC Zone: DMMC Chapter 30.24)	51 percent lot coverage	17 percent of total units proposed to dedicated as "lower" income affordable
100 foot minimum setback from deliniated edge of wetland (Lagoon Overlay: DMMC Chapter 30.53)	50 foot minimum setback from deliniated edge of wetland	17 percent of total units proposed to dedicated as "lower" income affordable

- Pursuant to allowances enumerated in Government Code Section §65915 and the submitted scope of work, the subject Project has requested the following waivers to facilitate the proposed provision of 10 dedicated affordable residential units:

Zoning Requirement	Requested Waiver pursuant to Government Code Section §65915
FAR (NC Zone): 30 percent	FAR: 129 percent
Encroachment into 10% of a property's "steep slopes" w/approval by Planning Commission: BSC Overlay, Chapter 30.52	Encroachment into 10% of properties' "steep slopes"
14 foot height limit: BSC Overlay, Chapter 30.52	47 feet 6 inches
Two-story limit	Four stories

PARKING

- Pursuant to Government Code Section §65915 (p)(1)(A and B), a developer of an applicable housing development project may request a reduced parking ratio as noted therein. No request has been submitted; however, as proposed, the project instead utilizes a mix of allowances and ratios from both Density Bonus Law and DMMC Chapter 30.80 - ultimately providing parking that well exceeds the minimum possible under §65915. Accordingly, please submit explanation and justification for the number and type (compact, micro, etc.) of parking stalls to be provided, and specifically indicate how the aggregate number and layout are in compliance with applicable State and local law.

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT ACDP21-005

1. To approve the project's ACDP, seven findings of project compliance with the City's Local Coastal Program (LCP) must be made (DMMC Section 30.75.140). CDP Finding No. 6 specifically requires:

The proposal is consistent with and implements the provisions of public view protection policies IV-22 through IV-27 of the City of Del Mar LCP Land Use Plan.

While the submitted CDP Application simply states that no public views will be impeded, no supporting illustrative or other analytical information was provided. To facilitate staff's review, analysis and determination of project compliance with Finding No. 6, please submit a public views analysis, and which specifically reviews the impacts (if any) that proposed development would have upon existing public views of the San Dieguito Lagoon and coastal area, as seen from public viewing areas including Jimmy Durante Boulevard, San Dieguito Drive, the Riverpath trail, and the Coast-to-Crest Trail.

2. DMMC Section 30.75.260 prescribes that no CDP shall be issued or authorized for development which involves any of the following:

(A) The construction of a new structure or portion thereof which exceeds 26 feet in height, as measured pursuant to the provisions of the Municipal Code.

(B) The construction of a new structure on a project site which does not conform to the lot coverage development standards for the property as specified in the underlying zone for the property.

The subject application requests four "waivers" (pursuant to State Density Bonus Law) to these requirements - specifically increases in maximum height, lot coverage, story-count and floor area ratio (FAR). Separate from the broader explanation already submitted, and to facilitate staff's analysis of project compliance with the requirements of the LCP, please provide specific explanation and justification for granting exceptions to these otherwise required standards of development.

AFFORDABLE UNIT ALLOCATION

1. The subject application proposes 50 total units of which 10 are designated as affordable units. The subject application does not demonstrate allocation of the affordable units consistent with the provisions of DMMC Section 24.21.030. Please indicate that the 10 units would consist of six units designated low income, two units designated very low income, and two units designated extremely low income.

PUBLIC WORKS / ENGINEERING DEPARTMENT

1. Comments from this department are attached. For questions about the Engineering Department's review of the subject project, please contact Project Engineer Guillermo Landoni at 760-603-6264 or via Guillermo.Landoni@mbakerintl.com.

FIRE DEPARTMENT

1. Comments from this department are attached. For questions about the Fire Department's review of the subject project, please contact the Project Planner (Evan Langan, information herein) to coordinate.



CITY OF DEL MAR

May 4, 2021

Evan Langan
City of Del Mar
1050 Camino Del Mar
Del Mar, CA 92014

Re: **Watermark, CDP21-005 Completeness Review**

Evan,

We have finished our completeness review for the Watermark apartment project, CDP21-005 (Southeast corner of Jimmy Durante Blvd. and San Dieguito Drive). The applicant must include the following with the next submittal:

Stormwater Checklist:

- The submitted checklist was complete. The project is a Priority Development Project.

Title Report: Accepted for use.

Drainage Study: Please provide Drainage Study with 2nd plan check

- Provide water quality storm event, and 100-years storm event calculations.
- Provide sizing of water quality facilities based on appropriate storm event.
- What emergency/secondary overflow safeguards are you proposing?
- Size any pumps that you are proposing for the parking garage.
 - On site storage.
 - Emergency power backup.
- How are you proposing to mitigate for the increase in runoff?

Priority Development Project SWMP: Please provide Priority Development Project SWMP with 2nd plan check.

- Make sure to include extensive wording on dealing with ground water. Coordinate with Geotechnical on dewatering recommendations.

Preliminary Geotechnical Investigation: Accepted for use.

- Include shoring recommendations in shoring plan to be submitted to Building Department for approval; and
- Please include language in the study, or an addendum, that infiltration is infeasible, to comply with conditions of Priority SWMP.

Street Improvement Plans: Provide Street Improvement plan with 2nd plan check submittal.

- Include all proposed driveway, revised curb locations and trenching for proposed utility connections.

Traffic Engineering:

- Provide a line of sight exhibit for the driveway on Jimmy Durante Blvd.;
- Provide a line of sight exhibit for the driveway on San Dieguito Drive;
- Two of the proposed parking spaces have one side of the stall up against a wall. Parking stalls should be 1 or 2 feet wider to allow the car doors to open for passengers entering and exiting the car;
- Add “RIGHT TURN ONLY” sign in island across from the driveway; and
- Add “NO U TURN” and “NO LEFT TURN” sign in island along Jimmy Durante Blvd. as indicated.

Grading Plan:

- Please provide, in legend, ALL symbols used in plan set. Also provide standard drawing number for all standard construction items, provide details for no-standard items;
- Provide quantities in legend;
- Please use the City of Del Mar standard sheet (border and notes) for grading plans:
<https://www.delmar.ca.us/documentcenter/view/1091>;
- Please read the Grading applicants guide to preparing grading plans:
<https://www.delmar.ca.us/documentcenter/view/72>;
- Please provide a Priority Storm Water Management Plan with next submittal;
- Clearly depict the existing and proposed lateral service connections for potable water and the proposed fire service and lateral. Also indicate proposed backflow preventer and landscape irrigation water meter (Show in Street Improvement Plan);
- Clearly show the work required (trench and trench restoration) for the proposed water and sewer services within Jimmy Durante Blvd and/or San Dieguito Drive (Show in Street Improvement Plan);
- The site will require shoring which may result in damage to Jimmy Durante Blvd, San Dieguito Drive and the adjoining property. Applicant shall:
 - Include shoring recommendations in shoring plan to be submitted to Building Department for approval.
 - Indicate on plan set that all damaged sidewalk and paving along adjacent right-of-way shall be replaced along the property frontage and that replaced sidewalk will match the existing color and texture.
- Applicant shall underground all dry utility services fronting Jimmy Durante Blvd. and San Dieguito Drive (Show in Street Improvement Plan);
- Clearly show SDG&E services (Electrical and Gas) within the right-of-way and indicate point of service connection (Show in Street Improvement Plan);
- Indicate the site distance for vehicles exiting the proposed underground parking. If any trucks will utilize the underground parking, then please provide delivery/moving truck turning radii in and out of the proposed site and onto the San Dieguito Drive (Show in Street Improvement Plan);
- The existing sewer manhole, located at the southeast intersection of Jimmy Durante Blvd. and San Dieguito Drive, shall be rotated to place the manhole out of the gutter or covered with metal cover to avoid tripping hazard (Show in Street Improvement Plan);
- Please show the existing public utilities and how the proposed development will connect (Show in Street Improvement Plan);

- Comply with Fire Marshals requirements for proposed Fire Hydrant locations (Show in Street Improvement Plan);
- Proposed sump pump in the underground parking:
 - Where is the discharge point from the sump pump?
 - What is the sizing of the sump pump?
 - What is the redundancy?
 - What emergency/secondary overflow safeguards are you proposing?
- Please show limits of footings for proposed retaining walls and any impacts it may have with on-site drainage facilities;
- Show the terminus of the proposed sidewalk along the south side of San Dieguito Drive;
- Indicate width of roadway (centerline to face of curb along south side of San Dieguito Drive);
- The existing water main in San Dieguito Drive must be in the paved area of the right-of-way. Either move the curb further south or relocate the water main to provide a minimum 3-foot separate between lip of gutter and centerline of existing water main (Show in Street Improvement Plan); and
- Indicate setback lines on grading plan.

We may want to consider having the Landscape Architect match the landscaping which is existing in the roundabout and adjacent island along Jimmy Durante Blvd. or update the island landscaping to match the proposed site frontage landscaping.

Should you have any questions, or concerns, please call me at your convenience.

Sincerely,



J. Guillermo Landoni
Project Engineer

DEL MAR FIRE DEPARTMENT- PROJECT REVIEW

CASE NO.: CDP21-005
ADDRESS: Jimmy Durate x San Dieguito
PARCEL NO: _____
APPLICANT: Watermark

NOTE TO PLANNER: *The following comments, corrections and/or conditions are based on plans dated 3/22/2021. Final conditions will be provided after comments and/or corrections have been addressed.*

COMMENTS/CORRECTIONS:

- A fire equipment control room for fire department operations shall be required per Del Mar Ordinance No.956 Section 321.
- Fire apparatus access roads shall have a minimum 26-foot road width.
- Approved fire access roads shall extend within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Overhead utility and power lines shall not be located over the aerial apparatus access road (Jimmy Durante) or between the access road and the building.

CONTACT THE DEL MAR FIRE DEPARTMENT REGARDING COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:

ACCESS ROAD MINIMUM DIMENSIONS: Fire apparatus access roads shall have an unobstructed improved width of not less than 26 feet; curb line to curb line, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Access roads shall be designed and maintained to support the imposed loads of not less than 75,000 pounds and shall be provided with an approved paved surface to provide all-weather driving capabilities.

DEAD ENDS: All dead-end fire access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. A cul-de-sac shall be provided in residential areas where the access roadway serves more than four (4) structures. The minimum unobstructed paved radius width for a cul-de-sac shall be 36 feet in residential areas with no parking.

GRADE: The gradient for a fire apparatus access roadway shall not exceed 20.0%. Grades exceeding 15.0% (incline or decline) shall not be permitted without mitigation. Minimal mitigation shall be a surface of Portland cement concrete, with a deep broom finish perpendicular to the entire direction of travel. Additional mitigation measures may be required where deemed appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed seven degrees (12 percent).

GATES: All gates or other structures or devices, which could obstruct fire access roadways or otherwise hinder emergency operations, are prohibited unless they meet standards approved by the Fire Department. An approved emergency key-operated switch and/or an approved emergency traffic control-activating strobe light sensor shall be installed per Del Mar Fire Department standards.

RESPONSE MAPS: Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in one of the following formats (AutoCad DWG, DXF, ESRI shapefile, ESRI personal geodatabase, or XML format) and shall be charged a reasonable fee for updating all response maps.

CONSTRUCTION MATERIALS: Prior to delivery of combustible building construction materials to the project site all of the following conditions shall be completed to the satisfaction of the Fire Department:

- All wet and dry utilities shall be installed and approved by the appropriate inspecting department or agency.
- As a minimum the first lift of asphalt paving shall be in place to provide a permanent all-weather surface for emergency vehicles; and
- Water supply for fire protection (fire hydrants and standpipes) shall be installed, in service and accepted by the Fire Department and applicable water district.

POSTING OR STRIPING ROADWAYS “NO PARKING FIRE LANE”: Fire Department access roadways, when required, shall be properly identified as per Del Mar Fire Department standards. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

OBSTRUCTION OF ROADWAYS DURING CONSTRUCTION: All roadways shall be a minimum of 20 feet in width during construction and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Del Mar Fire Department.

FIRE HYDRANTS AND FIRE FLOWS: The applicant shall provide fire hydrants of a type, number, and location satisfactory to the Del Mar Fire Department. A letter from the water agency serving the area shall be provided that states the required fire flow is available. Fire hydrants shall be of a bronze type. Multi-family residential or industrial fire hydrants shall have two (2) 4" inch and two (2) 2 ½" inch NST outlets. Residential fire hydrants shall have one (1) 4" inch NST outlet, and one (1) 2 ½" inch NST outlets.

ADDRESS NUMBERS: STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a ½" inch stroke width for residential buildings, 8" high with a ½" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers.

AUTOMATIC FIRE SPRINKLER SYSTEM: Structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the Fire Department.

CLASS "A" ROOF: All structures shall be provided with a Class "A" Roof covering to the satisfaction of the Del Mar Fire Department.

WET STANDPIPE SYSTEM: A Class I wet standpipe system is required. Standpipe system shall be designed and installed per NFPA 14 and Del Mar Fire Department requirements.

FIRE ALARM SYSTEM: A California State Fire Marshal listed fire alarm system is required and shall be designed and installed per NFPA 72, California Fire Code and Del Mar Fire Department requirements.

SOLAR PHOTOVOLTAIC INSTALLATIONS (Solar Panels): Solar Photovoltaic systems shall be installed per the California Fire Code and Del Mar Fire Department requirements.

Basement:

All basements shall be designed and equipped with emergency exit systems consisting of operable windows, lightwells or exit doors that lead directly outside via staircase and exit door or exit door at grade. All lightwells if serving as exits from a basement shall be equipped with fixed metal ladders as part of the exit.

Window wells/Light wells that intrude into side yard or backyard setbacks of five feet or less, shall require a hinged grating covering the window well/lightwell opening. The grating shall be capable of supporting a weight of 250lb person; yet must be able to be opened by someone of minimal strength with no special knowledge, effort or use of key or tool. Any modification of previously approved plans related to this condition shall be subject to re-submittal and review by City staff (Fire, Building, Planning).

The owner/applicant shall provide a Knox key box for emergency Fire Department access.

Plan Reviewer: **Hans Schmidt**

Date: **4/13/2021**