

October 27, 2022

Sent via email to: [max@kalonymus.com](mailto:max@kalonymus.com)

Max Zeff  
Kalonymus  
13323 West Washington Boulevard, Suite 204  
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Subject: Assessment Letter; Accela PRJ-1049650  
Internal Order No. 24009112; Uptown Community Plan

The Development Services Department has completed the 2nd review with updated signoffs and conditions placed on the project referenced above, described as:

**UPTOWN** (Process 4) Site Development Permit for the demolition of existing structures to allow construction of a new 7-story 68,017 square foot mixed-use project consisting of 6 above-grade levels with commercial retail, visitor accommodation units, 35 residential dwelling units, and a subterranean parking level, at 3774 and 3780 5th Avenue. The 0.32-acre site is in the CC-3-9 base zone within the Uptown Community Plan area. Council District 3.

Enclosed is a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines, outside agencies, and the community planning group. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

The Development Services Department will generally formulate a formal recommendation for your project subsequent to completion of the following milestones: 1) After the City Council recognized Community Planning Group has provided a formal project recommendation; 2) After all City staff project-review comments have been adequately addressed, and 3) During the final stages of the environmental review process.

As your Development Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicant's assigned "Point of Contact." The addressee on this letter has

been designated as the Point of Contact for your project. Please notify me if you should decide to change your Point of Contact while I am managing this project.

- I. **REQUIRED APPROVALS/FINDINGS:** Your project as currently proposed requires the processing of:
  - **Required approvals:** Your project as currently proposed requires the processing of a Site Development Permit (SDP) required for the proposed development on a site that contains a historical resource. Pursuant to §126.0502(d), a decision on this application shall be made in accordance with Process Four, per SDMC Section [126.0502\(d\)](#).
  - **Required Findings:** In order to recommend approval of your project, certain findings must be substantiated in the record. Please provide a draft of the required findings in your resubmittal package. Findings for a Site Development Permit are per [SDMC Section 126.0505](#). Supplemental findings under [126.0505\(i\)](#).
- II. **SIGNIFICANT PROJECT ISSUES:** The significant project issues are summarized within your Cycle Issues Report. Resolution of these issues could affect your project.
- III. **STUDIES/REPORTS REQUIRED:** A number of documents have been identified as necessary to the project's review. Reference the required documents in your Accela Citizens' Access account.
- IV. **TIMELINE:** Upon your review of the attached Cycle Issues Report, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please telephone me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. Your next review cycle should take approximately 20 business days to complete.

Municipal Code Section 126.0114 requires that a development permit application be closed if the applicant fails to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days, **by no later than January 1, 2023**. Once closed, the application, plans, and other data submitted for review may be returned to the applicant or destroyed. To reapply, the applicant shall be required to submit a new development permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

If you wish to continue processing this project, please note that delays in resubmitting projects and/or responding to City staff's inquiries negatively impact this Department's ability to effectively manage workload, which can lead to both higher processing costs and longer timelines for your project.

- V. **RESUBMITTALS/NEXT STEPS:** To ensure the health, safety and well-being of customers and department staff, the Development Services Department has implemented operational service changes that will be in effect until further notice. Please visit our webpage for latest updates, <https://www.sandiego.gov/development-services/covid-19-public-notice>.

Please visit your [Accela Citizens' Access](#) (ACA) account to check required next time documents, access your issues report, and to resubmit. All required documents requested by all disciplines must be uploaded individually and at the same time. Incomplete submittals will result in an additional review cycle. In addition, please be prepared to provide the following:

- A. **Applicant Response to Issues:** Prepare a cover letter that specifically describes how you have addressed each of the issues identified in the Cycle Issues Report and any issues identified in this cover letter, if applicable. Or, you may choose to simply submit the Cycle Issues Report, identifying within the margins how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not feasible to address a particular issue, please indicate the reason.

- VII. COMMUNITY PLANNING GROUP:** The proposed project is located within the Uptown Community Planning Area. The Uptown Community Planning Group is the officially recognized community group for the area to provide recommendations to the City.

If you have not already done so, please contact [Mat Wahlstrom](#), Chairperson of Uptown Community Planning Group at 619-295-9213 or by email at [chair@uptownplannersd.org](mailto:chair@uptownplannersd.org) to schedule your project for a presentation before the group at their next available meeting. If you have already obtained a recommendation from the group, please submit a copy of the recommendation and/or minutes from the meeting (including the vote count) to me.

Development Services Department (DSD) Information Bulletin #620, "Coordination of Project Management with Community Planning Committees" (available at <https://www.sandiego.gov/development-services>), provides additional information about the advisory role the Community Planning Groups. Council Policy 600-24 provides guidance to the Community Planning Groups and is available at [https://docs.sandiego.gov/councilpolicies/cpd\\_600-24.pdf](https://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf)

- VIII. STAFF REVIEW TEAM:** Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly. The names and telephone numbers of each reviewer can be found on the enclosed Cycle Issues Report.

- IX. PROJECT ISSUE RESOLUTION CONFERENCE:** Project Issue Resolution (PIR) conferences provide customers an opportunity to have issues heard and considered by executive department management. A PIR will be considered if, after the issuance of the third Assessment Letter for discretionary projects, customers and staff have been unable to resolve project issues. The PIR would address issues such as disagreements between the applicant and staff on interpretations of codes or ordinances, requests for additional information or studies, or project-related processing requirements. Any determinations from a PIR are not binding on any City decision-making body, such as City Council, Planning

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Commission, or Hearing Officer. Qualifying PIR requests should be coordinated with your Development Project Manager.

In conclusion, please note that information forms and bulletins, project submittal requirements, and the Land Development Code may be accessed online at <http://www.sandiego.gov/development-services>. Many land use plans for the various communities throughout the City of San Diego are now available online at <http://www.sandiego.gov/planning/community/profiles/index.shtml>.

For modifications to the project scope, submittal requirements, or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619) 446-5333 or via e-mail at [bhudson@sandiego.gov](mailto:bhudson@sandiego.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Hudson".

Bryan Hudson  
Development Project Manager

Enclosures:

1. Cycle Issues Report

cc: File  
Mat Wahlstrom, Chair - Uptown Community Planning Group  
Reviewing Staff (Assessment letter only)  
Shannon Mulderig (via email)