



October 14, 2022
Manuel Nieto
2717 Via de la Valle
Del Mar, CA 92014

RE: SB-330 Preliminary Development Application (929 Border Ave.)

Dear Mr. Nieto:

This letter serves to confirm receipt of your Preliminary Development Application (PDA) pursuant to California State Senate Bill 330 (SB-330). The PDA has been assigned the application number "PDA22-001." Please refer to PDA22-001 for any inquiries related to the application process or project. Included with this letter is an invoice for the required \$393 application review fee. Staff has reviewed your application, checklist, and associated submittal materials for a 259-unit housing development project with a density bonus request to be located at 929 Border Avenue, in the City of Del Mar. Pursuant to the stipulations of SB-330, upon payment of the required application fee, PDA22-001 will be deemed "submitted;" thereby, commencing a 180-day submittal timeline of any and all development entitlement applications required for the project described within PDA22-001.

This letter also serves to notify you that the City of Del Mar is not in agreement with the proposed legal basis by which the project has been designed. It is the City's position that the submitted application request is not consistent with the current zoning and density allowances for the property located at 929 Border Avenue. The City's adopted Housing Element identifies a sufficient inventory of sites with correct zoning and capacity to meet the City's RHNA without the need to rezone properties.

Therefore, please note that upon receipt of any future submittal of development applications for the project described in your Preliminary Development Application submittal, the City will find the submittal to be inconsistent with the City's General (Community) Plan, Zoning Code, and Local Coastal Program (LCP). In order to proceed with the proposed project as currently Zoned, the following applications must be submitted:

- General (Community) Plan Amendment
- Rezone Application
- Local Coastal Program Amendment (LCPA)
- Environmental Assessment Application
- Design Review Permit Application

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- Conditional Use Permit Application
- Coastal Development Application
- Land Conservation Permit Application
- Boundary Adjustment Application
- Long-Term Major Encroachment Permit
- Tree Removal Permit Application

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Matt Bator". The signature is written in black ink and is positioned below the word "Sincerely,".

Matt Bator, AICP
Principal Planner

Enclosure - Application Fee Invoice for PDA22-001



Project Cash Register Invoice

City of Del Mar

PROJECT NO	PROJECT TYPE	SITE ADDR	SITE APN
PDA22-001	PRELIMINARY DEVELOPMENT APPLICATION	929 BORDER	298-241-07-00

DESCRIPTIONS	ACCOUNT	QUANTITY	DUE
PRELIMINARY DEVELOPMENT APPLICATION FEE			
	01.4700.4739	0	393
TOTAL FEES DUE:			\$393.00