



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: August 29, 2012 REPORT NO. HO 12- 071

ATTENTION: Hearing Officer

SUBJECT: 7401 LA JOLLA BOULEVARD MIXED USE
PTS PROJECT NUMBER - 241056

LOCATION: 7401 La Jolla Boulevard

APPLICANT: Mr. Farid Traol, Byblos Real Estate LLC, Owner (ATTACHMENT 10) /
Mrs. Ariadne Ferretti, Architect / Consultant

SUMMARY

Issue: Should the Hearing Officer approve a Coastal Development Permit to construct a new, two-story, mixed commercial and residential use building on a vacant lot within the La Jolla Community Plan area?

Staff Recommendation –

1. CERTIFY Mitigated Negative Declaration No. 241056 and ADOPT the Mitigation, Monitoring and Reporting Program (MMRP); and
2. APPROVE Coastal Development Permit No. 865352.

Community Planning Group Recommendation – On December 1, 2011, the La Jolla Community Planning Association voted 12-2-1 to recommend approval of the proposed project. Their recommendation did not come with any conditions or additional comments (Attachment 9).

Environmental Review: Mitigated Negative Declaration No. 241056 has been prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce the potential impacts to Paleontological Resources to a level below significance.

BACKGROUND

The project site is a relatively flat vacant 0.24-acre property located at 7401 La Jolla Boulevard. The surrounding properties are fully developed with a mix of commercial along La Jolla Boulevard and multi-family residential to the south and east. The property is in Zone 4 of the La Jolla Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone and within the La Jolla Community Plan area. A Coastal Development Permit is required, by the Land Development Code (Section 126.0702), for the proposed development on property within the Coastal Overlay Zone.

DISCUSSION

The project proposes to construct an approximate 11,700 square foot, two-story, mixed use building over a subterranean garage on a 0.24 acre vacant property. The first floor of the building would contain approximately 5,200 square feet of commercial use with the second floor containing a 5,600 square foot residential dwelling unit. The subterranean garage will provide a total of 14 off-street parking spaces (12 regular spaces plus 2 tandem spaces) with ingress and egress designed off of La Jolla Boulevard. During the project's review with City staff, the applicant modified the project to conform to all of the development regulations of Zone 4 of the La Jolla Planned District Ordinance and the applicable Coastal Regulations.

The proposed building elevations indicate the use of white stucco exterior walls, wood trellis, wrought iron fence/railings, stucco columns and pitched Terracotta Barrel tile roofing. The project proposes approximately 3,300 cubic yards of cut to be exported from the site. The project is designed to comply with the 30 foot height limit with the height of the portions to the structure being approximately 29.5 feet high.

The project site is located on the east side of La Jolla Boulevard in an area not containing a public view, as identified within the La Jolla/La Jolla Shores Local Coastal Program. The proposed structure, meets the development setbacks and height limit required by the underlying zone. Vehicular access to the property will be provided from the existing street at the front of the property along La Jolla Boulevard, with a proposed 24 foot wide driveway. The existing streetscape adjacent to the project, from a pedestrian standpoint will be improved with hardscape and landscape found in conformance with the development regulations.

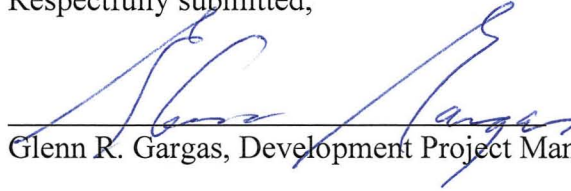
CONCLUSION

Staff has reviewed the proposed Coastal Development Permit and determined the project would comply with all the applicable development regulations. Staff has provided draft findings supporting Coastal Development Permit approval (Attachment 6). Staff recommends the Hearing Officer approve the proposed Coastal Development Permit as proposed (Attachment 7).

ALTERNATIVE

1. Approve Coastal Development Permit No. 865352, with modifications.
2. Deny Coastal Development Permit No. 865352, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Glenn R. Gargas, Development Project Manager

Attachments:

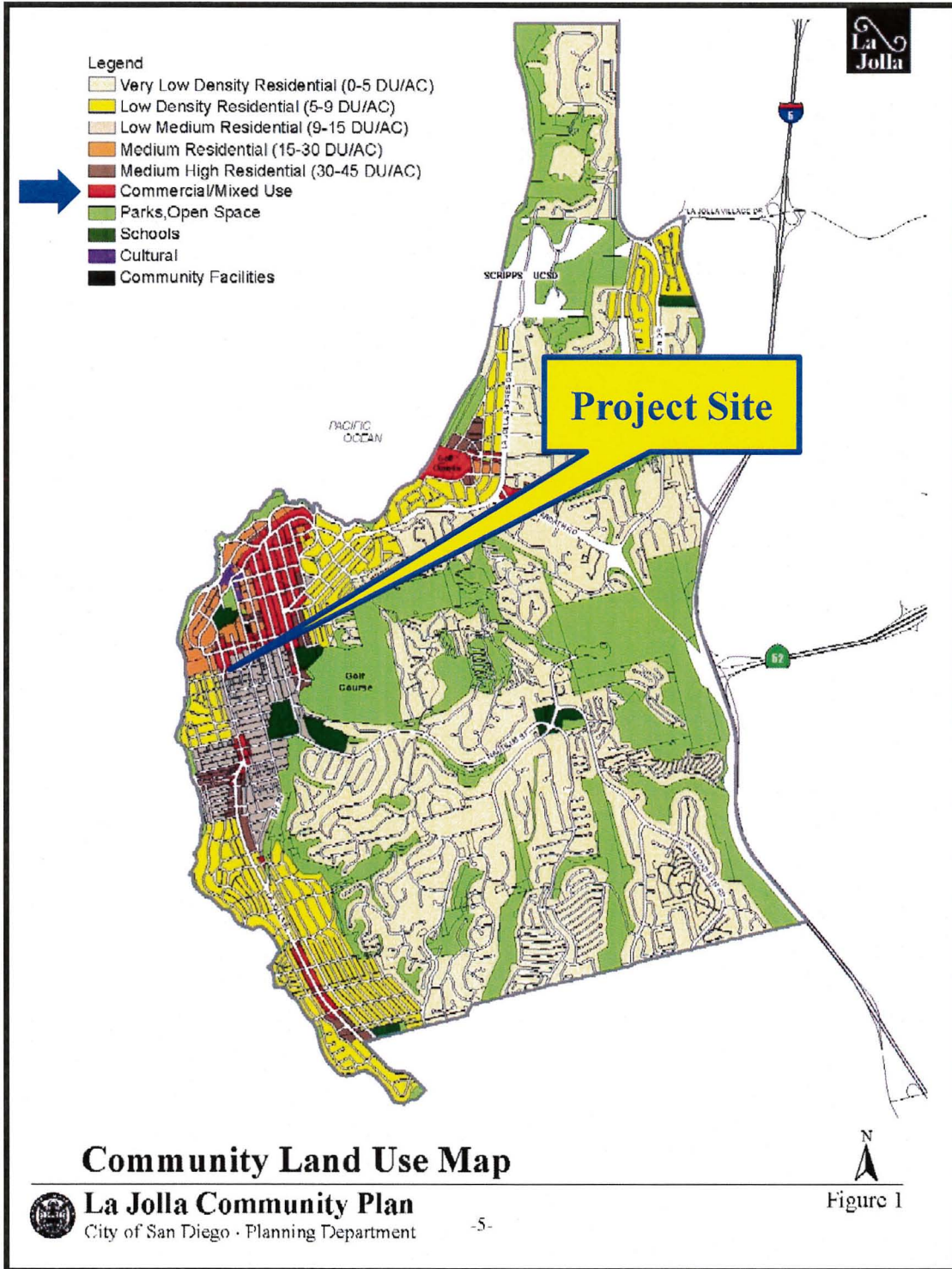
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan (Full set of plans to the Hearing Officer)
6. Draft CDP Resolution with Findings
7. Draft CDP Permit with Conditions
8. Draft CEQA Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Copy of Public Notice



Aerial Photo

7401 LA JOLLA BLVD. MIXED USE – 7401 LA JOLLA BLVD.
PROJECT NO. 241056



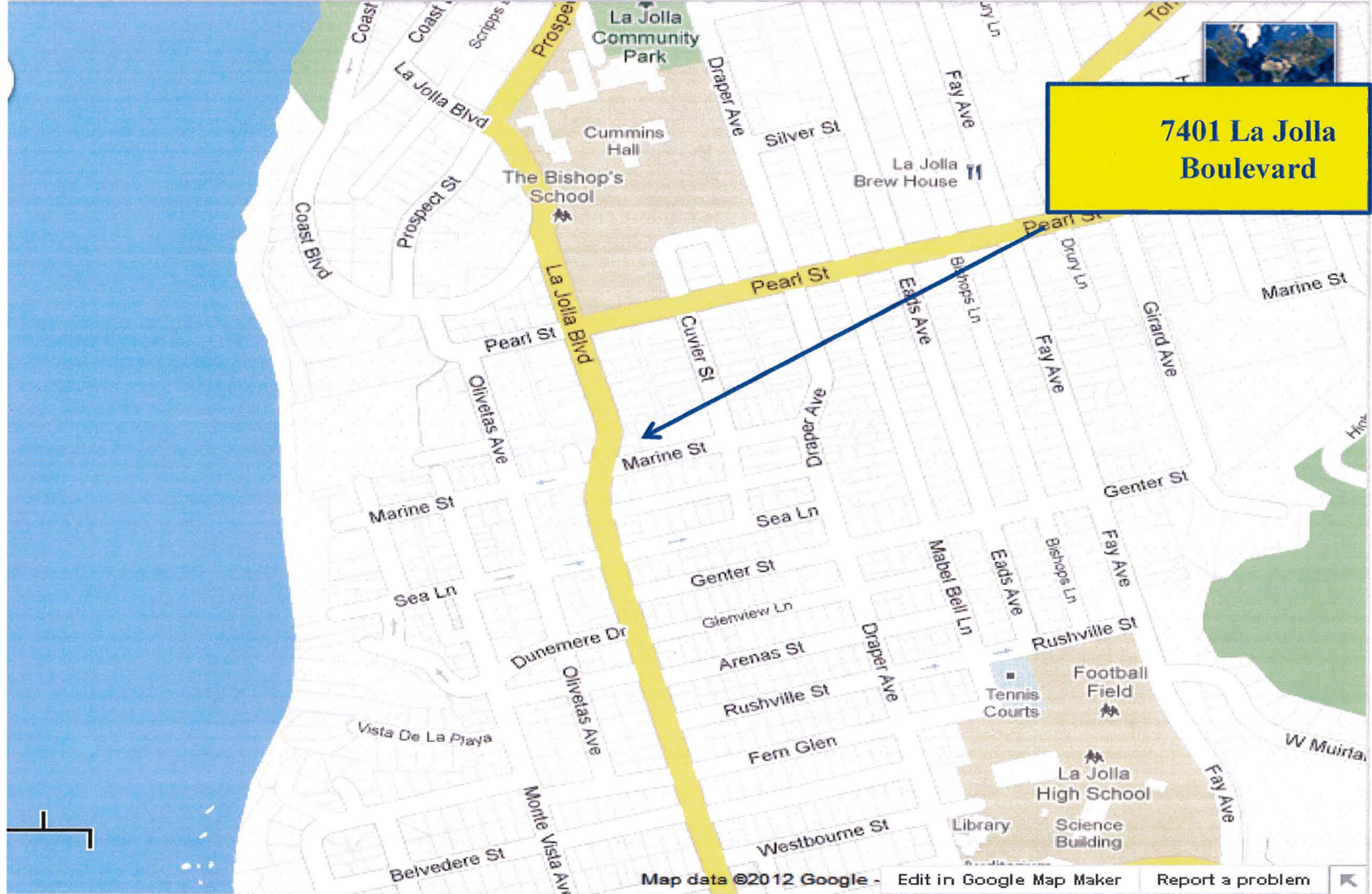


Land Use Map

7401 LA JOLLA BOULEVARD MIXED USE – 7401 LA JOLLA BOULEVARD

PROJECT NO. 241056 La Jolla





Project Location Map

7401 LA JOLLA BLVD. MIXED USE – 7401 LA JOLLA BLVD.
PROJECT NO. 241056

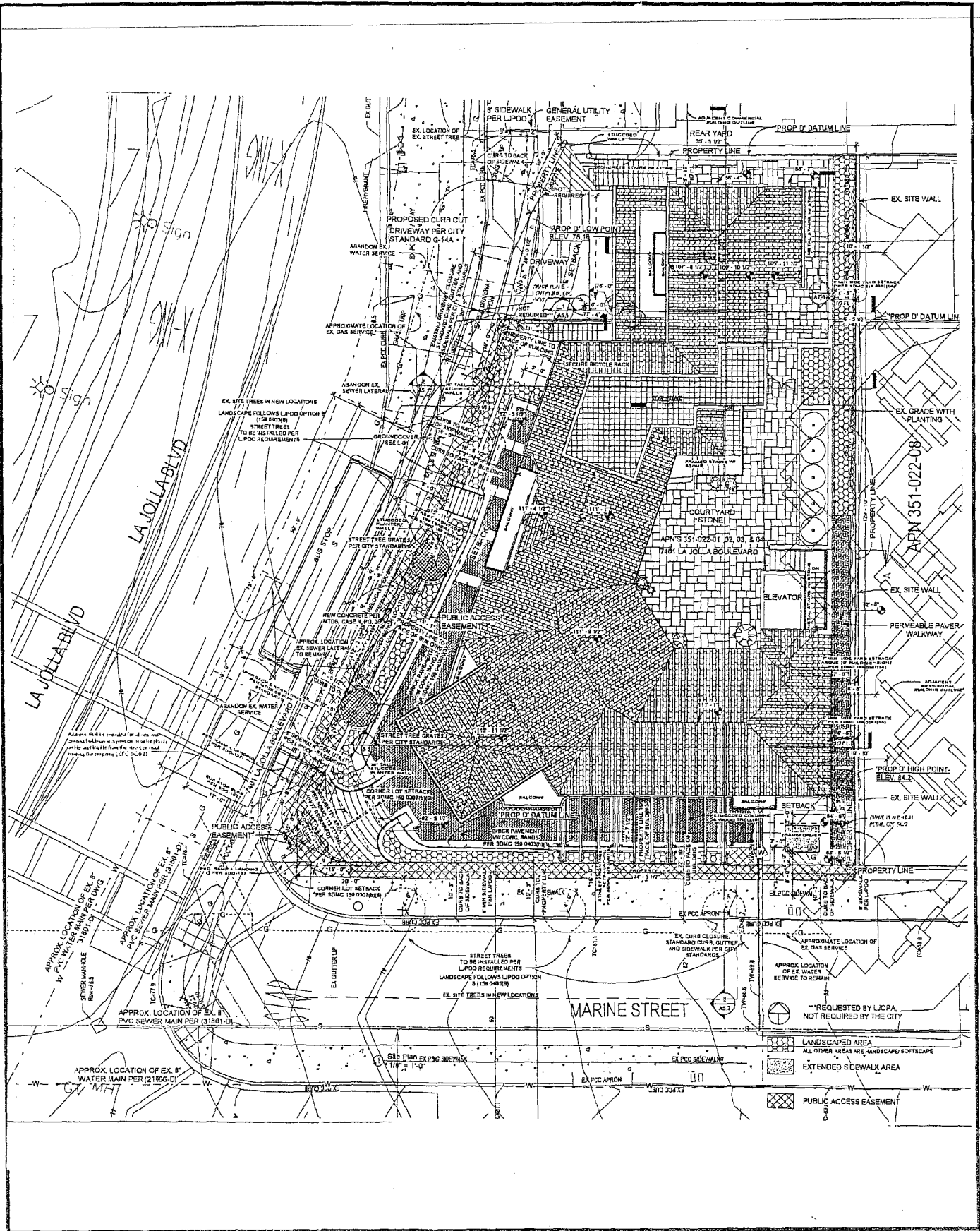


PROJECT DATA SHEET

PROJECT NAME:	7401 La Jolla Blvd. Mixed Use – Project No. 241056	
PROJECT DESCRIPTION:	CDP to construct an approximate 11,700 square foot two-story commercial and residential mixed use building on a vacate 0.24-acre property.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Coastal Development Permit.	
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial – Mixed Use	
<u>ZONING INFORMATION:</u> ZONE: Zone 4 of La Jolla PDO HEIGHT LIMIT: 30-Foot maximum height limit. LOT SIZE: 2,500 square-foot minimum lot size – existing lot 10,433 sq. ft. FLOOR AREA RATIO: 1.3 FRONT SETBACK: 0 feet SIDE SETBACK: 4 feet STREETSIDE SETBACK: 0 feet REAR SETBACK: 0 feet PARKING: 11 parking spaces required.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Commercial – Mixed Use; Zone 4 La Jolla PDO	Commercial
SOUTH:	Low Medium Density Residential; RM-3-7 Zone	Multi-Family Residence
EAST:	Low Medium Density Residential; RM-2-5 Zone	Multi-Family Residence
WEST:	Commercial – Mixed	Commercial

ATTACHMENT 4

	Use; Zone 4 La Jolla PDO	
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On December 1, 2011, the La Jolla Community Planning Association voted 12-2-1 to recommend approval of this project.	



SITE PLAN

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 865352
LA JOLLA BOULEVARD MIXED USE - PROJECT NO. 241056

WHEREAS, Farid Trad, Managing Member of Byblos Real Estate LLC, a California Limited liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a mixed use two-story building with first floor commercial use and second floor residential use (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 865352, on portions of a 10,433 square foot property;

WHEREAS, the project site is located at 7401 La Jolla Boulevard, in Zone 4 of the La Jolla Planned District, Coastal (non-appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking and Transit Area Overlay Zones within the La Jolla Community Plan;

WHEREAS, the project site is legally described as Lot 1, Block 1, F.T. Scripps Addition to La Jolla Park, Map No. 897;

WHEREAS, on August 29, 2012, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 865352 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing officer adopts the following written Findings, dated August 29, 2012.

FINDINGS:

Coastal Development Permit - Section 126.0708

A.

1. **The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and**

The 0.24-acre project site is a vacant fairly flat site. The development proposes to construct a mixed use commercial retail and residential building with subterranean parking and is located approximately four blocks from the coastline. The proposed development will be contained within the existing legal lot area, which will not encroach upon any existing or proposed physical access to the coast. The project site is not located on or adjacent to an identified visual access corridor as identified within the La Jolla / La Jolla Shores Local Coastal Program. The project site is situated at the intersection of La Jolla Boulevard and Marine Street, within a developed commercial and multi-family residential area. The proposed construction of a two-story mixed use building meets the development setbacks and height limit required by the underlying zone and the proposed development will not block any identified visual corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.24-acre project site is currently a vacant fairly flat lot, previously disturbed and does not contain environmentally sensitive lands. The surrounding properties are fully developed within an well established urbanized portion of La Jolla. The environmental review, determined that the project would not have a significant environmental effect and prepared a Mitigated Negative Declaration, Project No. 241056, in accordance with the California Environmental Quality Act (CEQA). The project was revised to include conditions which now mitigate potentially significant environmental impacts to Paleontological resources to a level below significant. The project does not propose any grading on any portion of the property beyond the building footprint, which is within the previously disturbed portion of the site and the proposed project does not propose any encroachment into Environmentally Sensitive Lands. Thus, the proposed project will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed 11,700 square-foot, two-story mixed use, approximately 5,200 square feet of first floor commercial and approximately 5,600 square foot, one residential dwelling unit building on a vacate 0.24-acre property, is located on a site which has Neighborhood Commercial land use designation. The proposed project is consistent with the La Jolla Community Plan land use designation, Neighborhood Commercial, which allows mixed use development, up to 0-5 dwelling units per acre. The current proposal is below the maximum density allowed within this land use designation. The environmental review, determined that the project would not have a significant environmental effect and prepared a Mitigated Negative Declaration, Project No. 241056, in accordance with the California Environmental Quality Act (CEQA). The project was revised to include conditions which now mitigate potentially significant environmental impacts to Paleontological resources to a level below significant. The project design was also determined to be in compliance with all of the applicable development regulations of the La Jolla Planned District, specifically those of Zone 4 of the La Jolla Planned District. Due to these factors the proposed two-story, mixed use building was found to be in compliance with the La Jolla Community Plan and the certified La Jolla/La Jolla Shores Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The vacant 0.24-acre site, is located within a well developed commercial, multi-family residential and single family residential area. The project site is located on the east side of La Jolla Boulevard, is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately four blocks away from the Pacific Ocean. There is no identified public access or public recreation area adjacent to the project site and these stated resources will not be impaired by the development of this site. The proposed construction of a two-story mixed-use building project is designed to take

access off the existing public street, La Jolla Boulevard with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will remain unaltered or improved.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 865352 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 865352, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: August 29, 2012

Job Order No. 24001834

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001834

COASTAL DEVELOPMENT PERMIT NO. 865352
7401 LA JOLLA BOULEVARD MIXED USE - PROJECT NO. 241056 (MMRP)
HEARING OFFICER

This Coastal Development Permit No. 865352 is granted by the Hearing Officer of the City of San Diego to Farid Trad, Managing Member of Byblos Real Estate LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 159.0202. The 0.24-acre site is located at 7401 La Jolla Boulevard, in Zone 4 of La Jolla Planned District, Coastal (non-appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking and Transit Area Overlay Zones with the La Jolla Community Plan area. The project site is legally described as: Parcels 1 -4, which are a portion of Lot 1, Block 1, F.T. Scripps Addition to La Jolla Park, Map No. 897.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a mixed use two-story building with first floor commercial use and second floor residential use described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 29, 2012, on file in the Development Services Department.

The project shall include:

- a. Construction of a mixed use, 11,700 square foot, two story, building with approximately 5,200 square feet of first floor commercial use and approximately 5,600 square feet of second floor residential use, one residential dwelling unit, with a 12 off-street parking space (plus 2 tandem spaces) subterranean garage on a 10,433 square foot property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking, a 12 parking space (plus 2 tandem spaces) subterranean garage;

- d. Site walls and fencing; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 29, 2015.
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 Owner/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. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The 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 Owner/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 Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may

be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited 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 were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If 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. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 241056, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 241056, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: **Paleontological Resources.**

ENGINEERING REQUIREMENTS:

14. This project proposes to export 3300 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

15. The drainage system proposed for this development is private and subject to approval by the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee 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, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the sidewalk along La Jolla Boulevard and Marine Street adjacent to the site satisfactory to the City Engineer.

18. Prior to the issuance of the building permit, the applicant shall assure by permit and bond the construction of a city standard driveway along La Jolla Boulevard.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

20. Prior to the issuance the building permit, the applicant shall assure by permit and bond the construction of the bus stop at La Jolla Boulevard per city standards and satisfactory to the city engineer.

21. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is in accordance with the approved plans and satisfactory to the City Engineer.

22. Prior to the issuance of the building permit, the Owner/Permittee shall provide a Public Access Easement and Public Utility Easement as shown on exhibit A satisfactory to the City Engineer.
23. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for sidewalk underdrains at La Jolla Boulevard, satisfactory to the City Engineer.
24. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate additional right-of-way for the proposed pedestrian ramp at the corner of La Jolla Boulevard and Marine Street, in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer."
25. Prior to the issuance of the building permit, the Owner/Permittee shall construct one 24-foot standard driveway at the location shown on Exhibit "A", satisfactory to the City Engineer. All other driveways shall be closed and replaced with full-height curb, gutter, and sidewalk, satisfactory to the City Engineer."

LANDSCAPE REQUIREMENTS:

26. Prior to issuance of any construction permits for structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
27. Prior to issuance of any construction permits for buildings a water budget shall be provided in accordance with the Water Conservation Requirements-Section 142.0413, Table 142-04I.
28. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual. The Irrigation audit shall certify that all plants, irrigation systems, and landscape features have been installed and operate as approved by the Development Services Department prior to occupancy of use.

PLANNING/DESIGN REQUIREMENTS:

29. 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 Owner/Permittee.
30. 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 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.

31. 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.
32. 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.
33. All fences and retaining walls shall comply with the La Jolla Planned District Ordinance. (SDMC 159.0401)
34. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
35. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

36. Owner/Permittee shall maintain a minimum 12 off-street parking spaces (11 required) shall be permanently maintained on the site within the approximate location shown on the project's Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

GEOLOGY REQUIREMENTS

37. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

38. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s), if required outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
39. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

40. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

41. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this 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.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on August 29, 2012, by Resolution No. _____.

RESOLUTION NUMBER R- _____

ADOPTED ON AUGUST 29, 2012

WHEREAS, on June 30, 2011, Byblos Real Estate, LLC, submitted an application to Development Services Department for a Coastal Development Permit No. 865352 for the 7401 La Jolla Boulevard Mixed Use (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on August 29, 2012; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigation Negative Declaration No. 241056 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the DEVELOPMENT SERVICES DEPARTMENT, 1222 FIRST AVENUE, SAN DIEGO, CA 92101.

BE IT FURTHER RESOLVED, that DEVELOPMENT SERVICES STAFF is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: DEVELOPMENT PROJECT MANAGER

By:

Glenn R. Gargas, AICP

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

MND Resolution Form for Any Decision Maker
Revised 03/09/2012 nmf

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. 865352

PROJECT NO. 241056

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 241056 shall be made conditions of Coastal Development Permit No. 865352 as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation

measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: **Qualified paleontological monitor**

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 241056 and/or Environmental Document Number 241056, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency:
Not Applicable

4. MONITORING EXHIBITS

All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL RESOURCES

In order to avoid significant paleontological resources impacts, the following mitigation measures shall be implemented by the project applicant:

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements

for Paleontological Monitoring have been noted on the appropriate construction documents.

- B. Letters of Qualification have been submitted to ADD
 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents, which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The

determination of significance for fossil discoveries shall be at the discretion of the PI.

- b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery will be allowed to resume.
- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries - In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries - All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries - If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines

which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.

- a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.



P.O. BOX 889
 • LA JOLLA •
 CALIFORNIA 92038

LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900

<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 01 December 2011

Attention: Glenn Gargas, PM
 City of San Diego

Project: 7401 La Jolla Blvd. Mixed Use
 7401 La Jolla Blvd.
 PN: 241056

Motion: Motion to accept the recommendations of the Development Permit Review Committee and the Planned District Ordinance Committee: 7401 La Jolla Blvd. Mixed Use: Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building with 5,400 sf commercial, 5,080 residential and 7,070 sf underground garage on a vacant 0.23-acre site. **Vote: 12-2-1**

PDO ACTION (OCT 2011): The project as presented conforms to the PDO. 7-0-0

DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 sf commercial and 5,080 sf residential, 7,070 sf underground garage (13 spaces) on a vacant 0.23-acre site. 5-0-2

01 December 2011

Submitted by: Tony Crisafi, President
 La Jolla CPA

Date



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title Project No. For City Use Only
 7401 LA JOLLA BLVD. 241056
 Project Address:

7401 LA JOLLA BLVD.
 LA JOLLA, CA. 92037

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. _____
Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Yes No

Corporate/Partnership Name (type or print): BYBLOS REAL ESTATE, LLC
Owner Tenant/Lessee
Street Address: 374 Bonair Street
City/State/Zip: La Jolla 92037
Phone No: 619 208 3131 Fax No:
Name of Corporate Officer/Partner (type or print): Farid Trad
Title (type or print): Partner
Signature: [Signature] Date: 06/06/11

Corporate/Partnership Name (type or print): Byblos Real Estate LLC
Owner Tenant/Lessee
Street Address: 374 Bonair Street
City/State/Zip: La Jolla 92037
Phone No: 858-986-7411 Fax No:
Name of Corporate Officer/Partner (type or print): Catalina Trad
Title (type or print): Partner
Signature: [Signature] Date: 06/06/11

Corporate/Partnership Name (type or print): Byblos Real Estate LLC
Owner Tenant/Lessee
Street Address: 374 Bonair Street
City/State/Zip: La Jolla 92037
Phone No: SAME AS ABOVE Fax No:
Name of Corporate Officer/Partner (type or print): Duon Trad
Title (type or print): Partner
Signature: [Signature] Date:

Corporate/Partnership Name (type or print):
Owner Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Duon Pablo Trad Marcos
Title (type or print):
Signature: [Signature] Date:

Corporate/Partnership Name (type or print):
Owner Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Sofia Trad Marcos
Title (type or print):
Signature: [Signature] Date:

Corporate/Partnership Name (type or print):
Owner Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Catalina Marcos
Title (type or print):
Signature: [Signature] Date:



THE CITY OF SAN DIEGO

DATE OF NOTICE: August 15, 2012

NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	August 29, 2012
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Training Room, 4th Floor, Development Services Center Building, 1222 First Avenue, San Diego, California 92101
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT / MITIGATED NEGATIVE DECLARATION / PROCESS 3
PROJECT NO:	241056
PROJECT NAME:	<u>7401 LA JOLLA BOULEVARD MIXED USE</u>
APPLICANT:	Ariadne Ferretti
COMMUNITY PLAN AREA:	La Jolla
COUNCIL DISTRICT:	District One
CITY PROJECT MANAGER:	Glenn Gargas, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5142 / ggargas@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a **Coastal Development Permit to construct a, two-story, mixed use building with approximately 5,200 square feet of first floor commercial area and an approximate 6,500 square foot, second floor, single dwelling unit, with an approximate 7,070 square foot subterranean garage on a vacant 0.23 acre property. The project site is located at 7401 La Jolla Boulevard (a vacant lot on the northeast corner of La Jolla Boulevard and Marine Street), in Zone 4 of La Jolla Planned District, Coastal (non-appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking, Transit Area Overlay Zones and within the La Jolla Community Plan area.**

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The certification of an Environmental Impact Report, adoption of a Mitigated Negative Declaration or Negative Declaration may be appealed to the City Council **after an appeal of the Hearing Officer's decision is heard by the Planning Commission.** All such appeals must be filed by 5:00 PM within ten (10) business days from the date of the Planning Commission's certification/adoption of the environmental document. Please do not e-mail appeals as they will not be accepted. The proper forms are available from the City Clerk's Office, located on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.
Internal Order Number: 24001834.