REPORT TO THE HEARING OFFICER

HEARING DATE: December 4, 2013
REPORT NO. HO 13-102

ATTENTION: Hearing Officer

SUBJECT: GAXIOLA RESIDENCE
PROJECT NUMBER 207195

LOCATION: 2414 Calle Del Oro Street

APPLICANT: Michael Morton of Morengo Morton Architects, on behalf of Manchester Class LTD

SUMMARY

Issue: Should the Hearing Officer approve a permit to demolish a single family residence and construct a new, two-story residence located at 2414 Calle Del Oro within the La Jolla Community Plan Area?

Staff Recommendation: APPROVE Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864.

Community Planning Group Recommendation: On March 7, 2013 the La Jolla Community Planning Association voted 9-6-1 to recommend approval of the proposed project with no conditions (Attachment 8). This was not a majority approval as the group has 18 seated members.

Other Recommendation: On April 16, 2013, the La Jolla Shores Advisory Board voted 5-0 to recommend approval of the project with no conditions (Attachment 9).

Environmental Review: Mitigated Negative Declaration No. 207195 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified within the environmental review process.

BACKGROUND/DISCUSSION

The project site is located at 2414 Calle Del Oro within the La Jolla Community Planning area. The site is zoned SF (Single Family) within the La Jolla Planned District and within the
non-appealable area of the Coastal Overlay Zone. The site is also located within the Parking Impact Overlay Zone (Campus Impact Area). The 0.66-acre site is designated for low density residential development. The proposed project would demolish an existing residence and construct a new, 11,879 square-foot, two-story, seven bedroom residence with a 4-car garage, 3 surface parking spaces, basement, swimming pool and spa. Due to the site's location within the Parking Impact Overlay Zone, a total of 7 parking spaces are required. The project would re-grade approximately 60 percent of the site consisting of 800 cubic yards of excavation and 800 cubic yards of fill. A maximum cut depth of 13 feet into existing manufactured slope on-site would be required for the new residence.

Staff has determined that the existing residence to be demolished is not a designated resource nor is it located in any existing historic district. The project complies with all of the development regulations of the SF zone and is consistent with the land use designation of the La Jolla Community Plan.

The property is located within an urbanized, built-out neighborhood developed with a variety of multi-level single family homes of varying architecture. The project requires a Coastal Development Permit for both the demolition of an existing structure and construction of a new residence within the Coastal Overlay Zone and, a Site Development Permit for a La Jolla Shores Planned District Permit for new construction within the planned district.

Environmental Analysis:

The property does not contain environmentally sensitive lands, nor is it located adjacent to environmentally sensitive lands. The project required the preparation of Mitigated Negative Declaration for potential impacts to cultural (archaeology) resources. Due to the proposed substantial soil disturbance on site and the site's close proximity to known recorded archaeological sites, the project has the potential to significantly impact archaeological resources. A Mitigation, Monitoring and Reporting program (MMRP) will be implemented which includes the requirement for a qualified archaeological monitor to be present during grading activities as outlined in Section V of the Mitigated Negative Declaration. Implementation of the MMRP will ensure that any impacts to cultural resources would be mitigated to below a level of significance.

Conclusion:

Staff has determined that the project complies with the development regulations of all applicable sections of the Land Development Code. Staff has also determined that the required findings for the Permits can be made as the project meets the applicable San Diego Municipal Code regulations, requirements and land use policies in affect for the site as outlined in the draft Findings of Fact for consideration in Attachment 5. Therefore, staff recommends that the Hearing Officer approve the project as proposed.
ALTERNATIVES

1. Approve Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864, with modifications.

2. Deny Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

[Signature]
Morris E. Dye, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Resolution
8. Community Planning Group Recommendation
9. La Jolla Shores Advisory Board Recommendation
10. Ownership Disclosure Statement
11. Project Plans
Land Use Map
Gaxiola Residence—2414 Calle Del Oro
207195.
Project Location Map

Gaxiola Residence—2414 Calle Del Oro
PROJECT NO. 207195
# PROJECT DATA SHEET

<table>
<thead>
<tr>
<th><strong>PROJECT NAME:</strong></th>
<th>Project No. 207195 – Gaxiola Residence</th>
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<tbody>
<tr>
<td><strong>PROJECT DESCRIPTION:</strong></td>
<td>Construct an 11,855 sq.ft. single dwelling unit</td>
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<tr>
<td><strong>COMMUNITY PLAN AREA:</strong></td>
<td>La Jolla</td>
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<tr>
<td><strong>DISCRETIONARY ACTIONS:</strong></td>
<td>Site Development Permit (Process 3)/Coastal Development Permit in La Jolla Shores Planned District (LJSPD) and the Coastal Overlay Zone</td>
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<tr>
<td><strong>COMMUNITY PLAN LAND USE DESIGNATION:</strong></td>
<td>Very Low Density Residential (0-5 DU/AC)</td>
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## ZONING INFORMATION:

- **ZONE:** LJSPD – SF (Single Family)
- **HEIGHT LIMIT:** 30’ max; 29’- 4” proposed
- **LOT SIZE:** 29,052 sq.ft.
- **FLOOR AREA RATIO:** no max in SF zone; 0.41 proposed (11,856 s.f./29,052 s.f.)
- **FRONT SETBACK:** general conformity; 51’ proposed
- **SIDE SETBACK:** general conformity; 15’ proposed
- **STREETSIDE SETBACK:** n/a
- **REAR SETBACK:** general conformity; 20’ proposed
- **PARKING:** 7 spaces required; 9 spaces provided

<table>
<thead>
<tr>
<th><strong>ADJACENT PROPERTIES:</strong></th>
<th><strong>LAND USE DESIGNATION &amp; ZONE</strong></th>
<th><strong>EXISTING LAND USE</strong></th>
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<tr>
<td><strong>NORTH:</strong></td>
<td>Single Family; LJSPD-SF</td>
<td>Single Family</td>
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<td><strong>SOUTH:</strong></td>
<td>Single Family; LJSPD-SF</td>
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<td><strong>EAST:</strong></td>
<td>Single Family; LJSPD-SF</td>
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<td><strong>WEST:</strong></td>
<td>Single Family; LJSPD-SF</td>
<td>Single Family</td>
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**DEVIATIONS OR VARIANCES REQUESTED:** none

**COMMUNITY PLANNING GROUP RECOMMENDATION:** March 7, 2013 La Jolla Community Planning Association voted 9-6-1 to approve – no conditions. April 16, 2013, La Jolla Shores Advisory Board approved 5-0 – no conditions.
WHEREAS, MANCHESTER CLASS LTD, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing residence and construct a new residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864) on portions of a 0.66-acre lot.

WHEREAS, the project site is located at 2414 Calle Del Oro in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone (Campus Impact Area, and, Coastal Height Limit Overlay Zone within the La Jolla Community Plan Area;

WHEREAS, the project site is legally described as Lot 11, La Jolla Shores Terrace Map No. 2996;

WHEREAS, on December 4, 2013, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, the building, structure, or improvements for which Coastal Development Permit No. 1078520 and Site Development Permit No 11211864 conforms to the regulations contained in the La Jolla Shores Planned District.

NOW, THEREFORE,

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 December 4, 2013.

FINDINGS:

Coastal Development Permit Findings - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical accessway 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.

The project is the demolition of an existing residence and the construction of an 11,879 square-foot, two-story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The site does not contain a public physical accessway to the ocean nor is it designated as having a proposed accessway or a public view corridor within the La Jolla
Community Plan and Local Coastal Program. Therefore, the proposed coastal development will not encroach upon any existing physical accessway 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.

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

The project is the demolition of an existing residence and the construction of a 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The property does not contain nor is it adjacent to, environmentally sensitive lands. Therefore, the proposed coastal development 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.

The project is the demolition of an existing residence and the construction of an 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The site is designated for residential development within the La Jolla Community Plan. The project complies with all of the development regulations of the SF zone of the La Jolla Shores Planned District. The La Jolla Community Plan and Local Coastal Program do not identify the site as containing a public physical accessway to the ocean nor as having a proposed accessway or a public view corridor. Therefore, 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.

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 project is the demolition of an existing residence and the construction of an 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The site is not located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone.

**Site Development Permit Findings - Section 126.0504**

1. The proposed development will not adversely affect the applicable land use plan.

The project is the demolition of an existing residence and the construction of an 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The site is designated for low density residential development within the La Jolla Community Plan.
The proposed project is consistent with the land use designation of the community plan by replacing an existing single-family structure with another single-family structure. The development would meet the goals of the La Jolla Community Plan/Local Coastal Program by maintaining the residential development and not interfering with public access or public views to the beaches and bays. The site is not located on or adjacent to any existing physical accessway. The residence would be constructed entirely within private property and would observe all required setbacks, building height requirements, and floor area ratio. The La Jolla Community Plan and Local Coastal Program do not identify the site as containing a public physical accessway nor as having a proposed accessway or a public view corridor. The La Jolla Community Plan recommends that community character be maintained through several measures including 1) new developments provide a high quality residential environmental respective of the sea, hillsides and open space; 2) reduce bulk and scale; and 3) maintain the character of residential areas by ensuring that redevelopment occurs in a manner that preserves existing streetscape themes and allows a harmonious visual relationship to existing between the bulk and scale of new and existing developments. This project incorporates the following elements in order to enhance the existing streetscape and neighborhood as follows:

The proposed project incorporates a variety of terraced elements that gently step up the façade from the auto court to the second story terrace. The auto court allows a large open turn around with permeable hardscape and gravel areas to soften and create an open and pedestrian-friendly streetscape. The neighborhood character will be enhanced with the use of multiple of King Palms to enhance and define the streetscape of the La Jolla Shore Area. The basic theme of the house incorporates the indoor/outdoor lifestyle and outdoor terraces as defined as part of the La Jolla Shores Planned District Ordinance. The home will reflect the character of the area as part of a community of single-family homes.

The proposed home will meet the land use regulations of the certified Implementation Program including compliance with the Land Development Code regulations which includes building height, coverage, parking and landscape. The project proposes no deviations or variances from the applicable land use regulations for the site, and is consistent with the goals and recommendations within the applicable policy documents. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.**

The project is the demolition of an existing residence and the construction of an 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The property is zoned SF of the La Jolla Shores Planned District within the La Jolla Community Planning area. The site is designated for low residential development.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, public improvements, repairs, fire protection and landscaping. All Uniform Building, Fire and Mechanical Codes governing the construction and continued operation of the development will apply to this site to
prevent adverse affects to those persons or other properties in the vicinity. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. **The proposed development will comply with the applicable regulations of the Land Development Code.**

The project is the demolition of an existing residence and the construction of an 11,879 square-foot, two story residence with 4-car garage, basement, and swimming pool on a 0.66-acre site located at 2412 Calle Del Oro. The site is designated for low density residential development within the La Jolla Community Plan. The project is consistent with the development regulations of the SF zone and all other pertinent regulations of the Land Development Code which include building height, setbacks, coverage, parking and landscape. The project proposes no deviation or variances from the applicable regulations. The project presents a basic bulk, mass, scale and lot coverage that is proportionate to the surrounding neighborhood. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864, a copy of which is attached hereto and made a part hereof.

_____________________________
Morris E. Dye
Development Project Manager
Development Services

Adopted on: December 4, 2013

Job Order No. 24000764
This Coastal Development Permit No. 1078520/Site Development Permit No. 11211864 is granted by the Hearing Officer of the City of San Diego to MANCHESTER CLASS LTD, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0708 and 1510.0201. The 0.66-acre site is located at 2414 Calle Del Oro in the La Jolla Community Plan Area. The project site is zoned SF zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone (Campus Impact Area) and Coastal Height Limit Overlay Zone within the La Jolla Community Plan Area. The project site is legally described as Lot 11, La Jolla Shores Terrace Map No. 2996.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing residence and construct an 11,879 square-foot, two-story, single family residence (as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 4, 2013) on file in the Development Services Department.

The project shall include:

a. Demolition of an existing single family residence and the construction of an 11,879 square-foot, two-story residence;

b. Swimming pool and spa;
b. Off-street parking; and

c. 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 December 18, 2016.

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

3. 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.

4. 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.

5. 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.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.).
8. 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.

9. 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.

10. 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" conditions(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.

11. 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:

12. 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.

13. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 191215 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 191215 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:

   Cultural Resources (Archaeology)

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing rolled curb with City standard curb and gutter, along the project frontage on Calle del Oro, per Standard Drawings G-2 and SDG-100, satisfactory to the City Engineer.

16. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of City standard sidewalk, along the project frontage on Calle del Oro, per Standard Drawings G-7 and G-9, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a City standard driveway on Calle Del Oro, satisfactory to the City Engineer.

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

20. Prior to the issuance of any construction permit, 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.
21. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

22. Prior to the issuance of any construction permit 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.

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of a grading or building permit, the permittee shall submit a site/plot plan consistent with the plans submitted for a building permit showing the required 30% landscaped area in a crosshatch pattern and labeled "Landscape Area Diagram."

24. The following note shall be provided on the "Landscape Area Diagram": All of the landscape to meet the 30% area requirement shall be installed as required by the La Jolla Shores Planned District Ordinance prior to final inspection."

25. Any modifications or changes to the "Landscape Area Diagram" and existing or proposed plant material, as shown on the approved Exhibit "A" Landscape Concept Plan, are permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores Planned District Ordinance.

26. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

27. Prior to issuance of any Certificate of Occupancy, the Owner/Permittee shall install all required landscape and obtain all required landscape inspections. The Owner/Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

28. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

PLANNING/DESIGN REQUIREMENTS:

29. Owner/Permittee shall maintain a minimum of seven (7) off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." The site is located within the Parking Impact Overlay Zone (Campus Impact Area). Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.
30. 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.

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 December 4, 2013 and Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864 and Resolution No._____.
Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864
Approval Date: December 4, 2013.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Morris E. Dye
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

MANCHESTER CLASS LTD,
Owner/Permittee

By

ALEJANDRO GAXIOLA,
VICE PRESIDENT

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
RESOLUTION NUMBER

ADOPTED ON December 4, 2013

WHEREAS, on June 10, 2010, MANCHESTER CLASS LTD, submitted an application to Development Services Department for a Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864 to demolish an existing residence and an 11,879 square-foot, two story, single family residence on an 0.66-acre site located at 4214 Calle Del Oro; and

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

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 207195 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.
ATTACHMENT 7

APPROVED:

By: MORRIS DYE
    DEVELOPMENT PROJECT MANAGER

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

MITIGATION MONITORING AND REPORTING PROGRAM

Coastal Development Permit No. 1078520 and Site Development Permit No. 11211864

V. MITIGATION, MONITORING AND REPORTING PROGRAM: To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures shall be the responsibility of the applicant. The mitigation measures are 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 Archaeologist**

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, it is also required to call RE and MMC at 858-627-3360

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 282667, 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**

<table>
<thead>
<tr>
<th>Issue Area</th>
<th>Document submittal</th>
<th>Assoc Inspection/Approvals/Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Meeting</td>
<td>Consultant Qualification Letters</td>
<td>Prior to Pre-construction</td>
</tr>
<tr>
<td>Archaeology</td>
<td>Archaeology Reports</td>
<td>Archaeology/Historic site</td>
</tr>
<tr>
<td>Bond Release</td>
<td>Request for Bond Release letter</td>
<td>Final MMRP Inspections prior to Letter</td>
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<tr>
<td>Construction Meeting</td>
<td>Consultant Const. Monitoring Exhibits</td>
<td>Prior to or at the Pre-</td>
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</tbody>
</table>

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

CULTURAL RESOURCES (ARCHAEOLOGY)

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 Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
   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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (IWRG). If applicable, individuals involved in the archaeological monitoring program must
have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written 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 (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, 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.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

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, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological 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

   a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

   b. The AME 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 site conditions such as depth of
excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
   1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. 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 AME.
   2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor’s absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
   3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
   4. The archaeological and Native American consultant/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 Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources 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.
   4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance
   1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
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.

b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, 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. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

### IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

**A. Notification**

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

**B. Isolate discovery site**

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

**C. If Human Remains ARE determined to be Native American**

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in
accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
   a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
   b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
   c. In order to protect these sites, the Landowner shall do one or more of the following:
      (1) Record the site with the NAHC;
      (2) Record an open space or conservation easement on the site;
      (3) Record a document with the County.
   d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American
   1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
   2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
   3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for interment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. 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 of the next business day.
      b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV - Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8AM of 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 and/or weekend 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.

VI. 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 Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center 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 Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

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.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading 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 required 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.
13. Gaxiola Residence – Action Item

2414 Calle del Oro - SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2-story 11,696 sf residence (of which 4,744 is phantom floor) with 4 bedrooms, 7 bathrooms and 2 car garage, attached guest quarters (parking in driveway), swimming pool and retaining walls on a 29,120 sf lot. Square footage includes extensive non-habitable space.

PRC Action (Oct. 2012): The findings can be made for a SDP & CDP based on plans dated July 22, 2012 and presented today with square footage corrected to 11,696 including 4,744 sf phantom floor. 3-2-1.


Applicant: Gricel Cedillo; presentation and handout by architect, Michael Morton.

Approved Motion: To approve the project and to recommend SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2-story 11,696 sf residence at 2414 Calle del Oro as presented; landscaping as shown on sheet A9.1 dated 7 March 2013, (Fitzgerald/LaCava, 9-6-1).

In favor: Brady, Collins, Conboy, Fitzgerald, LaCava, Manno, Merten, Thorsen.


Abstain: Crisafi.

Trustee Election Results

Election Chair Tim Lucas presented the vote count to President Crisafi, who then announced the results:

Elected to three year terms: Patrick Ahern, Helen Boyden, Gail Forbes, Bob Steck, Ray Weiss and Frances O'Neill Zimmerman. Elected to a two-year term to fill a vacancy: Janie Emerson, and elected to a one-year term to fill a vacancy: Myrna Nagle. The number of ballots cast was 71.

President Crisafi announced that results can be challenged until Thursday, March 14, 5:00 pm. If no challenge, the ballots will be destroyed.

President Crisafi thanked Election Chair Trustee Tim Lucas for, once again, running a flawless election, and thanked all of the Community Members who graciously contributed their time assisting Trustee Lucas.

Trustees expressed their gratitude.

14. Pham Residence – Action Item

7411 Olivetas Street - Variance to reduce the required street sideyard setback from 855 sq ft addition to an existing single family residence on a 0.05 acre site.

DPR ACTION (JAN 2013): Findings can be made for a Variance to reduce the required street sideyard setback from 10ft to 4 ft for a 855 sq ft addition to an existing single family residence at 7411 Olivetas St. 4-2-1

CPA Action (Feb 2013): Pulled from Consent Agenda by Trustee Zimmerman

Presentation by architect Mark Mitchell. Carole Barin commented.

Approved Motion: Findings can be made for a Variance to reduce the required street sideyard setback from 10ft to 4 ft for a 855 sq ft addition to an existing single family residence at 7411 Olivetas St., (Thorsen/Conboy, 8-6-2).

In favor: Brady, Burstein, Conboy, Costello, Fitzgerald, LaCava, Manno, Thorsen.

Opposed: Bond, Collins, Courtney, Little, Merten, Zimmerman.

Abstain: Crisafi, Lucas.
LA JOLLA SHORES PLANNED DISTRICT

Applicant: Manchester Class Ltd. Item: #1 Caixiolna Residence

Date: April 16, 2013

To: Planning Director
From: La Jolla Shores Planned District Advisory Board
Subject: Proposal Within La Jolla Shores Planned District

The La Jolla Shores Planned District Advisory Board has reviewed the applicant for:

1. Conformity with adjacent community elements -
   Appropriate scale, siting, use of materials, landscaping, accessory parking, setback from street, etc.

and recommends:

A. Approval because of conformity to criteria and design standards adopted by the City Council.

B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)

C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.

D. Denial because of lack of four affirmative votes.

Board Signatures

Approving Item: 5

Disapproving Item: 0

[Signatures]

Absentees:

Chairman
Dear, Sandra

The following is a list of the directors of Manchester Class LTD and their titles.

- Santiago Gaxiola Clouthier Director/President
- Monica Coppel Luken Director/Secretary
- Alejandro Gaxiola Coppel Director/Vicepresident
- Javier Gaxiola Coppel Director/Vicepresident
- Agustin Gaxiola Coppel Director/Vicepresident
- Santiago Gaxiola Coppel Director/Vicepresident

If you need anything else, please let me know

Sincerely,

Michael R. Morton A.I.A
Principal

CC: Project File
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: CAYAXOLA RESIDENCE
Project Address: 2414 CALLE DEL ORO

Part 1 - 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. This 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 or 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: 2414 CALLE DEL ORO
City/State/Zip: CAYAXOLA CA
Phone No: (619)2933026
Fax No: 
Signature: Date: 3/15/10

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:

Printed on recycled paper. Visit our website at www.sandiego.gov/development-services
Upon request, this information is available in alternative formats for persons with disabilities.
Part II - To be completed when property is held by a corporation or partnership.

Legal Status (please check):

- Corporation
- Limited Liability Company
- General Partnership
- Other

What State? ___ Corporate Identification No. ______

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

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<tr>
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<tr>
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RESOLUTION OF THE BOARD OF DIRECTORS
OF
MANCHESTER CLASS LTD.

We, Santiago Gaxiola Clouthier, Monica Coppel Luken, Alejandro Gaxiola Coppel, Javier Gaxiola Coppel, Agustin Gaxiola Coppel and Santiago Gaxiola Coppel, being the Directors of the company MANCHESTER CLASS LTD., a corporation duly incorporated under the laws of the British Virgin Islands, hereby consent to the adoption of the following resolutions:

RESOLVED:
1. THAT a seal, an imprint of which is affixed here to, be adopted as the Common Seal of the Company.
2. THAT this company issues 1,000 no par value shares, that constitute the authorized capital of the corporation.
3. TO assign a value of US$1.00 to each of the no par value shares.
4. TO authorize the President, together with the Secretary of the corporation, to subscribe and issue, under the Common Seal of the Company, prior receipt of the corresponding payment, the respective stock certificates, as follows:

<table>
<thead>
<tr>
<th>Certificate No.</th>
<th>Shares</th>
<th>Value</th>
<th>Issued to</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>100 shares</td>
<td>US$1.00 each</td>
<td>Santiago Gaxiola Clouthier</td>
</tr>
<tr>
<td>No. 2</td>
<td>100 shares</td>
<td>US$1.00 each</td>
<td>Monica Coppel Luken</td>
</tr>
<tr>
<td>No. 3</td>
<td>200 shares</td>
<td>US$1.00 each</td>
<td>Alejandro Gaxiola Coppel</td>
</tr>
<tr>
<td>No. 4</td>
<td>200 shares</td>
<td>US$1.00 each</td>
<td>Javier Gaxiola Coppel</td>
</tr>
<tr>
<td>No. 5</td>
<td>200 shares</td>
<td>US$1.00 each</td>
<td>Agustin Gaxiola Coppel</td>
</tr>
<tr>
<td>No. 6</td>
<td>200 shares</td>
<td>US$1.00 each</td>
<td>Santiago Gaxiola Coppel</td>
</tr>
</tbody>
</table>

5. THAT the following persons be and hereby are appointed officers of the Company:

<table>
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<tr>
<th>Name</th>
<th>Role</th>
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<tr>
<td>Santiago Gaxiola Clouthier</td>
<td>Director /President</td>
</tr>
<tr>
<td>Monica Coppel Luken</td>
<td>Director /Secretary</td>
</tr>
<tr>
<td>Alejandro Gaxiola Coppel</td>
<td>Director /Vicepresident</td>
</tr>
<tr>
<td>Javier Gaxiola Coppel</td>
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Dated this twenty-fifth (25th) day of August, 2009.

Santiago Gaxiola Clouthier
Monica Coppel Luken
GAXIOLA RESIDENCE
COASTAL PERMIT PACKAGE
2414 Calle Del Oro
La Jolla, CA 92037
COASTAL PERMIT CONDITIONS

Coastal Permit Conditions - Pending.

CAL GREEN NOTES

[Text content not legible due to image quality limitations]

GENERAL PROJECT NOTES

[Text content not legible due to image quality limitations]
MITIGATION MONITORING AND REPORTING PROGRAM

1. Project Description
2. Mitigation Monitoring
3. Monitoring Plan
4. Mitigation Actions
5. Monitoring Data Collection
6. Data Analysis
7. Mitigation Evaluation
8.Mitigation Monitoring
9. Monitoring Plan
10. Mitigation Actions
11. Monitoring Data Collection
12. Data Analysis
13. Mitigation Evaluation

Marengo Morton Architects
720 Grand Ave.
Second Floor
La Jolla, CA 92037
Tel: (858) 494-2789
Fax: (858) 494-2789
Michael Morton, AIA

Coastal Engineering
11111 Sorrento Valley Blvd.
San Diego, CA 92121
Tel: (619) 459-0077
Fax: (619) 459-0078

GAXIOL RESIDENCE

T-1.3

SITUATION DOCUMENTS

site no. MAB 91-10

Photograph by MAB 91-10

T-1.3
These renderings represent the overall design intent and do not reflect the current updated plans and elevations. These should only be referenced for general site context and scale.
Note: THESE RENDERINGS REPRESENT THE OVERALL DESIGN INTENT AND DO NOT REFLECT THE CURRENT UPDATED PLANS AND ELEVATIONS. THESE SHOULD ONLY REFERENCED TO FOR GENERAL SITE CONTEXT AND SCALE.
La Jolla Shores - Context - Panoramic View

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