REPORT TO THE HEARING OFFICER

HEARING DATE: August 13, 2014
REPORT NO. HO-14-048

ATTENTION: Hearing Officer

SUBJECT: VISIN DUPLEX
PTS PROJECT NUMBER: 280069

REFERENCE: Report to the Planning Commission for the Appeal of the Visin Duplex at:
Report to the Historical Resources Board at:

LOCATION: 337 and 341 Playa del Sur Street

OWNER/APPLICANT: Jack Visin and Karen L. Visin/
Sasha Horton, Golba Architecture Inc.

SUMMARY

Issue(s): Should the Hearing Officer approve the remodel and addition to an existing historic residential structure (front unit), and demolition of an existing detached dwelling unit (rear unit) and construction of a three-story dwelling unit on a 0.054 acre site located at 337 and 341 Playa del Sur Street within the La Jolla Community Planning area?

Staff Recommendation(s) – APPROVE Coastal Development Permit No. 1323706 and Variance No. 1323708.

Community Planning Group Recommendation – On March 6, 2014, the La Jolla Community Planning Association voted 16-0-1 to recommend approval of all modifications to the existing historic structure, demolition of the non-historic structure and construction of a new dwelling unit without any additional conditions (Attachment 12).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 7, 2014, and the opportunity to appeal that determination ended on July 21, 2014.
BACKGROUND

The proposed project site is located at 337 and 341 Playa del Sur Street (Attachment 1), west of La Jolla Boulevard (Attachment 2). The site is located in the RM-3-7 Zone (Attachment 3) within the La Jolla Community Plan (Attachment 4), Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact and Beach areas), Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone. The zoning designation is a multi family residential zone and the community plan designates the site for Medium High Residential use at a density of 30-45 du/ac. The project site, occupying 0.054 acres, could accommodate two dwelling units based on the underlying zone and two dwelling units based on the community plan.

The project site has been previously graded and developed with two, one story dwelling units identified as 337 and 341 Playa del Sur Street. The 337 Playa del Sur Street dwelling unit was built between 1926 and 1927, and the 341 Playa del Sur Street dwelling unit was built in 1928. The applicant submitted a Single Discipline Preliminary Review to determine whether or not the subject property would be considered historically significant. This submittal included a Historic Resource Technical Report that was prepared by Scott Moomjian, dated December 2010, and was reviewed by staff. City staff concurred with the report's conclusion that the dwelling units are not eligible for designation under any Historical Resources Board (HRB) Criteria due to alterations and a resulting lack of integrity; and therefore the property was not referred to the HRB for consideration.

Development of the proposed project requires the approval of a Process 2 Coastal Development Permit (CDP) for development within the Non-Appealable Area 2 of the Coastal Overlay Zone. On April 18, 2013, Development Services Department (DSD) approved CDP No. 983703 and a Notice of Decision was issued. On May 6, 2013, DSD received three appeal applications. The appeal was to be heard by the Planning Commission on June 13, 2013; however, this hearing was continued to June 20, 2013, at which time the Planning Commission heard the appeals. The Planning Commission continued the hearing until August 8, 2013, and requested that the project go before the HRB for a determination prior to bringing the project and the appeals back to the Planning Commission.

On July 3, 2013, the La Jolla Historical Society (LJHS) provided significant new information that spoke to the building's eligibility for historic designation. This information included historic photographs, oral histories, and historical information not included in the applicant's Technical Report, as well as new analysis under the adopted designation criteria. On July 19, 2013 following the submittal of the LJHS information, the item was withdrawn from the Planning Commission docket to allow the applicant and the LJHS to further evaluate the significance of the site and the possibility for adaptive reuse consistent with the Standards, and a memorandum was sent to the Planning Commission (Attachment 7).

Historic Designation- Historically, the subject property was constructed by and for the Snell family, who played an integral role in the early development of the La Jolla Strand subdivision and the establishment of the neighborhood's identity of Windansea. Architecturally, the cottage, which was designed and built by owner and contractor William Snell, reflects the character of
early development in Windansea and utilized indigenous local cobble hauled up from the beach below, a practice found in buildings scattered throughout the coastal areas of La Jolla during this early period. The historic name of the resource, the William and Ruby Snell Cottage, has been identified consistent with the Board's adopted naming policy and reflects the name of the original owners who constructed the house as their personal residence.

On January 23, 2014, the HRB designated the William and Ruby Snell Cottage located at 341 Playa Del Sur as a historical resource with a period of significance of 1928 under HRB Criterion A as a resource that reflects the early historical and architectural development of the Windansea neighborhood. The designation excludes the 20 square foot addition to 341 Playa Del Sur constructed in 1979, and the rear cottage addressed at 337 Playa Del Sur in its entirety. The designation included the cobble retaining wall at the front of the property.

**DISCUSSION**

**Project Description:**

Based on the historical designation of 341 Playa Del Sur, the project application was revised to maintain the existing historic residential structure (front unit 341 Playa Del Sur), but would include the remodeling and addition of 47 square feet on the first floor and a 460 square feet on the second floor. The remodel and additions have been determined to be in compliance with the City's Historic Resources Regulations (San Diego Municipal Code (SDMC) Chapter 14, Article 3 Division 2) and the U.S. Secretary of the Interior's Standards. In addition, the application proposes the demolition of the existing rear dwelling unit (337 Playa Del Sur) and construction of a new, three-story, 1,349 square foot dwelling unit and 432 square foot garage. This application includes a request for deviations to the side yard setbacks and for the number of parking spaces.

The existing dwelling unit located at 341 Playa Del Sur will have a maximum building height of 22 feet 6 inches and the new dwelling unit located at 337 Playa Del Sur will have a maximum building height of 29 feet 5 inches; therefore, the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone. Playa del Sur Street at this location is not located in an identified Public Vantage Point and does not contain any physical access or visual access (major viewshed, view corridor or scenic overlooks) as identified within the La Jolla Community Plan.

Development of the proposed project requires the approval of a Process 2 Coastal Development Permit (CDP) for development within the Non-Appealable Area 2 of the Coastal Overlay Zone, and a Process 3 Variance for side yard setbacks and parking. As a component of the proposed project, the buildings will utilize renewable energy technology, self-generating at least 50 percent of the projected total energy consumption on site through photovoltaic technology (solar panels). Because the project utilizes renewable technologies and qualifies as a Sustainable Building, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.
Variance Analysis:

The existing dwelling unit located at 337 Playa del Sur Street was built between 1926 and 1927 and contains a small attached garage that is accessed from the existing alley. This 304 square foot garage was designed to accommodate two small 1926 period vehicles, and would not comply with current development regulations to accommodate two standard size vehicles. The existing dwelling unit located at 341 Playa del Sur Street was built in 1928 and contains no off-street parking.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The ability to provide four (4) legal off-street parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence. In addition, the 24.98 foot wide property impacts the ability to meet the minimum interior dimensions for off-street parking within the garages and still be able to meet the side yard setbacks. Therefore, the project includes a variance request to allow for an 11 1/8 inch north side yard setback and a 2 foot 1 3/4 inch south side yard setback where the development regulation requires a minimum five (5) foot side yard setback. Additionally, the variance includes the request to allow for one parking space per dwelling unit where the development regulation requires two parking spaces per dwelling unit.

The variance seeks relief from the side yard setbacks in addition to relief from the development regulations to allow for one off-street parking space per dwelling unit. Staff has reviewed the circumstances and conditions of the property and the proposed development, as discussed above, and has determined that the finding in support of the variance request can be made (see Attachment 9).

CONCLUSION

With the approval of the variance request, the project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted La Jolla Community Plan, Local Coastal Program Land Use Plan, Land Development Code, the U.S. Secretary of the Interior's Standards, and the General Plan. Therefore, staff recommends the Hearing Officer grant the Coastal Development Permit and Variance as proposed.

ALTERNATIVE

1. APPROVE Coastal Development Permit No. 1323706 and Variance No. 1323708, with modifications.

2. DENY Coastal Development Permit No. 1323706 and Variance No. 1323708, if the findings required to approve the project cannot be affirmed.
Respectfully submitted,

[Signature]

Jeffrey A. Peterson
Development Project Manager
Development Services Department

Attachments:

1. Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Project Data Sheet
6. Project Plans
7. Memorandum to the Planning Commission, dated July 19, 2013
8. Draft CDP and Variance Resolution with Findings
9. Draft CDP and Variance Conditions
10. Environmental Exemption
11. Project Plans
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement
14. Project Chronology

Internal Order No. 24002649
Location Map
Visin Duplex - Project No. 280069
337 and 341 Playa del Sur Street

Project Site
Aerial Photograph
Visin Duplex - Project No. 280069
337 and 341 Playa del Sur Street
Aerial Photograph (Enlarged View)

Visin Duplex - Project No. 280069
337 and 341 Playa del Sur Street

Project Site

North
Zoning Map

Visin Duplex - Project No. 280069
337 and 341 Playa del Sur Street

Project Site

RM-3-7
R-301263
02/28/2006

RM-1-1
R-301263
02/28/2006

North
La Jolla Community Plan Land Use Map

Visin Duplex - Project No. 280069
337 and 341 Playa del Sur Street
## PROJECT DATA SHEET

<table>
<thead>
<tr>
<th><strong>PROJECT NAME:</strong></th>
<th>Visin Duplex - Project No. 280069</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROJECT DESCRIPTION:</strong></td>
<td>Remodel and addition to an existing historic residential structure (front unit), and demolition of an existing single family dwelling unit (rear unit) and construction of a three-story single family dwelling unit.</td>
</tr>
<tr>
<td><strong>COMMUNITY PLAN AREA:</strong></td>
<td>La Jolla</td>
</tr>
<tr>
<td><strong>DISCRETIONARY ACTIONS:</strong></td>
<td>Coastal Development Permit</td>
</tr>
<tr>
<td><strong>COMMUNITY PLAN LAND USE DESIGNATION:</strong></td>
<td>Medium High Residential use at a density rate of 30-45 du/ac</td>
</tr>
</tbody>
</table>

### ZONING INFORMATION:

- **ZONE:** RM-3-7 Zone
- **HEIGHT LIMIT:** 30-foot maximum height limit (Coastal Height Limitation Overlay Zone)
- **LOT SIZE:** 7,000 square foot
- **FLOOR AREA RATIO:** 1.80
- **LOT COVERAGE:** NA
- **FRONT SETBACK:** 10 feet min. & 20 feet standard
- **SIDE SETBACK:** 5 feet & 0 feet [LDC Section 131.0443(f)(2)(B)]
- **STREETSIDE SETBACK:** NA
- **REAR SETBACK:** 5 feet
- **PARKING:** 4 spaces

### ADJACENT PROPERTIES:

<table>
<thead>
<tr>
<th><strong>LAND USE DESIGNATION &amp; ZONE</strong></th>
<th><strong>EXISTING LAND USE</strong></th>
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<tbody>
<tr>
<td>NORTH: Medium High Residential; RM-3-7 Zone</td>
<td>Multi Family Residential Development</td>
</tr>
<tr>
<td>SOUTH: Medium Residential; RM-1-1 Zone</td>
<td>Multi Family Residential Development</td>
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<tr>
<td>EAST: Medium High Residential; RM-3-7 Zone</td>
<td>Multi Family Residential Development</td>
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<td>WEST: Medium High Residential; RM-3-7 Zone</td>
<td>Multi Family Residential Development</td>
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### DEVIATIONS OR VARIANCES REQUESTED:

- Variance request to allow for an 11 1/8 inch north side yard setback and a 2 foot 1 3/4 inch south side yard setback; and to allow for one parking space per dwelling unit.

### COMMUNITY PLANNING GROUP RECOMMENDATION:

On March 6, 2014, the La Jolla Community Planning Association voted 16-0-1 recommend approval of all modifications to the existing historic structure, and the demolition of the non-historic structure and construction of a new single family dwelling unit, which did not include any conditions.
VISIN UNITS
337-341 PLAYA DEL SUR, LA JOLLA, CALIFORNIA 92037
A SUSTAINABLE PROJECT

REVISED CDP/ VARIANCE SET
JUNE 18, 2014
LEGAL DESCRIPTION:
LOT 20 IN BLOCK 5 OF LA JOLLA STRAND, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, AS SHOWN ON THE OFFICIAL SURVEY OF THE COUNTY RECORDER OF COUNTY OF SAN DIEGO.

RECORD NAME:
CITY OF SAN DIEGO BENCH MARK
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STORM WATER QUALITY NOTES/ CONSTRUCTION BMP'S

1. THE PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE STATE WQ NOTES, CALIFORNIA REPAIR, REUSE, RECYCLE BOARD (PROPOSED PLANS & SPECS, NO. 2001-01ppard, LA Jolla, CA). THIS AREA TO BE PROVIDED JUNITEO TO THE CONSTRUCTION PLANS PREPARED BY SDG&E. ARCHITECT, MAR, PREPARED BY SDG&E. APPROVAL. BY SDG&E.

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SECOND FLOOR PLAN

FIRST FLOOR PLAN

LEGEND

- 1/4" = 1'-0"
- REV 7-06-15
- 6201 MSL
- 6925 MSL
- Existing Wall to Be Removed
- New Structural Add to Existing Solution - By Pella Gold
- Indicates Increase
- Indicates Decrease

Scale: 1/4" = 1'-0"

Prepared by:

GOLBA ARCHITECTURE, INC.

9010 Hitt Ave.
San Diego, CA 92123

Golba & Associates

(619) 292-0005
Fax: (619) 292-9411

Project Address:

941 Playa Del Sur
La Jolla, CA 92037

Sheets:

FIRST & SECOND FLOOR PLANS
### Window Schedule - Unit 341

<table>
<thead>
<tr>
<th>Size (wxh)</th>
<th>Type</th>
<th>Frame Finish</th>
<th>Glazing</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3'-6&quot; x 5'-0&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 5'-0&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>5'-0&quot; x 5'-0&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
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<td>1'-2&quot; x 2'-6&quot;</td>
<td>Casement</td>
<td>Paint</td>
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<tr>
<td>3'-4&quot; x 6'-8&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-4&quot; x 6'-8&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 6'-8&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 6'-8&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>1'-0&quot; x 2'-0&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>1'-0&quot; x 2'-0&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
</tbody>
</table>

*See Existing Window Survey for more information on existing openings.*

### Door Schedule - Unit 341

<table>
<thead>
<tr>
<th>Size (wxh)</th>
<th>Type</th>
<th>Frame Finish</th>
<th>Glazing</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3'-6&quot; x 5'-0&quot;</td>
<td>Outdoor Swing</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 5'-0&quot;</td>
<td>Outdoor Swing</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>5'-0&quot; x 5'-0&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>5'-0&quot; x 5'-0&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>1'-2&quot; x 2'-6&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>1'-2&quot; x 2'-6&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-4&quot; x 6'-8&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-4&quot; x 6'-8&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 6'-8&quot;</td>
<td>Casement</td>
<td>Paint</td>
<td>Single</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
<tr>
<td>3'-6&quot; x 6'-8&quot;</td>
<td>Double Casement</td>
<td>Paint</td>
<td>Double</td>
<td>As per survey to match, use products per specified schedule.</td>
</tr>
</tbody>
</table>

*See Existing Door Survey for more information on existing openings.*

### Window Types

- Type A
- Type B
- Type C
- Type D
- Type E
- Type F
- Type G
- Type H
- Type I
- Type J
- Type K
- Type L
- Type M
- Type N
- Type O
- Type P
- Type Q
- Type R
- Type S
- Type T
- Type U
- Type V
- Type W
- Type X
- Type Y
- Type Z

### Door Types

- Type A
- Type B
- Type C
- Type D
- Type E
- Type F
- Type G
- Type H
- Type I
- Type J
- Type K
- Type L
- Type M
- Type N
- Type O
- Type P
- Type Q
- Type R
- Type S
- Type T
- Type U
- Type V
- Type W
- Type X
- Type Y
- Type Z

### Door & Window Notes:
1. Original existing and exterior doors and/or window schedules shall be maintained, repaired, or reconstructed.*
2. All windows and doors shall be manufactured, repaired, or reconstructed by San Diego San Diego Company.
3. Contractor to verify all existing conditions and report discrepancies to the Architect.
4. See sample specification for treatment of existing wood windows, doors and windows as needed.
1. Examine the elevation drawings for 341 North (Street) Elevation and 341 South Elevation.

2. The existing staggered shake siding is to remain on all existing construction. Repair if needed, match existing, TYP.

3. The original wooden and outdoor doors on this elevation are to be removed, and the window and exterior construction are to be replaced with brick and matching exterior siding.

4. The line of sight from the window to the roof equipment, or any vent, pipe, antenna, or other projection shall not exceed 90'-0" above the roof area. (SDMC 2019.02.01).

5. Prepare project plans for the roof equipment on the boat dock, exterior or other projection for the brick and matching exterior siding.

6. Approved 6/24/15
7. Revised 1/10/20.
8. Original Date 5/21/12
9. Sheet 8 of 11

910 Avenue
La Jolla, CA 92037

Prepared By:
Design Information
1200 Avenue
La Jolla, CA

Revision 6
Revision 5
Revision 4
Revision 3
Revision 2
Revision 1
Original Date 5/21/12
EAST ELEVATION

THE HIGHEST POINT OF THE ROOF EQUIPMENT, OR ANY VENT, PIPE, ANTENNA, OR OTHER PROJECTION SHALL NOT EXCEED SO'-0" AS SHOWN ON THE PLAN. (SDC 11.9.0210)

Prepared By: GOBA Architecture
909-941 Playa Del Sur
La Jolla, CA 92037
Fax: 858-150-8411

Project Address:
857 North Avenue
La Jolla, CA 92037

Project Name:
V.5.10

Sheet Title:
EXTERIOR ELEVATIONS

Sheet 4 of 11
LINE OF 50' MAX. HEIGHT (MEASURED FROM DATUM PT J.)

BEDROOM #2

LOFT HAS

GREAT ROOM

B4.52' M.5.L.

M.5.L.

T.O.

EXITED RIDGE

BEDROOM #:

11.01'

0'-0" H.SL.

2ND. F.F.

62.01'

0'-0" M.S.L. 1ST. F.F.

EXISTING

PROJECT ADDRESS:

951-541 PLAYA Del SUR

LA JOLLA, CA 92037

Prepared By:

GOLBA ARCHITECTURE INC.

Golba Architecture T.O.

951-541 PLAYA Del SUR

LA JOLLA, CA 92037

(619) 234-1050

858-150-9411

Project Title:

VISIN DUPLEX

Sheet Title:

SITE SECTIONS

Sheet No. 07 OF 40

ATTACHMENT 6
DATE: July 19, 2013

TO: Chair Naslund and Members of the Planning Commission

FROM: Cathy Winterrowd, Interim Deputy Director, Development Services Department

SUBJECT: Appeal of the Visin Duplex; Project No. 280069

As you are aware, the above-referenced project was continued from the Planning Commission meeting of June 20, 2013 to August 8, 2013 in order to further evaluate issues related to potential historical significance. The La Jolla Historical Society and the project applicant have provided additional information to staff. The applicant has requested a hearing before the Historical Resources Board in August rather than July. Therefore, at the owner’s request, we are withdrawing the item from the August 8th Planning Commission agenda (see attached email from the owner’s representative). Staff will re-notice the item for a future agenda once the historic issues have been addressed.

Attachment: Email communication from Scott Moomjian dated July 17, 2013

cc: Tom Tomlinson, Interim Director
    Mike Westlake, Acting Deputy Director
    Jeff Peterson, Development Project Manager
Dear Cathy:

As a follow up to my e-mail to you yesterday (see below), since I have indicated that we would be prepared to go before the HRB at its August 22, 2013 meeting, we would subsequently need to request that the Appeal of the Visin Duplex (Project Number 280069) be withdrawn from the Planning Commission Agenda of August 8, 2013.

Thank you.

Scott A. Moomjian

---Original Message-----
From: Scott Moomjian
Sent: Jul 16, 2013 2:26 PM
To: Cathy Winterrowd
Cc: Karen Visin
Subject: 337-341 Playa Del Sur, La Jolla

Dear Cathy:

At this time, on behalf of my clients, Jack and Karen Visin, while asserting and preserving any and all legal and historical significance objections to the potential designation of the property, should the Historical Resources Board be requested to consider the designation of the property, we would be prepared to go before the Board at its August 22, 2013 meeting.

Thank you.

Scott
INTERNAL ORDER NUMBER: 24002649

COASTAL DEVELOPMENT PERMIT NO. 1323706
VARIANCE NO. 1323708
VISIN DUPLEX-PROJECT NO. 280069
HEARING OFFICER

This Coastal Development Permit No. 1323706 and Variance No. 1323708 is granted by the Hearing Officer of the City of San Diego to JACK VISIN and KAREN L. VISIN, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0708 and 126.0805. The 0.054 acre site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard, in the RM-3-7 Zone within the La Jolla Community Planning area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact and Beach areas), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 1. The project site is legally described as: Lot 20 in Block 5 of La Jolla Strand, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1216, filed in the Office of the County Recorder of San Diego County, October 19, 1909.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the remodel and addition to an existing historic residential structure, and demolition of an existing dwelling unit (rear unit) and construction of a three-story dwelling unit with a two one-car garages, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 13, 2014, on file in the Development Services Department.

The project shall include:

a. Remodel and construction of a 47 square foot first floor addition, and a new 460 square foot second floor to the existing historic residential structure located at 341 Playa Del Sur. The remodel and additions shall comply with the City's Historic Resources
Regulations (SDMC Chapter 14, Article 3 Division 2) and the U.S. Secretary of the Interior's Standards;

b. Demolition of a dwelling unit located at 337 Playa Del Sur and construction of a new, three-story, 1,349 square foot dwelling unit with a 432 square foot two one-car garages on the ground floor of which one of the garages is designated for 341 Playa Del Sur;

c. Variance to the development regulations for the following:

1) Variance to SDMC Section 131.0443(f)(2)(A) to allow for an 11 1/8 inch north side yard setback and a 2 foot 1 3/4 inch south side yard setback where the development regulation requires a minimum five (5) foot side yard setback for the new dwelling unit located at 337 Playa Del Sur; and

2) Variance to SDMC Table 142-05B to allow for one parking spaces per dwelling unit where the development regulations requires two parking spaces per dwelling unit.

d. Landscaping (planting, irrigation and landscape related improvements);

e. Off-street parking;

f. Construction of associated site improvements (i.e. hardscape, fences and site walls);

g. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project’s projected energy consumption; and

h. 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 27, 2017.

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" 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.
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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional right-of-way, along the project frontage on Playa Del Sur, to provide a minimum of 10 feet curb to property line distance, satisfactory to the City Engineer.

12. Prior to the issuance of any building permit, the Owner/Permittee shall grant to the City a 5.0 foot wide Irrevocable Offer of Dedication for the adjacent alley, satisfactory to the City Engineer.

13. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb with full height City standard curb and gutter, along the project frontage on Playa Del Sur Street, per Standard Drawing SDG-151, satisfactory to the City Engineer.

14. Prior to the issuance of any building permits, the Owner/Permittee shall remove the existing red brick pavers, along the project frontage on Playa Del Sur, satisfactory to the City Engineer.

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal agreement from the City Engineer for the existing cobblestone retaining walls located within Playa Del Sur right of way.

16. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practice (BMP) maintenance, satisfactory to the City Engineer.
17. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices (BMPs) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

18. 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.

19. Prior to the foundation inspection, the Owner/Permittee shall submit an building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying the pad elevation based on USGS datum is consistent with Exhibit "A," satisfactory to the City Engineer.

**TRANSPORTATION REQUIREMENTS:**

20. The Owner/Permittee shall permanently maintain no fewer than 2 off-street parking spaces (a variance from the SDMC requirement for a minimum of 4 off-street parking spaces) on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's SDMC, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department Director.

**LANDSCAPE REQUIREMENTS:**

21. Prior to the issuance of any construction permit, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual 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.

22. Prior to issuance of construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 square-foot area around each tree, which is unencumbered by utilities. Driveways, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

23. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit “A,” Landscape Development Plan.

24. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or a Final Landscape Inspection.
25. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature
height and spread.

26. Any required planting that dies within 3 years of installation shall be replaced within 30
calendar days of plant death with the same size and species of plant material shown on the
approved plan. Required shrubs or trees that die 3 years or more after installation shall be
replaced with 15-gallon size or 60-inch box size /15 foot BTH material, respectively.
Development Services may authorize adjustment of the size and quantity of replacement
material.

27. Tree Protection Notes shall be incorporated into Landscape Construction Plans.

HISTORICAL RESOURCES REQUIREMENTS:

28. Prior to the issuance of any construction permit (s) for current and future improvements to
the dwelling unit at 341 Playa del Sur Street, the Owner/Permittee shall submit the construction
documents to the Historical Resources Division for review. The construction documents shall
show all proposed improvements and be consistent with the City's Historic Resources
Regulations (SDMC Chapter 14, Article 3 Division 2) and the U.S. Secretary of the Interior's
Standards.

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. Prior to the issuance of building permits, construction documents shall fully illustrate the
incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to
generate at least 50 percent of the project's projected energy consumption.

31. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

32. 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)
[BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the
Director of Public Utilities and the City Engineer. BFPDs shall be located above ground on
private property, in line with the service and immediately adjacent to the right-of-way.
33. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water facilities and sewer facilities in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guides.

34. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

35. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any water and sewer facilities

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 13, 2014, pursuant to Resolution No. XXXX-HO.
Permit Type/PTS Approval No.: CDP No. 1323706 & Variance No. 1323708
Date of Approval: August 13, 2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson
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.

JACK VISIN
Owner/Permittee

By __________________________
  Jack Visin

KAREN L. VISIN
Owner/Permittee

By __________________________
  Karen L. Visin

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
WHEREAS, JACK VISIN and KAREN L. VISIN, Owner and Permittee, filed an application with the City of San Diego for the remodel and addition to an existing historic residential structure, and demolition of an existing dwelling unit (rear unit) and construction of a three-story dwelling unit with two one-car garages (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1323706 and No. 1323708), on portions of a 0.054 acre site;

WHEREAS, the project site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard, in the RM-3-7 Zone within the La Jolla Community Planning area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact and Beach areas), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 1;

WHEREAS, the project site is legally described as Lot 20 in Block 5 of La Jolla Strand, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1216, filed in the Office of the County Recorder of San Diego County, October 19, 1909;

WHEREAS, on August 13, 2014, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1323706 and Variance No. 1323708 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on July 7, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Sections 15301 (Existing Facilities) and 15303 (New Construction) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; 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 August 13, 2014.

FINDINGS:

I. Coastal Development Permit - Section 126.0708(a)

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 0.054 acre site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard, and is an interior lot that is located approximately 672 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which is identified as Neptune Place at this location. The dwelling unit located at 341 Playa Del Sur will have a maximum building height of 22 feet 6 inches and the dwelling unit located at 337 Playa Del Sur will have a maximum building height of 29 feet 5 inches; therefore, the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone. Playa del Sur Street at this location is not located in an identified Public Vantage Point and does not contain any physical access or visual access (major viewshed, view corridor or scenic overlooks) as identified within the La Jolla Community Plan.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, and demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The ability to provide legal parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence on the 24.98 foot wide property. Therefore, the proposed new dwelling unit located at 337 Playa del Sur Street includes two, one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The project includes a variance request for deviations to the side yard setbacks and for the number of parking spaces. With the approval of the variance request, the project meets all other applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development has been designed to protect and enhance the public views, and would not affect any existing or proposed physical accessway and/or public views to the Pacific Ocean or other scenic coastal areas as specified in the Local Coastal Program.

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

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit with two one-car garages. The project site has been previously graded and developed with two, one story dwelling units identified as 337 and 341 Playa del Sur Street. The property is an interior lot, and is located approximately 672 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which is identified as Neptune Place at this location. The property is approximately 60 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The property is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in Land Development Code (LDC) Section 113.0103. The project includes a variance request for deviations to the side yard setbacks and for the number of parking spaces. With the approval of the variance request, the project meets all other applicable regulations and development standards in effect for this site.

The City of San Diego conducted an environmental review of this site, and in accordance with State of California Environmental Quality Act (CEQA) guidelines. The project was
determined to be categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction). Therefore, it has been determined that the project does not contain environmentally sensitive lands and would 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 0.054 acre site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard, and is an interior lot that is located approximately 672 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which is identified as Neptune Place at this location. The dwelling unit located at 341 Playa Del Sur will have a maximum building height of 22 feet 6 inches and the dwelling unit located at 337 Playa Del Sur will have a maximum building height of 29 feet 5 inches; therefore, the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone. Playa del Sur Street at this location is not located in an identified Public Vantage Point and does not contain any physical access or visual access (major viewshed, view corridor or scenic overlooks) as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The ability to provide legal parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence on the 24.98 foot wide property. Therefore, the proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The project includes a variance request for deviations to the side yard setbacks and for the number of parking spaces. With the approval of the variance request, the project meets all other applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the 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 0.054 acre site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard, and is an interior lot that is located approximately 672 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which is identified as Neptune Place at this location. Playa del Sur Street at this location is not located in an identified Public Vantage Point and does not contain any physical access or visual access (major viewshed, view corridor or scenic overlooks) as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan.
The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, and demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The ability to provide legal parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence on the 24.98 foot wide property. Therefore, the proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The project includes a variance request for deviations to the side yard setbacks and for the number of parking spaces. With the approval of the variance request, the development has been designed to meet all other development regulations of the underlying zone and no public view, public access to the water, public recreation facilities, or public parking facilities would be adversely affected by the approval of this development. Therefore, the proposed development has demonstrated conformance with the public access and recreation policies of the California Coastal Act as required by this finding.

II. Variance - Section 126.0805

1. There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations;

On January 23, 2014, the City’s Historical Resources Board (HRB) designated the existing dwelling unit located at 341 Playa Del Sur as a historical resource with a period of significance of 1928 under HRB Criterion A as a resource that reflects the early historical and architectural development of the Windansea neighborhood. The designation excludes the 20 square foot addition to 341 Playa Del Sur constructed in 1979, and the rear cottage addressed at 337 Playa Del Sur in its entirety. The designation includes the cobble retaining wall at the front of the property.

The existing dwelling unit located at 337 Playa del Sur Street was built between 1926 and 1927 and contains a small attached garage that is accessed from the existing alley. This 304 square foot garage was designed to accommodate two small 1926 period vehicles and would not comply with current development regulations to accommodate two standard size vehicles. The existing dwelling unit located at 341 Playa del Sur Street dwelling unit was built in 1928 and contains no off-street parking.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The ability to provide four (4) legal off-street parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence. In addition, the 24.98 foot wide property impacts the ability to meet the minimum interior dimensions for off-street parking within the garages and still be able to meet the side yard setbacks. Therefore, the project includes a variance request to allow for an 11 1/8 inch north
side yard setback and a 2 foot 1 3/4 inch south side yard setback where the development regulation requires a minimum five (5) foot side yard setback. Additionally, the variance includes the request to allow for one parking space per dwelling unit where the development regulation requires two parking spaces per dwelling unit.

The variance seeks relief from the side yard setbacks in addition to relief from the development regulations to allow for one off-street parking space per dwelling unit. It has been determined that there are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises, and has not resulted from any act of the applicant after the adoption of the applicable zone regulations.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises;

On January 23, 2014, the City’s HRB designated the existing dwelling unit located at 341 Playa Del Sur as a historical resource with a period of significance of 1928 under HRB Criterion A as a resource that reflects the early historical and architectural development of the Windansea neighborhood. The designation excludes the 20 square foot addition to 341 Playa Del Sur constructed in 1979, and the rear cottage addressed at 337 Playa Del Sur in its entirety. The designation includes the cobble retaining wall at the front of the property.

The existing dwelling unit located at 337 Playa del Sur Street was built between 1926 and 1927 and contains a small attached garage that is accessed from the existing alley. This 304 square foot garage was designed to accommodate two small 1926 period vehicles and would not comply with current development regulations to accommodate two standard size vehicles. The existing dwelling unit located at 341 Playa del Sur Street dwelling unit was built in 1928 and contains no off-street parking.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The ability to provide four (4) legal off-street parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence. In addition, the 24.98 foot wide property impacts the ability to meet the minimum interior dimensions for off-street parking within the garages and still be able to meet the side yard setbacks. Therefore, the project includes a variance request to allow for an 11 1/8 inch north side yard setback and a 2 foot 1 3/4 inch south side yard setback where the development regulation requires a minimum five (5) foot side yard setback. Additionally, the variance includes the request to allow for one parking space per dwelling unit where the development regulation requires two parking spaces per dwelling unit.

The preservation and adaptive reuse of the historical residence and the ability for the redevelopment of the existing dwelling unit located at 337 Playa del Sur Street on the 24.98 foot wide property are such circumstances or conditions that the strict application of the
regulations of the LDC would deprive the applicant of reasonable use of the land or premises. Therefore, the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare; and

The existing dwelling unit located at 337 Playa del Sur Street was built between 1926 and 1927 and contains a small attached garage that is accessed from the existing alley. This 304 square foot garage was designed to accommodate two small 1926 period vehicles and would not comply with current development regulations to accommodate two standard size vehicles. The existing dwelling unit located at 341 Playa del Sur Street dwelling unit was built in 1928 and contains no off-street parking

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The ability to provide four (4) legal off-street parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence. In addition, the 24.98 foot wide property impacts the ability to meet the minimum interior dimensions for off-street parking within the garages and still be able to meet the side yard setbacks. Therefore, the project includes a variance request to allow for an 11 1/8 inch north side yard setback and a 2 foot 1 3/4 inch south side yard setback where the development regulation requires a minimum five (5) foot side yard setback. Additionally, the variance includes the request to allow for one parking space per dwelling unit where the development regulation requires two parking spaces per dwelling unit.

The project has been designed to provide one off-street parking space for each of the dwelling units, where currently the existing historic residential structure contains no off-street parking and the existing garage serving 337 Playa del Sur Street is substandard in size. The proposed development shall provide setbacks that are smaller than the standard setbacks, but will still allow for light, ventilation, and circulation. The proposed setbacks are consistent with the exiting setback of the historic residential structure located at 341 Playa del Sur Street.

The City of San Diego conducted an environmental review of this site, and in accordance with CEQA guidelines. The project was determined to be categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction). Therefore, the granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan.
The proposed project site is located at 337 and 341 Playa del Sur Street, west of La Jolla Boulevard. The site is located in the RM-3-7 Zone within the La Jolla Community Plan Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact and Beach areas), Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone. The zoning designation is a multi family residential zone and the community plan designates the site for Medium High Residential use at a density of 30-45 du/ac. The project site, occupying 0.04 acres, could accommodate two dwelling units based on the underlying zone and two dwelling units based on the community plan.

The project proposes the remodel and addition to an existing historic residential structure located at 341 Playa del Sur Street, demolition of an existing dwelling unit located at 337 Playa del Sur Street and construction of a three-story dwelling unit. The proposed new dwelling unit located at 337 Playa del Sur Street includes two one car garages on the ground floor that are accessed from the alley, with one of the garages reserved for the existing designated historical residence. The ability to provide four (4) legal off-street parking spaces for two units was impacted by the preservation and adaptive reuse of the historical residence. In addition, the 24.98 foot wide property impacts the ability to meet the minimum interior dimensions for off-street parking within the garages and still be able to meet the side yard setbacks. Therefore, the project includes a variance request for deviations to the side yard setbacks and for the number of parking spaces. With the approval of the variance request, the project meets all other applicable design guidelines, development standards and policy documents in effect for this site, and the variance conforms with and is adequate to carry out, the provisions of the certified land use plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1323706 and Variance No. 1323708 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. 1323706 and No. 1323708 a copy of which is attached hereto and made a part hereof.

Jeffrey A. Peterson  
Development Project Manager  
Development Services  
Adopted on: August 13, 2014  
Internal Order No. 24002649
Attention: Jeffrey Peterson, PM  
City of San Diego  

Project: Visin Duplex  
337 Playa Del Sur St  
PN: 280069  

Motion: To accept the recommendation of the DPR Committee:  
That Findings can be made can be made for a Coastal Development Permit to allow the partial demolition of existing structures not found to be historic and the construction of a new 3,273 square foot duplex on a 0.04 acre site at 337 Playa Del Sur. It is further recommended that all modifications to the existing historic structure will be in accordance with the Secretary of the Interior’s Standards for Rehabilitation of Historic Structures. 4-0-2  

Vote: 16-0-1  

20 March 2014  

Submitted by: Tony Crisafi, President  
La Jolla CPA  

Date
NOTICE OF EXEMPTION

(Check one or both)

TO:  X Recorder/County Clerk

FROM: City of San Diego

Office of Planning and Research

1400 Tenth Street, Room 121
Sacramento, CA 95814

P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

1222 First Avenue, MS 501
San Diego, CA 92101

PROJECT TITLE/ No.: Visin Duplex / 280069

PROJECT LOCATION-SPECIFIC: 337 – 341 Playa Del Sur, San Diego, CA 92037

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: COASTAL DEVELOPMENT PERMIT and VARIANCE to maintain the existing 698-square-foot single-dwelling unit located at the front of the property and allow for minor interior and exterior modifications, and a 47-square-foot first level and a 460-square-foot second level addition consistent with the Secretary of Interior Standards; demolish the rear single-dwelling unit to allow for the construction of a three-story, 1,349-square-foot single-dwelling unit over a 226-square-foot garage. The project would also construct various site improvements, which includes associated hardscape and landscaping. In addition, the project would incorporate roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50-percent of the project's projected energy consumption. The project would also request a variance from applicable development regulations with respect to side-yard set-backs and off-street parking requirements. The 2,178-square foot project site is located at 337 – 341 Playa Del Sur. The project site is designated Medium High Residential (density of 30-45 dwelling units per acre) and is located in the RM-3-7 zone, Coastal Height Limitation Overlay Zone (CHLOZ), Coastal Overlay Zone (Non-appealable area-2), the Parking Impact (coastal and beach) Overlay Zone (PIOZ), Residential Tandem Parking Overlay Zone (RTPOZ), and the Transit Area Overlay Zone within the La Jolla Community Plan and Local Coastal Program Land Use Plan area.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Jack Visin, 5508 Pacifica Drive, San Diego, CA 92037, (858) 525-1874.

EXEMPT STATUS: (CHECK ONE)

( ) MINISTERIAL (SEC. 21080(b)(1); 15268)
( ) DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
( ) EMERGENCY PROJECT (SEC. 21080(b)(4); 15269(b)(c))
(X) CATEGORICAL EXEMPTION: 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures)
( ) STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301 (Existing Facilities), which allows for the operation, repair, maintenance, permitting, licensing, or minor alteration of existing facilities (public or private) involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Currently, there are two existing structures on the site, of which the project proposes to demolish one and retain the other. The minor interior and exterior modifications proposed to the front unit would substantially maintain the same purpose and capacity in that the project would not involve an...
expansion of the current use. The project also meets the criteria set forth in CEQA Section 15303 that allows for new construction. The project would demolish the rear single-dwelling unit to allow for the construction of a new single-dwelling residence. The structure located at 341 Playa del Sur was determined to be found consistent with the Secretary of Interior Standards; whereas the remaining structure (located 337 Playa del Sur) was determined to not be historic in nature. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

LEAD AGENCY CONTACT PERSON: E. Shearer-Nguyen

TELEPHONE: (619) 446-5369

IF FILED BY APPLICANT:
1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
   ( ) Yes    ( ) No

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA.

SIGNATURE/Title

SENIOR PLANNER

July 7, 2014

DATE OF PROJECT APPROVAL

CHECK ONE:
(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

( ) SIGNED BY APPLICANT
NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
Internal Order No. 24002649

PROJECT NAME/NUMBER: VISIN DUPLEX / 280069

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 337 – 341 Playa Del Sur, San Diego, CA 92037

PROJECT DESCRIPTION: COASTAL DEVELOPMENT PERMIT and VARIANCE to maintain the existing 698-square-foot single-dwelling unit located at the front of the property and allow for minor interior and exterior modifications, and a 47-square-foot first level and a 460-square-foot second level addition consistent with the Secretary of Interior Standards; demolish the rear single-dwelling unit to allow for the construction of a three-story, 1,349-square-foot single-dwelling unit over a 226-square-foot garage. The project would also construct various site improvements, which includes associated hardscape and landscaping. In addition, the project would incorporate roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50-percent of the project's projected energy consumption. The project would also request a variance from applicable development regulations with respect to side-yard set-backs and off-street parking requirements. The 2,178-square foot project site is located at 337 – 341 Playa Del Sur. The project site is designated Medium High Residential (density of 30-45 dwelling units per acre) and is located in the RM-3-7 zone, Coastal Height Limitation Overlay Zone (CHLOZ), Coastal Overlay Zone (Non-appealable area-2), the Parking Impact (coastal and beach) Overlay Zone (PIOZ), Residential Tandem Parking Overlay Zone (RTPOZ), and the Transit Area Overlay Zone within the La Jolla Community Plan and Local Coastal Program Land Use Plan area.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer.

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego
STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301 (Existing Facilities), which allows for the operation, repair, maintenance, permitting, licensing, or minor alteration of existing facilities (public or private) involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. Currently, there are two existing structures on the site, of which the project proposes to demolish one and retain the other. The minor interior and exterior modifications proposed to the front unit would substantially maintain the same purpose and capacity in that the project would not involve an expansion of the current use. The project also meets the criteria set forth in CEQA Section 15303 that allows for new construction. The project would demolish the rear single-dwelling unit to allow for the construction of a new single-dwelling residence. The structure located at 341 Playa del Sur was determined to be found consistent with the Secretary of Interior Standards; whereas the remaining structure (located 337 Playa del Sur) was determined to not be historic in nature. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER: Jeffery A. Peterson
MAILING ADDRESS: 1222 First Avenue, MS501, San Diego CA 92101
PHONE NUMBER: (619) 446-5237

On July 7, 2014 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (July 21, 2014). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
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: Visin Duplex
Project Address: 337-341 Playa Del Sur, 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): Jack Visin
Owner □ Tenant/Lessee □ Redevelopment Agency
Street Address: 5508 Pacifica Dr.
City/State/Zip: La Jolla, CA 92037
Phone No.: 858-525-1872
Fax No.: Date: 4-26-12
Signature: Jack Visin

Name of Individual (type or print): Karen Visin
Owner □ Tenant/Lessee □ Redevelopment Agency
Street Address: 5508 Pacifica Dr.
City/State/Zip: La Jolla, CA 92037
Phone No.: 858-525-1872
Fax No.: Date: 4-26-12
Signature: Karen Visin
## DEVELOPMENT SERVICES DEPARTMENT

### PROJECT CHRONOLOGY

**VISIN DUPLEX - PROJECT NO. 280069**

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<th>Date</th>
<th>Action</th>
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<th>City Review Time (Working Days)</th>
<th>Applicant Response</th>
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**TOTAL STAFF TIME**

(Does not include City Holidays or City Furlough) 57 days

**TOTAL APPLICANT TIME**

(Does not include City Holidays or City Furlough) 37 days

**TOTAL PROJECT RUNNING TIME**

From Deemed Complete to Hearing (135 calendar days) 94 working days