REPORT TO THE HEARING OFFICER

HEARING DATE: January 21, 2015

ATTENTION: Hearing Officer

SUBJECT: SACIDO CDP/SDP
          PROJECT NO. 349884

LOCATION: 901 and 911 Skylark Drive

APPLICANT: Antonio Sacido

SUMMARY

Issue(s): Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive in the RS-1-5 zone within the La Jolla Community Plan area?

Staff Recommendation(s) - Approve Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890.

Community Planning Group Recommendation - The La Jolla Community Planning Association on November 6, 2014 voted 10:1:2 to recommend denial of the project.

Environmental Review - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (New construction or conversion of small structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 19, 2014 and the opportunity to appeal that determination ended January 6, 2015.

BACKGROUND

The properties are located within the La Jolla Community Plan area. The La Jolla Community Plan Land Use map indicates the sites are designated for Very Low Density Residential development at a density range of 0-5 dwelling units per acre (Attachment 1). The sites are addressed as 901 and 911 Skylark Drive (Attachment 2). The two sites, a 0.29 acre site and 0.89
acre site, are located in the RS-1-5 zone. Each property is developed with single family structures and accessory amenities typical of single family development (Attachment 3). The properties were created by a subdivision map recorded in 1957 and the subdivision was graded and public improvements constructed. Both properties are owned by one entity, Axapusco, LLC, a California limited liability company.

Representatives of the Neighborhood Code Compliance Division conducted inspections of the properties on June 29, 2012, August 9 and 10, 2012. A Notice of Violation (NOV), dated August 16, 2012, was issued to the property owner identifying violations of law by conducting unauthorized grading and construction activity on the premises without the required Coastal Development Permit, Site Development Permit, Grading Permit and Building Permit (Attachment 4). The grading and construction activity potentially impacted Environmentally Sensitive Lands (ESL) steep hillsides over an area of 0.3 acres of the premises. The unauthorized grading included excavation and placement of embankment along with the construction of a keystone retaining wall in excess of three feet in height. Concrete debris from the demolition of a patio at 911 Skylark Drive had been pushed and deposited down slope on portions premises. No erosion control measures using Best Management Practices had been implemented. Additionally, the property owner indicated the premises were being developed to be used as an event facility which is not a permitted use in the RS-1-5 zone. The proposed Coastal Development Permit and Site Development Permit are proposed to remedy the violation and entitle the properties to be developed as indicated on the conceptual development plans. The current application was submitted and deemed complete on January 30, 2014 after an application on May 21, 2013 for an emergency Coastal Development Permit was denied by Development Services Department staff.

DISCUSSION

Project Description

The Sacido Residences project (Project) proposes to remedy the NOV, dated August 16, 2012, and to entitle the two sites to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa at 901 Skylark Drive, and a deck, staircase, pergola and a guest quarters at 911 Skylark Drive (Attachment 5). The proposed guest quarters at 911 Skylark Drive would require one additional parking space on the property. The plans submitted by the applicant indicates the project will comply with all requirements of the San Diego Municipal Code relevant to the proposal and no deviations are requested or are required to approve the Project.

Required Approvals

The Project site is located within the Coastal Overlay Zone and as such a Coastal Development Permit is required for development on the property. A Site Development Permit (SDP) is required where environmentally sensitive lands are present on the site. The Biology Letter Report submitted by the applicant’s consultant indicates the site is mostly disturbed yet contains remnants of sensitive native vegetation. A SDP is required for the environmentally sensitive lands present on the site.
Review of the Project included several technical reports, including a Biology Letter Report prepared by Merkel & Associates, dated May 12, 2014, and historic information relevant to the presence or absence of steep hillsides compiled in a letter, dated April 7, 2014, by Farrington Engineering Consultants, Inc.

The Biology Letter Report submitted by the applicant’s consultant indicates the site is mostly disturbed yet contains remnants of sensitive native vegetation. Given the possibility that sensitive vegetation may have been present prior to the illegal construction activities, Merkel & Associates examined several sources for relevant information to establish the probable conditions at the sites prior to the illegal construction activities. This investigation included: 1) aerial photography using Bing Maps 2010; 2) regional vegetation data for the project vicinity using SanGIS 2013 data; 3) geological substrates and soil types mapped on the sites using SanGIS 2013 and USDA 2007, respectively; and 4) California Department of Fish and Wildlife (CDFW) 2014 and 2013 California Natural Diversity Database and U.S. Fish and Wildlife Service (USFW) 2014 special status species records for the project vicinity. A physical survey by the biologist was also conducted. Three vegetation types and one land use (urban/developed) were identified within the study area: Disturbed habitat, Non-native vegetation and Eucalyptus woodland. Four sensitive plant species were identified on the site. No City narrow endemic species were identified within the study area or have at least a moderate potential to occur within the area predominantly due to the lack of suitable habitat and/or soils. No sensitive fauna species were observed or detected during the survey. Two sensitive bird species, Cooper’s hawk and Nuttall’s woodpecker are urban adapted species yet were not observed but may utilize the site for foraging and possibly nest. No other sensitive wildlife species are expected to utilize the site. No jurisdictional wetlands or non-wetland resources were observed or are expected to occur on the site. No wildlife corridors occur on the site. The site is not located within or adjacent to the Multi-Habitat Planning Area. The three vegetation types and land use are categorized as Tier IV habitat types and mitigation is not required for impacts to Tier IV habitat types.

The historic information prepared by Farrington Engineering Consultants, Inc. (FEC) and reviewed by city staff is relevant to the presence or absence of steep hillsides. This historic information included: a search of city records, results from an interview with retired Professional Engineer Mr. Eugene F. Cook who practiced civil engineering during the period the subdivision was created and improved with public roads, a Geotechnical Investigation, dated July 27, 2007, prepared by TerraPacific Consultants, Inc. for the site at 911 Skylark Drive, and a site specific slope analysis for the project site. The information presented by FEC supports the conclusion the project site was previously graded and does not contain steep hillsides as defined by the Land Development Code section 113.0103. Development Services staff reviewed the information provided by FEC and concurs with these conclusions.

Conclusion

Staff has reviewed the proposed project and all issues identified through that review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project
(Attachment 6) and draft conditions of approval (Attachment 7). Staff recommends the Hearing Officer approve the project as proposed.

**ALTERNATIVES**

1. **Approve** Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890, **with modifications**.

2. **Deny** Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

[Signature]

John S. Fisher
Development Project Manager
Development Services Department

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Notice of Violation, dated August 16, 2012
5. Project Plans
6. Draft Permit Resolution with Findings
7. Draft Permit with Conditions
8. Environmental Exemption
9. Community Planning Group Recommendation
10. Project Data Sheet
Legend

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial/Mixed Use
- Parks, Open Space
- Schools
- Cultural
- Community Facilities

E - Elementary School
J - Junior High School
H - High School
Z - School
L - Library
F - Fire Station
P - Post Office

Community Land Use Map
La Jolla Community Plan
City of San Diego • Planning Department

Figure 1
To see all the details that are visible on the screen, use the "Print" link next to the map.
To see all the details that are visible on the screen, use the "Print" link next to the map.
NOTICE OF VIOLATION

Location: 901 Skylark Drive
          911 Skylark Drive

APN NO.:  357-461-15
          357-461-16

Property Owner: Axapusco LLC
Agent for Service: Miguel Leff
Address: 875 Prospect Street, Suite 204
          La Jolla, CA 92037

Property Owner: Axapusco LLC
Address: 5920 Camino De La Costa
          La Jolla, CA 92037

Responsible Party: Antonio Sacido Biasco
Address: 901 Skylark Drive
          La Jolla, CA 92037

Zone: RS-1-5

Representatives of the Neighborhood Code Compliance Division conducted inspections of the above referenced premises on June 29, 2012, August 9, 2012, and August 10, 2012.

The specific elements in violation include, but may not be limited to, the following:

You have violated the law by conducting unauthorized grading and construction activity on the premises without required Coastal Development Permit, Site Development Permit, Grading Permit and Building Permit. The grading and construction activity included impacts to Environmentally Sensitive Lands (ESL), steep hillsides, and has impacted an area approximately 0.3 acres in size. The unauthorized grading and construction activity included excavation and placement of fill for which the depth or height at any point from the lowest grade to the highest grade is more than 5 feet measured vertically along with the construction of a keystone retaining in excess of three feet in height. Concrete debris from the demolition of a patio surrounding the swimming pool at 911 Skylark Drive has been pushed and deposited down slope on portions of
Notice of Violation  
901 and 911 Skylark Drive  
August 16, 2012  
Page 2

the lots that contain ESL steep hillsides. No erosion control measures using Best Management Practices (BMP) have been implemented. Additionally, the property owner indicated the premises are being developed to be used as an event facility which is not a permitted use in the RS-1-5 zone.

In accordance with the San Diego Municipal Code (SDMC) this is to notify you that the following violations were observed.

<table>
<thead>
<tr>
<th>SDMC Sec.</th>
<th>Violation Description &amp; Location</th>
</tr>
</thead>
</table>
| 121.0302(a)      | Required Compliance with the Land Development Code  
It is unlawful for any person to maintain or use any premises in violation of any of the provisions of the Land Development Code, without a required permit, contrary to permit conditions, or without a required variance. |
| 121.0302(b)      | The following activities, or cause any of the following activities to occur in a manner contrary to the provisions of the Land Development Code:  
(1) To erect, place, construct, convert, establish, alter, use, enlarge, repair, move, remove, equip, maintain, improve, occupy, or demolish any premises;  
(2) To grade, excavate, clear, fill, grub, build an embankment, construct slopes, or disturb sensitive natural or biological resources on any lot or premises; or  
(3) To change density or intensity of the use of land; or  
(4) To maintain or allow the existence of any condition that creates a public nuisance. |
| 126.0502         | When a Site Development Permit Is Required  
Failure to obtain the required Site Development Permit for development/grading where the lot contains environmentally sensitive lands. |
| 126.0505         | Violations of a Site Development Permit  
It is unlawful for any person to maintain, use, or develop any premises without a Site Development Permit if such a permit is required for the use or development, or to maintain, use, or develop any premises contrary to the requirements or conditions of an existing Site Development Permit. Violation of any provision of this division shall be subject to the enforcement provisions contained in Chapter 12, Article 1. Violations of this division shall be treated as strict liability offenses regardless of intent. |
When a Coastal Development Permit Is Required
Permits Issued by the City. A Coastal Development Permit issued by the City is required for all coastal development of a premises within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4, unless exempted by Section 126.0704, or if the proposed project site lies completely within the Coastal Commission Permit Jurisdiction or the Deferred Certification Area as described in Section 126.0702(b).

Violations of a Coastal Development Permit
It is unlawful for any person to maintain, use, or undertake coastal development on any lot or premises without a Coastal Development Permit if such a permit is required for the use or development or to maintain, use, or develop any premises contrary to the requirements or conditions of an existing Coastal Development Permit. Violation of any provision of this division shall be subject to the enforcement provisions contained in Chapter 12, Article 1. Violations of this division shall be treated as strict liability offenses regardless of intent.

Failure to obtain the required building inspections and approvals

Failure to obtain the required building permit for structural work.

When a Grading Permit is Required
A Grading Permit is required for the following work:
(b) Any grading required for the restoration of unauthorized grading;
(e) Any grading that includes the following conditions:
   (1) Excavation or fill that results in a slope with a gradient of 25 percent or greater (4 horizontal feet to 1 vertical foot) and for which the depth or height at any point is more than 5 feet measured vertically at the face of the slope from the top of the slope to the bottom of the slope;
   (2) Excavation or fill for which the depth or height at any point from the lowest grade to the highest grade at any time during the proposed grading is more than 5 feet measured vertically;
   (5) Grading that adversely affects the existing drainage pattern by altering the drainage pattern, concentrating runoff, increasing the quantity of runoff, or increasing the velocity of runoff to adjacent properties.
   (6) Placing fill material that contains more than 5 percent, by volume, of broken concrete, asphalt, masonry, or construction debris.
(7) Placing fill material that has any piece larger than 12 inches in any direction.

131.0420  Use Regulations of Residential Zones
(a) Within the residential zones, no structure or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any premises be used or maintained except for one or more of the purposes or activities listed in Table 131-04B. It is unlawful to establish, maintain, or use any premises for any purpose or activity not listed in this section or Section 131.0422.

142.0103  When a Permit Is Required for Grading
(a) A Grading Permit is required for any grading work specified in Section 129.0602.

142.0144  Grading Within Environmentally Sensitive Lands
Grading within environmentally sensitive lands shall comply with Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

142.0146  Erosion, Sedimentation, and Water Pollution Control
(a) All grading work shall incorporate erosion and siltation control measures in accordance with Chapter 14, Article 2, Division 4 (Landscape Regulations) and the standards established in the Land Development Manual.
(b) All development shall be conducted to prevent erosion and stop sediment and pollutants from leaving the work site. The property owner is responsible to implement and maintain temporary and permanent erosion, sedimentation, and water pollution control measures to the satisfaction of the City Manager, whether or not such measures are a part of approved plans. The property owner shall install, monitor, maintain, and revise these measures, as appropriate, to ensure their effectiveness. Controls shall include measures outlined in Chapter 14, Article 2, Division 2 Storm Water Runoff Control and Drainage Regulations) that address the development’s potential erosion and sedimentation impacts.

142.0147  Revegetation Requirements
All graded areas including manufactured slopes and disturbed areas other than manufactured slopes shall be revegetated in accordance with Chapter 14, Article 2, Division 4 (Landscape Regulations).

142.0202  When Drainage Regulations Apply
This division shall apply to all development in the City, whether or not a permit or other approval is required.
142.0220 Storm Water Runoff Control
(a) All development shall comply with Municipal Code Chapter 4, Article 3, Division 3 (Stormwater Management and Discharge Control).
(b) All development shall be conducted to prevent erosion and stop sediment and pollutants from leaving the property to the maximum extent practicable. The property owner is responsible to implement and maintain temporary and permanent erosion, sedimentation, and water pollution control measures to the satisfaction of the City Manager, whether or not such measures are a part of approved plans. The property owner shall install, monitor, maintain, and revise these measures, as appropriate, to ensure their effectiveness. Controls shall include the following measures that address the development’s potential erosion, sedimentation, and water pollution impacts.
   (1) Erosion prevention.
   (2) Sediment control.
   (3) Phased grading.

142.0305(b) Requirements for Retaining Walls with a height greater than 3 feet
Any retaining wall with a height of 3 ft or greater requires a building permit.

143.0110 When Environmentally Sensitive Lands Regulations Apply
This division applies to all proposed development when environmentally sensitive lands are present on the premises.
(a) Where any portion of the premises contains any of the following environmentally sensitive lands, this division shall apply to the entire premises, unless otherwise provided in this division:
   (1) Steep hillsides.

143.0112 It is unlawful to begin development on a premise that contains Environmentally Sensitive Lands without submitting the required documentation and obtaining the applicable development permit or an exemption, as required pursuant to the Environmentally Sensitive Lands Regulations. No development permit application may be processed until the enforcement action has been concluded.

143.0160 Violations and Remedies
The provisions of this division shall be enforced pursuant to Chapter 12, Article 1, Division 2, Enforcement Authorities for the Land Development Code.
You are hereby ordered to correct the violations by completing the following actions set forth below:

**Immediately:** cease all grading and retaining wall construction activity, and other landscaping activity on the rear portion of the premises containing steep hillsides.

**Immediately:** provide erosion control measures, utilizing Best Management Practices (BMPs), to control drainage from the property to avoid erosion, scour, and resulting siltation as recommended by a qualified professional.

In order to correct the violations, you shall obtain a Coastal Development Permit/Grading Permit for restoration of the site.

This matter has been referred to the City Attorney's office for further enforcement action.

Be advised that there is a reinspection fee ($269.00 or $288.00) to recover costs for additional inspection services in accordance with San Diego Municipal Code, Section 13.0103. A bill for this service will be mailed to you immediately following the third (3rd) scheduled inspection.

If you have any questions, please call me at (619) 236-6880.

Leslie Sennett
Land Development Investigator II

cc: File
NC# 207365
NC# 206436

This information will be made available in alternative formats upon request.
SACIDO RESIDENCE
COASTAL DEVELOPMENT PERMIT
LOT LINE ADJUSTMENT PARCEL MAP
TOPOGRAPHY MAP

PREPARED BY: FARRINGTON ENGINEERING
ADDRESS: 11679 FIRUL SANDIEGO CA 92128
PHONE NO.: 714-921-8
PROJECT LOCATION: 901&911 SKYLINE, LA JOLLA CA 92037

REVISION 1:
REVISION 2:
REVISION 3:
REVISION 4:
REVISION 5:
REVISION 6:
REVISION 7:
REVISION 8:
REVISION 9:
REVISION 10:
SACIDO RESIDENCE
PRELIMINARY SITE PLAN

Exterior Residence
901 Skylark Drive
La Jolla, CA 92037
Built in 1993.89

SITE AREAS:

GEOLOGICAL HAZARD CATEGORY:

SITE PLAN IMPROVEMENTS:

PROPOSED PUBLIC ALLEYS:

PREVIOUS APPROVALS:

NOTES:

NO EXISTING BUS STOPS
NO EXISTING HYDRANTS

PRELIMINARY SITE PLAN
SACIDO RESIDENCE
PROPOSED GUEST QUARTERS/ HABITABLE ACCESSORY BUILDING PLANS
901 SKYLARK DR.

SOUTH ELEVATION
SCALE 1/4" = 1'-0"

EAST ELEVATION
SCALE 1/4" = 1'-0"

WEST ELEVATION
SCALE 1/4" = 1'-0"

LONGITUDINAL SECTION
SCALE 1/4" = 1'-0"

GUEST QUARTERS PLAN VIEW
SCALE 1/4" = 1'-0"

GUEST QUARTERS ROOF PLAN
SCALE 1/4" = 1'-0"

CROSS SECTION
SCALE 1/4" = 1'-0"
SACIDO RESIDENCE
PROPOSED Pergola Plans
911 Skylark Dr.

Pergola South and North Elevation
Scale 1/4" = 1'-0"

Pergola East and West Elevation
Scale 1/4" = 1'-0"
SACIDO RESIDENCE

CONCEPTUAL LANDSCAPE PLAN

Revegetation Plan  Erosion Control Plan

See Sheet L-2 for Notes and Legends

NOTE: Wall heights are shown for general reference. See Elevation Plan for actual heights.
**SACIDO RESIDENCE**

**CONCEPTUAL LANDSCAPE PLAN**

**SITE AREAS:**

<table>
<thead>
<tr>
<th>Area</th>
<th>Description</th>
<th>Dimensions (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry</td>
<td>Pathway leading to the front entrance.</td>
<td>Entry path 40 x 80</td>
</tr>
<tr>
<td>Driveway</td>
<td>Access path for vehicles.</td>
<td>Driveway 80 x 80</td>
</tr>
<tr>
<td>Garden</td>
<td>Large area for outdoor activities.</td>
<td>Garden 120 x 120</td>
</tr>
<tr>
<td>Pool</td>
<td>Swimming area for leisure.</td>
<td>Pool 80 x 80</td>
</tr>
</tbody>
</table>

**LANDSCAPE NOTES AND LEGEND:**

- **Symbol**: Represents different types of landscape elements.
- **Botanical Name**: Specifies the name of the plant.
- **Common Name**: Specifies the common name of the plant.
- **Height**: The height of the plant in inches.
- **Width**: The width of the plant in inches.
- **Caliper**: The caliper of the plant in inches.

**Plant List:**

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Width</th>
<th>Caliper</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rustyleaf Fig tree</td>
<td>California Walnut</td>
<td>84</td>
<td>48</td>
<td>12</td>
</tr>
<tr>
<td>King Palm</td>
<td>Queen Palm</td>
<td>120</td>
<td>48</td>
<td>12</td>
</tr>
<tr>
<td>Sage</td>
<td>Verbera</td>
<td>72</td>
<td>24</td>
<td>8</td>
</tr>
<tr>
<td>Allepo</td>
<td></td>
<td>36</td>
<td>12</td>
<td>6</td>
</tr>
</tbody>
</table>

**Non-native grasses**: 75% bare ground covered with non-native grasses.

**Material:**

- 24" box (100% or larger)
- 24" or larger

**Notes:**

1. All dimensions are approximate and may vary slightly due to natural growth patterns.
2. The use of non-native grasses is recommended to enhance the landscape's aesthetic appeal.
3. The selection of plants is based on their ability to thrive in the local climate and soil conditions.
4. The layout of the garden is intended to provide a serene and inviting environment.
5. The placement of the pool is designed to offer a suitable area for relaxation and recreation.

**Additional Information:**

- The landscape design aims to create a balanced and harmonious environment.
- Regular maintenance is essential to keep the landscape healthy and attractive.

**References:**

- KRIZAN ASSOCIATES

**Acknowledgments:**

- Thanks to all who contributed to the successful completion of this project.

**Conclusion:**

The conceptual landscape plan for the SACIDO residence is designed to create a visually appealing and functional outdoor space that enhances the overall aesthetic of the property.
WHEREAS, AXAPUSCO, LLC, a California limited liability company, Owner/Permittee, filed an application with the City of San Diego for a permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval for the associated Permit Nos. 1147735 and 1147734), on portions of a 0.46 acre site;

WHEREAS, the project sites located at 901 and 911 Skylark Drive, 0.29 acre and 0.89 acre respectively, in the RS-1-5 zone of the La Jolla Community Plan;

WHEREAS, the project sites are legally described as Lot 53 and 52 of La Jolla Mesa Vista, according to Map thereof No. 3650, filed May 20, 1957;

WHEREAS, on V13 - DATE, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890 pursuant to the Land Development Code of the City of San Diego;

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

That the Hearing Officer adopts the following written Findings, dated V19 - DATE.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive.

The adopted La Jolla Community Plan designates this site for residential use and the Project is consistent with this use. The Project as proposed conforms to a number of goals included in the Residential Element of the La Jolla Community Plan (adopted 2004). These goals include:

- Provide a high quality residential environment in La Jolla that respects its relationship to the sea, to hillsides and to open space.
- Promote the development of a variety of housing types and styles in La Jolla.
- Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs
in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.

The Project is designed to exemplify high quality residential architecture that will promote and support the high quality residential environment in La Jolla and will respect the relationship to the hillside where the proposed Project is located. Furthermore, the Project will create a harmonious visual relationship to exist between the bulk and scale of new and older structures by being within the range of bulk and scale of the other surrounding high quality single family residential homes.

The Design Principle section of the La Jolla Community Plan states: “Within the limitations implied above, originality and diversity in architecture are encouraged. The theme ‘unity with variety’ shall be a guiding principle. Unity without variety means simple monotony; variety by itself is chaos. No structure shall be approved which is substantially like any other structure located on an adjacent parcel. Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area.” The Project will be harmonious with many of the newer homes in the surrounding community.

According to the Community Character section of the Residential Element: “Single dwelling unit residential development in La Jolla covers a spectrum of densities and architectural styles and expressions. One of the more critical issues associated with single dwelling unit development is the relationship between the bulk and scale of infill development to existing single dwelling units. New construction of single dwelling unit homes have tended to be larger in size than the traditional development in some neighborhoods.”

The Project will create a development compatible with the existing residential scale of the surrounding neighborhood by constructing a structure less than the maximum height limit allowed and will be compatible with the existing bulk and scale of the surrounding newer single family residences. By complying with the height limits and surrounding scale, the Project will promote good design and will create harmonious visual relationship and transitions between new and older structures in the neighborhood.

The Project will conform to the landscape and streetscape guidelines as identified in the residential element of the La Jolla Community Plan and in Appendix E of the La Jolla Community Plan. The La Jolla Community Plan recommends the application of minimum side and rear yard setback requirements to achieve a separation between structures from adjacent properties in order to prevent a wall effect along the street face as viewed from the public right-of-way. Furthermore, side yard setbacks should be incrementally increased for wider lots. The Project will implement these recommendations by providing a substantial front yard setback as well as side and rear yard setback between eight feet and thirty-nine feet. Therefore, in consideration of all the foregoing, 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 Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa,
staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive.

The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the project for this site contains specific conditions addressing the project compliance with the City’s codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations. These requirements will assure the continued health, safety and general welfare of persons residing or working in the area.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive. The Project is consistent with all the RS-1-5 zone development regulations and the policies of the City of San Diego General Plan, the La Jolla Community Plan and no deviations are required to approve the Project as proposed. Therefore, Project will comply with the applicable regulations of the Land Development Code.

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 Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive.

The Project will be developed entirely within the private property and will not encroach upon any existing physical accessway legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan in as much as there is no existing physical accessway legally used by the public or any proposed public accessways located on the private property. The proposed coastal development will have no effect upon public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. Furthermore, there are no public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan from this site or across this site to these visual resources. As such the Project will have no effect upon any existing physical access way
legally used by the public or any proposed public accessway and will have no affect on public views to and along the ocean.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive.

The Biology Letter Report submitted by the applicant’s consultant indicates the site is mostly disturbed yet contains remnants of sensitive native vegetation. Given the possibility that sensitive vegetation may have been present prior to the illegal construction activities, Merkel & Associates examined several sources for relevant information to establish the probable conditions at the sites prior to the illegal construction activities. This investigation included: 1) aerial photography using Bing Maps 2010; 2) regional vegetation data for the project vicinity using SanGIS 2013 data; 3) geological substrates and soil types mapped on the sites using SanGIS 2013 and USDA 2007, respectively; and 4) California Department of Fish and Wildlife (CDFW) 2014 and 2013 California Natural Diversity Database and U.S. Fish and Wildlife Service (USFW) 2014 special status species records for the project vicinity. A physical survey by the biologist was also conducted. Three vegetation types and one land use (urban/developed) were identified within the study area: Disturbed habitat, Non-native vegetation and Eucalyptus woodland. Four sensitive plant species were identified on the site. No City narrow endemic species were identified within the study area or have at least a moderate potential to occur within the area predominantly due to the lack of suitable habitat and/or soils. No sensitive fauna species were observed or detected during the survey. Two sensitive bird species, Cooper’s hawk and Nuttall’s woodpecker are urban adapted species yet were not observed but may utilize the site for foraging and possibly nest. No other sensitive wildlife species are expected to utilize the site. No jurisdictional wetlands or non-wetland resources were observed or are expected to occur on the site. No wildlife corridors occur on the site. The site is not located within or adjacent to the Multi-Habitat Planning Area. The three vegetation types and land use are categorized as Tier IV habitat types and mitigation is not required for impacts to Tier IV habitat types.

The historic information prepared by Farrington Engineering Consultants, Inc. (FEC) and reviewed by city staff is relevant to the presence or absence of steep hillsides. This historic information included: a search of city records, results from an interview with retired Professional Engineer Mr. Eugene F. Cook who practiced civil engineering during the period the subdivision was created and improved with public roads, a Geotechnical Investigation, dated July 27, 2007, prepared by TerraPacific Consultants, Inc. for the site at 911 Skylark Drive, and a site specific slope analysis for the project site. The information presented by FEC supports the conclusion the project site was previously graded and does not contain steep hillsides as defined by the Land Development Code section 113.0103. Development Services staff reviewed the information provided by FEC and concurs with these conclusions.

The two sites, a 0.29 acre site and 0.89 acre site, are located in the RS-1-5 zone. Each property is developed with single family structures and accessory amenities typical of single family development. The properties were created by a subdivision map recorded in 1957 and the subdivision was graded and public improvements constructed. The site is a developed suburban
property. The site contains limited sensitive habitat. The proposed Project does not require any mitigation for impacts to environmentally sensitive resources and as such the proposed coastal development will not adversely affect any 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 Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive. The adopted La Jolla Community Plan designates this site for residential use and the Project is consistent with this use. The Project complies with all regulations of the certified Implementation Program for the adopted La Jolla Community Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Sacido project (Project) proposes a Site Development Permit and Coastal Development Permit to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive. 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. As such the Project and approval of the coastal development permit will have no effect upon the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1239886 and 1239890, a copy of which is attached hereto and made a part hereof.

John S. Fisher  
Development Project Manager  
Development Services

Adopted on: V27 - DATE OF APPROVAL  

Job Order No. 24003789
COASTAL DEVELOPMENT PERMIT NO. 1239886 and
SITE DEVELOPMENT PERMIT NO. 1239890
SACIDO CDP/SDP PROJECT NO. 349884
HEARING OFFICER

This Coastal Development Permit No. 1239886 and Site Development Permit No. 1239890 is granted by the Hearing Officer of the City of San Diego to AXAPUSCO, LLC, a California limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code section 126.0504 and 126.0704. The two sites, a 0.29 acre site and 0.89 acre site, are located at 901 and 911 Skylark Drive, respectively, in the RS-1-5 zone of the La Jolla Community Plan. The project site is legally described as Lot 53 and 52 of La Jolla Mesa Vista, according to Map thereof No. 3650, filed May 20, 1957.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit “A”] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

a. An adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive;

b. Landscaping (planting, irrigation and landscape related improvements);
c. Off-street parking;

d. 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 [ENTER DATE including the appeal time].

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. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species
Act [ESA] and by the California Department of Fish and Wildlife [CDFW] pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. 00-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1.D of the IA.

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.

12. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit “A.”

13. Prior to the issuance of any construction permit, the Owner/Permittee shall file a Parcel Map to adjust the property line between Lot 53 and 52 of La Jolla Mesa Vista, according to Map thereof No. 3650, filed May 20, 1957 consistent with the proposed property line as shown on Exhibit “A,” satisfactory to the City Land Surveyor, to be recorded at the San Diego County Recorder’s Office.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

15. 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.

16. 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.

17. Prior to the issuance of any construction permit, the Water Quality Technical Report shall be subject to final review and approval by the City Engineer.

18. The drainage system for this project shall be private and shall be subject to approval by the City Engineer.

19. Prior to the issuance of any building 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.

LANDSCAPE REQUIREMENTS:

20. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land 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 and Exhibit “A.”

21. Prior to issuance of any building permits, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit “A.” Construction plans shall show, label, and dimension a forty square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. 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.

23. 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, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

24. Owner/Permittee shall maintain a minimum of two off-street parking spaces on each property at all times in the approximate locations shown on the approved Exhibit “A.” 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.

25. 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.

26. 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.
27. Prior to issuance of a construction permit for the guest quarters/habitable accessory building, the Owner/Permittee shall submit a signed version of form DS-203 to the City specifying the guest quarters/habitable accessory building shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that neither the primary dwelling unit nor the guest quarters or habitable accessory building shall be sold or conveyed separately. The City shall record the agreement at the County of San Diego Recorder’s Office onto the title of the property known as Lot 53 of La Jolla Mesa Vista, according to Map thereof No. 3650, filed May 20, 1957.

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 [INSERT Approval Date] and [Approved Resolution Number].
Permit Type/PTS Approval No.: CDP No. 1239886 and SDP No. 1239890

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher
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.

Axapusco, LLC,
a California limited liability company
Owner/Permittee

By ____________________________
Antonio Sacido
Sole Member

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 349884
PROJECT TITLE: Sacido Residence

PROJECT LOCATION-SPECIFIC: The project is located at 901 and 911 Skylark Drive within the La Jolla Community Plan area.

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Coastal Development Permit (CDP) and Site Development Permit (SDP) to allow an adjustment to the property line between Lot 53 and Lot 52 and to allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa, staircase, a deck and a guest quarters at 901 Skylark Drive, and a deck and pergola at 911 Skylark Drive. The project site is currently developed and all public utilities are in place to serve the two residences.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mark Farmington, 11679 Via Firul San Diego, CA 92128. (858) 675-9490.

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: SECTION 15303 (NEW CONSTRUCTION)
( ) STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review and determined that since the project would be located on a previously developed site lacking sensitive resources and that grading quantities would not exceed the threshold for requiring mitigation for paleontological resources environmental impacts would not occur. Therefore, the project would qualify to be categorically exempt from CEQA pursuant to Section 15303 (New Construction) which allows for the construction a limited small structures and residences where the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI
TELEPHONE: 619 446-5324

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

SIGNED BY LEAD AGENCY
12/18/14
DATE

SIGNED BY APPLICANT
DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:
Regular Meeting – 6 November 2014

Attention: John Fisher, PM, City of San Diego

Project: Sacido Residence
901 & 911 Skylark Drive
PN: 349884

Motion: The LJCPA cannot make the findings for the CDP and the SDP because of the Neighborhood Character of the La Jolla Mesa Vista Subdivision and because there is insufficient parking for guest quarters due to the special circumstances of the lack of parking in the cul-de-sac.

Vote: 10-1-2

Submitted by: Joseph LaCava 11/06/2014
Joe LaCava, President
La Jolla CPA
# PROJECT DATA SHEET

<table>
<thead>
<tr>
<th><strong>PROJECT NAME:</strong></th>
<th>Sacido Residence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROJECT DESCRIPTION:</strong></td>
<td>Lot line adjustment, guest quarters on one lot and site improvements to two lots.</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, Site Development Permit</td>
</tr>
<tr>
<td><strong>COMMUNITY PLAN LAND USE DESIGNATION:</strong></td>
<td>Very Low Density Residential, 0-5 dwelling units per acre</td>
</tr>
</tbody>
</table>

## ZONING INFORMATION:

<table>
<thead>
<tr>
<th><strong>ZONE:</strong></th>
<th>RS-1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEIGHT LIMIT:</strong></td>
<td>30-foot maximum height limit.</td>
</tr>
<tr>
<td><strong>LOT SIZE:</strong></td>
<td>8,000 square-foot minimum lot size.</td>
</tr>
<tr>
<td><strong>FLOOR AREA RATIO:</strong></td>
<td>0.75 maximum.</td>
</tr>
<tr>
<td><strong>FRONT SETBACK:</strong></td>
<td>20 feet.</td>
</tr>
<tr>
<td><strong>SIDE SETBACK:</strong></td>
<td>0.08 feet multiplied by lot width.</td>
</tr>
<tr>
<td><strong>STREETSIDE SETBACK:</strong></td>
<td>0.10 feet multiplied by lot width.</td>
</tr>
<tr>
<td><strong>REAR SETBACK:</strong></td>
<td>20 feet.</td>
</tr>
<tr>
<td><strong>PARKING:</strong></td>
<td>2 spaces required per lot.</td>
</tr>
</tbody>
</table>

## ADJACENT PROPERTIES:

<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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NORTH:</strong></td>
<td>Very Low Density Residential; RS-1-5</td>
<td>Single family residential</td>
</tr>
<tr>
<td><strong>SOUTH:</strong></td>
<td>Very Low Density Residential; RS-1-7</td>
<td>Single family residential</td>
</tr>
<tr>
<td><strong>EAST:</strong></td>
<td>Very Low Density Residential; RS-1-5</td>
<td>Single family residential</td>
</tr>
<tr>
<td><strong>WEST:</strong></td>
<td>Very Low Density Residential; RS-1-7</td>
<td>Single family residential</td>
</tr>
</tbody>
</table>

## DEVIATIONS OR VARIANCES REQUESTED:

None.

## COMMUNITY PLANNING GROUP RECOMMENDATION:

On November 6, 2014, the La Jolla Community Planning Assoc. voted 10:1:2 to recommend denial.