



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 4, 2009 REPORT NO. PC-09-049

ATTENTION: Planning Commission, Agenda of June 11, 2009

SUBJECT: SCHROEDL / TORREY PINES RESIDENCE - PROJECT NO. 59455.
PROCESS 5

**OWNER/
APPLICANT:** David M. Schroedl and Frances C. Schroedl, Trustees of Schroedl Family
Trust, Owners/ Mr. James Gabriel, Hanna Gabriel Wells, Architect

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of a proposal to retain an existing, historically designated, single family residence, split the lot and construct a two story, single family residence on the newly created rear lot with a non-exclusive access easement to Amalfi Street within the La Jolla Community Plan Area?

Staff Recommendation:

1. **Recommend** City Council **Certification** of the Mitigated Negative Declaration No. 59455, and Adoption of the Mitigation Monitoring and Reporting Program; and
2. **Recommend** City Council **Approval** of Coastal Development Permit No. 179545 and Planned Development Permit No. 175270; and
3. **Recommend** City Council **Approval** of Tentative Map No. 179546 and Access Easement Agreement No. 654444.

Community Planning Group Recommendation: On May 5, 2005, the La Jolla Community Planning Association voted 11-0-0, to recommend approval of this project with a condition that the new structure complies with current side setback requirements. The project's design has incorporated this condition.

area. The existing historically designated residence would be retained on parcel one with access remaining from Torrey Pines Road. A new two-story over basement single family residence with an attached two-car garage, to total approximately 5,833 square feet of gross floor area is proposed to be located on Parcel Two. Access to Parcel Two is proposed through a Non-Exclusive Access Easement over the non-dedicated portion of Amalfi Street. The project has a total of four off-street parking spaces, two per each residence. The project conforms to all of the development regulations of the RS-1-5 Zone and Coastal Overlay Zone, except for two deviations.

The proposed building elevations indicate the use of Ipe wood horizontal siding, concrete, steel, zinc-colored metal roofing, stone, tile and railings and fencing comprised of a combination of Ipe wood and dark bronze finish. The project proposes approximately 410 cubic yards of cut, 390 cubic yards of fill grading, with 20 cubic yards to be exported. The project is designed to comply with the 30 foot height limit.

The project site is located along the eastern side of Torrey Pines Road in an area where Torrey Pines Road is designated as a Scenic Roadway with Scenic Overlooks within the general area of the project site, as identified within the La Jolla/La Jolla Shores Local Coastal Program. The proposed residential structure meets the development setbacks and height limit required by the underlying zone. The existing perimeter sidewalks and the driveway will remain along Torrey Pines Road. The portion along Amalfi Street is currently narrow and does not have sidewalks in the vicinity; so the basic pattern and design will remain the same. Thus, the existing streetscape adjacent to the project from a pedestrian standpoint will remain unaltered.

Deviations:

The deviations as proposed under this Planned Development Permit are for Lot Frontage on a publicly dedicated street, and Lot Depth. Due to the unique history and circumstances surrounding the undedicated portion of Amalfi Street this deviation is needed to allow access to proposed Parcel Two. The code requires that a newly created lot front on a publicly dedicated street, more specifically the RS-1-5 Zone requires a minimum of 60 linear feet of street frontage. This project proposes 142.9 linear feet of frontage along Amalfi Street for Parcel Two. However, this does not comply with the requirement because this portion of Amalfi Street is not a publicly dedicated street.

The RS-1-5 Zone requires a minimum Lot Depth of 100 feet. Parcel One has a proposed Lot Depth of 84 feet 11 inches and Parcel Two has a proposed Lot Depth 60 feet 5 inches. These deviations are needed as designed in order to retain the existing Historic Resource, the Hufbauer House. Originally the applicant had proposed to demolish the existing residence and split the lot with the new lot line running perpendicular to Torrey Pines Road. This proposed design would have had both lots fronting on Torrey Pines Road and met all of the RS-1-5 Zone development regulations; no deviations would have been needed. However, during the processing of this project, the existing residence became historically designated. Staff viewed the preservation of the historically designated resource as a significant design feature and as a benefit to the Community of La Jolla.

General/Community Plan Analysis

The proposed project is located at 1821 Torrey Pines Road. The 0.45 acre subject property is designated for very low density residential land use with a density of 0-5 dwelling units per acre. Based on this land use designation, the project site would allow for the proposed lot split and one new dwelling unit. The project is proposing to split the lot and build a new single family residence. Therefore the proposed density is consistent with the La Jolla Community Plan.

The Residential Element recommends that "in order to regulate the scale of new development, apply development regulations to all residential properties....Apply minimum side and rear yard setbacks requirements that separate structures from adjacent properties in order to prevent a wall effect along street face as viewed from the public right of way." This Element also, recommends that "in order to promote transitions in scale between new and older structures, (designs should) create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment, and variations with front yard setback requirements." Compatibility of the proposed residence with the surrounding neighborhood is particularly important, given the high visibility of the subject property from public rights-of-way.

The proposed project is located on a site that has a mild slope and the two residences would be vertically separated by approximately ten feet, with the new residence at the higher elevation. The project was modified, through the use of recommended building materials and added landscape elements to address City Staff concerns to better fit the project into the existing community character. The project proposes to preserve the mature streetscapes, proposes varying levels of architectural styles, improved landscape screening facing the street and would include adequate off-street parking.

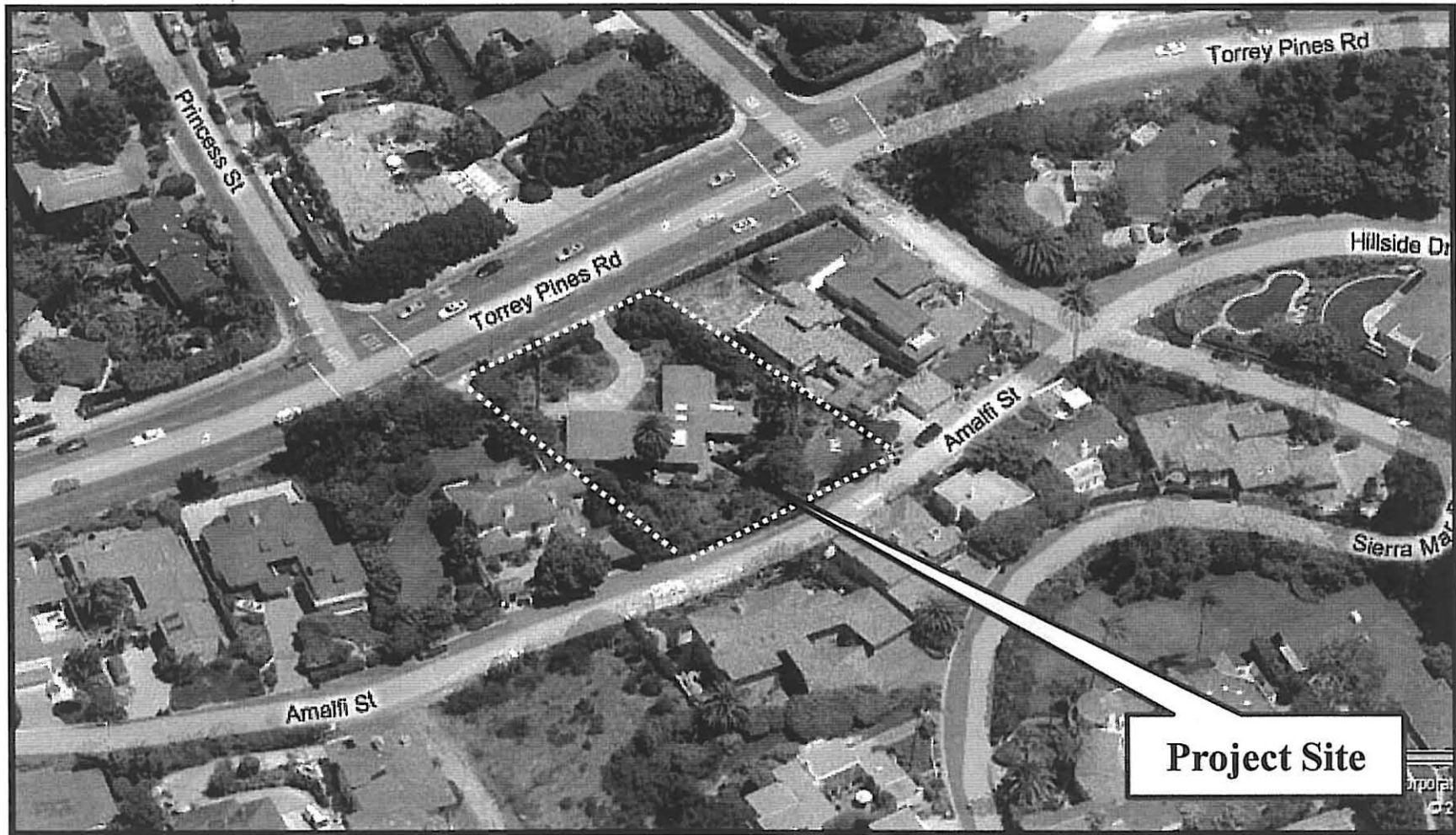
There are two deviations proposed with this project; one for the lot frontage on a publicly dedicated street and the other for the lot depth. These deviations do not affect the community character or the consistency with the community plan. The community plan does not address lot frontage deviations.

The General Plan recommends as one of the goals that infill residential development to be "sensitive to the character and quality of existing neighborhoods." It also recommends inclusion of "pedestrian connections linking residential areas, commercial areas, parks and open spaces." The proposed project would be an infill project and contribute to the existing character by retaining the historically designated residence currently on the site and adding one additional residence on the upper portion of the lot, integrated into the existing neighborhood. Staff supports the proposed project and recommends approval.

Environmental Analysis:

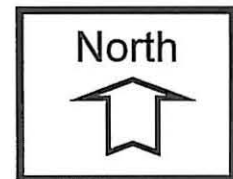
The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Historical Resources (Archaeology). Mitigated Negative Declaration Number 59455 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA)

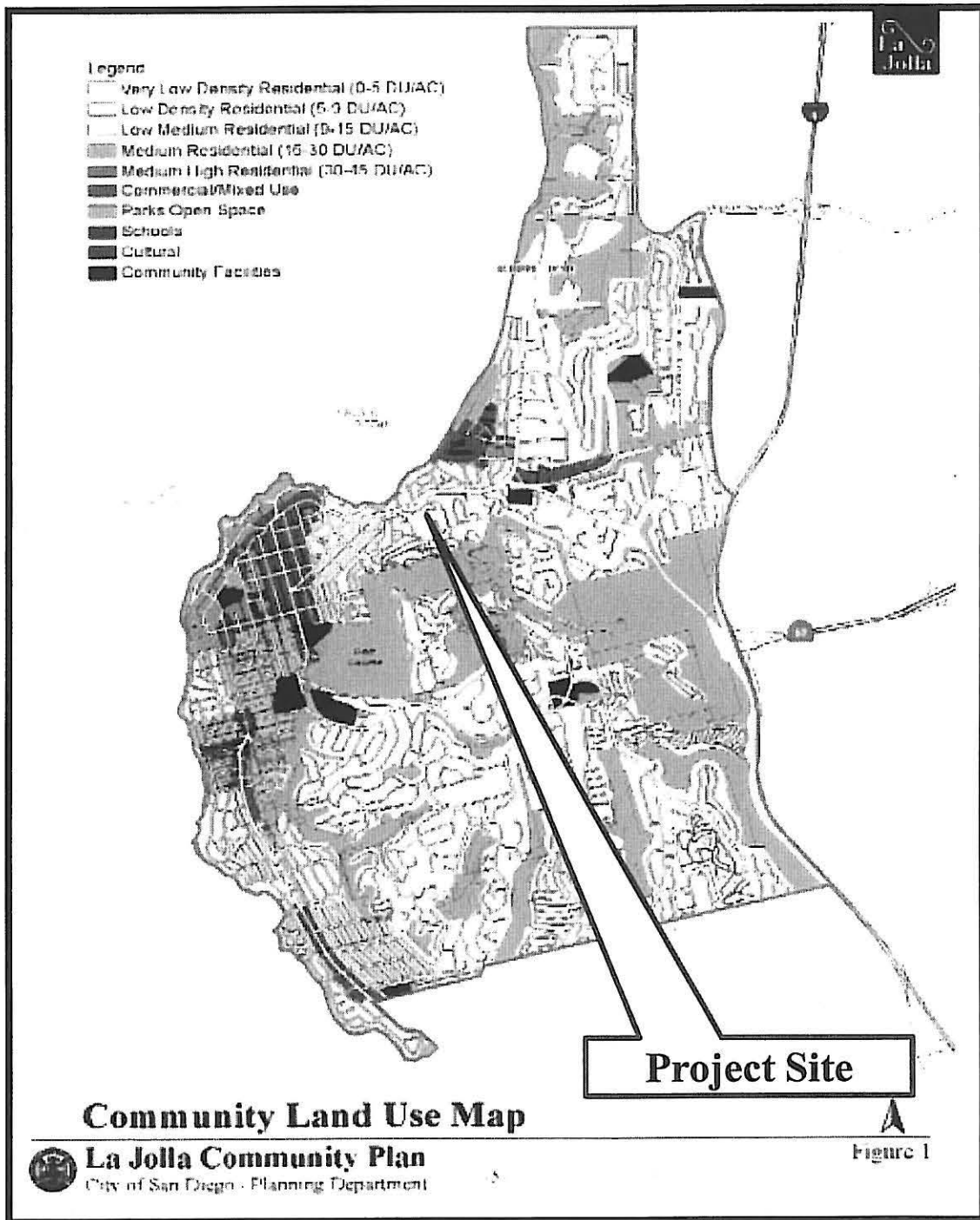
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan
6. Tentative Map
7. Building Elevations
8. Landscape Plan
9. Colorized Landscape Plan
10. Project Cross Section
11. Draft CDP/PDP Permit
12. Draft CDP/PDP Resolution
13. Draft Tentative Map Conditions and Subdivision Resolution
14. City Council Policy 700-10
15. Non-Exclusive Access Easement – B Sheet Drawing
16. Community Planning Group Recommendation
17. Ownership Disclosure Statement
18. Project Chronology



Aerial Photo

SCHROEDL/TORREY PINES RESIDENCE
1821 Torrey Pines Road - 59455

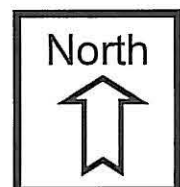


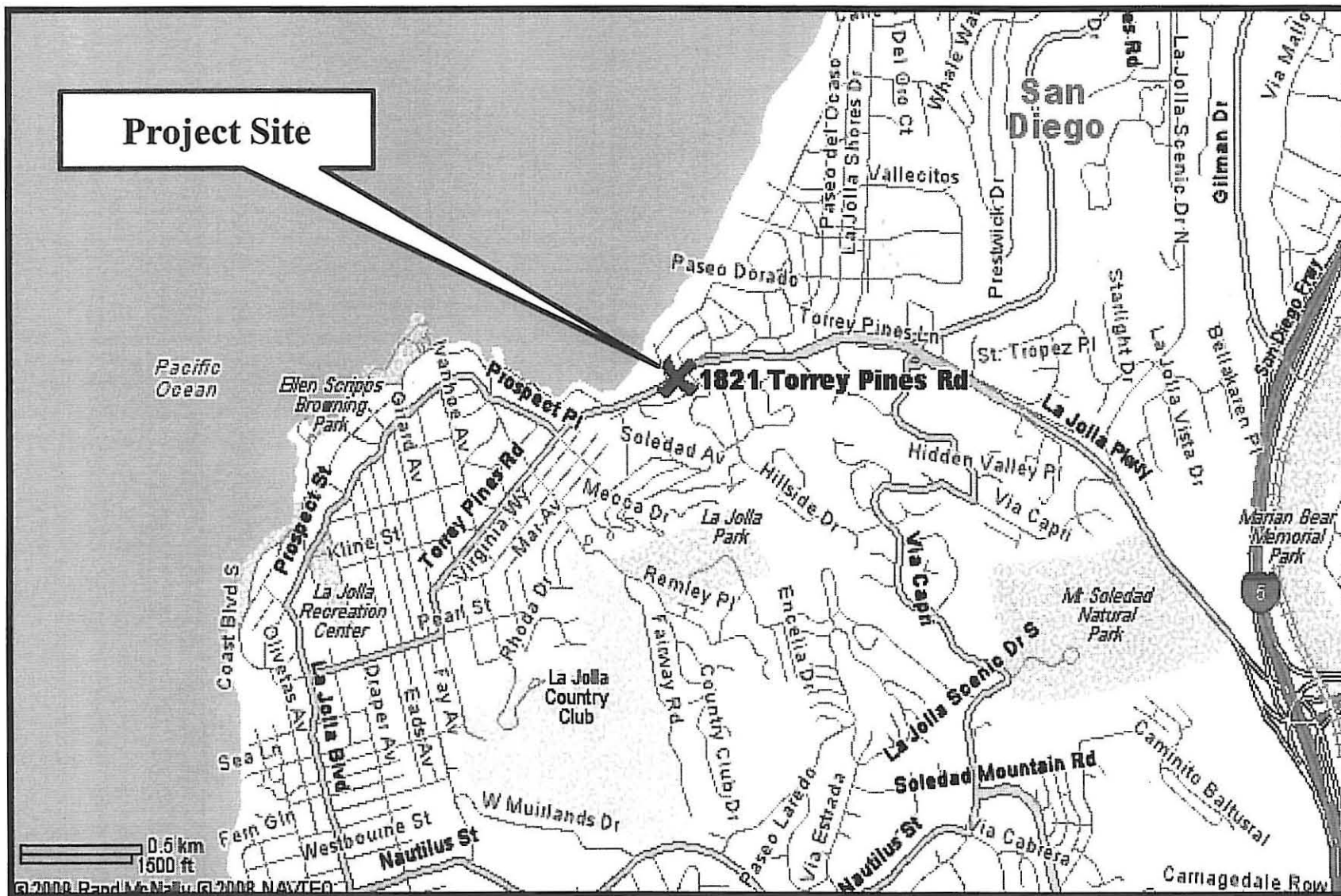


Land Use Map

SCHROEDL/TORREY PINES RES - 59455

1821 Torrey Pines Rd.

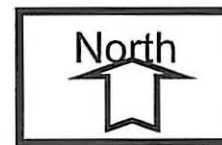




Project Location Map

SCHROEDL/TORREY PINES RES – 59455

1821 Torrey Pines Road



PROJECT DATA SHEET

PROJECT NAME:	Project No. 59455 - Schroedl / Torrey Pines Residence	
PROJECT DESCRIPTION:	A lot split with an existing single family residence to remain, construction of a new two-story, single family residence to be located on the newly created lot with an access easement to Amalfi Street.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Coastal Development Permit, Planned Development Permit, Tentative Map & Access Easement Agreement.	
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential (0-5 DU/AC)	
<u>ZONING INFORMATION:</u>		
<p>ZONE: RS-1-5; no changes proposed</p> <p>HEIGHT LIMIT: 30-foot max.; 30-foot proposed</p> <p>LOT AREA: 8,000 s.f. min.; Parcel 1 = 8,792 s.f, Parcel 2 = 10,998 s.f.</p> <p>LOT DEPTH: 100-foot min; Parcel 1 = 84'-11", Parcel 2 = 60'-5"</p> <p>LOT WIDTH: 60-foot min; Parcel 1 = 132'-5", Parcel 2 = 148'-9"</p> <p>FLOOR AREA RATIO: 0.54 max; Parcel 1 = 0.26 (2,335 s.f), Parcel 2 = 0.54 (5,833 s.f.)</p> <p>FRONT SETBACK: 20-foot min; no changes proposed to Parcel 1, N/A on Parcel 2</p> <p>SIDE SETBACK: 20% of lot width; no changes proposed to Parcel 1, Parcel 2 = 20'-11" & 8'-10" (west & east), 6'-0" & 6'-1" (south & north)</p> <p>STREETSIDE SETBACK: N/A</p> <p>REAR SETBACK: 10% of lot depth; Parcel 1 = 8'-6", N/A on Parcel 2</p> <p>PARKING: 4 parking spaces required; 4 parking spaces provided</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Very Low Density Residential; SF-Zone La Jolla Shores Planned District.	Single-Family Residential
SOUTH:	Very Low Density Residential; RS-1-5 Zone.	Single-Family Residential
EAST:	Very Low Density	Single- Family Residential

TENTATIVE PARCEL MAP EXHIBIT NO. 179546 CONCEPTUAL GRADING/DRAINAGE PLAN

LEGAL DESCRIPTION

A PORTION OF PLATS 108, 109 OF THE PUBLIC LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP 179546, PARCEL MAP EXHIBIT NO. 179546, AS SHOWN ON SAID MAP AND AS SHOWN ON THE OFFICIAL RECORDS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTES

1. THE BOUNDARY OF THE PROPOSED IMPROVEMENTS IS SHOWN BY DOTTED LINES.
2. THE LINE OF PROPOSED PARCELS IS SHOWN BY SOLID LINES, AND IS SHOWN AS SHOWN ON THE OFFICIAL RECORDS OF THE COUNTY OF SAN DIEGO.
3. THE PROPOSED IMPROVEMENTS WILL BE OWNED BY SEPARATE OWNERS UNLESS OTHERWISE SHOWN OTHERWISE ON THIS MAP.
4. ALL STRUCTURES EXISTING ON THE PROPOSED SITE SHALL BE DEMOLISHED.
5. THE EXISTING NUMBER OF PARCELS IS ONE. THE PROPOSED NUMBER OF PARCELS IS FIVE (5).
6. THE AREA OF THE PROPERTY IS 10.00 ACRES.
7. SEE LEGAL DESCRIPTION, SAN DIEGO, CALIFORNIA, RECORDS, 1988-1991.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK PLUS IN TOP OF CURB AT THE INTERSECTION OF TORREY PINE ROAD AND PARCEL STREET. ELEVATION IS 160.00 MSL, PLUS 0.00 FEET.

GRADING DATA

AREA OF SITE - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 2% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 5% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 10% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 15% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 20% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 25% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 30% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 35% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 40% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 45% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 50% - 10.00 ACRES
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PERCENT OF SITE TO BE GRADED BY 95% - 10.00 ACRES
PERCENT OF SITE TO BE GRADED BY 100% - 10.00 ACRES

ABBREVIATIONS

- B. BASEMENT
- L. LOWER LEVEL
- U. UPPER LEVEL
- OWN. OWNER/DEVELOPER
- PROV. PROVIDER
- DATE

LEGEND

- PROPOSED LINE
- EXISTING CENTERLINE
- EXISTING CENTERLINE UTILITY
- EXISTING SIDE LINE
- EXISTING SIDEWALK LINE
- EXISTING WATER LINE
- EXISTING SEWER LINE
- PROPOSED SPOT ELEVATION
- EXISTING ELEVATION
- EXISTING TELEPHONE LINE

Prepared By:
CHRISTENSEN ENGINEERING & SURVEYING
10000 SAN DIEGO AVENUE, SUITE 100
SAN DIEGO, CA 92121
PHONE: (619) 594-1100

Project Address:
10000 TORREY PINE ROAD
LA JOLLA, CA 92037

Project Name:
10000 TORREY PINE ROAD

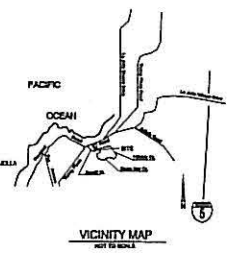
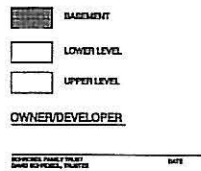
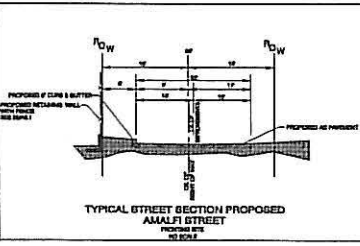
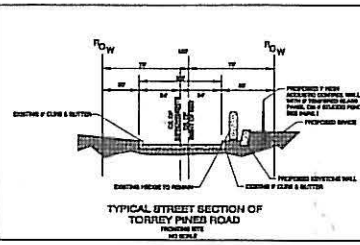
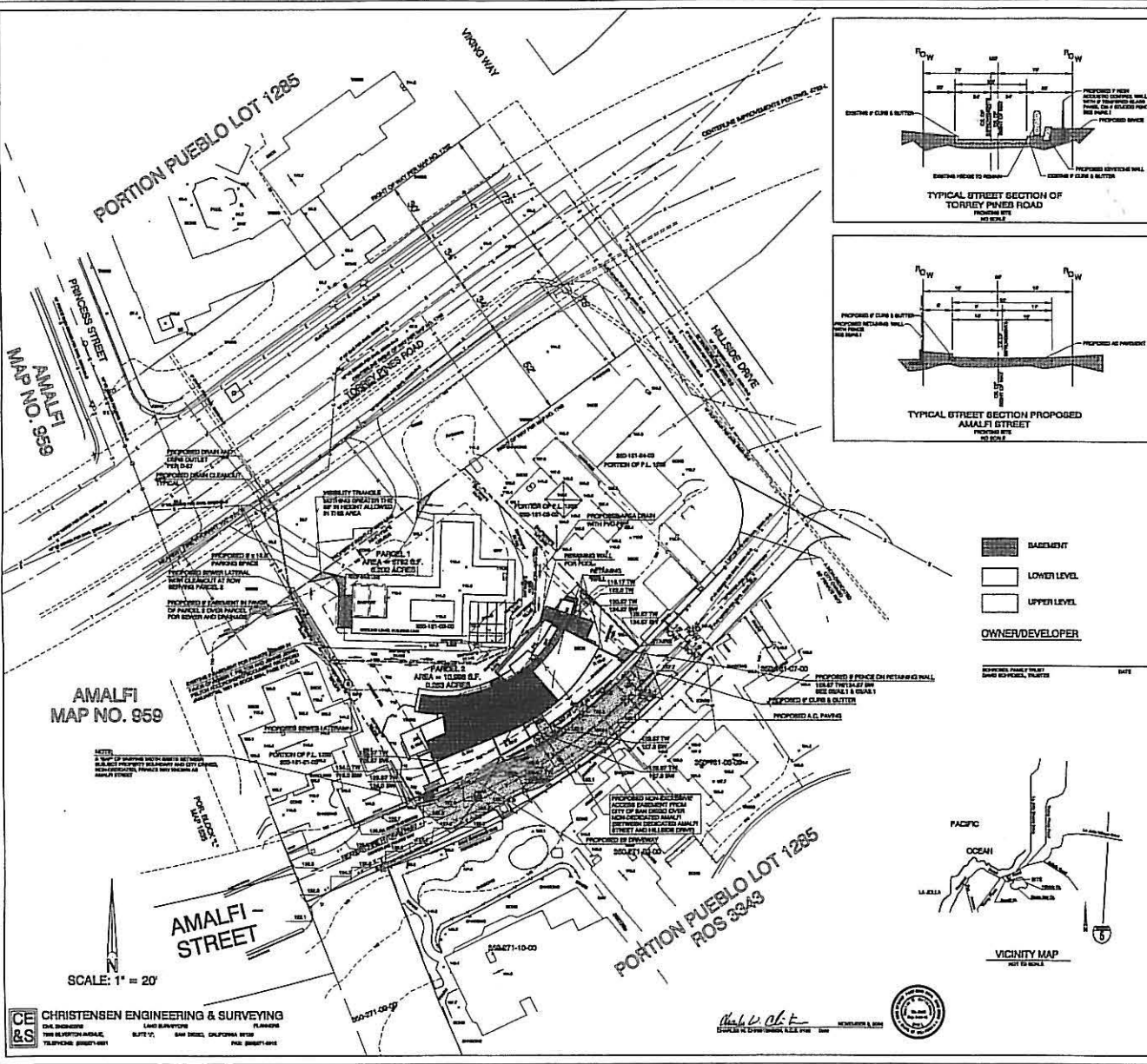
Drawn By:
C. S. CHRISTENSEN

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Original Date: NOVEMBER 8, 2004
Sheet: 3 OF 3

TENTATIVE PARCEL MAP
CONCEPTUAL GRADING/DRAINAGE PLAN

C1.2



CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS
LAND SURVEYORS
PLANNERS
10000 SAN DIEGO AVENUE, SUITE 100
SAN DIEGO, CALIFORNIA 92121
PHONE: (619) 594-1100

SCALE: 1" = 20'
DATE: NOVEMBER 8, 2004

directory

ARCHITECT: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 ARCHITECT: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 CIVIL ENGINEER: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 LANDSCAPE ARCHITECT: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 CONTRACTOR: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

legal description

A PORTION OF PARCELS 147, 148 OF THE PUBLIC LANDS OF THE STATE OF COLORADO, BEING THE PUBLIC LANDS OF THE UNITED STATES, IN THE COUNTY OF DENVER, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

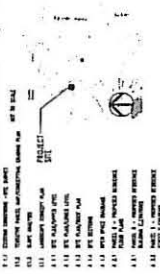
project information

PROJECT NAME: HANNA GABRIEL WELLS
 PROJECT NUMBER: 187-TORREYPINES-REC
 SHEET NUMBER: 11 OF 11

project description

THIS PROJECT IS A RESIDENTIAL DEVELOPMENT CONSISTING OF A SINGLE-FAMILY RESIDENCE AND A GARAGE. THE PROJECT IS SITUATED ON A 0.25-ACRE PARCEL IN THE CITY OF DENVER, COLORADO. THE PROJECT IS DESIGNED TO BE A MODERN, SINGLE-FAMILY RESIDENCE WITH A GARAGE. THE PROJECT IS DESIGNED TO BE A MODERN, SINGLE-FAMILY RESIDENCE WITH A GARAGE.

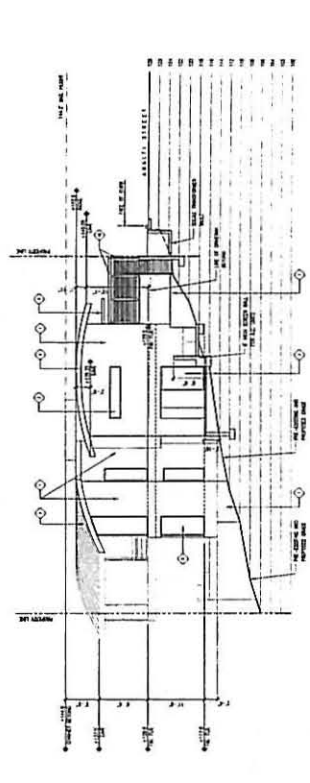
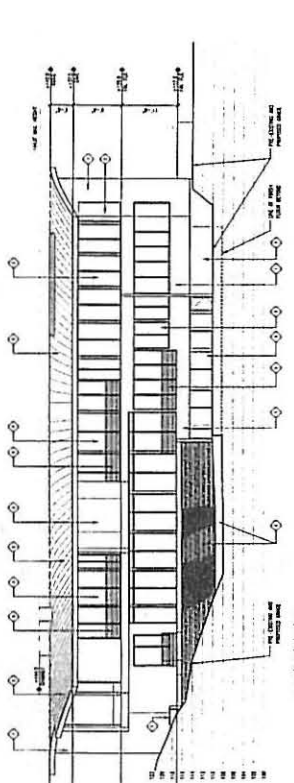
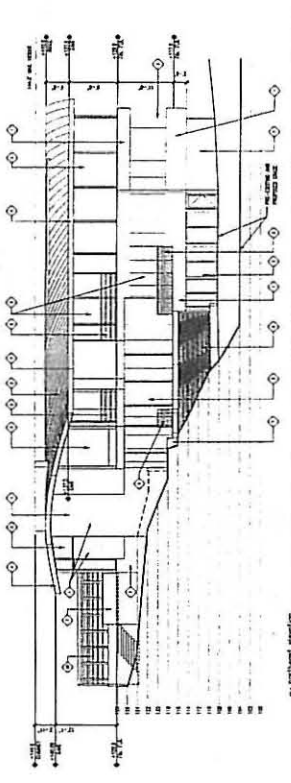
sheet index vicinity map



A R C H I T E C T

Prepared by: THE HOFFMAN GROUP
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 Project address: 187 TORREYPINES ROAD
 DENVER, COLORADO 80202

Project name: 187 TORREYPINES ROAD
 Sheet 11 of 11
 A3.1
 PARCEL B - proposed residence building elevations



- 1. - 1/4" = 1'-0" SCALE
- 2. - 1/2" = 1'-0" SCALE
- 3. - 3/4" = 1'-0" SCALE
- 4. - 1" = 1'-0" SCALE
- 5. - 1 1/2" = 1'-0" SCALE
- 6. - 2" = 1'-0" SCALE
- 7. - 3" = 1'-0" SCALE
- 8. - 4" = 1'-0" SCALE
- 9. - 6" = 1'-0" SCALE
- 10. - 8" = 1'-0" SCALE
- 11. - 12" = 1'-0" SCALE
- 12. - 18" = 1'-0" SCALE
- 13. - 24" = 1'-0" SCALE
- 14. - 36" = 1'-0" SCALE
- 15. - 48" = 1'-0" SCALE
- 16. - 72" = 1'-0" SCALE
- 17. - 108" = 1'-0" SCALE
- 18. - 144" = 1'-0" SCALE
- 19. - 216" = 1'-0" SCALE
- 20. - 288" = 1'-0" SCALE

directory

- ARCHITECT: M. J. ...
- LANDSCAPE ARCHITECT: ...
- CIVIL ENGINEER: ...
- PLANTING: ...
- CONSTRUCTION: ...

legal description

project information

project description

sheet index vicinity map



MARK ARCHITECTURE

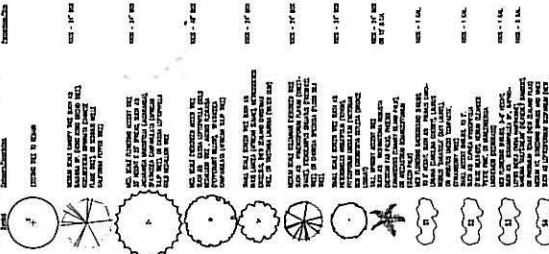
Prepared by: ...

Project address: ...

Project name: ...

Sheet: ... of ...

PLANT LEGEND



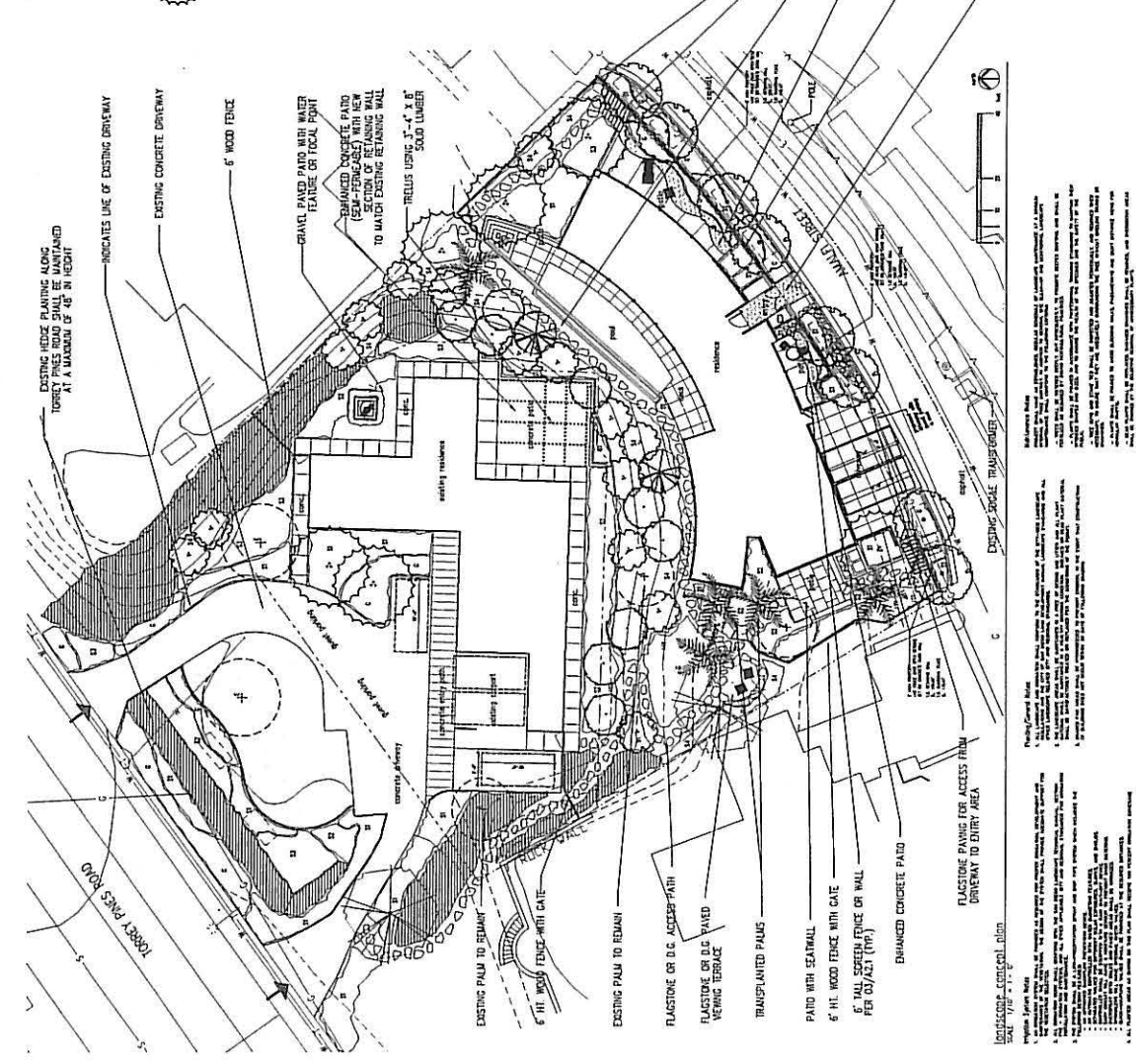
- 6" HIGH WOOD FENCE ON PROPERTY LINE (6" SOLID & 3" SOG (TYP))
- CONCRETE ACCESS STAIRS
- FLAGSTONE MAINTENANCE PATH (TYP)
- ENHANCED CONCRETE PATIO
- 6" TALL SCREEN FENCE OR WALL PER 0.2.2.1 (TYP)
- ENTRY SPACE WITH REFLECTION POOLS, WOOD GATE AND ENHANCED CONCRETE PAVING

FIELD NOTES

DATE	TIME	DESCRIPTION
...

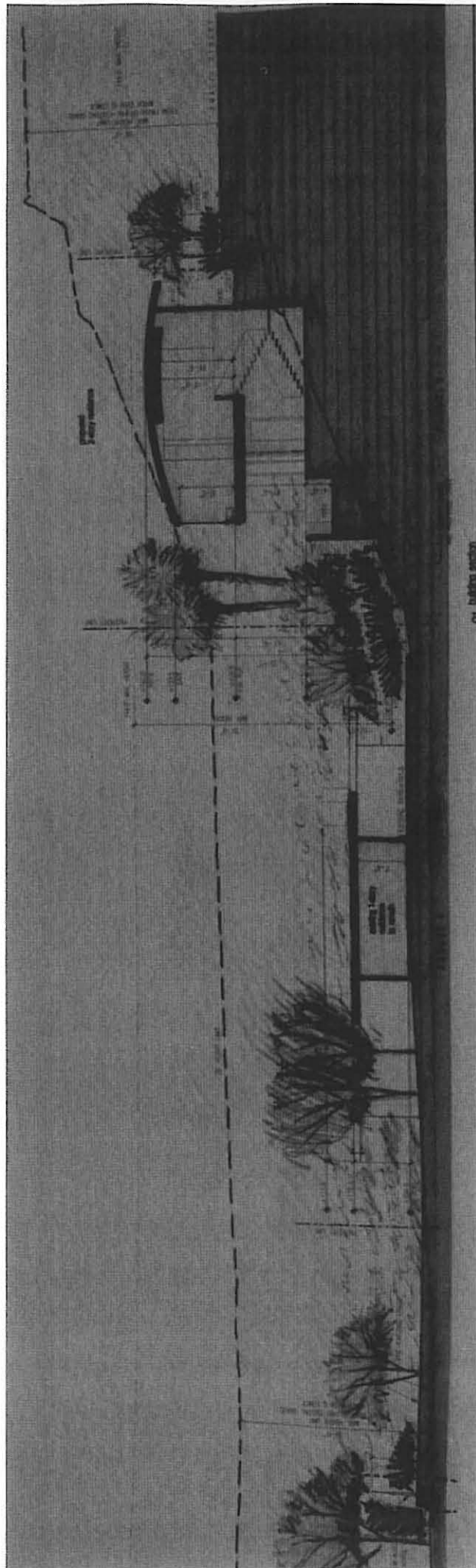
PROJECT: ...

DATE: ...



Notes:

1. All dimensions are in feet and inches unless otherwise noted.
2. All materials shall be in accordance with the manufacturer's instructions.
3. All plantings shall be in accordance with the Plant Legend.
4. All fences shall be in accordance with the local codes.
5. All paving shall be in accordance with the manufacturer's instructions.



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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3831

**COASTAL DEVELOPMENT PERMIT NO. 179545 &
 PLANNED DEVELOPMENT PERMIT NO. 175270
 SCHROEDL/TORREY PINES RESIDENCE - PROJECT NO. 59455 (MMRP)
 CITY COUNCIL**

This Coastal Development Permit No. 179545 and Planned Development Permit No. 175270 is granted by the City Council of the City of San Diego to David M. Schroedl and Frances C. Schroedl, Trustees of Schroedl Family Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 126.0602. The 19,790 square foot site is located at 1821 Torrey Pines Road, in the RS-1-5 Zone, Coastal (non-appealable), Coastal Height Limitation, Residential Tandem Parking, Parking Impact and Transit Overlay Zones and within the La Jolla Community Plan area. The project site is legally described as a portion of Pueblo Lot 1285, Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to split the lot and construct a new single family residence on one of the lots while retaining an existing historically designated single family residence on the remaining lot, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June __, 2009 on file in the Development Services Department.

The project shall include:

- a. Construction of a two-story single family residence to total approximately 5,833 square feet of gross floor area with an attached two-car garage on a newly created lot (Parcel No. 2, approx. 10,998 square feet of lot area) and the existing historically designated residence, Historic Resources Site No. 854, on parcel one (Parcel No. 1, approx. 8,792 square feet of lot area) to remain. The 0.45 acre project site is proposed to be split under associated Tentative Map No. 179546;
- b. Deviations to the minimum street frontage on a publicly dedicated street and minimum lot depth requirements of the RS-1-5 zone.

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The applicant 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

20. This project proposes to export 20 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

21. Prior to the issuance of a building permit, 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:

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

23. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

24. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Concept Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

25. Prior to final Inspection, it shall be the responsibility of the Owner/Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

26. 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.

27. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements 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

metal balcony railings. No changes to these materials shall be made without review and approval by historic resources staff.

35. As the project's exemption from a Site Development Permit was based on the project's consistency with the U.S. Secretary of the Interior's Standards, any future improvements or modifications to the new house off of Amalfi Street must be reviewed and approved by historic resources staff for impacts to the designated resource and continued consistency with the Standards. This includes painting, replacement or modifications of any building materials, and removal or significant pruning of any landscaping. Any work which is not consistent with the Standards shall require an amendment to this permit and a Site Development Permit for adverse impacts to a historic resource.

36. The final landscape plan shall be subject to review and approval by Historic Resources Board staff at the time of building permit application to ensure proper placement of species in order to achieve screening of the new house consistent with Design Assistance Subcommittee direction.

37. No elements, either fixed or temporary, will be allowed to extend above the parapet at the roof deck.

38. The vertical two proposed evergreen trees located between the two parcels shall be maintained in perpetuity to provide the visual relief of the Amalfi Street project as viewed from Torrey Pines Road.

TRANSPORTATION REQUIREMENTS

39. The Owner/Permittee shall provide a minimum of 2 off-street parking spaces inside the parking garage on site at all times with a minimum distance of 18' (roll-up garage) from the curb to the garage door.

40. The Owner/Permittee shall construct a 20' asphalt concrete within 30' of right-of-way, along the project's frontage on Amalfi Street, satisfactory to the City Engineer.

41. The Owner/Permittee shall provide curb and gutter along the project's frontage on Amalfi Street, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

42. Prior to the issuance of any engineering or building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for private sewer facilities installed in or over the public right of way.

43. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council

City Council of the City of San Diego on July ____, 2009 by Resolution No. ____ .

CITY COUNCIL RESOLUTION NO. _____
 COASTAL DEVELOPMENT PERMIT NO. 179545 &
 PLANNED DEVELOPMENT PERMIT NO. 175270
SCHROEDL / TORREY PINES RESIDENCE - PROJECT NO. 59455

WHEREAS, David M. Schroedl and Frances C. Schroedl, Trustees of Schroedl Family Trust,, Owner/Permittee, filed an application with the City of San Diego for a permit to split the lot, construct a new single family residence on the newly created lot and retain an existing, Historic Resources Site No. 854, single family residence to remain on the other lot (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 179545 & 175270), on portions of a 0.45 acre property;

WHEREAS, the project site is located at 1821 Torrey Pines Road, RS-1-5 Zone, Coastal (non-appealable), Coastal Height Limitation, Residential Tandem Parking, Parking Impact and Transit Area Overlay Zones and within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as a portion of Pueblo Lot 1285, Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870; and

WHEREAS, on July ___, 2009, the City Council of the City of San Diego considered Coastal Development Permit No. 179545 and Planned Development Permit No. 175270 pursuant to the Land Development Code of the City of San Diego;

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

That the City Council adopts the following written Findings, dated July ___, 2009.

FINDINGS:

Coastal Development Permit - Section 126.0708

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

The 19,790 square foot project site is currently developed with an existing single family residence constructed in 1952, which has been historically designated and subject property has been fully disturbed by this existing development. This project proposes to split the lot, retain the existing residence and construct a two-story, over basement, single family residence, to total approximately 5,833 square-feet of gross floor area. The proposed residential development is designed to be contained within the existing legal lot area (proposed to be split by the associated TM), which will not encroach upon any existing or proposed physical access to the coast. The project site is not located along the First Public Roadway. The project site is located along the east side of Torrey Pines Road, which is identified as Scenic Overlook by the La Jolla/La Jolla Shores Local Coastal Program. Staff has analyzed the proposed new single family residence and concluded that the structure does not impact any of the identified public views and the project as

developed as a lot split with a new single family residence meets the development setbacks and height limit required by the underlying zone and the proposed development will not negatively impact any identified public view. Due to these factors the proposed lot split and single family development was found to be in compliance with the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan and General 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 19,790 square foot site, currently developed with an existing single family residence, is located within a well developed single family residential area of La Jolla approximately three blocks from the coastline. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the lot split and further residential development of this site. The proposed lot split with a new single family residence project is designed to take access from a non-exclusive access easement linked to the existing public streets, with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will be improved or remain unaltered.

Planned Development Permit - Section 126.0604

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

The project proposes to split the lot, retain the existing historically designated residence and construct a two-story, over basement, single family residence, to total approximately 5,833 square-feet of gross floor area. The project is located on a site which has a Very Low Density Single Family Residential (0-5 dwelling units per acre) land use designation by the La Jolla Community Plan. The proposed development, its associated site improvements, and corresponding development density will comply with the development regulations of the RS-1-5 Zone, the La Jolla Community Plan, the La Jolla/La Jolla Shores Local Coastal Plan, except for the proposed deviations to lot frontage on a publicly dedicated street and lot depth for proposed Parcel 2. However, the project is retaining a historically designated residence on the project site and the deviations are needed in order to help retain the historic structure and work with the unique circumstances surrounding the undedicated portion of Amalfi Street. The use as a new residential development is a permitted use by the RS-1-5 Zone as a permanent use with the approval of a Planned Development Permit with the proposed deviations. Therefore, the proposed project and its associated site improvements fully satisfy the general intent of the La Jolla Community Plan relevant land use intensity and site design.

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

The permit for this project includes a number of conditions of approval relevant to achieving project compliance with the applicable regulations of the Land Development Code in effect for this site to assure that the project will not adversely affect the health, safety and general welfare of

and bringing in on budget 79 schools in the San Diego area. The City's Environmental and Historic Staff has reviewed the proposed lot split and construction of a new adjacent residence to determine if the project would result in adverse impacts to the historic residence. This proposal was also reviewed by the Design Assistance Subcommittee of the Historical Resources Board to ensure compliance with the U. S. Secretary of the Interior's Standards and to minimize impacts to the designated historic resource. A wood trellis and retaining wall historically present on the designated resource is required to be reconstructed to match the original trellis and retaining wall. Landscape conditions have also been added to provide screening of the proposed residence. Based upon the project design and conditions of approval, the project was found not to have a significant adverse impact on the historic Hufbauer residence. This preservation of this historic resource and the project as a whole will be a benefit to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The project proposes to split the lot, retain the existing historically designated residence and construct a two-story, over basement, single family residence, to total approximately 5,833 square-feet of gross floor area. This project proposes deviations under this Planned Development Permit for Lot Frontage on a publicly dedicated street, and Lot Depth of both proposed parcels. The code requires that a newly created lot front on a publicly dedicated street, more specifically the RS-1-5 Zone requires a minimum of 60 linear feet of street frontage. This project proposes 142.9 linear feet of frontage along Amalfi Street for Parcel Two. However, this does not comply with the requirement because this portion of Amalfi Street is undedicated and not a publicly dedicated street. This portion of Amalfi Street adjacent to this project site is only 30 feet wide and undedicated as a public right-of-way. The City holds fee title to the subject parcel, having taken title from the County of San Diego in 1948 by purchase at a foreclosure sale for unpaid taxes Nine property owners including the subject property about this undedicated portion of Amalfi Street. The applicant has worked with the City to negotiate the purchase of a non-exclusive access easement over this undedicated portion of Amalfi Street. The applicant, based on a fair market value appraisal has agreed to pay for the easement rights. Due to this unique history and circumstances surrounding the undedicated portion of Amalfi Street, this proposed deviation is appropriate and will achieve or accomplish the same concept of providing "public access" to the proposed parcel two.

The RS-1-5 Zone requires a minimum Lot Depth of 100 feet. Parcel One has a proposed Lot Depth of 84 feet 11 inches and Parcel Two has a proposed Lot Depth 60 feet and 5 inches. These deviations are needed as designed in order to retain the existing Historic Resource, the Hufbauer House. Originally the applicant had proposed to demolish the existing residence and split the lot with the new lot line running perpendicular to Torrey Pines Road. This proposed design would have had both lots fronting on Torrey Pines Road and met all of the RS-1-5 Zone development regulations; no deviations would have been needed. However, during the processing of this project, the existing residence became historically designated, at which point, City Staff choose to support the current design with the aid of the Planned Development Permit. The proposed deviation to Lot Depth to proposed parcel two will allow further development of the property and help retain the existing historically designated residence with a fairly comprehensive design to retain the historic resource. The project as a whole complies with all of the other applicable

CITY COUNCIL RESOLUTION NO. _____
TENTATIVE MAP NO. 179546
SCHROEDL / TOERRY PINES RESIDENCE - PROJECT NO. 59455
DRAFT

WHEREAS, David M. Schroedl and Frances C. Schroedl, Trustees of the Schroedl Family Trust, Applicant/Subdivider, and Antony K. Christensen, Christensen Engineering and Surveying, submitted an application with the City of San Diego for a Tentative Map, No. 179546, and Non-Exclusive Access Easement Agreement No. 654444, for a lot split to a property containing a historically designated residence, Historic Resources Site No. 854 with an non-exclusive access easement to Amalfi Street. The project site is located 1821 Torrey Pines Road, in the RS-1-5 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone, Parking Impact Overlay Zone, Transit Area Overlay Zone and with the La Jolla Community Plan area. The project site is legally described as a portion of Pueblo Lot 1285, Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870; and

WHEREAS, the Map proposes the subdivision of a 0.45 acre site into 2 lots for residential development; and

WHEREAS, Mitigated Negative Declaration No. 59455 has been prepared for the project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, on June 11, 2009, the Planning Commission of the City of San Diego considered Tentative Map No. 179546 and Non-Exclusive Access Easement Agreement No. 654444, and pursuant to Resolution No. _____PC voted to _____ "recommend City Council approval of the map"; and

WHEREAS, on July __, 2009, the City Council of the City of San Diego considered Tentative Map No. 179546, and Non-Exclusive Access Easement Agreement No. 654444, and pursuant to Sections 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 179546, and Non-Exclusive Access Easement Agreement No. 654444, and Non-Exclusive Access Easement Agreement No. 654444:

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 179546 is granted to David Schroedl, subject to the conditions attached hereto and made a part hereof.

GENERAL

1. This Tentative Map will expire July ____, 2012.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the issuance of the Parcel Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
4. The Parcel Map shall conform to the provisions of Coastal Development Permit No. 179545, Planned Development Permit No. 175270 and Non-Exclusive Access Easement Agreement No. 654444.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against any Indemnified Party to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, and defends the action in good faith. Subdivider shall not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

6. A Parcel Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
7. The Tentative Map shall comply with the conditions of Coastal Development Permit No. 179545, Planned Development Permit No. 175270 and Access Easement Agreement No. 654444.
8. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices necessary to comply

shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

18. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
19. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
20. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

SEWER AND WATER

21. Prior to the issuance of any engineering or building permits, the developer shall obtain an Encroachment Maintenance and Removal Agreement for private sewer facilities installed in or over the public right of way.
22. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).

- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, ON July __, 2009.

APPROVED: _____, City Attorney

By _____

Deputy City Attorney

July __, 2009

R- _____

Reviewed by Gargas

Job Order No. 42-3831

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: DISPOSITION OF CITY-OWNED REAL PROPERTY
POLICY NO.: 700-10
EFFECTIVE DATE: March 1, 2005

BACKGROUND:

The City of San Diego is owner of substantial real property which is used for various municipal purposes. As public service needs change, the requirements for these properties may be revised and, on occasion, certain parcels may be in excess of the City's current need. This requires that the site be reviewed in terms of its potential for future public use, as well as its potential economic benefit to the City.

The proceeds from the sale of City-owned lands are utilized for Capital Improvements Program projects, as required by the City Charter, Section 77, and the revenues generated from leases are normally utilized for General Fund purposes.

PURPOSE:

It is the purpose of this policy 1) to establish a procedure by which unused and marginally used City-owned real estate is reviewed for its potential public use, and for designating unneeded parcels for lease or sale; 2) to provide guidance for the auction, negotiated sale, or exchange of City-owned real estate; and 3) to establish the conditions under which City-owned real property may be leased.

POLICY:

It is the City's policy to manage its real estate assets so that municipal needs which rely on these assets may be properly implemented. It is not the City's policy to speculate in real estate. The City Council will review all City-owned real estate not adequately used for municipal purposes and determine the appropriate use of the property. Those properties needed for municipal purposes may be so designated. If a property is not needed for public use within the foreseeable future, it may be made available for lease or sale, or if it will be needed at a future time, it may be suitable for lease in the interim. Those properties not required for municipal use or designated for lease may be designated for sale.

The City shall optimize the sale price or lease rent from City-owned real estate based on relevant factors, including 1) an appraisal of the property which is no more than six months old at the time the transaction is presented to the City Council or one of its committees, 2) prevailing economic conditions and recent applicable trends, and 3) any special benefits to accrue from the sale or lease.

Discounts will not be negotiated unless an extraordinary need or circumstance is recognized by Council Resolution prior to negotiation, setting forth the amount of the discount and the justification for it.

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

2. Criteria for Lease. Property shall be leased when:
 - a. The land can only be leased because of legal restraints, such as tideland grants, airports, dedicated parks, agricultural preserves, open space watershed or floodplains.
 - b. The property is now needed, or may be needed in the future, to provide the City with a site for public facilities, or unusual services not otherwise obtainable.
 - c. The property is in an area of uncertain future development and can be leased as an interim measure until future public needs or land use designations can be determined.
 - d. The City requires substantial control over development, use and reuse of the property.
 - e. The property has the immediate potential of a high return to the City because of its high demand and type of use, such as commercial and industrial lands.

3. Industrial Properties. Generally, City-owned industrial properties will be used to facilitate increased employment and otherwise enhance the local economy. Sale or lease of such property will be in accordance with Council Policy 900-3, Disposition of City-owned Industrial Property.

C. Sale of Real Estate

1. Auction. City property designated for sale shall generally be offered by public auction unless the parcel meets the criteria for a negotiated transaction as hereinafter set out in 3 below. Public auction sales shall be conducted in accordance with Municipal Code Section 22.0902.1, Sales of Real Property - Requirements for Sale at Auction. City Council reserves the right to reject any and all bids. The minimum acceptable bid will usually be set by qualified staff after considering readily available information. The intent of this procedure is to efficiently set a minimum bid which will insure a fair return to the City for its property, while encouraging maximum participation in the bidding process.

2. Term Payments. The Manager may offer term payment plans on properties to be sold in order to stimulate interest in the property. Term payment plans shall insure that the city obtains an appropriate rate of return on the unpaid balance. The Manager will have the authority to vary the terms and interest rates, as appropriate, to reflect current market conditions or other special needs.

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

D. Leasing.

1. Rate of Return. The City shall obtain a fair market rate of return on City-owned property being considered for lease and negotiate terms and conditions which will continue to sustain a fair rate of return through rent review, consumer price index adjustments, reappraisals or the application of percentage rents to gross income. The rate of return shall be based upon the highest rate commensurate with the highest and best use of the property, or a fair rate of return commensurate with the designated public use.
2. Rental Terms. Rental terms may be negotiated on the basis of fixed rates, percentages of gross income or combinations thereof, whichever is commensurate with the market place.
3. Minimum Rent. Percentage leases will provide a minimum rent which shall be adjusted at appropriate intervals which shall be no more than every five years to reflect 80 percent of the average annual rent actually paid during the preceding interval. In no event shall the adjusted minimum rent be less than the minimum rent in existences preceding the adjustment.
4. Long-term Lease. A lease in excess of three (3) years requires Council approval by Resolution. However, leases for wireless communication facilities for a term of up to ten (10) years may be executed by the City Manager.
5. Short-term Lease. Unless there are special circumstances, a lease term of three (3) years or less may be executed by the City Manager without Council Resolution. A short-term lease may not be renewed without Council Resolution. Council will be notified of a short-term lease, not later than 15 days following its execution.
6. Selection of Lessee. Leasehold proposals shall be evaluated essentially in terms of:
 - a. Consideration offered in the form of rent.
 - b. Financial capability.
 - c. Expertise regarding the proposed leasehold development and operation.
 - d. Nature of proposed development.
 - e. Special public benefits to be derived (if any).
7. Leasehold Assignments. Requests for assignment of leasehold interest shall be evaluated on the same basis as the criteria used in evaluating a leasehold proposal. The City Manager may authorize assignments which do not require amendment of the master lease provisions.

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

15. Site Access Fee for Wireless Communication Facilities. A onetime site access fee shall be charged for all wireless communication facilities except within the City's Right of Way. The base fee for 2004 is Forty Thousand Dollars (\$40,000), and shall be increased on January 1 of each year corresponding to consumer price index. Renewal of existing leases or subleases for which a site access fee has not been paid shall be conditioned upon payment of one half of the site access fee.
- E. Marketing.
Competitive offers for lease or sale shall be solicited from the open market place. This may be accomplished through a number of marketing techniques, such as requests for proposals (RFPs), a marketing subscription system, direct advertising, exposure through the real estate media, such as the multiple listing service, posting the property and any other appropriate means. Lands designated for industrial and scientific research uses shall be marketed in accordance with Council Policy 900-03.
- F. Real Estate Broker's Fee.
The City will normally pay a real estate brokerage fee for qualified representation of a selected lessee or purchaser of City property. When the amount of rental or purchase price offered are criteria for selecting a lessee or purchaser in competitive situations, the selection will be based on the highest net rental or net purchase price, taking into account any brokerage fees involved in the competition. All brokerage participation and brokerage fees shall comply with Municipal Code Section 22.0905, Broker's Fee and Registration.
- G. Priority Handling.
Since time is of essence in land transactions, all such actions by Council and Committee shall be given the highest priority and special handling. Such action which must first go before a Council Committee will be placed on an early portion of the Committee agenda in order to assure prompt action. Subsequent to the Committee action, the item shall be placed on the docket of the next regular City Council meeting as a Supplemental Item.
- H. Public Utilities Installed by Private Entities.
The applicant for the use of unimproved City land for public purposes, such as streets, sewers, and other public utilities, shall compensate the City for the fair market value of the rights to be granted by the City. The amount of compensation shall be established by appraisal. However, lands which have been conveyed to the City after July 18, 1983, by private entities shall at the option of the grantor carry a reservation to the grantor for a period of 10 years following the date of conveyance to the City which would permit the grantor to install public utilities serving the grantor's adjacent land without the payment of compensation to the City therefor, and provided further that such installations shall not adversely affect any prospective use of the City's property. Persons who grant property to the City without charge shall have an automatic right to have such public service easements set aside on the donated property in the above manner.

WHEN RECORDED MAIL TO:

David M. Schroedl, Trustee
8273 Caminito Lacayo
La Jolla, CA 92037

NO DOCUMENTARY TAX DUE
R & T 11922 (AMENDED)
APN: 350-161-05

NON-EXCLUSIVE ACCESS EASEMENT DEED

THE CITY OF SAN DIEGO, a municipal corporation, in the County of San Diego, State of California, DOES HEREBY GRANT to DAVID M. SCHROEDL and FRANCES G. SCHROEDL, Trustees of the Schroedl Family Trust UTA, dated 7/21/80, a permanent, non-exclusive easement and right-of-way for pedestrian and non-vehicular purposes, and incidents and appurtenances thereto, over, under, along and across all that real property described as follows:

See Exhibits "A" and "B", attached hereto and by this reference incorporated herein.

IN WITNESS WHEREOF, the City of San Diego has caused this deed to be executed by its Mayor or his designee, pursuant to Resolution R-_____ of the Council authorizing such execution, this _____ day of _____, 2007.

THE CITY OF SAN DIEGO
a Municipal Corporation

By:

Title:

LEGAL DESCRIPTION

ALL THAT PORTION OF LOT 1285 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF MADE BY JAME PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, NOVEMBER 14, 1921 AND IS KNOWN AS MISCELLANEOUS MAP NO. 36, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 30 OF LA JOLLA VISTA, ACCORDING TO MAP THEREOF NO. 1762, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 1, 1923; THENCE ALONG A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID PUEBLO LOT 1285, SOUTH $21^{\circ}17'00''$ EAST, 155.00 FEET TO A POINT IN THE SOUTHERLY LINE OF TORREY PINES ROAD; THENCE ALONG THE SOUTHERLY LINE OF TORREY PINES ROAD, NORTH $54^{\circ}10'00''$ EAST, 272.67 FEET; THENCE SOUTH $35^{\circ}20'00''$ EAST, 92.55 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A 35.95 FOOT RADIUS CURVE, CONCAVE WESTERLY, A RADIAL TO SAID POINT BEARS SOUTH $54^{\circ}40'00''$ WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $79^{\circ}17'00''$, 49.75 FEET; THENCE SOUTH $43^{\circ}57'00''$ WEST, 69.50 FEET TO THE BEGINNING OF A 357.43 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $22^{\circ}55'00''$, 142.96 FEET; THENCE SOUTH $66^{\circ}52'00''$ WEST, 90.37 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF SAID PUEBLO LOT 1285; THENCE ALONG SAID SOUTHWESTERLY LINE, SOUTH $21^{\circ}17'00''$ EAST, 29.31 FEET TO A POINT DISTANT 687.31 FEET FROM THE MOST SOUTHERLY CORNER OF SAID PUEBLO LOT 1285; THENCE LEAVING SAID SOUTHWESTERLY LINE, NORTH $66^{\circ}54'00''$ EAST, 88.24 FEET TO THE BEGINNING OF A 400.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $22^{\circ}36'00''$, 157.78 FEET; THENCE NORTH $44^{\circ}18'00''$ EAST, 105.73 FEET TO THE BEGINNING OF A 21.42 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $69^{\circ}51'00''$, 26.11 FEET TO THE END OF CURVE, A RADIAL TO SAID END OF CURVE BEARS NORTH $24^{\circ}09'00''$ EAST; THENCE NORTH $62^{\circ}02'12''$ WEST 76.30 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING:

10,909.79 SQUARE FEET

0.2505 ACRES

Antony K. Christensen, LS 7508
Registration Expires 12-31-2007

06.13.07
Date

**La Jolla Community Planning Association
CDP CONSENT AGENDA
May 5, 2005**

Attention: Glenn Gargus, Project Manager

Project: SCHROEDEL RESIDENCE, 1821 Torrey Pines Rd, JO# 42-3831/59455

Motion: *TO APPROVED CDP COMMITTEE RECOMMENDATION* **Vote:** 11-0-0

Signature  **Date** 05 MAY 2005

Yvette Marcum, President
La Jolla Community Planning Association

4/12/05 CDP FINAL

Present: Sherri Lightner, David Little, Phil Merten, Paul Metcalf, Marty Vusich

Absent: Louis Beacham, Bob Collins, Lynne Hayes, Wayne Miller,
Joanne Pearson, Steve Pomerence, Jim Sullivan, Ann White

Project Name: SCHROEDEL RESIDENCE **Permits:** CDP/PDP/TM/Variance for lot depth

1821 Torrey Pines Rd

Project Number: JO# 42-3831/59455

DPM: Glenn Gargas

Zone:

RS-1-5

Agent: James Gabriel (619) 523-8485

Scope of Work:

Divide existing 19,790 sq ft lot with existing single family residence to 2 parcels & construct a 6033 sq ft single family residence on the newly created parcel.

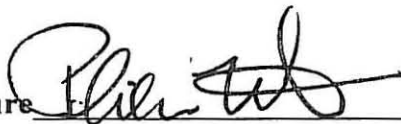
MOTION: Beacham, Collins
FINDINGS CAN BE MADE, for lot split/lot line adjustment provided the new structure complies with current side yard setback requirements

DISCUSSION: None

VOTE: 6/1/0 **MOTION PASSES**

(Opposed: Lightner - Street facade of proposed building is not compatible with surrounding neighborhood)

Signature



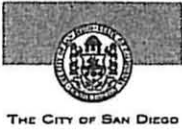
Philip Merten, Chairman
CDP Review Committee

Date

5.5.2005

***For questions or concerns regarding the La Jolla CDP/CPA Committee Votes and/or Recommendations on the attached Project, please contact:

Mary Coakley, Secretary,
La Jolla Community Planning Association,
(619) 840-0250
coaklevm@san.rr.com



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

Ownership Disclosure Statement

Project Title: 1821 Torrey Pines Road
 Project No. For City Use Only: 59455

Project Address: 1821 Torrey Pines Road La Jolla, CA 92037

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

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. **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

Schroedl family Trust UTA added 7/2/80

Name of Individual (type or print): *David M. Schroedl, Trustee*
 Owner Tenant/Lessee
 Street Address: *8273 Camino in La Jolla*
 City/State/Zip: *La Jolla, Ca 92037*
 Phone No: *858-450-0800* Fax No: *858-777-3330*
 Signature: *[Signature]* Date: *11/29/04*

Name of Individual (type or print): *Francis C. Schroedl, Trustee*
 Owner Tenant/Lessee
 Street Address: *Same*
 City/State/Zip: *Same*
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

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

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

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

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

SCHROEDL / TORREY PINES RESIDENCE

Project No. 59455
Project Chronology

Date	Action	Description	City Review Time	Applicant Response
1/18/05	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
7/05/05	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	5 Months 17 Days	
6/28/07	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		23 Months 23 Days
9/26/07	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	2 Months 28 Days	
12/04/07	Applicant submits Historical Report.	Applicant submitted historic study in response to second assessment letter from City staff.		2 Months 8 Days
1/24/08	Staff response to Historical Report.	Historical Staff's review of study identifying remaining/outstanding issues.	1 Month 20 Days	
02/07/08	Applicant submits revised Historical Report	Applicant's revised Historical Report – address issues.		11 Days
3/07/08	Staff response to revised Historical Report	Historical Staff's review of study identifying remaining issues.	1 Month	
12/01/08	Applicant submits third full set of plans	Applicant's revised set of plans submitted in response to second assessment letter		8 months 22 Days
2/27/09	Staff review complete	Staff reviewed full submittal completed.	2 Months 28 Days	
3/13/09	Issues resolved	Staff determines project issues resolved, okay Process 5 Planning Commission hearing to proceed.	15 Days	
6/11/09	Planning Commission Hearing	Public Hearing	2 Months 28 Days	
TOTAL STAFF TIME		Averaged at 30 days per month	17 Months 17 Days	
				35 Months