

THE CITY OF SAN DIEGO REPORT TO THE PLANNING COMMISSION

| DATE ISSUED: | January 12, 2011 | REPORT NO. PC-11-008 |
|----------------------------------------|----------------------------------------------------------------------------|-----------------------|
| ATTENTION: | Planning Commission, Agenda of Janua | ry 20, 2011 |
| SUBJECT: | 5322 CALUMET AVENUE - PROJECT N | NO. 213382. PROCESS 3 |
| REFERENCE : | Hearing Officer Report No. 10-120 | |
| OWNER/ APPLICANT: <u>SUMMARY</u> | Calumet Real Estate Holdings, LLC (Attac Tom Story, Sunroad Enterprises | chment14) / |

Issue(s): Should the Planning Commission uphold the Hearing Officer's approval for the stabilization of a coastal bluff including the construction of a shotcrete seawall for an existing single family dwelling within the La Jolla Community Plan area?

Staff Recommendation: DENY the appeal and APPROVE Coastal Development Permit No. 759403 and Site Development Permit No. 797314, amending Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235.

<u>Community Planning Group Recommendation</u>: On November 4, 2010, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the project with no conditions (Attachment 13).

Environmental Review: The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c), specific actions necessary to prevent or mitigate an emergency. No additional CEQA review or determination is needed, as the work was previously exempted.

This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project v/as made on April 13, 2010, and the opportunity to appeal that determination ended April 28, 2010.

Fiscal Impact Statement: All costs associated with the processing of this project are



paid for through a deposit account maintained by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: The project site is located within a residentially designated neighborhood and contains one dwelling unit, consistent with its designation. If the proposed project is denied and further erosion of the bluff occurs, the existing dwelling may become uninhabitable.

BACKGROUND

The project site at 5322 Calumet Avenue is located between the Pacific Ocean and the first public roadway adjacent to the coastal bluff (Attachments 1 and 2). The site is located within the La Jolla Community Plan which identifies the site for low-density residential development (5-9 dwelling units/acre), and the project site is consistent with this designation. The unimproved public right-of-way which is the terminus of Bandera Street, is depicted by the La Jolla Community Plan and Local Coastal Program as an integral part a View Corridor with no physical access (Attachment 3).

On February 5, 2010, the City of San Diego received an application for an Emergency Coastal Development Permit (ECDP). The site was determined to contain a coastal emergency, as the northwest corner of the property experienced a recent bluff failure and accelerated recession of the bluff edge. The recession undermined a portion of the rear patio wall footing with the northwest corner of the residential structure approximately 8 feet horizontally from an approximately 30-foot high coastal bluff/ cliff. Additional recession appeared imminent in this area and immediate action was necessary to protect the primary structure. On February 9, 2010, the City approved ECDP No. 723452, for the application of a soil stabilizing polymer coating to the bluff face (Attachment 4).

Subsequent storm events in the last week of February resulted in additional bluff failures under the rear yard patio and a portion of the Bandera Street right-of-way, a 20' wide unimproved street. The property at 5322 Calumet was "yellow tagged" for designated limited entry and restricted use of a bedroom due to safety risk.

On April 13, 2010, a second application for an ECDP was received, and on April 23, 2010, ECDP No. 742235, was granted for the construction of a tied-back structural shotcrete seawall. The proposed seawall was determined to be the next minimally necessary to protect the primary structure. One of the conditions of receiving the ECDP was that within 60 days of April 23, 2010, the Owner/Permittee was required to apply for a follow-up Coastal Development and Site Development Permit to have the emergency work be considered permanent or for an alternative permanent solution (Attachment 5). The follow-up Coastal Development and Site Development Permit, amending Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235, is the subject of this report.

DISCUSSION

Project Description:

The project site at 5322 Calumet Avenue is located in the RS-1-7 zone, the Coastal Overlay Zone (appealable), Costal Height Limit, Transit Area, Parking Impact (Beach), and the Residential Tandem Parking Overlay zones, between the sea and the first public roadway (Attachment 6). The site is subject to Coastal Development Permit No. 95-0438 and a subsequent Substantial Conformance Review (Attachment 7).

During the review of the approved temporary and proposed permanent improvements, the wall was scaled back to only be located on the subject site and out of the right-of-way. To accomplish this, the wall was designed as a tie-back retaining wall. The structural tied-back shotcrete wall will be textured and colored to blend into the natural coastal bluffs. The wall system will be designed to allow for additional tied-back shotcrete infills to be constructed as portions of the wall or adjacent areas become exposed over time (Attachment 8).

The Bandera Street unimproved right-of-way, which is identified by the La Jolla Community Plan and Local Coastal Land Use Plan as westward of a view corridor, will be revegetated after construction of the wall, and the safety fence will be reinstalled at a safe location from the bluff face (Attachments 9-10).

Environmental Analysis:

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) on April 13, 2010. No additional CEQA review or determination is needed, as the work was previously exempted. CEQA states that the following emergency projects are exempt from the requirement of CEQA "specific actions necessary to prevent or mitigate an emergency" (15269 (c) (Attachment 11).

Appeal of the Hearing Officer's Decision:

On December 1, 2010, the Hearing Officer of the City of San Diego approved Coastal Development Permit No. 759403 and Site Development Permit No. 797314 with no further conditions. On December 6, 2010, the project approval was appealed by the Briggs Law Corporation (Attachment 12). In the appeal, the appellant stated that "The hearing officer erred in approving the project without review under the California Environmental Quality Act. The project does not qualify for an exemption."

Staff has reviewed the appeal and determined that the categorical exemption performed at the initial review of the emergency project was appropriate.

Prior to the exemption being prepared, staff reviewed the project in accordance with State California Environmental Quality Act (CEQA) Guidelines Section 15061-15062. During that

review, it was determined that per State CEQA Guidelines Section 15269 (c), the project is exempt from the requirements of CEQA. Section 15269 (c) states, "Specific actions necessary to prevent or mitigate an emergency. This does not include longterm projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term."

The work that was exempted as addressing the emergency is the same as the permanent solution, except that the wall during construction engineering was designed to hold the bluff erosion without encroachment into adjacent public rights-of-way. No additional CEQA review or determination is needed, as the work was previously exempted.

Conclusion:

The proposed seawall project is sited on a coastal bluff that could continue to erode if not properly addressed. The project would protect the bluff on private property and the public right-of-way from further erosion and would protect the residential neighborhood located at the top of the bluff from potential future sliding which could cause damage to those properties. Staff has reviewed the proposed Coastal and Site Development Permit and has found it to be in conformance with the requirements of the Municipal Code. Staff believes the required findings can be supported and recommends the Planning Commission deny the appeal and approve the project as proposed.

ALTERNATIVE

1. Grant the appeal and Deny Coastal Development Permit No. 759403 and Site Development Permit No. 797314, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

WESTLAKE/JT

Attachments:

- 1. Aerial Photograph
- 2. Project Location Map

Jeannette Temple Project Manager Development Services Department

- 3. Community Plan Land Use Map
- 4. Emergency Coastal Development Permit dated February 9, 2010
- 5. Emergency Coastal Development Permit dated April 23, 2010
- 6. Project Data Sheet
- 7. Coastal Development Permit No. 95-0438 and SCR dated May 7, 1998
- 8. Project Plans and Photos
- 9. Draft Permit Resolution with Findings
- 10. Draft Permit with Conditions
- 11. Notice of Environmental Exemption
- 12. Appeal Received December 6, 2010
- 13. Community Planning Group Recommendation
- 14. Ownership Disclosure Statement
- 15. Project Chronology





Aerial Photo 5322 CALUMET AVENUE – 5322 CALUMET AVENUE PROJECT NO. 213382





<u>5322 CALUMET AVENUE – 5322 CALUMET AVENUE</u> PROJECT NO. 213382

ATTACHMENT 2





La Jolla Community Plan City of San Diego - Planning Department



La Jolla Community Plan City of San Diego · Planning Department Figure H

EMERGENCY COASTAL DEVELOPMENT PERMIT 5322 CALUMET AVE COP PTS No. 203944

1. Câlumet Real Estate Holdings, LLC/Cruig Bachman, Permittee (Name) February 9, 2010 (Date)

- 2. <u>4445 Eastgate Mall. Suite 400</u> (Street Name & No.)
- 3. <u>San Diego, CA 92121</u> (City, State, Zip)
- 4. <u>Emergency Coastal Development Permit No. 723452</u> (Emergency Permit Number)
- The emergency work is located at 5322 Calumet Avenue and in the adjacent Public <u>Right-of-Way on the coastal biulf area</u> Location of Emergency Work
- <u>The emergency work requested is to apply a soil stabilization polymer to the top and face</u> of the coastal bluff at 5322 Calumet Avenue and in the adjacent public right-of-way overlook to prevent further bluff collapse and damage to the primary structure. Emergency Work Requested

Dear Applicant:

This letter constitutes approval of the emergency work you or your representative have requested to be done at the location listed above. Based on the submitted information and staff's site inspection an unexpected geotechnical occurrence requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

a. An emergency exists which requires action more quickly than permitted by the procedures for acquiring a Coastal Development Permit.

The project site is located in the RS-1- zone, the Coastal Overlay Zene, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (0-5 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to existing Coastal Development Permit No. 95-0438. The alley at the terminus of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as a view corridor and provides vertical access.

The Geology Section has determined that a coastal emergency exists in a localized area at 5322 Calumet Avenue as of February 8, 2010. The northwest

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corner of the property has experienced a recent bluff failure and accelerated recession of the bluff edge. The recession has undernined a portion of the rear patio wall footing. The northwest corner of the residential structure is approximately 8 feet horizontally from an approximately 30-foot high coastal bluff cliff. Additional recession appears imminent in this area and immediate action is necessary to protect the primary structure. The applicant is proposing to apply a soil stabilizing polymer coating to the bluff face to reduce erosion and water penetration. This appears to be a minimal measure consistent with the procedures for emergency coastal development permits; however, it is unclear if this measure will stabilize the emergency.

b. Public comment on the proposed emergency action has been solicited and reviewed to the extent feasible.

A public notice was issued and published in the San Diego Daily Transcript on February 10, 2010. A copy of the notice was distributed to the California Coastal Commission, and the La Jolla Community Planning Association. In addition, the subject permit and project will be required to go through the standard permit application process for a Coastal Development Permit, which will include public noticing.

 The work proposed would be consistent with the certified Local Coastal Program.

The project applicant has been determined to be eligible for an Emergency Permit and will be processed under San Diego Municipal Code Section 126.0718. As previously stated, the emergency project will be required to go through the standard process for a Coastal Development Permit. The project was reviewed under all regulations of the Local Coastal Program and City of San Diego Municipal Code.

The project site is located in the RS-1-zone, the Coastal Overlay Zone, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (0-5 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to existing Coastal Development Permit No. 95-0438. The alley at the terminus of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as a view corridor and provides vertical access.

The Geology Section has determined that a coastal emergency exists in a localized area at 5322 Calumet Avenue as of February 8, 2010.

The work is hereby approved, subject to the following conditions:

Page 2 of 3

1. The enclosed form must be signed by the property owner and returned to our office within 15 days.

2. Only that work specifically requested as described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the City Manager.

3. Within 60 days of the above date, the Owner/Permittee shall apply for a regular coastal permit and site development permit to have the emergency work be considered permanent or for an alternative permanent solution. If a regular permit is not received, the emergency work shall be removed in its entirety within 150 days of the above date unless waived by the City Manager.

4. An encroachment maintenance and removal agreement (EMRA) and public right-of-way permit are required for the application of the polymer to the public right-of-way.

5. A grading permit will be required for the removal of the polymer.

6. In exercising this permit the applicant agrees to hold the City of San Diego harmless from any liabilities for damage to public or private properties or personal injury that result from the project.

7. This permit does not eliminate the need to obtain necessary authorizations and/or permits from other agencies.

If you have any questions about the provisions of this authorization, please call the City of San Diego, Development Services Department.

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Calumet Real Estate Holdings, LLC/Craig Bachman, Permittee

EMERGENCY PERMIT MPPROVED:

eannette Temple, Development Project Manager Internal Order No. 24000656

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EMERGENCY PERMIT

- Calumet Real Estate Holdings, LLC/Craig Bachman, Permittee
 April 23, 2010

 Name
 Date
- 2. <u>4445 Eastgate Mall, Suite 400</u> Street Name & No.
- 3. <u>San Diego, CA 92121</u> City, State, Zip
- 4. <u>Emergency Coastal Development Permit No. 742235</u> Emergency Permit Number
- The emergency work is located at 5322 Calumet Avenue, adjacent to the Public Right-of-Way on the coastal bluff.
 Location of Emergency Work
- 6. <u>The emergency work requested is to construct a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs. The wall system will be designed to allow for additional tied-back shotcrete infills to be constructed as portions of the wall or adjacent areas become exposed over time. The emergency stabilization measure is designed to allow deconstruction in the future if required.</u>
 Emergency Work Requested

Dear Applicant:

This letter constitutes approval of the emergency work you or your representative have requested to be done at the location listed above. Based on the submitted information and staff's site inspection an unexpected geotechnical occurrence requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

a. An emergency exists which requires action more quickly than permitted by the procedures for acquiring a Coastal Development Permit

The project site is located in the RS-1-zone, the Coastal Overlay Zone, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (0-5 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to existing Coastal Development Permit No. 95-0438. The alley at the terminus

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of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as a view corridor and provides vertical access.

The Geology Section has determined that a coastal emergency exists in a localized area at 5322 Calumet Avenue as of February 8, 2010. The northwest corner of the property has experienced a recent bluff failure and accelerated recession of the bluff edge. The recession has undermined a portion of the rear patio wall footing. The northwest corner of the residential structure is approximately 8 feet horizontally from an approximately 30-foot high coastal bluff cliff.

On February 9, 2010, Emergency Coastal Development Permit No. 723452 was issued for Project No. 203944, to place a soil stabilizing polymer coating to the bluff face. Subsequent storm events in the last week of February resulted in additional bluff failures under the rear yard patio and a portion of the Bandera Street right-of-way. The property at 5322 Calumet was "yellow tagged" for designated limited entry and restricted use of a bedroom due to risk. The proposed sea wall has been determined to be the next minimally necessary to protect the primary structure.

b. Public comment on the proposed emergency action has been solicited and reviewed to the extent feasible.

A public notice was issued and published in the San Diego Daily Transcript on April 27, 2010. A copy of the notice was distributed to the California Coastal Commission and the La Jolla Community Planning Association. In addition, the subject permit and project is required to go through the standard permit application process for a Coastal Development Permit, which will include public noticing.

c. The work proposed would be consistent with the certified Local Coastal Program.

The project has been determined to be eligible for an Emergency Permit is processed under San Diego Municipal Code Section 126.0718. As previously stated, the emergency project is required to go through the standard permit application process for a Coastal Development Permit. The project was reviewed under all regulations of the Local Coastal Program and the City of San Diego Municipal Code.

The project site is located in the RS-1- zone, the Coastal Overlay Zone, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (0-5 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to

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existing Coastal Development Permit No. 95-0438. The alley at the terminus of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as a view corridor and provides vertical access.

The Geology Section has determined that coastal emergency exists in a localized area at 5322 Calumet Avenue as of February 8, 2010.

The work is hereby approved, subject to the following conditions:

- 1. The enclosed form must be signed by the property owner and returned to our office within 15 days.
- 2. Only that work specifically requested as described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the City Manager.
- 3. Within 60 days of the above date, the Owner/Permittee shall apply for a regular coastal permit and site development permit to have the emergency work be considered permanent or for an alternative permanent solution. If a regular permit is not received, the emergency work shall be removed in its entirety within 150 days of the above date unless waived by the City Manager.
- 4. In exercising this permit the applicant agrees to hold the City of San Diego harmless from any liabilities for damage to public or private properties or personal injury that result from the project.
- 5. The Owner/Permittee shall obtain a building permit prior to construction of the proposed temporary emergency seawall/ bluff repair tieback retaining wall. The proposed emergency seawall/ bluff repair tieback retaining wall is temporary until entitlements are permitted. Tieback anchors shall be designed to be removable. A geotechnical investigation report and building plans shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.
- 6. This permit does not eliminate the need to obtain necessary authorizations and/or permits from other agencies.

If you have any questions about the provisions of this authorization, please call the City of San Diego, Development Services Department.

Calumet Real Estate Holdings, LLC/Craig Bachman, Permittee

EMERGENCY PERMIT APPROVED:

Jeannette Temple, Development Project Manager

Internal Order No. 24000656

| | PROJECT DA | ΓA SHEET | |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|--|
| PROJECT NAME: | 5322 Calumet Avenue | | |
| PROJECT DESCRIPTION: | Stabilization the coastal bluff and construction of a reinforced shotcrete wall for an existing single family residence. | | |
| COMMUNITY PLAN AREA: | La Jolla | | |
| DISCRETIONARY ACTIONS: | Coastal Development Permit and Site Development Permit, amending Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235. | | |
| COMMUNITY PLAN LAND USE DESIGNATION: | Low-density residential development (5-9 dwelling units per acre) | | |
| | ZONING INFOR | MATION: | |
| ZONE: RS | -1-7 | | |
| | Foot maximum height limit. | | |
| | 00 square-foot minimum lot | | |
| FLOOR AREA RATIO: NA | - | r 95-0438. | |
| FRONT SETBACK: 15 | - | | |
| SIDE SETBACK: 7 f | e | | |
| STREETSIDE SETBACK: 5 f | - | Street Easement (unimproved) | |
| REAR SETBACK: 18 PARKING: 2 s | | | |
| | | | |
| ADJACENT PROPERTIES: | LAND USE DESIGNATION & ZONE | EXISTING LAND USE | |
| NORTH: | Low Density Residential; RM-1-7. | Single Dwelling Unit/ Bandera Street Easement | |
| SOUTH: | Low Density Residential; RM-1-7. | Single Dwelling Unit | |
| EAST: | Low Density Residential; RM-1-7. | Single Dwelling Unit | |
| WEST: | NA | Pacific Ocean | |
| DEVIATIONS | None | | |
| COMMUNITY PLANNING GROUP | On November 4, 2010, the La Jolla Community Planning Association voted 14- 0-1 to recommend approval with no conditions. | | |

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES

AND WHEN RECORDED MAIL TO PERMIT INTAKE MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The original of this document" Was recorded on Mar 02, 1998 Document Number 1998-0108633

GREGORY J. SMITH, COUNTY RECORDER

SAN DIEGO COUNTY RECORDER'S OFFICE

TIME: 1:39 PM

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COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE PERMIT NO. 95-0438 VILLANI RESIDENCE PLANNING COMMISSION

This Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 is granted by the PLANNING COMMISSION of the City of San Diego to KEVIN and JANE VILLANI, Owners/Permittees, pursuant to Section 105.0201 and 101.0480 of the Municipal Code of the City of San Diego.

1. Permission is hereby granted to Owners/Permittees to construct a first and second story addition to an existing single-family residence located at 5322 Calumet Avenue, also described as Lot 17, Sun Gold Point, Map 3216 in the City of San Diego, County of San Diego, State of California, in the R1-5000 Zone in the La Jolla Community; and

2. The facility shall consist of the following:

- A 4,682-square-foot single-family residence (maximum FAR of .60); consisting of an existing
 3,505-square-foot house, a first story addition of 30 square feet, and a second story addition of 1,177 square feet.
- b. Breakup and redistribution of a concrete mass adjacent to the site at the base of bluff.
- c. A 25-foot setback for the second story addition, including a roof deck not to extend beyond the existing legal non-conforming structure.
- d. Incidental accessory uses as may be determined incidental and approved by the City Manager or designee.

3. The roof deck shall not be permitted to extend beyond the west wall of the existing non-conforming structure. Prior to obtaining building permits, Exhibit "A" shall be modified to reflect this change.

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4. Not fewer than two off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated July 25, 1996, on file in the office of the Development Services. Parking spaces shall comply with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use.

5. The maximum allowed height in the Coastal Zone is 30' -0". Plans shall be in substantial conformance to Exhibit "A," dated July 25, 1996, on file in the Office of Development Services. No change, modification or alteration shall be allowed until appropriate application or amendment of this permit have been made.

6. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns this permit to the Development Services LDR Division; and
- b. The Coastal Development Permit is recorded in the Office of the County Recorder.

7. Before issuance of any building permits, complete working drawings shall be submitted to the Development Services Manager for approval. Plans shall be in substantial conformance to Exhibit "A," dated July 25, 1996, on file in the Office of the Development Services. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

8. The property described within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager or the permit has been revoked by the City of San Diego.

9. This Coastal Development/Sensitive Coastal Resource Permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City of San Diego or Permittees.

10. This Coastal Development/Sensitive Coastal Resource Permit is a covenant running with the subject property and shall be binding upon the Permittees and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

11. The use of textured or enhanced paving shall be permitted only with the approval of the City Engineer and City Manager, and

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shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.

12. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

11. Prior to the issuance of any building permits, the applicant shall:

- Ensure that building address numbers are visible and visible from the street (UFC 10.208).
- b. Show the location of all fire hydrants on the plot plan (UFC 10.301).

12. No additional grading or construction will be allowed within five feet of the bluff. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

13. Prior to the issuance of any building permits, the applicant shall:

- a. Ensure that building address numbers are visible from the street (UFC 10.208).
- b. Show the location of all fire hydrants on the plot plan (UFC 10.301).

14. This development may be subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seg.

15. Prior to the issuance of a building permit, a drainage plan shall be submitted to City Manager or designee that directs site drainage away from the Coastal Bluffs into the City storm drainage system.

16. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right of way, satisfactory to the permit-issuing authority.

17. This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by .

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California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.

18. This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

19. Unless appealed this Coastal Development/Sensitive Coastal Resource Permit shall become effective on the eleventh day following the decision of the Coastal Commission of the Notice of Final Action.

20. This Coastal Development/Sensitive Coastal Resource Permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Chapter 11, Section 105.0216 of the Municipal Code.

21. This Coastal Development/Sensitive Coastal Resource Permit is effective on the 11th day following the 10 day appeal period. 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.

22. The issuance of this permit by the City of San Diego does not authorize the applicant for said permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

23. 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 discretionary 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 special rights which the holder of the Permit is obtaining as a result of this permit. It is the intent of the City that the owner of the property which is the subject of this permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the owner of the property be allowed the special and extraordinary rights conveyed by this permit, but only if the owner complies with all the conditions of this permit.

24. 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

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or unreasonable, this permit shall be void. However, in such event, the Owner/Permittee shoal have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition 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 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.

APPROVED by the Planning Commission of the City of San Diego on July 25, 1996.

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PLANNING COMMISSION RESOLUTION NO. 2294-PC COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE PERMIT NO. 95-0438

WHEREAS, KEVIN AND JANE VILLANI, Owners/Permittee, filed an application for a Coastal Development/Sensitive Coastal Resource Permit to develop subject property located at 5322 Calumet Avenue also described as Lot 17, Sun Gold Point, Map 3216 in the City of San Diego, County of San Diego, State of California, in the R1-5000 Zone in the La Jolla Community Plan; and

WHEREAS, on July 25, 1996, the Planning Commission of the City of San Diego considered Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 pursuant to Section 105.0201 and 103.0300 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

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

1. That the Planning Commission adopts the following written Findings, dated July 25, 1996.

COASTAL DEVELOPMENT PERMIT FINDINGS:

A. THE PROPOSED DEVELOPMENT WILL NOT ENCROACH UPON ANY EXISTING PHYSICAL ACCESSWAY LEGALLY UTILIZED BY THE PUBLIC OR ANY PROPOSED PUBLIC ACCESSWAY IDENTIFIED IN AN ADOPTED LCP LAND USE PLAN; NOR WILL IT OBSTRUCT VIEWS TO AND ALONG THE OCEAN AND OTHER SCENIC COASTAL AREAS FROM PUBLIC VANTAGE POINTS.

The project is located adjacent to a 20-foot-wide public pedestrian access path on the northerly property line. The access is identified as a public view corridor in the La Jolla Community Plan. This project has been designed to be set back over 17' -0" feet from the side property line and would not encroach into the public view corridor.

B. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT MARINE RESOURCES, ENVIRONMENTALLY SENSITIVE AREAS, OR ARCHAEOLOGICAL OR PALEONTOLOGICAL RESOURCES.

The project site is located adjacent to the beach. No sensitive resources have been identified on the site. However, the breakup and redistribution of the concrete mass are expected to improve the conditions of the beach and decrease the potential for future erosion to the bluff.

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Page 6 of 9

C. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REQUIREMENTS RELATED TO BIOLOGICALLY SENSITIVE LANDS AND SIGNIFICANT PREHISTORIC AND HISTORIC RESOURCES AS SET FORTH IN THE RESOURCE PROTECTION ORDINANCE, CHAPTER X, SECTION 101.0462 OF THE SAN DIEGO MUNICIPAL CODE, UNLESS BY THE TERMS OF THE RESOURCE PROTECTION ORDINANCE, IT IS EXEMPTED THEREFROM.

This project has been designed to comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance. No additional mitigation has been required.

D. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT RECREATIONAL OR VISITOR-SERVING FACILITIES OR COASTAL SCENIC RESOURCES.

The proposed development will not adversely affect recreational facilities or coastal scenic resources. The proposed redistribution of the concrete mass at the base of the bluff is expected to improve the conditions of the beach.

E. THE PROPOSED DEVELOPMENT WILL BE SITED AND DESIGNED TO PREVENT ADVERSE IMPACTS TO ENVIRONMENTALLY SENSITIVE HABITATS AND SCENIC RESOURCES LOCATED IN ADJACENT PARKS AND RECREATION AREAS, AND WILL PROVIDE ADEQUATE BUFFER AREAS TO PROTECT SUCH RESOURCES.

The project has been sited and designed to prevent adverse impacts to environmentally sensitive habitats (bluff and beach). The second story has been set back 25' -0" from the bluff as required by the Sensitive Coastal Resource Ordinance which will provide an adequate buffer to protect the bluff from additional impacts.

F. THE PROPOSED DEVELOPMENT WILL MINIMIZE THE ALTERATIONS OF NATURAL LANDFORMS AND WILL NOT RESULT IN UNDUE RISKS FROM GEOLOGIC AND EROSIONAL FORCES AND/OR FLOOD AND FIRE HAZARDS.

The project does not propose any alterations to natural landforms. The proposed development is located on a previously graded lot in a residential neighborhood. No grading is required for the first and second story addition. As stated previously, the distribution of the concrete mass will minimize the erosion to the bluff.

Page 7 of 9 -



G. THE PROPOSED DEVELOPMENT WILL BE VISUALLY COMPATIBLE WITH THE CHARACTER OF SURROUNDING AREAS, AND WHERE FEASIBLE, WILL RESTORE AND ENHANCE VISUAL QUALITY IN VISUALLY DEGRADED AREAS.

The proposed development is compatible with the neighborhood character which consists of large homes on above-average sized lots. The La Jolla Community Plan has designated this site for single-family development. The project, as designed, is in conformance with the adopted community plan and the R1-5000 Zone.

H. THE PROPOSED DEVELOPMENT WILL CONFORM WITH THE GENERAL PLAN, THE LOCAL COASTAL PROGRAM, AND ANY OTHER APPLICABLE ADOPTED PLANS AND PROGRAMS.

The project as designed conforms with all applicable regulations and policy documents. A minimum 40-foot setback from the bluff top is required by the Sensitive Coastal Resource Ordinance, unless the geotechnical report concludes, as this one does, that the project site is geologically stable and the setback can be reduced to 25' -0" feet.

SENSITIVE COASTAL RESOURCE PERMIT FINDINGS:

A. THE PROPOSED DEVELOPMENT WILL BE SITED, DESIGNED, AND CONSTRUCTED TO MINIMIZE, IF NOT PRECLUDE, ADVERSE IMPACTS UPON SENSITIVE COASTAL RESOURCES AND ENVIRONMENTALLY SENSITIVE AREAS.

The proposed development will be sited, designed, and constructed to minimize, adverse impacts to sensitive coastal resources. The second story addition will be located 25' -0" from the existing bluff edge as recommended by the geotechnical report and 17' -6" from the view corridor on the northerly property line.

B. THE PROPOSED DEVELOPMENT WILL NOT ENCROACH UPON ANY EXISTING PHYSICAL ACCESSWAY LEGALLY UTILIZED BY THE FUBLIC OR ANY PROPOSED PUBLIC ACCESSWAY, IDENTIFIED IN AN ADOPTED COMMUNITY FLAN; NOR WILL IT OBSTRUCT VIEWS TO AND ALONG THE OCEAN AND OTHER SCENIC COASTAL AREAS FROM PUBLIC VANTAGE POINTS.

As stated above, the proposed development will not encroach upon any existing public accessway and the second story addition will be sited 17' - 6" from the northerly property line which abuts the public view corridor identified in the La Jolla Community Plan.

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Page 8 of 9

C. THE PROPOSED DEVELOPMENT WILL MINIMIZE THE ALTERATION OF NATURAL LANDFORMS AND WILL NOT RESULT IN UNDUE RISK FROM GEOLOGIC AND EROSIONAL FORCES AND/OR FLOOD AND FIRE HAZARDS.

See Finding "F" in Coastal Development findings above.

D. THE PROPOSED DEVELOPMENT WILL NOT CONTRIBUTE TO THE EROSION OF PUBLIC BEACHES OR ADVERSELY IMPACT LOCAL SHORELINE SAND SUPPLY. SHORELINE PROTECTIVE WORKS WILL BE DESIGNED TO BE THE MINIMUM NECESSARY TO ADEQUATELY PROTECT EXISTING PRINCIPAL STRUCTURES, TO REDUCE BEACH CONSUMPTION AND MINIMIZE SHORELINE ENCROACHMENT.

The proposed remodel construction of the single-family residence is located adjacent to a public beach. As stated previously, preventive measures will be taken to reduce erosion to the bluff. This proposal is expected to decrease the rate of erosion to the bluff and reduce beach consumption and shoreline encroachment.

E. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE GENERAL PLAN, THE LOCAL COASTAL PROGRAM, OR ANY OTHER APPLICABLE ADOPTED PLANS AND PROGRAMS.

See Finding "H" in Coastal Development findings above.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 95-0438 is hereby GRANTED to KEVIN and JANE VILLANI, Owner/Permittee, in the form and with the terms and conditions as set forth in Coastal Development Permit No. 95-0438, a copy of which is attached hereto and made a part hereof.

Karen Lyńch-Ashcraft Senior Planner

Linda Lugano, Legislative Recorder to the Planning Commission

Page 9 of 9

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Type/Number of Document CDP/ 95-0438

Date of Approval July 25, 1996

aren Lonch-ashcrog Lynch-Ashcraft, Senior Planner

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_____before me, BARBARA J. HUBBARD (Notary Public), personally appeared RAFT, Senior Planner of Development Services of the City of San Diego, . to me to be the person(s) whose name(s) is/are subscribed to the within .cknowledged to me that he/she/they executed the same in his/her/their nd that by his/her/their signature(s) on the instrument the person(s), or the lf of which the person(s) acted, executed the instrument.

BARBARA J. HUBBARD COMM. # 1056585 Notary Public - California SAN DIEGO COUNTY My Comm. Expires MAY 16, 1997

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<u>1998</u> before me, <u>BETTY KOEPPEN</u> (Name of Notary Public) personally <u>E. VILLANI AND JANE E. VILLANI</u>, personally known to me (or the basis of satisfactory evidence) to be the person(s) whose name(s) is/are he within instrument and acknowledged to me that he/she/they executed the same r authorized capacity(ies), and that by his/her/their signature(s) on the person(s), or the entity upon behalf of which the person(s) acted, executed the

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Karen Lynch-Ashcraft, Senior/Planner

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2-/3-92 before me, BARBARA J. HUBBARD (Notary Public), personally appeared REN LYNCH-ASHCRAFT, Senior Planner of Development Services of the City of San Diego, resonally known to me to be the person(s) whose name(s) is/are subscribed to the within strument and acknowledged to me that he/she/they executed the same in his/her/their pacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the tity upon behalf of which the person(s) acted, executed the instrument.

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n <u>February 7, 1998</u> before me, <u>BETTY KOEPPEN</u> (Name of Notary Public) personally ppeared <u>KEVIN E. VILLANI AND JANE E. VILLANI</u>, personally known to me (or roved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are ubscribed to the within instrument and acknowledged to me that he/she/they executed the same n his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the nstrument the person(s), or the entity upon behalf of which the person(s) acted, executed the nstrument.

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BETTY KOEPPEN COMM #1083845 NOTARY PUBLIC CALIFORNIA SAN DIEGO COUNTY My Comm Expires Jan 21, 2000





THE CITY OF SAN DIEGO

May 7, 1998

Colin Seid ColRich Communities, Inc. 414] Jutland Drive, Suite 200 San Diego, Ca 92117

Reference: 5322 Calumet Ave, La Jolla- CDP/SCR No. 95-0438

Dear Colin:

Development Services has reviewed your substantial conformance application and has determined that your project application is in conformance with CDP/SCR No. 95-0438 due to the reduction in height from two-story to one-story and reduction in the floor area ratio (FAR). However, the proposed two car garage is the preferred design option. The community group and the neighbors have reviewed this project and support the design changes as well.

Any changes or modifications will require a new substantial conformance review or possibly an amendment. If you have any questions, please contact me at 236-6624.

Sincerely Terri Bumgardner

Project Manager

cc: CDP/SCR Permit No. 95-0438



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COMPLEMCE CERTIFICATES AND YIER I SLIPS SHALL BE PROVIDED FOR ALL PORTLAND. OF MENT COMPLETE PRODUCTS REPROPED FOR LETA

MIX OFFICES SMALL 35 SUBMITTED FOR ALL PORTLAND CEMENT CONCRETE MODES.

COMPAREMENTED FOR COLORED NOWORFEE

ALL BUENNETLALE SHALL BE MADE IN \$ COMMA, ONE OF WARCH WILL BE RETURNED TO THE . COM TRACTOR,

RE 2 - CONSTRUCTION MATERIALS

2 AIR-PLACED CONCRETE (I.E. SHOTCRETE)

EXCEPT AS OTHERWISE INDICATED BELOW, SHOTCHET MS MATERIALS SHALL CONFORM TO THE RECURRENEWS OF SERVIC 2011 FOR TLAND OWE NT COMPLETE.

CENENT SHALL CONFORM TO ABOUT D153, "TYPE V" n

21 SAND SHALL BE WARHED AND MEET THE FOLLOWING DRADATION LIMITS.

> \$ (*\$\$5564 |84 WEIGHT) 100 SIEVE MZE NACIA NACIA NACIA 83 100 80 100 NC). 16 NC). 50 50 - 85 26 - M 10 - 20 NO. NI NO. NIP 2.10 ENERSE MONITIES 77 TO 11

RTURE CONFENT: 3% TO \$%

- CONCRETE BHAD, ACHIEVE A ADMILIA 2HOAY COMPRESSIVE STRENGTH OF 6000 PSL
- AGGREGATES SHALL BE NORMAL WEIGHT.
 - ЛООТСИИ ICE WALL DE AUROLA DE CATI, DE CASTELLES AND LE CALLOR DE LE CASTELLES PORT A CHARCAL ETA MA CHI MINERAL CADRE TO STOCIETE AUROLITERE BALL LETTE E THEM E CHARCAL ETA MA AMPRILA MELLY ME LAURE NE STOCIETE AUROLITERE BALL LETTE E THEM E CHARCAL ETA ANALYSIS MELLY ME LAURE NE STOCIETE DE CASTELLES ANALYSIS FONTANIO CON LE CASTELLES ANALYSIS ALCHER DE CASTELLES ANALYSIS FONTANIO CON LE CASTELLES ANALYSIS FONT MELLY DE MANDEL DE ALCHER DE LETTE DE LA DA AMPRICA DE LE CASTELLES MELLY DE LA CASTELLE DE LA DALLE CON LE DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES ANALYSIS DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES DE STOCIETES DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS FONT DE LE CASTELLES ANALYSIS DE LE

CHPHICAL ACHINEVERS - ASTRACES MINERAL ADNUCTURES - ARTM CRIS

REPURCEMENT SHALL CONFORM TO ASTM WAYS, OF ACE SOUND MEET THE REQUIREMENTS OF SYMUC SECTION 2012, WHERE INDICALED ON THE DRAWN'S REPURCEMENT BHALL BE BOOKT GOALED.

CONCRETE BHALL BE PRODUCED IN A READY MIX IN AN FIN ACCORDANCE WITH ASTRA GH.

1 SECTOR DE LE CONTRES DE LE C

THIS SECTION IS APPLICABLE FOR ALL STEEL PENFORCING USED ON THE PROJECT

REINFORCE VENT & HALL BE SHOP FARRIGATED PROFILD COATING AND SHALL CONFORM FOTHE. THE VARIANENTS OF AAS 1140 M 204

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ALL SYSTEMS FOR HANDLING COATED BARG SHALL HAVE PADDED CONTINCT AREAS FOR RIE DAVES NHEREVER POSSIBLE, ALL DUNCHAG BANDS SUMLI DE HACIDEO AND ALL SUMDLES BHALL DE LIFTED With Stromg Back, All Thele Supports or a platform Eritode Solar Toppovent Back-Tober Astrong Topol Back in the Rarging Dele

CONFERNATION FOR INSINF ORCING AND EPCON-COM 1ED REMARKS INCIDENTLE INCLUDED IN THE CONTINUE FINDLE FOR WIRKOUS CONCRETE FINDELISTS AND NO ACOTIONAL, COMPARATION BAULT BE ALLOWED INFERDATE:

2.04 PERMANENT EARTH ANCHORS

- A. ANGINE ROLLS ANCHORS, INCLUDING ANDROR INELGES AND WEDGE (NAMES, SMALL BE TOWNDAG BYSTEND MCRIMALIONALISTING DE AR JULILISTINAND OR COMALENT, COMPLETE WITH POLICIE CORREGIENT POTTO STATUS ASTERNA ENCATORIA (NEUTRI DRAWNES).
- ANCHORAGU SYSTEMS, INCLUDING TENDONS NOT BRECIFICACLY (TRADEFIC & ASTLANS MAY 21 SE USED PRIDVEIED BYCH TENDONA HAUF A DE WORDLANDEL TENDED TO BE DO BUILDE AND ARE EQUINALISATING I EMBIG DE LOND CAPACITY, BERVICE ABLUTY AND CORRECTS OF REVENUES TO THAT SECTIED REPEN.
- iteback and Kors Shall incorporate type discusle correction frotection fer. Manufactures b regoning noations,
- ANCHORACE & SHPATHAR ENCAPS II A TON REPORT 4 GROUT SHALL COMPORE TO SECTION 201-1 OF THE SERVIC EXCEPT AS WODIFIED BELOW.

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- CREAT BIALL CORDER OF A SCHENN HYATER MYTURE OR RANG-CEMPT- WATTER RETURE WYD BYLL RWAE A WINNIB YCAT CUMPRESIDE STRESCH NO 2 XO MAL CAR RATTAR WYD I SCHL TROUTER BLACKER RETY THE ANTON TESCH NO 2 XO MAL CAR RATTAR WITH I SCHL TROUTER BLACKER RETY THE ANTON TESCH NO 2 XO MAL CAR WITH THE AND THE ANT THE ANTON THE TAY THE ANTON THE ANTON WITH I LOCAL MAL CAR WITH AN THE ANTON THE I SCHL RUN AND THE ANTON WITH I LOCAL MAL CAR WITH ANTON THE I AND ANTON AN AND SCHLART AND ADDRESS COMPARE REPORT DEVICES OFFICE ACTION AND ADDRESS OFFICE COMPARE REPORT DEVICES OFFICE ACTION AND ADDRESS OFFICE
- CEMENT SHALL CONFORM TO ASTM D150 TYPE V. ÷
 - WATER COVIEW SHALL BE THE MINIMUM RECESSAILY FOR PROPER PLACEMENT RUT [NG. WATER-CENTENT RATIO BRALL NOT PROPER & 45. 6
 - ПОЛНОВИЕ ОСОГОВЛИСТИ П РАСТО ОД. А ОТОТНИКИ С ВИТОКАТИ ПОЛНОВИЛИ П РАСТО ОД. МОТОТНИКИ С ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ МОТОТНОВИТСКИ С ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ А И УОКТИЧЕВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИСТВИ ОТ ВИТОКАТИ. ОТ ОСТИТИСТВИ И ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ. ОТ ОСТИТИ ОТ ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ. ОТ ОСТИТИТИ ОТ ВОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ. ОТ ОТ ВИТОКАТИ ОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ. ОТ ОТ ВОТОКАТИ ОТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ. ОТ ОТ ВОТОКАТИ ОТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИТИ ОТ ВИТИТИ. ОТ ОТ ВОТОКАТИ ОТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИТИ ОТ ВИТИТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТИТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИ ОТ ВИТОКАТИТИ ОТ ВИТОКАТИТИ ОТ ВИ
- C. COMPENSATION FOR EASTIN AND/COMPANIENDAS (ANCHOR TERDONS, ANCHORAGE AND ANEX HING BROWS BLANDIN BROUT, NORSHEIM & ROOM, HACING POCKET GROUT, AND ALL MPRINTER ANT OCHP WITHING SHALL BE INCLUDED IN THE COMPANIE FRIDE, AND NO ADDITIONAL COMPENSATION WILL BE ALL DRET THEREOF DE

PART 3 - CONSTRUCTION METHODS

3.01 AIR-PLACED CONCRETE (SHOTCHETE)

- STANDARDE: EXCEPT AS OTHERWISE INDICATED HEREIN BHIDTORE TING \$44 LL COMPORE TO ALL Requirements (# 55P/nc becard) acs 2.
- FRSHED APPEARANCE: IT IB THE SITENT OF THESE SPECIFICATIONS THAT THE COMPLETED FACING CONCRETE ON AND CREED WALLS HAVE AN UNEVER SUMPACE PROFILE AND COLOR SHILLAR IN APPEARANCE TO THAT OF THE ADJACENT BLUFFE.
- C. THIGHNESS AND REINFORCEMENT COVER TOLERANCES: DESIGN CONCRETE THICKNESS AND CONCRETE COVER REINFORCEMENT IS STORM ON THE DRAMINGS. MINIMAR TOLERANCE, COL WEALCH PROCORESS BUILT BRINGS (1967) MINIST DUBLINGES (COLORER SHALL DR 1967) MINIMARCE STORM OF THE STORM OF THE STORM OF THE STORM OF THE STORM STORM OF THE STORM OF TH
- D. AR PREBALLINE (V/KING APPELDATION: A MACHINE CAPABLE OF MAINTAILING A 100 % PRESSURE SHALL BEINGLID
- E. APPLICATION: THE ROZZ), FIMAN SYMIL TAKE SPECIAL DARE TO PREVENT THE FORMATION OF VOIDS BEHIND THE REINFORCING STEEL & DAMAGE TO ENTRY CONTING OF REINFORCEMENT.
- F PERGAND REBOUND WATTRIAL CANNOT BE RE-USED AND MUST BE KEPT OUT OF THE MALL BY USE
- 9. NOLZLE SHALL BE HELD AT REAHT ANALES TO THE SHOLL BY SUBFACE AT A DISTANCE OF POUTO 3-3". WHEN ENCOURANT REMARKING STEEL, THE NOZZLE SHALL BE HELD TO DIRECT THE MATRIX APOUND THE STEEL.

3.03.1 SHOTCRETE SURFACE TREATMENT (SCULPTERCOAT)

- A reverse the second se
- MATERIALS: BOLLPTERODAT ENOTORETE SATERIALS SHALL CONFORM TO THE RECURSINENTS OF SECTION 201 (ARIATACED CONCILIER) OF THESE SPECIAL PROVISIONS.
- C. ROCKWARK COLOR AND TRAVERS. THE ATTRICUL ROCKWARK WATERIN, LEVEL BAULLATE TA COLOR AND DURING ON ADJOINT MATURE. BUTF AREAS THE COLOR SHALL BE KNOWNED AND INSTRUME. THE COLOREST AND THE COUNTRY FOR THE COLOR SHALL BALL OF FACE COLOR BAURDOR FOR THE SEAMAL AND THE COUNTRY FOR THE COMPACT THE FOR THE REMEMAND WITTEN APPROVAL, BOODS OF COLUMITOR COM THE DATA.
- AND-MITECTURAL TEST PANEL A TEST PANEL AT LEAST 4" OF N SIZE OWEL BE SUCCESSFULLY COMPLETED FOR JARCHITE CITABLE TABLE AT LEAST 14 APRILADATION THE PHOLEREN BEFORE BECAMMENT WARD (FOR VECTOR CITABLE TABLE) AT LEAST 14 APRILADATION TO THE PHOLEREN BEFORE PHOLEM MITH INTEL VAL PHALEX, TOOLS, ELD WHEN TABLE BELOWERS, MICTORNAL TERT PANEL MICH AND THE CALL PHALEX, TOOLS, ELD WHEN TABLE BELOWERS, MICTORNAL TERT PANEL MICH AND THE CALL PHALEX, TOOLS, ELD WHEN TABLE BELOWERS, MICTORNAL TERT PANEL MICH AND THE CALL PHALEX, TOOLS, ELD WHEN TABLE BELOWERS, MICTORNAL TERT PANEL CALL PHOLEMENT, TERTILER FOR DERICHT PHOLEMERS, MICTORNAL TERT PANEL CALL PHOLEMENT, TERTILER FOR THE PHOLEMERS, MICTORNEL AND TABLES CALL PHOLEMENT, THE AND THE APPLICATION OF MICH AND THE AND DECOMMENT, DOTATION CONTRILLED FOR DERIVERY.

THE TERM FANEL APPROVED BY THE EXCINER SHALL BE USED AS THE STANDARD OF COMPARISON IN DETERMINING ACCEPTABILITY OF ARDITECTURAL TEXTURE FOR CONDRETE SUBJACED. E BOULPTERCOAT APPLICATION

- OLEAN SHIDICHERE ALMRADES OF DUSY, LATANCE, EMPLORESCENDE, LODGE PARTICLES AND DIVER FOREIGN MATTER.
 - WET SHOTCHETE SURFACE, IF MECESSARY TO REDUCE EXCESSIVE SUCTION ALL MIDDING AND OPERATING POUR WEAT SHALL, BE OF EAS
 - ARREY SCUIL PERSONNEL
- PREASURE FORMS, CONTOURS, AND DETAILS TO MINED THE SURROUNDING COASTAL BLUFFE FROM INF VARIANCE TEXTURES, MAD DETAILS BOY SPRANNIC TROWN INCLUDED, AND CLITTING TO PROVIDE THE DESIRED FMISH EFFECT.

3.03.1 SHOTCRETE SURFACE TREATMENT (SCULPTERCOAT) (CONTO) F. COLDIERIS

- 1 APPLY COLOR TO TEXTURED BLREACES
- APPLY COLOR IN ACCORDANCE WITH PROVEN METHODS OF ACHIEVING A NATURALIETIC BEAULY.
- COMPLY WITH APPROVED DOLON BOHRMES
 - 4) ADDENTILIATE FORMS AND DETAIL BY VARYING THE TOMES OF DOLDR.

204 EARTH ANCHOR INSTALLATION

- OSSERVATION: ALL ANCHOR INSTALLATION (INCLUDING ORLING), ITESTING, AND INSTALLATION OF ANCHORS) STALL BE DOBERVED BY THE ENDINGER
- U DRILLING: HOLEB SHALL HE (NRLEF) TO (THE DIVIETES, DEFTN AND THE A MONALLING: HOLEB SHALL HE (NRLEF) DRAWACS: THE ROLE SHALL BE CRALLED SO THAT THRIMMETER HON TO REPERTING THE AND MANULER YAN HE BEREFORD COMPETER HOLES INCLUDE STALLED SHALLON A HOLEDATHA A TANAN PERTENDENTILLAR TO THE RAYS TO "HE MALLE RATE MORE A FRANKIT HIMPORY (LEWITON ALCONOMI F. B. 2007) A MICANED ON THE OLAWING. THE THRANK THE CONTINUE LEWITON SHALL BE "AND REPORT TO MULTICATE THAT AND METER AND THE MALLE RATE AND MITHING THE CONTINUE CONTINUES FRANK TO THE OLAWING. THE THRANK THE MOLES LEWITON SHALL BE "A REPORT FOR HOMEN THAT AND METERAL POSITION AT THE MALLE RATE AND MITHING SE THE STRUCTURE MALON REPORT FOR THE OLAWING. THE MALLE RATE AND MITHING SE THE
- C. EXCAVATED RATERIAL FROM CRILLING OF RATIONS SHALL BE PLACED AND SPREAD ON THE ADJACENT CORRECT EACH FACE TO WOURSH THE SYSTING OF CORAL SEDMENTS.
- MCMOR FARS CATION AND HARDLING: TO THE EXTENT PRACTICALLY, MCMOR SHALL BE 5 DP FORMICATED. HARRON'S MANAGES IN ACCORDANCE WITH 1940 DRIVINGS BLANTICD BY THE DORTINGTER MAN DAVISOUS OF THE BENEFIC HARDLING SHALL BE HARDLED AND PROTECTED IN SACH ARAMNER AS TO AVOID CORRESIONAND PAYSION, DAVISE THERETS.
- E. ANOYOR Y, ACENENT: PRIOR TO INSTALLATION, ANOYONG ENALL 65 FREE OF DIRY, REVENENTAL RUTT OR NAY OTHER DELETERADING SUBSTANCES. ORLED HOURS SAN UNE DELEVISED OF MAY LODGE ROCK ZHANGKERES, SOL OR OTHER SUBSTANCES WARDHAMY PREVENT IN SUBSTANCES WARD OF THE ANOMENE ROBARD.

AROUT PREPARATION AND PLACEMENT: GROUPING OPERATIONS BROLL COMPLY WITH THE RECOMPLEMENTS OF SERVIC SECTION 305-1. FAXCENT AS FOLLOWS:

- CENERAL SYMME CONSIST OF A NEXT BLACKIES OF WAYFILMO TYPE IS PORTLAND CENERG WATCH CONTIENT SHALL CONFIDENT TO THE RECURRENCES OF THESE BERCIAL PROVIDENCE.
- 25 WATERCEVENT RAND GHALL NOT EXCERD 0.40 THIS DORRESPONDS TO 5 GALLONS OF WATER PER 1-BHS BAG OF PORTLAND CENTENT.
- GROUT SHALL BE INJACED ATTO THE ANCHOR HOLE THROUGH & GROUT TURE PRECIDED BY THE CONTRACTOR OR THAT FURFICIES UNTIL THE HOLF HIS FLIKE TO THE EDR OF THE ANCHORAGE ZONE, PROVINSIEND SHALL BE ANCE FOR DE REPORTING THE TOP OF THE GROUT TO ASSURE ANCHATE ANCECHASE.
- NFTER GROLT BAD, THE ANCHOR ROD SHALL REMAIN UNDERLINGED UNIT, THE NECESSARY GROUT'S [RENGTH HAB GER ATTAINED.
- 0 OPOUT SHALL ACREEVE A MINIMUM 7 DAY OTHER ALL OF 2 YOL PR

F. FROOF TEETING AND \$1 HES SINS: THE CONTRACTOR BHALL PROOF 1651 EACH ANCHOR AFTER ALL BROUT HAS ADIVEVED IT'S SPECIFIED STRENCTH AND THE CONCRETE FACING WALL HAS ADIVENED. ITS SPECIFIED 20 DAY BURGHAT

TESTING BRALL BE PERFORMED TO A PROOF LOND OF 1224 OF THE DESIGN LOND SHE CIFIED ON THE PLANS FINAL LOCK-OFF LOND IN THE ANCHOR AFTER PROXIMATERS NO SHALL BE THE DESIGN LOND PLANS FINAL LOCK-OFF LOAD AS SPECIFIED ON THE PLANS

PROOF TESTING AHALL TAKE PLACE IN THE PRESENCE OF THE ENGINEER AHALL. RECORD ALL PROOF TESTINEASUPEMENTE.

THE PREOF TERT SHALL BE PERFORMED BY INCREMENTALLY LEADING THE ANCHOR IN ACCOMPANIES WITH THE FOLLOWING SCIEDULE.

THE LOAD CYCLE SHALL CONSIST OF THE FOLLOWING RECURNCY

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THE DREEP TEST SHALL CONSIST OF THE FOLLOWING:

HOLD THE LUXP LOND FOR 16 MINUTES. WITH THE LOND HELD CONSTANT, ANCHOR MOMENTY (TOTA), MOMENTY SHALL BE RECORDED AT THE DISCOND, HANLITE, 2-MINUTE, 3-MINUTE, 4 MINUTE, SHARTE, GANNET AND INAMATE THE INTERVALS.



8.04 EARTH ANCHOR INSTALLATION (CONTINUED)

OVERATATION TIMES UNLE BE MEASURED FROM THE ACTIVENT THE JACK REGINS TO APPLY THE LEAD LOGD, IF THE INCREMENT RETIVES THE FAILURITE AND THE THINKITE INTERVAL RECORD IS CAN INCH OR INCRE, THE LOOD BHALL BE MANY AND FOR AN ADDAT CANLING INTUKES FOR EXTENDED CAREF REGIND.

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ТНЕ СРЕТИ- ИЛИТИКИ LOKS NOT EXCEED DAME INCH DURING THE 1-MINUTE TO 10-MINUTE TIME INACE MENT, ОК ИМИ КОНФИЛИМАТИЕ 1-MINUTE TO ВО-MINUTE TIME РЕНОСА, MEGARDLEDE OF ISONOM (MENTA ARE) BOND 6. ANDPAR RESCAPEMENT IF THE ANDROF ON OPENT TRAINO REMONS TRATED THAT AN AND ONE DANIET MEET THE BY CUTER DATA ON SOME CAMPLEY, THEN, AT THE PRIMITIVES SOL OTTEN, THE PRIMER THAN OBSERVENT THE MEMORY ONE REAMPOORDER IN A CAMPLEX MODEL IN A RETAILED IN A CAUCHT LOCATION, ALLAS DESCRICTOR THE ENCARESIN, WID NO ADDITION, CONFERMING THE ALLANDED THE REFLECTOR.

> DWNER'S CERTIFICATE STANDARD SINGLE FAMILY RESIDENTIAL PROJECT

FOR POST CONSTRUCTION BMP's

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EXISTING CONDITIONS



CONTROL/BMP NOTES:

- I THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL DEVICES IN WORKING ONDER TO THE SATISFACTION OF THE OTY ENGNEER THROUGHOUT THE CONSTRUCTION PHASE OF THE PROJECT.
- 2 THE CONTRACTOR SHALL BLOORPORATE THE WATER GUILLITY BMPS INCLUDED AS FARL OF THIS PROJECT, AS WELL AS ANY ADDITIONAL REQUIREMENTS INCORPORATED HEREIN BY PRESENT CONDITIONS, IN ORDER TO AVOID DEGRADATED OF WATER QUALITY DURING AND FOLLOWING CONSTRUCTION ACTIVITES.
- 3 THE CONTRACTOR SHALL INSTALL ADDITIONAL FROSTON CONTROL MEASURES AS MAY BE Recaused by the City Engineer due to operations or onforeseen circumstances which hay arise.
- 4. ALL GRAVEL BABS SHALL HAVE 374 INCH MINIMUM AGGREGATE.
- 5. THE EROSION CONTROL DEVICES SHOWN ON THIS DRAWING ARE TEMPORARY.

HYDROSEED MIX

| 2017-01-01/18752-152 | RATE/ACRE P | 1.5. | SEEDS/LB. |
|----------------------------------------------|--------------------------------|------|------------|
| 6hztx | 229 1105. | | |
| TEXT LINER. | 300 185 | | |
| MULCH | 5000 LES. | | |
| ABROHIA MARITIMA | 1,085, | 246 | 60,000 |
| ARTEHISIA PYCHOCEPHALA | 9 L104. | 121 | 53,000,000 |
| sahasionia cheiranthipolia sep. Sufpruticosa | 12 129 | 12 | |
| Encielia galiforniga | 6 LB. | 24% | 115,000 |
| SRIGBORUM PARYIPOLIUM | 30 100 | 12 | 450,000 |
| LASTABAA GALIFORNIGA | -1/2 LBS. | 0909 | 9250,000 |
| apine excelot | 5 LEA | TĐ | 19,000 |
| | -1/2 Les. | Se . | 000000 |
| SARJON 3 | 6 6415. | | |
| SUPERTINE VES | 20Z/00 AALS OF HYDROSED SLIVER | | |
| HYCOMPRIEZAL INCOULTA, ALCANO INTRAPADICES | 40 CZ. | | |

LCONTRACTOR IS ADVISED THAT THE ACTUAL AREA ION SLOPE) FOR THIS PROJECT IS LARGEP THAN THE AMEA SHOWN IN THE PLAN YEW MULCH AND BINGER AMOUNTS SHALL BE COMMENSURATE WITH THE ACTUAL SLOPE AREA, WOT THE PLANNERING AREA.

2. GRADED, DASTWREED, OR ERODED AREAS TO BE TREATED WITH A NON-IRRIGATED IMDROSEED MIX Shall receive an interna binder trackiere as needed between April 200 and Angust 31st Por Districtions of Share. With subsequence Application of indroseed no. During the Rainy Season between Datober 1st And April 1st

- 3. SEED MIXES SHALL BE SPECIFIED BY THE PURE LIVE SEED OF EACH SPECIES.
- A FREE MULCH SHALL BE APPLIED AT A MINIMUM RATE OF 2.000 LBS PER ACRE EXCEPT WHEN USED IN CONJUNCTION WITH STRAW MULCH, WHEN IT SHALL BE APPLIED AT A MINIMUM RATE OF 400 LBS PER ACRE.
- A A WETTING AGENT DONSISTING SSX ALKYL POLYETHYLFNE GLYCOL ETHER SHALL BE APPLIED AS PER MANUFACTURERS' RECOMMENDATIONS.
- 6. ROUIPMENT USED FOR THE APPLICATION OF SLORAY SHALL HAVE A BUILTAN AGTATION BYSTEM TO SUSPEND AND KOMOGENCUSLY MY THE SURAY. THE SURAY MAY GALL BE DEVED GREEN DIE GOMEMENT MUST HAVE A PLANE CAPABLE OF APPLYING SLURAY UNFORMEY.



















PLANNING COMMISSION RESOLUTION NO. PC-XXXX COASTAL DEVELOPMENT PERMIT NO. 759403 SITE DEVELOPMENT PERMIT NO. 797314 5322 CALUMET AVENUE - PROJECT NO. 213382

WHEREAS, CALUMET REAL ESTATE HOLDINGS, LLC, Owner/Permittee, filed an application with the City of San Diego, a required condition under Approved Emergency Coastal Development Permit Nos. 723452 and 742235, amending Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235, for a permit to stabilize the coastal bluff and construct a reinforced shotcrete wall for an existing single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 759403 and 797314), on portions of a 0.18 acre site;

WHEREAS, the project site is located 5322 Calumet Avenue in the RS-1-7 zone, Coastal Overlay (appealable), Coastal Height Limitation, Transit Area and Residential Tandem Parking Overlay zones between the sea and the first public roadway and within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lot 17, Sun Gold Point, Map No. 3216;

WHEREAS, on April 13, 2010, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15269(c). No additional CEQA review or determination is needed, as the work was previously exempted and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on December 1, 2010, the Hearing Officer of the City of San Diego considered and approved Coastal Development Permit No. 759403 and Site Development Permit No. 797314 pursuant to the Land Development Code of the City of San Diego and by Resolution No. HO-6381;

WHEREAS, on December 6, 2010, Briggs Law Corporation on behalf of CREED-21, filed an appeal of the Hearing Officer' approval;

WHEREAS, on January 20, 2011, the Planning Commission of the City of San Diego considered oastal Development Permit No. 759403 and Site Development Permit No. 797314 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated January 20, 2011.

Coastal Development Permit - Section 126.0708

А.

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

PLANNING COMMISSION RESOLUTION NO. PC-XXXX COASTAL DEVELOPMENT PERMIT NO. 759403 SITE DEVELOPMENT PERMIT NO. 797314 5322 CALUMET AVENUE - PROJECT NO. 213382

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WHEREAS, the project site is located 5322 Calumet Avenue in the RS-1-7 zone, Coastal Overlay (appealable), Coastal Height Limitation, Transit Area and Residential Tandem Parking Overlay zones between the sea and the first public roadway and within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lot 17, Sun Gold Point, Map No. 3216;

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

That the Planning Commission adopts the following written Findings, dated January 20, 2011.

Coastal Development Permit - Section 126.0708

Å.

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 proposed project is located at 5322 Calumet Avenue above the coastal bluff and adjacent to the Pacific Ocean. The coastal development permit application is for the construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs. The project is located entirely on private property with no encroachment into public lands located to the northeast, (Bandera St. right-of-way,) or onto public lands to the west (seaward) of the subject property.

Because the shotcrete wall is no higher then the pre-existing bluff face, it is essentially not visible from atop the bluff. The wall does not obstruct views from the Bandera Street ROW or from the sea.

The bluff failure of early 2010 occurred almost equally on both the private and public property. Stabilizing the coastal bluff within the private property may reduce the rate of bluff failure within the adjacent Bandera St. ROW such that public access and viewing, subject to the City of San Diego's approval, may again be allowed closer to the bluff edge.

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

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. No sensitive biological resources were present on the bluff edge when the failure occurred. Photographs of the site before 2010 indicate that the vegetation was ice plant and salt bush (Atriplex semibaccata). Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

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

The project site is located in the RS-1-7 zone, the Coastal Overlay Zone, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (5-9 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to existing Coastal Development Permit No. 95-0438, except where superseded by this permit. The alley at the terminus of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as westward from a view corridor with no vertical access.

The Geology Section (of the City of San Diego's Development Services Department) determined that a coastal emergency exists in a localized area at 5322 Calumet Avenue as of February 8, 2010. Consistent with the conditions of Coastal Emergency Development Permit No.. 742235, the Owner applied for a regular coastal permit and site development permit to have the emergency work considered permanent with in 60 days of emergency permit issuance.

The existing use (single family residence) and proposed development (shotcrete wall) to stabilize the bluff are in conformance with the certified LCP land use plan and all regulations of the certified Implementation Program.

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

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property.

The coastal development does not interfere with views or access within the Bandera St. ROW. Because the seawall is located entirely on private property, and there is no encroachment onto public lands to the west. Lateral public access along the beach, at the toe of the bluff, will not be limited or adversely impacted.

Adequate public beach access exists approximately 200 yards to the southeast off of Sea Ridge Drive. Beach access is not possible from either the project site or the adjacent Bandera St. view corridor because the bluff face in this location is near vertical and approximately 35 feet in height.

The proposed project does not increase the floor area, height, or bulk of the structure nor does it block or impede public access, and which do not result in a seaward encroachment by the structure.

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 project site is located in the RS-1 zone, the Coastal Overlay Zone, the Sensitive Coastal Overlay Zone, the Transit Area Overlay Zone, the Residential Tandem Parking Overlay Zone, between the sea and the first public roadway, is designated for low density residential (5-9 DU/AC) by the La Jolla Community Plan and Local Coastal Program, and is subject to existing Coastal Development Permit No. 95-0438, except where superseded by this permit. The alley at the terminus of Bandera Street is depicted by the La Jolla Community Plan and Local Coastal Program as westward from a view corridor with no vertical access.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view

corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property.

Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area. Because the proposed development is consistent with the General Plan and the La Jolla Community Plan, 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 proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The permit prepared for this project includes various conditions and exhibits of approval relevant to achieving compliance with the regulations of the Land Development Code in effect for the project site. These conditions and exhibits have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety, and general welfare of the persons residing, recreating, or working in the area.

The project will also provide for the health, safety, and welfare such persons by construction of a structural tied-back shotcrete wall in accordance with current construction standards and codes. Construction of the wall will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the wall will meet or exceed the current regulations. As such, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The proposed development complies in all respects with the applicable regulations of the Land Development Code.

B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The proposed development is the construction of a structural tied-back shotcrete wall at 5322 Calumet Avenue, textured and colored to blend into the natural coastal bluffs and as such the site is physically suitable for the design and siting of the proposed development.

The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The proposed development has been designed to avoid all direct and indirect impacts to environmentally sensitive lands to the maximum extent possible.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The proposed development does not propose any alterations to natural land forms. The proposed development is located on a previously developed lot in a residential neighborhood. No grading is required to construct the project. The construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs is intended to preserve and enhance the stability of land forms, geologic forces, and erosional forces. The proposed development is expected to decrease the rate of erosion of the bluffs.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The bluff failure of early 2010 occurred almost equally on both the private and public property. Stabilizing the coastal bluff within the private property may reduce the rate of bluff failure within the adjacent Bandera St. ROW and the rate of beach consumption and shoreline encroachment associated with a less stable bluff.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The property is not within or adjacent to the MHPA and thus would have no impact on the implementation or management of the MSCP.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

The construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs is intended to preserve and enhance the stability of land forms, geologic forces, and erosional forces. The proposed development is expected to decrease the rate of erosion of the bluffs and reduce beach consumption and shoreline encroachment.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The proposed project is the permanent construction of a structural tied-back shotcrete wall, textured and colored to blend into the natural coastal bluffs at 5322 Calumet Avenue. The project is located entirely on private property with no encroachment into either the existing public view corridor located to the northeast, (Bandera St. right-of-way) or public lands to the west (seaward) of the subject property. Stabilization of the bluff edge is expected to help reduce the rate of bluff erosion on the public property immediately to the north and maintain the existing views of the coastal bluffs in this area.

Conditions have been added to the permit to address drainage and the revegetation of the Bandera Street right-of-way. In addition, project conditions have been required to alleviate, negative impacts created by the proposed development.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) on April 13, 2010. No additional CEQA review or determination is needed, as the work was previously exempted. CEQA states that the following emergency projects are exempt from the requirement of CEQA "specific actions necessary to prevent or mitigate an emergency" (15269 (c).

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 759403 and Site Development Permit No. 797314 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 759403 and 797314, a copy of which is attached hereto and made a part hereof.

Jeannette Temple Development Project Manager Development Services

Adopted on: January 20, 2011

Internal Order No. 2400967

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24000967

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 759403 SITE DEVELOPMENT PERMIT NO. 797314 AMENDMENT TO COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE PERMIT NO. 95-0438 AND EMERGENCY COASTAL DEVELOPMENT PERMIT NOS. 723452 AND 742235 5322 CALUMET AVENUE - PROJECT NO. 213382 PLANNING COMMISSION

This Coastal Development Permit No. 759403 and Site Development Permit No. 797314, a required condition under Approved Emergency Coastal Development Permit Nos. 723452 and 742235, amendment to Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235, is granted by the Planning Commission of the City of San Diego to Calumet Real Estate Holdings, LLC, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0504. The 0.18-acre site is located at 5322 Calumet Avenue in the RS-1-7 zone, Coastal Overlay (appealable), Coastal Height Limitation, Transit Area and Residential Tandem Parking Overlay zones between the sea and the first public roadway and within the La Jolla Community Plan area. The project site is legally described as Lot 17, Sun Gold Point, Map No. 3216.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to stabilize the coastal bluff and construct a reinforced shotcrete wall for an existing single family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 1, 2010, on file in the Development Services Department.

The project shall include:

a. The stabilization of the coastal bluff and construction of a reinforced shotcrete wall for an existing single family residence approved in 1998;

- b. Landscaping (including the revegetation of the adjacent Bandera Street public right-of-way); and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

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

3. Coastal Development/Sensitive Coastal Resource Permit No. 95-0438 and Emergency Coastal Development Permit Nos. 723452 and 742235, remain in effect except where superseded by this permit.

4. 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.

5. 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.

6. 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.

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

8. 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.).

9. 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.

10. 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.

11. All of the conditions contained in this Permit have been considered and were determinednecessary 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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents. 12. officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election. Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

13. The Owner/Permittee shall obtain a 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.

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

15. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards, satisfactory to the City Engineer.

16. Any 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).

17. A public right-of-way permit is required for the work in the Bandera Street right-of-way, including the stabilized construction entrance and revegetation through hydroseeding.

18. The existing city chain-link fence within the Bandera Street Right-of-Way shall be returned to its existing location upon completion of construction and hydroseeding.

LANDSCAPE REQUIREMENTS:

19. Prior to recordation of this permit, the Owner/Subdivider shall enter into a bonded Landscape Establishment/Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of all non-irrigated or temporarily irrigated revegetation areas. The LEMA shall be approved by the Landscape Section of Development Services Department and remain in effect until the 25-mo. success criteria have been met, consistent with the Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

20. The air-placed concrete, including gunite or shotcrete, retaining walls, fills or other similar erosion control measures shall incorporate existing and adjacent landform characteristics including color coating, texturing, landscape, and topographical features.

21. Prior to the recordation of this permit, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" to preserve the Sensitive Coastal Bluff, in accordance with SDMC section 143.0152. The Covenant of

Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A".

22. Prior to the recordation of this permit the Owner/Permittee shall pay a fee to the City of San Diego Beach Sand Mitigation Fund held at the San Diego Association of Governments to be used for beach replenishment and/or public access improvements within the City of San Diego. The amount of the fee shall be calculated in accordance with San Diego Municipal Code Section 126.0722 and the Beach and Bluff Guidelines of the Land Development Manual. The fee has been calculated to be \$4,720.50.

23. Prior to the recordation of this permit, the Owner/Permittee shall execute a Notice of Hazardous Condition Indemnification and Hold Harmless Agreement for Sensitive Coastal Bluffs in accordance with SDMC section 143.0143, in a form and content acceptable to the Director of the Development Services Department, or designated representative, which shall provide:

- a. That the Owner/Permittee understands that new accessory structures or landscape features customary and incidental to residential uses are prohibited within 5 feet of the Coastal Bluff Edge or on the face of the Bluff, as illustrated on approved plan Exhibit "A;"
- b. That the Owner/Permittee understands that the site may be subject to extraordinary hazard from coastal bluff erosion, and the Owner/Permittee assumes all liability from such hazards; and
- c. The Owner/Permittee unconditionally waives any claim of liability against the City of San Diego and agrees to defend, indemnify, and hold harmless the City of San Diego and its advisors relative to the City of San Diego's approval of the project and for any resulting damage to Owner/Permittee due to natural hazards occurring on the site. This Notice of Hazardous Conditions-Indemnification and Hold Harmless Agreement shall be recorded against title to the property and shall run with the land, binding upon all successors and assigns.

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 Planning Commission of the City of San Diego on January 20, 2011, and Resolution No. PC-XXXX

Permit Type/PTS Approval No.: CDP759403/SDP 797314 Date of Approval: January 20, 2011

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeannette Temple 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.

Calumet Real Estate Holdings, LLC Owner/Permittee

By _____

Dan Feldman Vice President

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

NOTICE OF EXEMPTION

TO: <u>X</u> 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.: 208734

PROJECT TITLE: 5322 Calumet Emergency CDP

PROJECT LOCATION-SPECIFIC: 5322 Calumet Avenue, La Jolla, CA 92037

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Emergency Coastal Development Permit Coastal /Site Development Permit for bluff repair for an existing single family residence in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, and First Public Roadway.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Dan Feldman

Sunroad Centrum Partners, LP 4445 Eastgate Mall #400 San Diego, CA 92121 858-362-8500

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 (c)
- () CATEGORICAL EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The proposed activity is exempt from CEQA pursuant to Section 15269(c) which allows for specific action necessary to prevent or mitigate an emergency. This project is an emergency CDP/SDP to stabilize a collapsing bluff that is undermining a residential structure (structure was 'yellow tagged' by the City of San Diego on March 3, 2010). Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply, and the project has no potential to result in significant effect on the environment.

LEAD AGENCY CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

IF FILED BY APPLICANT:

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

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

SIGNATURE/TITLE

CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

| an a | City of San Diego Development Services | Deve | | |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| | 1222 First Ave. 3rd Floor San Diego, CA 92101 | | al Determination | |
| THE CITY OF SAN DIEGO | (619) 446-5210 | Ap | peal Application | May 2010 |
| See Information | Bulletin 505, "Development | Permits Appeal Procedure | ," for information on the appeal | procédure. |
| 1. Type of Appeal | | ······································ | , | P |
| Process Two Di C Process Three | ecision - Appeal to Planning C Decision - Appear to Planning Decision - Appeal to City Courc | ommission Genvi Commission Genvi cil | ironmental Determination - Appeal eal of a Hearing Officer Decision to | to City Council sevoké a permit |
| 2. Appellant Plea: 113.0103) | se check one LI Applicant. | Officially recognized Plannin | ng Committee 2 "Interested Pers | on [°] (<u>Per M.C. Sec.</u> |
| Name: CREED-21 c/o Bria | ggs Law Corporation | <u>الم الم الم الم الم الم الم الم الم الم </u> | E-mail Address: Mekaela@briggslawcorp.com | |
| Address: | | City: | State: Zip Code: Teleph | |
| 3. Applicant Nam | , Suite 111 e (As shown on the Permit/Ap) | Upland proval being appealed). Comp | CA 91786 (909) Dere if different from appellant. | 949-7115 |
| Tom Story | | | | |
| 4. Project Informa Permit/Environmer | ation htal Determination & Permit/Do | ocument No.: Date of Dec | ision/Determination: City Project | Manager: |
| 213382 (5322 Cal | umet Avenue) | 12/1/10 | Jeanette T | emple |
| Decision (describe | the permit/approval decision); | onment Permit and Site Develo | pment Permit under a CEQA exem | |
| THE REALING OTHER | approvide the coustin bevere | prinditer brane drid Orde Obryoto | | puon |
| ······································ | | an a | ***** | |
| Zi Factual Erro Zi Conflict with Zi Findings No Description of Gr | ppeal (Please check all that i r (Process Three and Four decisic other matters (Process Three a t Supported (Process Three and ounds for Appeal (Please ref <u>a 2, Division 5 of the San Diego</u> | nd Four decisions only) Cit Four decisions only) Cit Four decisions only) | w Information (Process Three and Fo ty-wide Significance (Process Four d wable reasons for appeal as more tional sheets if necessary.) | ecisions only} |
| | · · · · · · · · · · · · · · · · · · · | | | |
| The hearing office | er erred in approving the project | ct without review under the Cal | ifornia Environmental Quality Act. | |
| not qualify for an | exemption. | | RECEIV | |
| | HEV. | ······································ | · | ····· |
| | 230 | 062010 | | |
| | | SERVICES | DEVELOPMENT SER | WCES |
| | DEVELOR | MENT SERVICES | | <u></u> |
| *Annallantia == 5 | elemeted person on defined in | San Diana Municipal Code Sc | antian 112 0103 - Appoliant favori a | nd a-mailed |
| | | | ection 113.0103. Appeliant faxed a | |
| | n to the Heanng Officer prior to | o me nearing on the above-rete | erenced item. A copy of the oppos | |
| is attached. | | | ······································ | ••••• |
| 6. Appellant's Sig | gnature: I certify under penalty | y of perjury that the foregoing, | including all names and addresses | , is true and correct. |
| | In MAL | | | |
| Signature: | and the pro- | Date: | 12/3/10 | |
| Note: Faxed ap, | peals are not accepted. Appl | eal fees are non-refundable. | | |
| | | per. Visit our web site at www.sans | diego.gov/develaoment-services. | |
| | · · · | nation is available in alternative for | | |
| | | DS-3031 (05-10) | | |

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BRIGGS LAW CORPORATION

San Diego Office: 814 Morena Blvd., Suite 107 San Diego, CA 92110

Telephone: 619-497-0021 Facsimile: 619-515-6410

Please respond to: Inland Empire Office

Inland Empire Officer 99 East "C" Street, Suite 111 Upland, CA 91766

> Telephone: 909-949-7115 Facsimile: 909-949-7121

> > BLC File(s): 1593.04

30 November 2010

Hearing Officer Council Chambers City Administration Building, 12th Floor 202 C Street San Diego, CA 92101 Via Facsimile to (619) 321-3200 <u>Via E-mail to hearingofficer@sandiego.gov</u> <u>Via E-mail to itemple@sandiego.gov</u>

Re. <u>Coastal Development Permit and Site Development Permit for Project Number</u> 213382 (5322 Calumet Avenue)

Dear Hearing Officer:

I am writing on behalf of CREED-21 to convey my client's opposition to the above-referenced matter because approval of the proposal would violate the California Environmental Quality Act ("CEQA"). The proposal violates CEQA because the proposal is a discretionary project under CEQA and no environmental review has been done. For this reason, and for any and all other reasons that may have been or may be offered in opposition to the project, I respectfully urge you to deny the project and all associated entitlements.

If for any reason your consideration of this item is not completed on the date and time noticed, please provide me with written notice of the new date and time for their consideration. I would like to receive a Notice of Final Action.

Thank you for our attention to this matter.

Sincerely,

BRIGGS LAW CORPORATION

Cory J. Briggs

Cory J. Briggs

Be Good to the Earth: Reduce, Reuse, Recycle



LA IOLLA COMMUNITY PLANNING ASSOCIATION P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org

Regular Meeting – 4 November 2010

Attention: Jeannette Temple, DSD, City of San Diego 5322 Calumet Avenue Residence **Project:** PN 213382 Vote: 14-0-1 Action: To accept the recommendation of the **Development Permit Review Committee to** approve the project: Findings can be made to approve the application as presented. Goseph la Cava Submitted by: 4 November 2010 Joe LaCava, President Date La Jolla CPA

DPR Committee, October 2010 Report

Project Name: 5322 CALUMET AVE. RESIDENCE 5322 Calumet Ave. Permits: CDP SDP Project #: 213382 DPM: Jeannette Temple 619-557-7908, jtemple@sandiego.gov Zone: RS-1-7 Applicant: Tom Story 858-362-8500, tstory@sunroadenterprises.com

Scope of Work: (Process 3) Coastal Development Permit & Site Development Permit (a required follow up Permit to Emergency CDP, PTS#208734) to stabilize the coastal bluff for an existing single family residence in the RS-1-7 Zone of the La Jolla Community Plan, Coastal Overlay Zone (appealable), Coastal Height Limit Zone, First Public Roadway, Residential Tandem Parking, Transit Area. Council District 1.

Subcommittee Motion: Findings can be made for a Coastal Development Permit and a Site Development Permit to stabilize the coastal bluff. 7-0-0.

| Project Title: 5322 Calumet Ave. | | | Project No. (Far City Use Only) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part II - To be completed w | hen property is held by a corp | oration or partnership | |
| Legal Status (please check | (): | | |
| Corporation X Limited | Liability -or- 🔲 General) What | State? Corporate Identi | fication No |
| as identified above, will be fi the property. Please list bek otherwise, and state the type in a partnership who own the property. Attach additional p ownership during the time the Manager at least thirty days | led with the City of San Diego on ow the names, titles and address of property interest (e.g., tenanic property). <u>A signature is requir</u> ages if needed. Note: The applic e application is being processed | the subject property with the interest of all persons who have an in the who will benefit from the permi- red of at least one of the corpora- cant is responsible for notifying the or considered. Changes in own esubject property. Failure to pro- | n for a permit, map or other matter, ent to record an encumbrance against iterest in the property, recorded or it, all corporate officers, and all partners te officers or partners who own the pe Project Manager of any changes in ership are to be given to the Project vide accurate and current ownership Yes No |
| Corporate/Partnership Nar Calumet Real Estate Hold | | Corporate/Partnership Na | ame (type or print): |
| 🔀 Owner 📃 Tenant/ | ····· | Owner Tenan | VLessee |
| Street Address: 4445 Eastgate Mall, Suite | 400 | Street Address: | |
| City/State/Zip: San Diego, CA 92121 | | City/State/Zip: | |
| Phone No: (858 362-8500) | Fax No: (858 362-8448 | Phone No: | Fax No: |
| Name of Corporate Officer/Pa F.O. Tronboll | | Name of Corporate Officer/ | Partner (type or print): |
| Title (type or print): Secretary | 10 | Title (type or print): | |
| Signature | Date: June 10, 2010 | Signature : | Date: |
| Corporate/Partnership Nar | | Corporate/Partnership N | ame (type or print): |
| Covner Tenant/ | Lessee | Owner Tenan | t/Lessee |
| Street Address: | | Street Address: | |
| City/State/Zip: | | City/State/Zip: | |
| Phone No: | Fax No: | Phone No: | Fax No: |
| Name of Corporate Officer/Pa | rtner (type or print): | Name of Corporate Officer/I | Partner (type or print): |
| Title (type or print): | | Title (type or print): | |
| Signature : | Date: | Signature : | Date: |
| Corporate/Partnership Nar | ne (type or print): | Corporate/Partnership Name (type or print): | |
| Owner Tenant/ | Lessee | Owner Tenar | nt/Lessee |
| Street Address: | | Street Address: | |
| City/State/Zip: | | City/State/Zip: | <u> </u> |
| Phone No: | Fax No; | Phone No; | Fax No: |
| Name of Corporate Officer/Pa | rtner (type or print): | Name of Corporate Officer/I | Partner (type or print): |
| Title (type or print): | | Title (type or print): | |
| Signature : | Date: | Signature : | Date: |
| | | | |

Calumet Real Estate Holdings, LLC

| Uri Feldman | President |
|--------------------|------------------------------------------------------|
| Richard D. Vann | Executive Vice President |
| Wayne Meyer | Executive Vice President |
| William Hoffenberg | Executive Vice President and Chief Financial Officer |
| F.O. Tronboll | Senior Vice President and Secretary |
| Abraham Sherman | Vice President and Assistant Secretary |
| Dan Feldman | Vice President |

DEVELOPMENT SERVICES DEPARTMENT PROJECT CHRONOLOGY 5322 CALUMET AVENUE - PROJECT NO. 213382

| Date | Action | Description | City Review Time (Calendar Days) | Applicant Response |
|-------------------------------|-----------------------------|-----------------------------------------------------|-------------------------------------------|-----------------------|
| 6/17/10 | First Submittal | Project Deemed Complete | _ | - |
| 7/21/10 | First Assessment Letter | Furlough and City Holidays | l month, 4 days | |
| 8/26/10 | Second Submittal | | | 1 month, 5 days |
| 9/21/10 | Second Assessment Letter | | 26 days | |
| 10/26/10 | Requested HO | Delay requested by LJCPA and agreed to by applicant | | 1 month, 5 days |
| 12/1/10 | Hearing Officer | | 1 month, 5 days | |
| TOTAL S | TAFF TIME | (Does not exclude City Holidays or weekends) | 3 months, 4 days | |
| TOTAL A | PPLICANT TIME | (Does not exclude City Holidays or weekends) | | 2 months, 10 days |
| TOTAL PROJECT RUNNING TIME | | From Deemed Complete to Hearing | Approximately 5 months 14 days | |