



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: January 10, 2013

TO: Paul Godwin, Development Project Manager, Advance Planning and Engineering Division, Development Services Department

FROM: Anna L. McPherson, Senior Planner, Advance Planning and Engineering Division, Development Services Department

SUBJECT: Costabelle Residence SDP, California Environmental Quality Act 15162 Evaluation

The Development Services Department has completed a California Environmental Quality Act 15162 evaluation for the Costabelle SDP project. The review was limited to consideration of California Environmental Quality Act issues associated with the redesign and addition of 773.8 square feet to the previously approved 4,851 square-foot single family residence and 1,266 square-foot detached garage with artist studio on a 0.62 acre hillside lot. The project is partially built in compliance with the previously approved Site Development Permit. It is the determination of the Development Services Department that this change is consistent with the previously adopted Mitigated Negative Declaration No. 2701 which was before the City of San Diego Hearing Officer and certified on June 16, 2004. A Mitigation Monitoring and Reporting Program was adopted for the project to reduce potentially significant impacts to historical resources (archaeology) and biological resources.

The redesign and increase of square footage was determined not to result in additional impacts than that had been identified in the previously certified Mitigated Negative Declaration and thus was not a significant or substantial change in the project. This determination was based on the analysis and conclusions of project review, including review for consistency with the La Jolla Community Plan and compliance with the applicable development regulations, including the Environmentally Sensitive Lands Ordinance, and compliance with the City's Storm Water Standards which includes the Hydromodification Management Plan. All of which determined that the changes to the project would not result in any additional impacts.

Section 15162 of the California Environmental Quality Act Guidelines states that when an Environmental Impact Report has been certified or a Negative Declaration adopted for a project, no subsequent or supplemental Environmental Impact Report or Negative Declaration shall be prepared for that project unless one or more of the following events occur:

1. Substantial changes are proposed to the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

Taking into consideration the additional analysis conducted by Development Services Department staff along with review of the previously certified environmental document, it was determined that the project would not result in a substantially changed project. The project would not result in new impacts or changed circumstances that would require a new environmental document.

Therefore, because none of the three above event have occurred, Development Services Department staff does not find the need to conduct additional environmental review of the Costabelle Residence SDP project. All environmental issues and mitigation for significant impacts have been adequately addressed pursuant to the California Environmental Quality Act for the proposed project.



Anna L. McPherson, AICP

Senior Planner



Land Development
Review Division
(619) 446-5460

BINDER

Mitigated Negative Declaration

420033

Project No. 2701
SCH No. 2004021105

SUBJECT: ROSS RESIDENCE: SITE DEVELOPMENT PERMIT (SDP) to allow the construction of a three-story, 4,851-square-foot single-family residence and a 1,266-square-foot detached garage with artist's studio on an undeveloped, 0.62-acre hillside lot which contains environmentally sensitive lands. The project site is located at the end of a cul-de-sac at 7940 Costebelle Way, which is accessed from Costebelle Drive via La Jolla Scenic Drive, in the La Jolla Community (Lot 56 of Azure Coast, Map No. 5676), City and County of San Diego. Applicant: Daniel Linn.

UPDATE: Minor revisions have been made to the *Environmental Setting* Section of the Initial Study as a result of public review and comment. The changes are shown in a ~~strikeout~~/underline format and do not affect the analysis or conclusions of this document.

I. PROJECT DESCRIPTION: See attached Initial Study.

II. ENVIRONMENTAL SETTING: See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect on Biological and Archeological Resources. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

General

1. After project approval and prior to the issuance of any discretionary permits, the applicant shall submit a deposit of \$1,100 to the Development Project Manager in Development Services Department to cover the City's costs associated with implementation of the Mitigation Monitoring and Reporting Program (MMRP).
2. Prior to the issuance of any grading permits, the Environmental Review Manager (ERM) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a

note under the heading, *Environmental Requirements*: "The Ross Residence Project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the MND, Project No. 2701."

3. Prior to the issuance of any grading permits, the owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer (RE), the Archeologist and staff from the City's Mitigation Monitoring Coordination (MMC) Section.

Biology

1. Prior to issuance of the first grading permit, direct impacts to 0.15 acre of Tier II Diegan Coastal Sage Scrub habitat shall be mitigated to the satisfaction of the City Manager, through one of the following: (a) off-site land acquisition within the MHPA; (b) payment into the City's Habitat Acquisition Fund as described below, or (c) a combination of a and b above:
 - a. Prior to issuance of the first grading permit, the owner/permittee shall acquire and dedicate to the City of San Diego, interest in property necessary to maintain the land in its existing condition in perpetuity, a total of 0.15-acre of Tier II or better habitat located off-site, in the City of San Diego's MHPA. This 0.15-acre would satisfy the 1:1 mitigation acreage ratio requirement for impacts outside the MHPA that would be mitigated inside the MHPA; or
 - b. Prior to issuance of the first grading permit, the owner/permittee shall pay into the City's Habitat Acquisition Fund the amount necessary to purchase 0.15-acre of habitat. The current per-acre contribution amount for the Habitat Acquisition Fund is \$25,000. In order to achieve the required 1:1 ratio, \$3,750 (\$25,000 x 0.15 acre) must be paid into the fund.

Historical Resources (Archaeology) - Archaeological monitoring is required for all ground disturbing activities including site grading and excavation associated with the project.

Prior to Preconstruction (Precon) Meeting

1. Land Development Review (LDR) Plan Check

Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Environmental Review Manager (ERM) of LDR shall verify that the requirements for archaeological monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.

2. Letters of Qualification have been Submitted to ERM

Prior to the recordation of the first final map, NTP, and/or, including but not limited to, issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Archaeologist, as defined in the City of San Diego Historical Resources Guidelines (HRG), has been retained to implement the monitoring program.

3. Second Letter Containing Names of Monitors has been sent to MMC.
 - a. At least thirty days prior to the Precon Meeting, a second letter shall be submitted to Mitigation Monitoring Coordination (MMC) which shall include the name of the Principal Investigator (PI) and the names of all persons involved in the Archaeological Monitoring of the project.
 - b. MMC will provide Plan Check with a copy of both the first and second letter.
4. Records Search Prior to Precon Meeting

At least thirty days prior to the Precon Meeting the qualified Archaeologist shall verify that a records search has been completed and updated as necessary and be prepared to introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. Verification includes, but is not limited to, a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

Precon Meeting

1. Monitor Shall Attend Precon Meetings
 - a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Archaeologist, Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - b. If the Monitor is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.
2. Identify Areas to be Monitored

At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas to be monitored as well as areas that may require delineation of grading limits.

3. When Monitoring Will Occur

Prior to the start of work, the Archaeologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

During Construction

1. Monitor Shall be Present During Grading/Excavation

The qualified Archaeologist shall be present full-time during grading/excavation of native soils and shall document activity via the Consultant Site Visit Record. This record shall be sent to the RE or BI as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC.

2. Discoveries

a. Discovery Process

In the event of a discovery, and when requested by the Archaeologist, or the PI if the Monitor is not qualified as a PI, the RE or BI, as appropriate, shall be contacted and shall divert, direct or temporarily halt ground disturbing activities in the area of discovery to allow for preliminary evaluation of potentially significant archaeological resources. The PI shall also immediately notify MMC of such findings at the time of discovery. MMC will coordinate with appropriate LDR staff.

b. Determination of Significance

The significance of the discovered resources shall be determined by the PI in consultation with LDR and the Native American Community, if applicable. LDR must concur with the evaluation before grading activities will be allowed to resume. For significant archaeological resources, a Research Design and Data Recovery Program shall be prepared, approved by DSD and carried out to mitigate impacts before ground disturbing activities in the area of discovery will be allowed to resume.

3. Human Remains

If human remains are discovered, work shall halt in that area and procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) as follows:

a. Notification

- (1) Archaeological Monitor shall notify the RE or BI as appropriate, PI, if the Monitor is not qualified as a PI, and MMC. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- (2) The PI shall notify the County Coroner after consultation with the RE, either in person or via telephone.

- b. Stop work and isolate discovery site
- (1) RE or BI, as appropriate, shall stop work immediately in the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the County Coroner in consultation with the PI concerning the origin of the remains and the cause of death.
 - (2) The County Coroner, in consultation with the PI, shall determine the need for a field investigation to examine the remains and establish a cause of death.
 - (3) If a field investigation is not warranted, the PI, in consultation with the County Coroner, shall determine if the remains are of Native American origin.
- c. If Human Remains are Native American
- (1) The Coroner shall notify the Native American Historic Commission (NAHC). (By law, **ONLY** the Coroner can make this call.)
 - (2) NAHC will identify the person or persons it believes to be the Most Likely Descendent (MLD).
 - (3) The MLD may make recommendations to the land owner or PI responsible for the excavation work to determine the treatment, with appropriate dignity, of the human remains and any associated grave goods (PRC 5097.98).
- d. If Human Remains are not Native American
- (1) The PI shall contact the NAHC and notify them of the historical context of the burial.
 - (2) NAHC will identify the person or persons it believes to be the MLD.
 - (3) The MLD may make recommendations to the land owner or PI responsible for the excavation work to determine the treatment of the human remains (PRC 5097.98).
 - (4) If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for reinterment of the human remains shall be made in consultation with MMC, EAS, the land owner, the NAHC and the Museum of Man.
- e. Disposition of Human Remains
- The land owner, or his authorized representative, shall reinter the Native American human remains and any associated grave goods, with appropriate dignity, on the property in a location not subject to further subsurface disturbance, IF:

- (1) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
- (2) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

4. Night Work

a. If night work is included in the contract

(1) When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

(2) The following procedures shall be followed:

(a) No Discoveries

In the event that nothing was found during the night work, The PI will record the information on the Site Visit Record Form.

(b) Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures under During Construction; 2.,a. & b, will be followed, with the exception that the PI will contact MMC by 8AM the following morning to report and discuss the findings.

b. If night work becomes necessary during the course of construction

(1) The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

(2) The RE, or BI, as appropriate, will notify MMC immediately.

c. All other procedures described above will apply, as appropriate.

5. Notification of Completion

The Archaeologist shall notify MMC and the RE or the BI, as appropriate, in writing of the end date of monitoring.

Post Construction

1. Handling and Curation of Artifacts and Letter of Acceptance

- a. The Archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and chronology as they relate to the history of the area;

- that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- b. Curation of artifacts associated with the survey, testing and/or data recovery for this project shall be completed in consultation with LDR and the Native American representative, as applicable.
2. Final Results Reports (Monitoring and Research Design And Data Recovery Program)
 - a. Prior to the release of the grading bond, two copies of the Final Results Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Archaeological Monitoring Program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR.
 - b. For significant archaeological resources encountered during monitoring, the Research Design And Data Recovery Program shall be included as part of the Final Results Report.
 - c. MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.
 3. Recording Sites with State of California Department of Park and Recreation
The Archaeologist shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Results Report.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

Federal Government:

U.S. Environmental Protection Agency (19)
U.S. Fish and Wildlife Service (23)

State of California:

California Department of Fish and Game (32-A)
California Environmental Protection Agency (37-A)
Resources Agency (43)
State Clearinghouse (46)
Native American Heritage Commission (222)

City of San Diego:

Councilmember Peters, District 1
Development Services Department
Main Library (81)
Library, La Jolla/Riford Branch
Planning Department/MSCP

Regional and Other:

Sierra Club (165-A)
 San Diego Audubon Society (167)
 Mr. Jim Peugh (167-A)
 California Native Plant Society (170)
 Center for Biological Diversity (176)
 Endangered Habitats League (182)
 South Coastal Information Center (210)
 San Diego Historical Society (211)
 San Diego Archeological Center (212)
 Save Our Heritage Organisation (214)
 Ron Christman (215)
 Louie Guassac (215A)
 San Diego County Archeological Society, Inc. (218)
 La Jolla Historical Society (221)
 Acquisitions Department, SDSU (224)
 Kumeyaay Cultural Repatriation Committee (225)
 Native American Distribution (225A-R) – Public Notice Only
 La Jolla Town Council (273)
 La Jolla Historical Society (274)
 La Jolla Community Planning Association (275)
 Brian Ross (Applicant)
 Dan Linn (Agent)

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.


 Eileen Lower, Senior Planner
 Development Services Department

February 23, 2004 .
 Date of Draft Report

March 30, 2004 .
 Date of Final Report

Analyst: Godwin



San Diego County Archaeological Society, Inc.

Environmental Review Committee

6 March 2004

To: Mr. Paul Godwin
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration
Ross Residence
Project No. 2701

Dear Mr. Godwin:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

1. Based on the information contained in the DMND and initial study for the project, we concur with the impact analysis and mitigation measures proposed for historical resources.

Thank you for including SDCAS in the public review of this project's environmental documents.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

RESPONSES TO COMMENTS

1. Comment noted.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 -- Fax



March 10, 2004

Mr. Paul Godwin, Associate Planner
City of San Diego
1222 1st Ave. (MS 501)
San Diego, CA 92101-4155

Re: Negative Declaration: Ross Residence
SCH # 2004021105

Dear Mr. Ross:

Thank you for the opportunity to comment on the above referenced Negative Declaration. The Commission was able to perform a record search of its Sacred Lands File for the project area. The record search failed to indicate the presence of Native American cultural resources in the immediate project area; however, the absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Along with contacting the California Historic Resources Information Center for a records search and completion of an archaeological inventory and report, to adequately assess the project-related impact on archaeological resources, the Commission recommends you notify the Native American tribes or groups in your area which may have additional knowledge of the site's previous uses.

Enclosed is a list of Native American individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. A minimum of two weeks must be allowed for responses after notification. If you receive notification of change of addresses and phone numbers from any these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA), Public Resources Code §15064.5 (f); Health and Safety Code §7050.5; and Public Resources Code §5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact me at (916) 653-6251.

Sincerely,

Carol Gaubatz
Program Analyst

cc: State Clearinghouse

RESPONSES TO COMMENTS

1. Comment noted.
2. Please refer to the draft document distribution list, which includes a list of all Native American groups and other individuals/organizations contacted who may have information regarding archeological resources on the subject site. With the exception of a letter of support received from the San Diego Archeological Society (included in this section), no comments were received from any of these groups or individuals.
3. The subject site is located in an area with a known sensitivity for archeological resources. A requirement for archeological monitoring during grading operations has been included in the Mitigation Monitoring and Reporting Program (MMRP), which is located in Section V of this document.

From: <FranRodr@aol.com>
To: <pgodwin@sandiego.gov>
Date: 3/23/04 9:10AM
Subject: Project No. 2701 Sch No. Pending Ross Residence

Mr Godwin:

In reviewing the Draft mitigated negative declaration, the description in Section II which is Environmental setting is incomplete.

1. There are residences adjacent to the proposed project which are to the east and to the west that are mentioned in the draft, but the residence that may be most impacted by the proposed construction is to the immediate north on the connecting parcel and is not mentioned.

This existing residence is at the base of the connecting parcel immediately to the North of the planned Ross Development and adjacent (south) of Pottery Canyon Park. It is the connecting sloping property. No mention is found in the subject draft document of this residence.

2. The slopes of both the proposed and the existing residence parcels is extremely steep throughout (approx 40 degrees). Concern exists not only of runoff issues after construction but during.

3. Issues of falling construction material and debris during the many months of construction required to complete this proposed project are also of great concern, especially if it is thought that there is no residence and occupants immediately below.

Please note this information in this study. Thank you.

Regards,

Frances E. Rodriguez
2725 Torrey Pines Rd, LaJolla

CC: <GLMUELL@aol.com>

RESPONSES TO COMMENTS

1. The *Environmental Setting* section of the Initial Study has been amended to include the existing single-family residence located just north of the property, between the project site and Pottery Canyon Park.
2. As stated on the first page of the Initial Study under the *Purpose and Main Features* section, all runoff from the proposed single family development would be collected by a series of connected catch basins and pumped up to the existing storm drain system at Costebelle Way.
3. A permit condition has been included which requires the placement of construction/safety fencing to be placed along the project's limits of grading to prevent construction debris and spoils from impacting the sensitive vegetation and single-family property located downhill from the project site.

City of San Diego
Development Services Department
LAND DEVELOPMENT REVIEW DIVISION
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-6460

INITIAL STUDY
Project No. 2701
SCH No. 2004021105

SUBJECT: ROSS RESIDENCE: SITE DEVELOPMENT PERMIT (SDP) to allow the construction of a three-story, 4,851-square-foot single-family residence and a 1,266-square-foot detached garage with artist's studio on an undeveloped 0.62-acre hillside lot which contains environmentally sensitive lands. The project site is located at the end of a cul-de-sac at 7940 Costebelle Way, which is accessed from Costebelle Drive via La Jolla Scenic Drive, in the La Jolla Community (Lot 56 of Azure Coast, Map No. 5676), City and County of San Diego. Applicant: Daniel Linn.

I. PURPOSE AND MAIN FEATURES:

The proposed Site Development Permit (SDP) to be considered by the Hearing Officer (Process 3), would allow the construction of a three-story, 4,851-square-foot single-family residence with swimming pool. The project would also include a 1,266-square-foot detached accessory structure, which would consist of a 690-square-foot three-car garage above a 576-square-foot artist's studio. The maximum height of the structures as viewed from the Costebelle Way cul-de-sac would be 10 feet 6 inches. Due to the sloping nature of the lot, only the garage structure would be visible from Costebelle Way, with the main structure constructed behind the garage along the northern face of the downslope. The proposed building heights would not exceed the required 30-foot height limit.

Approximately 0.13 acre (21 percent) of the 0.62-acre site would be graded for the development. The earthwork proposed would include 630 cubic yards of excavation and 110 cubic yards of fill, with 520 cubic yards of material to be exported off-site. The maximum depth of cut and fill would be 16 feet. The cuts would be shored up by retaining walls totaling approximately 190 feet in length at a maximum height of 11 feet. These cuts and fills would be located beneath and integral to the structures, into the slope and would not be visible. The project as designed would comply with all applicable Environmentally Sensitive Lands (ESL) ordinance requirements.

Drainage from the project would be collected by a series of connected catch basins surrounding the perimeter of the development. The runoff collected from the developed area would then be pumped up to the existing storm drain system at street level. This system would prevent drainage from the developed portion of the site from entering the adjacent, downhill properties, including Pottery Canyon Park. The property owner has signed an agreement to comply with all applicable storm water standards, including erosion control and landscape design guidelines.

II. ENVIRONMENTAL SETTING:

The 0.62-acre site is located on a hillside at the north end of the Costebelle Way cul-de-sac in the La Jolla Community (see Figure 1). The project site is addressed as 7940

Costebelle Way and is also identified by Assessor's Parcel Number (APN) 346-630-05-00. The site is designated for Very Low Density residential use (0-5 dwelling units/acre) by the La Jolla Community Plan and is zoned for single-family development. The site is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA) and is outside of the Coastal Zone. The entire site slopes down evenly from south to north, with on-site elevations ranging from approximately 335 feet above average mean sea level (AMSL) along Costebelle Way, to 210 feet AMSL at the northern property line. The site consists entirely of 25% or greater slopes and includes areas of steep slopes as defined by the City's ESL ordinance.

The site is currently undeveloped and consists mainly of disturbed habitat with areas of coastal sage scrub (CSS), which is defined as a Tier II habitat by the City of San Diego Biological Review References. Surrounding uses include undeveloped single-family lots located to the east and west, existing single-family residences to the south and an existing single family residence located approximately 85 feet north of the subject site's northern property line, between the subject site and Pottery Canyon Park to the north.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

The project files and reports referred to below are available for public review on the Fifth Floor of the Development Services Department, Land Development Review Division, 1222 First Avenue, San Diego, CA 92101.

The attached Initial Study Checklist summarizes the environmental issues that were considered during the review of the project. Of these, biological and historical resources were determined to be potentially significant.

Biological Resources

A biological survey and report were completed for the subject property by Dudek and Associates, Inc. (*Ross Parcel - 7940 Costebelle Way, December 15, 2003*). According to the biology report, on-site vegetation consists of two habitat types, coastal sage scrub (0.17 acre) which is considered a Tier II habitat according to the City of San Diego Biological Review References, and disturbed/ruderal (0.45 acre) which is considered a Tier IV habitat.

The coastal sage scrub on-site is dominated by lemonadeberry (*Rhus integrifolia*), the largest community of which occurs approximately 50 feet behind the southern property line at Costebelle Way and extends approximately 70 to 100 feet to the north. The disturbed habitat consists primarily of black mustard (*Brassica nigra*) at the lower portion of the lot and sea-fig (*Mesembryanthemum sp.*) at the upper portions of the lot immediately adjacent to Costebelle Way. No coastal California gnatcatchers were detected and no focused protocol-level surveys are required, as the site is located outside of the MHPA.

Construction of the proposed single-family residence and garage would result in permanent impacts to 0.09 acre of coastal sage scrub and 0.04 acre of disturbed habitat. An additional 0.06 acre of impact to coastal sage scrub and 0.05 acre of disturbed habitat

would be required to provide the appropriate fire suppression zone for the development. The applicant has elected to mitigate for impacts to Tier II habitat by payment of an in-lieu fee to the City's MHPA acquisition fund, as allowed by the City's Land Development Code, Biology Guidelines, page 23, section c (4), dated May 2001. Table 1 below summarizes the biological impacts of the project proposal.

Table 1: Project Impacts

Habitat Type & Tier	Existing Area	Proposed Impacts	Required Mitigation
Diegan Coastal Sage Scrub (Tier II)	0.17 acre	0.09 acre (Direct Impact) 0.06 acre (Fire Suppression)	0.15 acre (1:1 Ratio)
Disturbed Habitat (Tier IV)	0.45 acre	0.04 acre (Direct Impact) 0.05 acre (Fire Suppression)	None Required
Totals:	0.62 acre	0.24 acre	0.15 acre

Section V of the MND lists the mitigation measures required for this projects impacts to biological resources. Implementation of these measures would reduce project related biological impacts to below a level of significance.

Historical Resources (Archeology)

The project is located in an area with a known sensitivity for archeological resources. While there are no previously discovered archeological sites on the subject property, a review of City reference materials indicates the presence of five known archeological sites within a half mile radius of the property. Due to the sloping topography of the site, the presence of artificial fill placed as a result of the construction of Costebelle Way and the lack of a known archeological site on or adjacent to the site, archeological testing was not required. However, because of the proximity of the site to previously documented archeological sites and the general sensitivity of the area to such resources, monitoring would be required as a part of site development.

Section V of the MND lists the mitigation measured required for possible impacts to historical resources. Implementation of these measured would reduce project related historical resource impacts to below a level of significance

The following environmental issues (Geology and Visual Quality) were considered in depth during the review of the project and were determined not to be significant:

Geology

The site is located in Geologic Hazard Zone 25 (slide-prone formation; Ardath: neutral or favorable geologic structure) according to the City of San Diego's "Seismic Safety Study". A Geotechnical Investigation was prepared for the project by Christian Wheeler Engineering (*Preliminary Geotechnical Investigation - Lot 56, Costebelle Way, September 12, 2002*).

According to the report, the site is underlain by Ardath Shale deposits that are partially overlain by surficial deposits consisting of landslide debris, subsoil, topsoil and artificial fill from the creation of Costebelle Way. No active faults are known to traverse the site; however, geologic maps indicate that the active Rose Canyon Fault Zone is located approximately 0.4 mile southwest of the subject site. Groundwater was not encountered during geologic testing and is not anticipated to be an issue for this project.

The report concluded that no soil or geologic conditions exist that would preclude the development of the site provided standard engineering practices are utilized. City geology staff determined that the report adequately addressed the site constraints. No significant geologic hazards were identified and no mitigation is required.

Visual Quality

The project would be constructed on a vacant, hillside lot at the northern terminus of Costebelle Way. The subject portion of Costebelle Way is identified as a Scenic Overlook in the Draft 1995 La Jolla Community Plan. Due to the sloping topography of the lot, the only structure visible from the Costebelle Way public right-of-way would be a flat-roofed detached garage structure, measuring 10 feet, 6 inches high from street elevation, with a 15-foot, 6-inch east side yard setback and an 11-foot west side yard setback. The house would be built behind the garage structure, along the downward slope of the lot and would not be visible from Costebelle Way. No portion of the garage or house structure would exceed the required 30-foot height limit. No significant impacts to visual quality were identified and no mitigation is required.

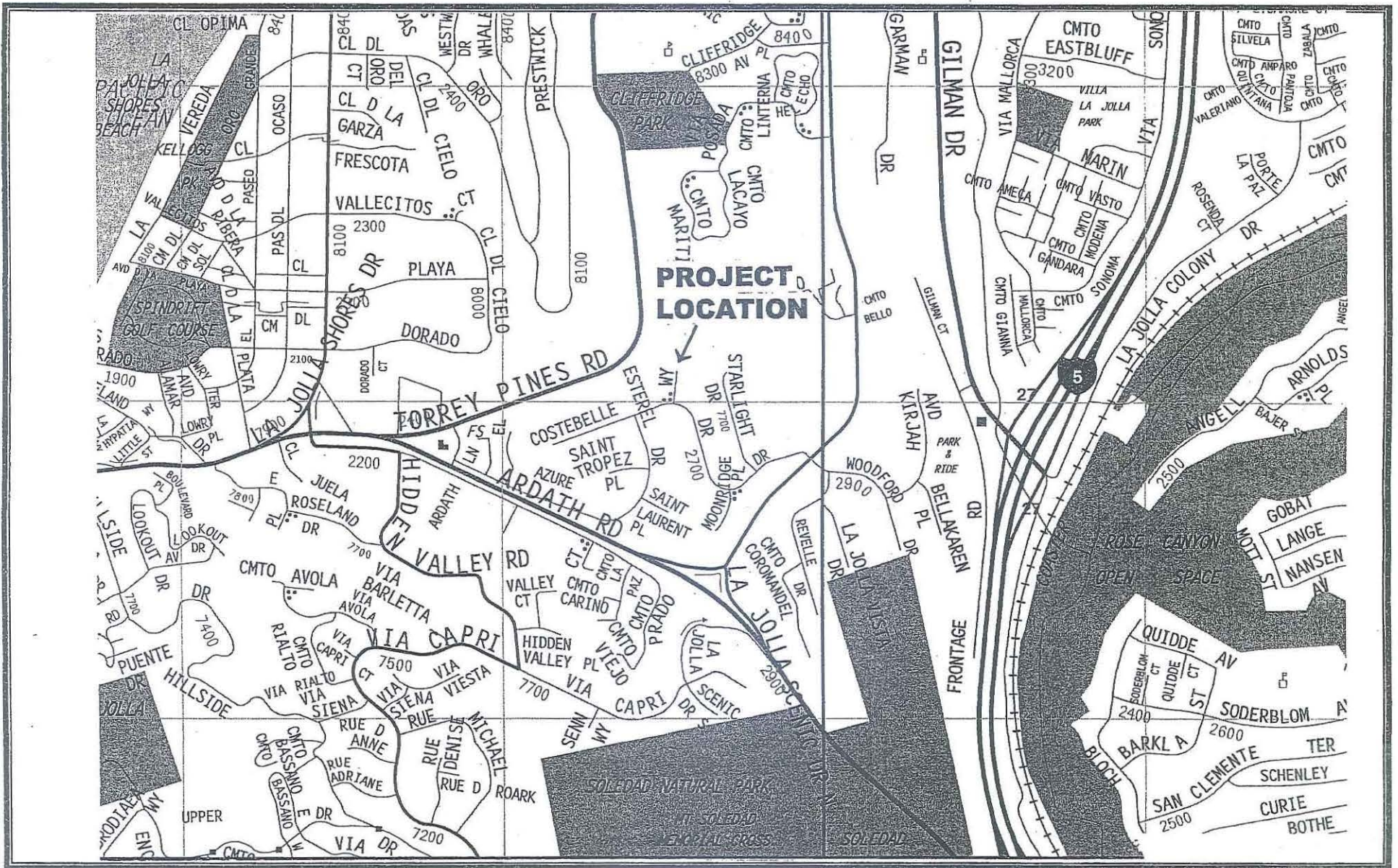
V. RECOMMENDATION:

On the basis of this initial evaluation:

- The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

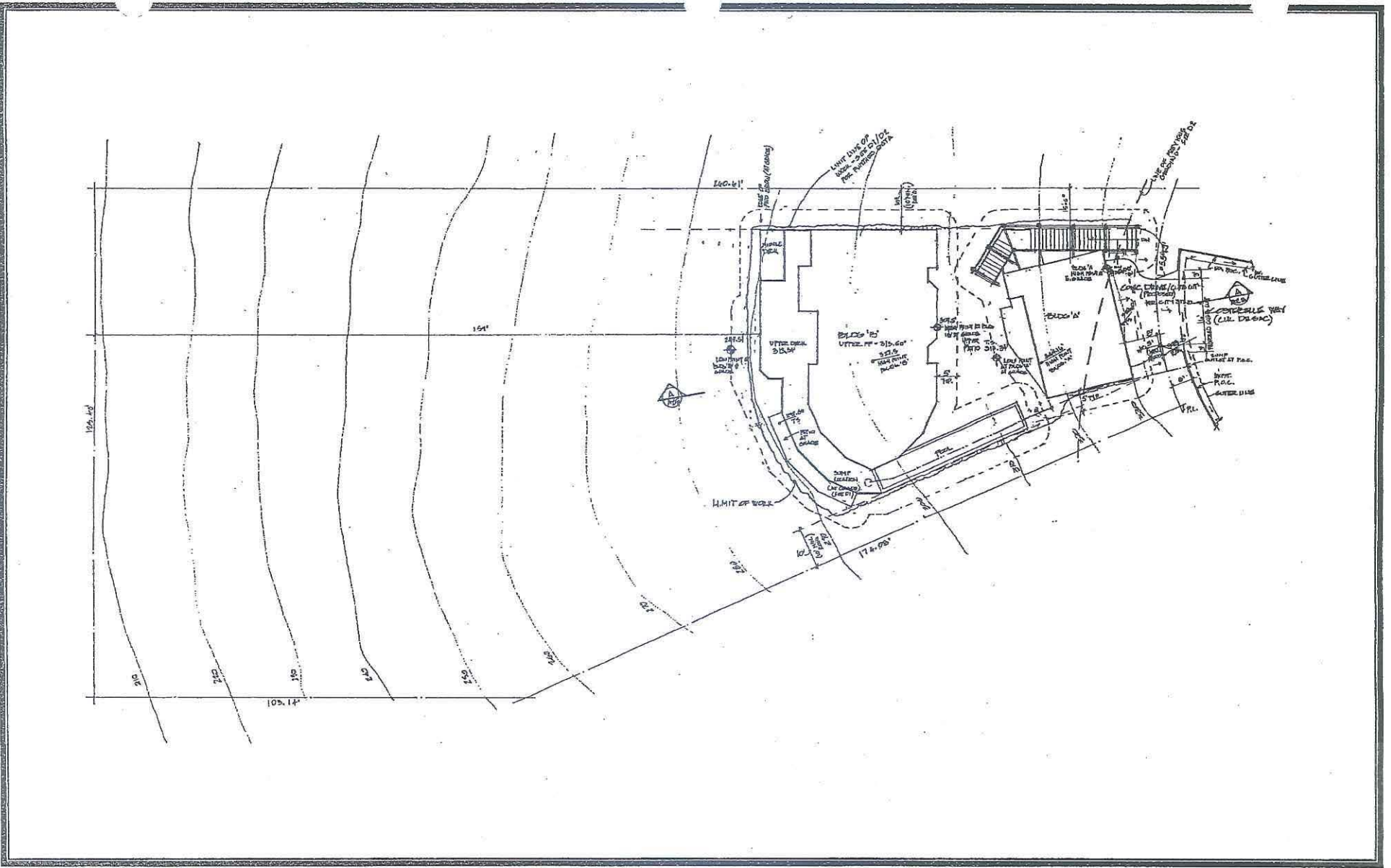
PROJECT ANALYST: Godwin

Attachments: Figure 1, Location Map
 Figure 2, Site Plan
 Figure 3, Encroachment Plan
 Figure 4, Cross Section
 Figure 5, Garage Elevations
 Figure 6, South Elevation
 Figure 7, North Elevation



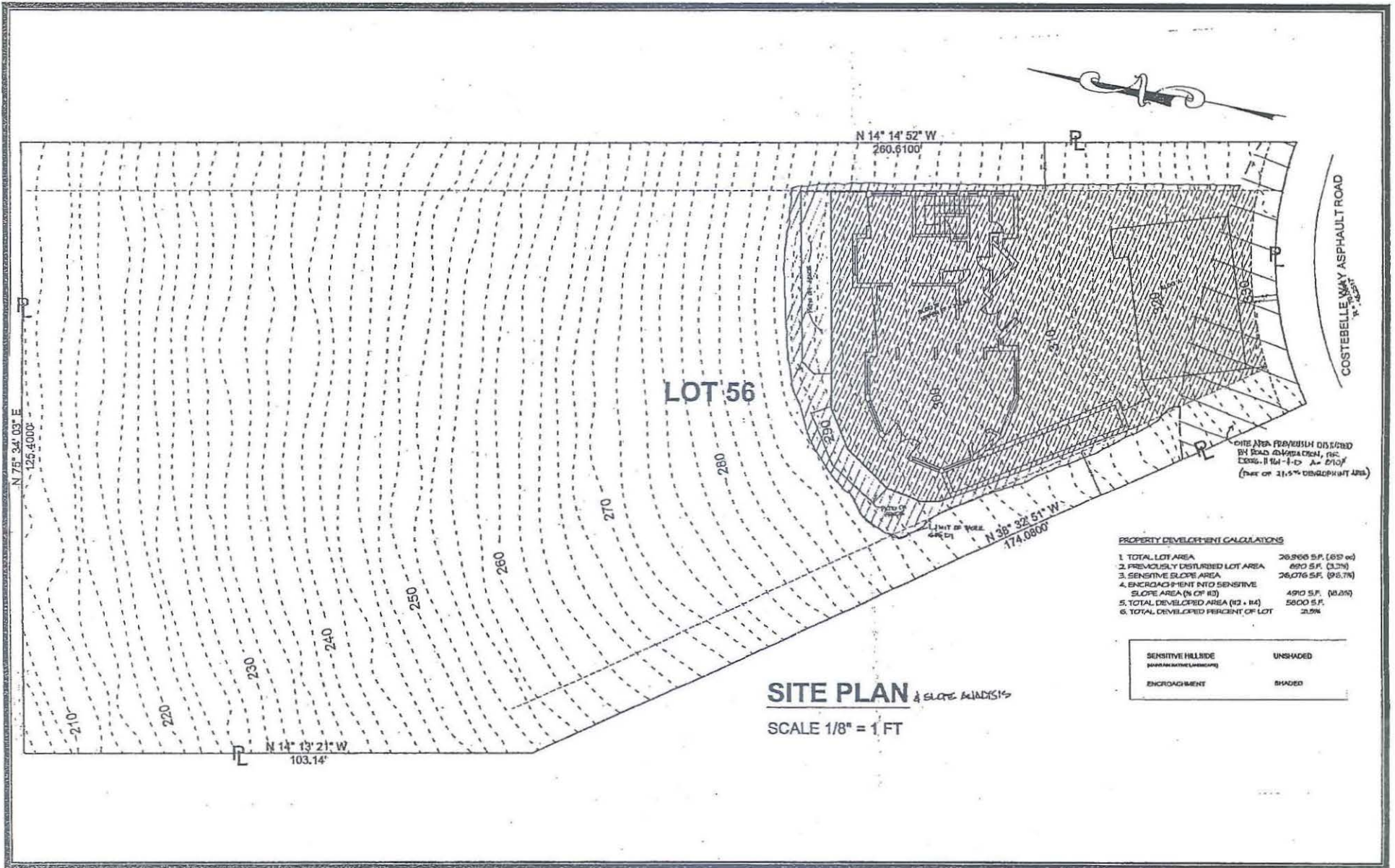
Ross Residence Location Map
 Environmental Analysis Section - Project No. 2701
 CITY OF SAN DIEGO • DEVELOPMENT SERVICES

Figure
1



Ross Residence Site Plan
Environmental Analysis Section - Project No. 2701
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

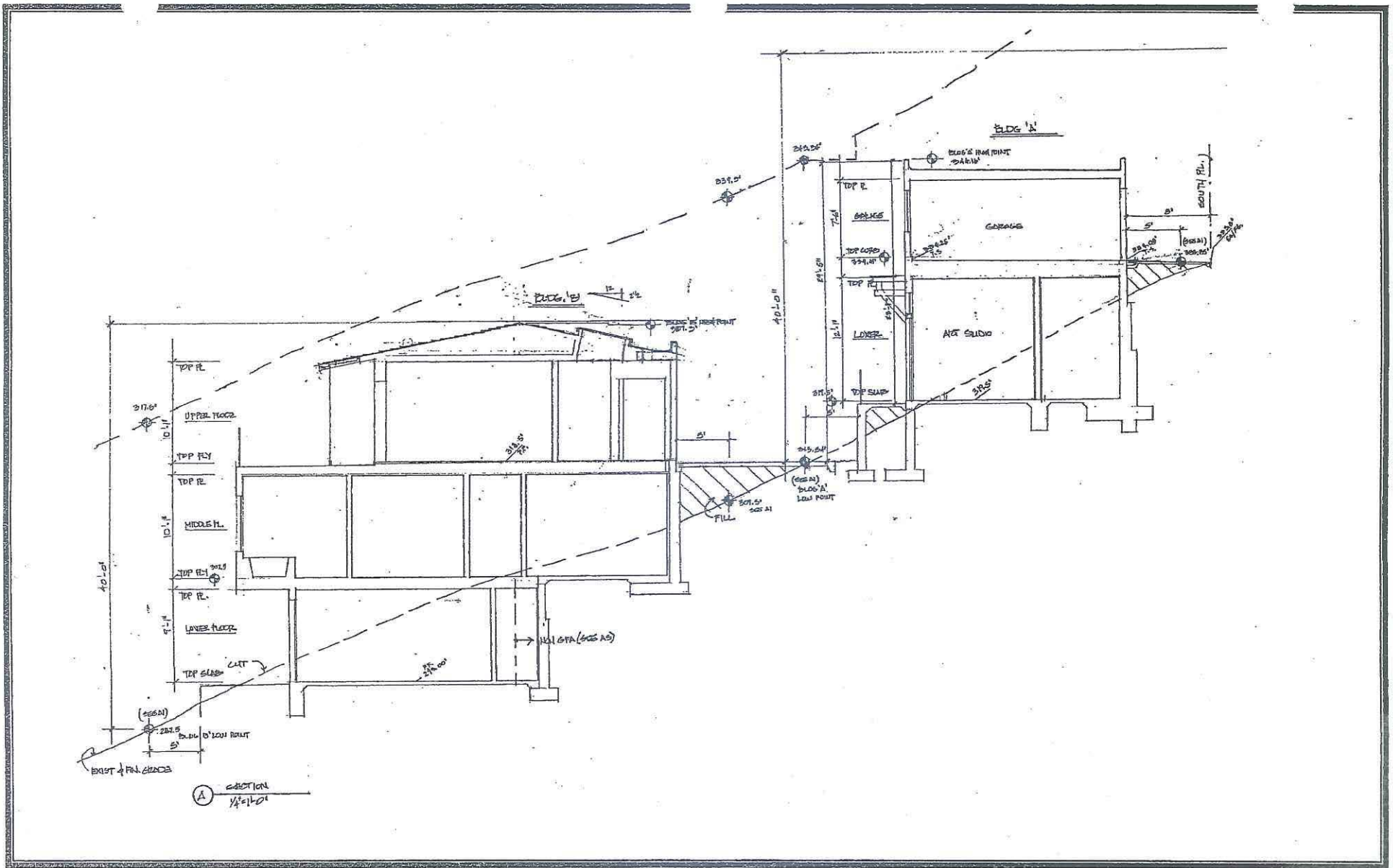
Figure
2



Ross Residence Encroachment Plan

Environmental Analysis Section - Project No. 2701
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3

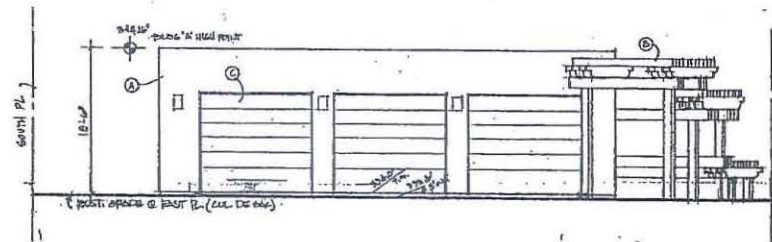


Ross Residence Cross Section
 Environmental Analysis Section - Project No. 2701
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
4

ELEVATION LEGEND (IMP.)

- ① BRACKET HAND-TRIMMED FINISH, EXT. @ 1" FINISH NODI (20-504)
- ② WOOD TRIMMERS: STAIN/PART, MED. BROWN
- ③ WOOD HANDS: STAIN/PART, MED. BROWN
- ④ CLAD WOOD WINDOWS: PAINT/COLOR TO MATCH TRIM ②
- ⑤ STAINLESS STEEL: FINISH NODI
- ⑥ SUNSCREEN: CLEAR TEMPERED GLASS
- ⑦
- ⑧
- ⑨



**EAST ELEVATION
BLDG 'A'**
1/2"-1'-0"

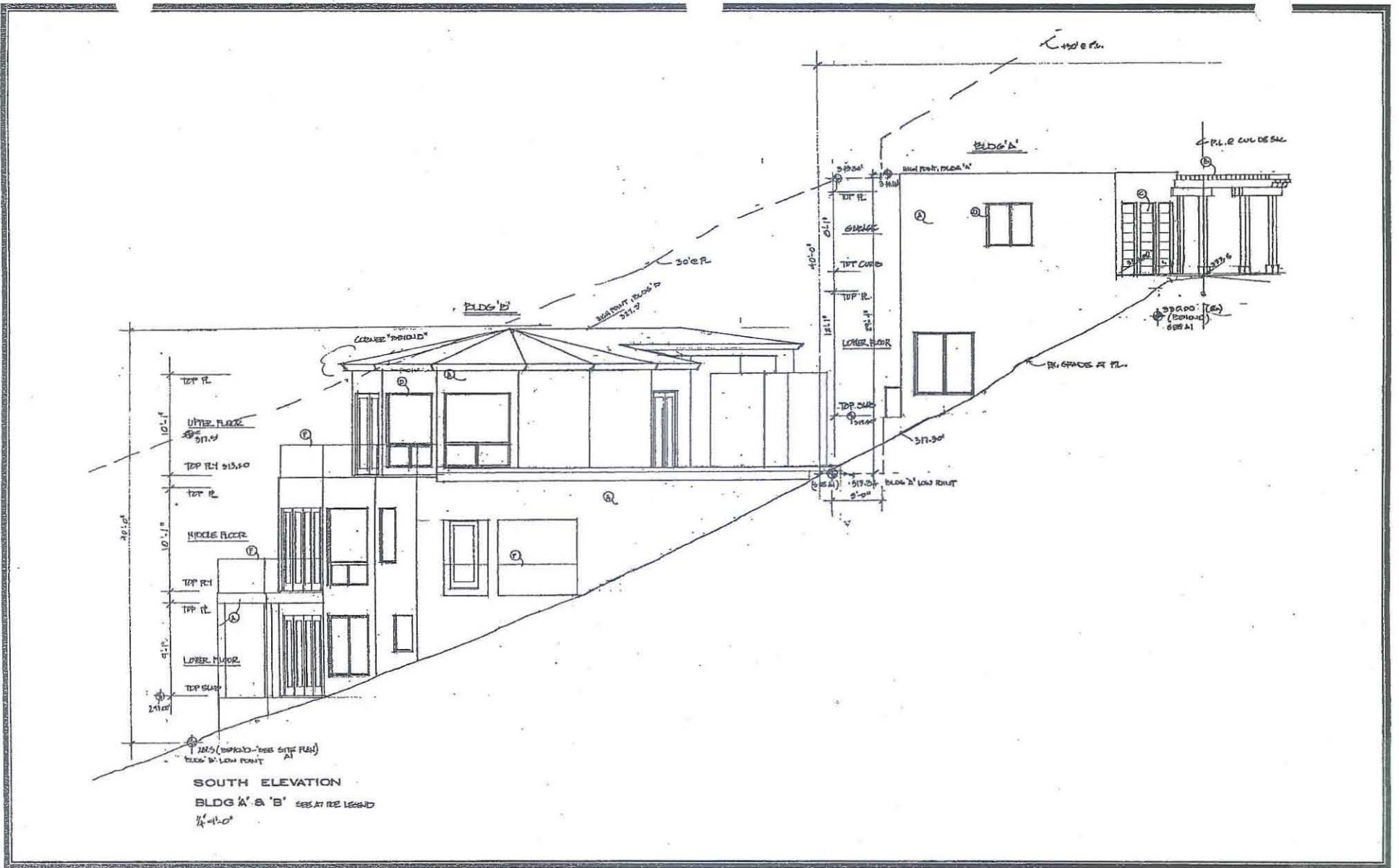


**WEST ELEVATION
BLDG 'A'**



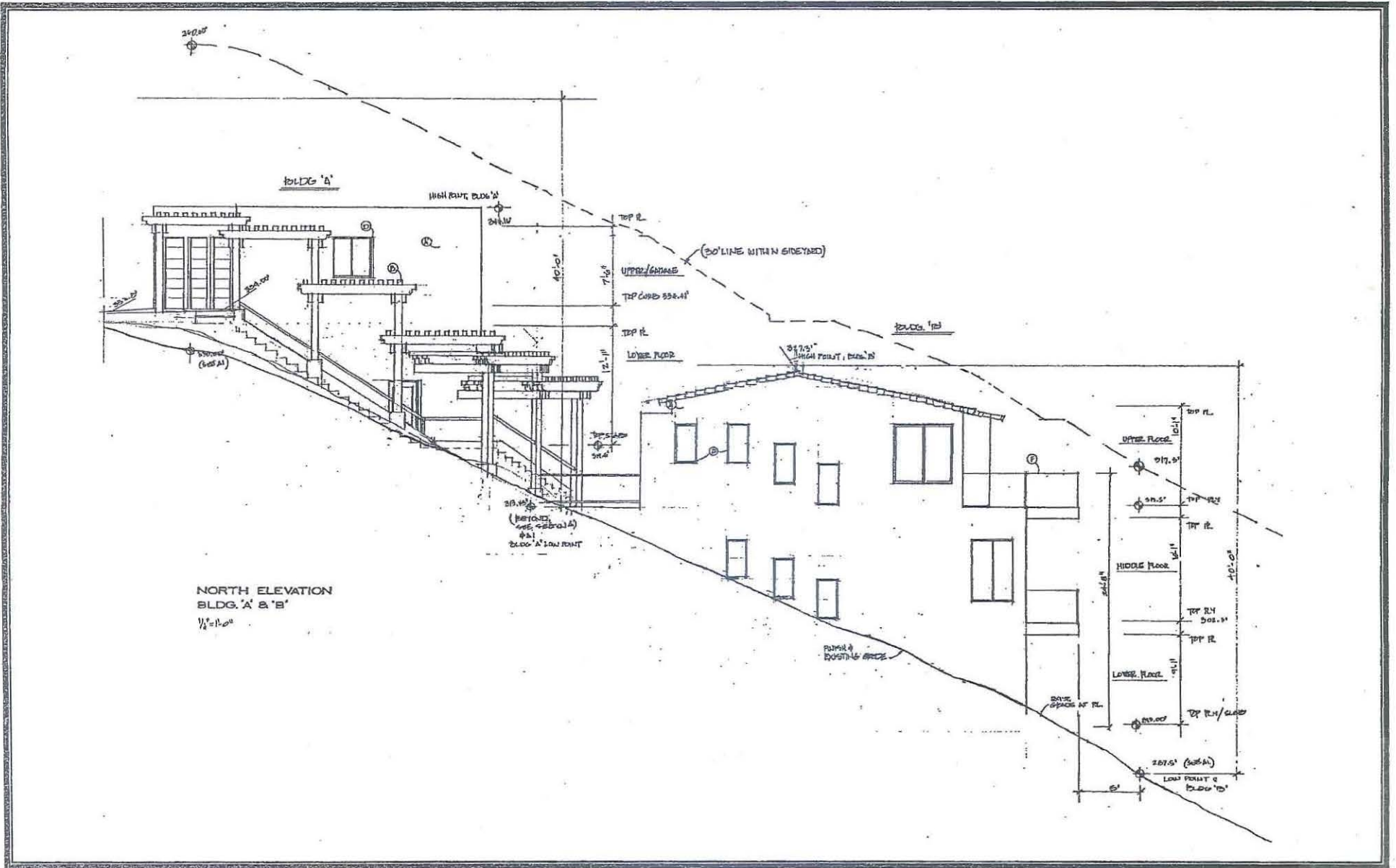
Ross Residence Garage Elevations
Environmental Analysis Section - Project No. 2701
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
5



Ross Residence South Elevation
 Environmental Analysis Section - Project No. 2701
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
6



Ross Residence North Elevation
 Environmental Analysis Section - Project No. 2701
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
7

Initial Study Checklist

Date: February 2002

Project No.: 2701

Name of Project: Ross Residence

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- | | | | |
|--|---|---|----------|
| A. The obstruction of any vista or scenic view from a public viewing area?
<u>The subject site fronts on Costebelle Way, which has been designated as a viewshed by the community plan. However, all setbacks and height limits would be observed. Please see the Visual Quality discussion listed in section IV of the Initial Study for more information.</u> | — | — | <u>X</u> |
| B. The creation of a negative aesthetic site or project?
<u>The proposed single-family residence would be compatible with the surrounding single-family development and is allowed by the Community Plan and zoning designation. No such impacts are anticipated. Please see I-A and I-C.</u> | — | — | <u>X</u> |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? <u>The project would not exceed any City height, setback, size or grading standards. The construction materials and style proposed are compatible with the surrounding development.</u>	—	—	<u>X</u>
D. Substantial alteration to the existing character of the area? <u>The proposed single-family home would be located adjacent to similar single-family development and would not substantially alter the existing character of the area.</u>	—	—	<u>X</u>
E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? <u>No landmark trees would be affected by the project.</u>	—	—	<u>X</u>
F. Substantial change in topography or ground surface relief features? <u>No substantial change in topography or ground relief features are proposed. Less than 25% of the hillside site would be developed.</u>	—	—	<u>X</u>
G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? <u>No such impact would occur. Please see I-F.</u>	—	—	<u>X</u>
H. Substantial light or glare? <u>The proposed single-family residence would not be expected to cause substantial light or glare.</u>	—	—	<u>X</u>
I. Substantial shading of other properties? <u>The proposed project would not shade other properties. Please see I-C.</u>	—	—	<u>X</u>

		<u>Yes</u>	<u>Maybe</u>	<u>No</u>
II.	AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:			
	A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state? <u>There are no such resources located on the development residential project site.</u>	—	—	<u>X</u>
	B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? <u>Please see II-A.</u>	—	—	<u>X</u>
III.	AIR QUALITY – Would the proposal:			
	A. Conflict with or obstruct implementation of the applicable air quality plan? <u>The proposed single-family home is compatible with the underlying zone and would not negatively impact air quality.</u>	—	—	<u>X</u>
	B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <u>Please see III-A.</u>	—	—	<u>X</u>
	C. Expose sensitive receptors to substantial pollutant concentrations? <u>Please see III-A.</u>	—	—	<u>X</u>
	D. Create objectionable odors affecting a substantial number of people? <u>The proposed single-family home would not create such odors. Please see III-A.</u>	—	—	<u>X</u>
	E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>The grading amounts required for project implementation would not produce significant amounts of particulate matter. Please see III-A.</u>	—	—	<u>X</u>
	F. Alter air movement in the area of the project?	—	—	<u>X</u>

Yes Maybe No

The proposed single-family home would not consist of the bulk and scale required to cause such impacts.

- G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally?
Please see III-F.
- — X

IV. BIOLOGY – Would the proposal result in:

- A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals?
The project site contains sensitive biological habitat. Mitigation would be required for impacts to such resources. Please see the Biology discussion listed in Section IV of Initial Study for more information
The site is not within or adjacent to Multi-Habitat Planning Area (MHPA) lands.
- X —
- B. A substantial change in the diversity of any species of animals or plants?
The proposed biological impacts would require mitigation, but due to the small amount of habitat removal, species diversity would not be substantially affected.
- — X
- C. Introduction of invasive species of plants into the area?
Project landscaping would be required to conform to City standards. Please see IV-A.
- — X
- D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?
No such established corridors exist onsite. Please see IV-A.
- — X
- E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland,

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
coastal sage scrub or chaparral? <u>Please see IV-A.</u>	—	<u>X</u>	—
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? <u>No such wetlands exist onsite. Please see IV-A.</u>	—	—	<u>X</u>
G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? <u>Please see IV-A.</u>	—	—	<u>X</u>
V. ENERGY – Would the proposal:			
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? <u>Proposed project would not result in the use of excessive amounts of fuel, energy or power. Standard residential consumption is expected.</u>	—	—	<u>X</u>
B. Result in the use of excessive amounts of power? <u>Please see V-A.</u>	—	—	<u>X</u>
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? <u>The project site is assigned a geologic risk category of 25, which includes areas with slide-prone formations. neutral or favorable structure. The geology report concluded that with the incorporation of standard engineering practices, there would be no significant geologic hazards or impacts. Please see the Initial Study Discussion, Section IV, Geology.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? <u>No such impacts would be anticipated with the proposed single-family residence.</u> <u>Please see VI-A.</u>	—	—	<u>X</u>
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <u>Proposed project would not create unstable conditions</u>	—	—	<u>X</u>
VII. HISTORICAL RESOURCES – Would the proposal result in:			
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>The project site is located in an area with a known sensitivity for archeological resources. Mitigation would be required to avoid significant impacts. Please see the Archeology discussion in section IV of the Initial Study for more information.</u>	—	<u>X</u>	—
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>No buildings or structures exist onsite.</u> <u>Please see VII-A.</u>	—	—	<u>X</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>Please see VII-A and B.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No such uses occur onsite. Please see VII-A.</u>	—	—	<u>X</u>
E. The disturbance of any human remains,			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
including those interred outside of formal cemeteries? <u>Please see VII-A.</u>	—	—	<u>X</u>
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>The proposed single-family home in a developed single-family neighborhood would not be associated with such impacts.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>Please see VIII-A.</u>	—	—	<u>X</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>Please see VIII-A.</u>	—	—	<u>X</u>
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>The proposed single-family home would not modify the existing circulation system or alter traffic flows. Please see VIII-A.</u>	—	—	<u>X</u>
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>Proposed project is not located on a site which is included on a list of hazardous materials sites</u>	—	—	<u>X</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>Please see VIII-A.</u>	—	—	<u>X</u>

Yes Maybe No

IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:

- | | | | |
|--|---|---|----------|
| A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction?
Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants.
<u>The project would be required to comply with all applicable stormwater quality standards during and after construction. Significant impacts would not be expected from this single-family residence.</u> | — | — | <u>X</u> |
| B. An increase in impervious surfaces and associated increased runoff?
<u>The project would develop less than 25% of the subject site. No significant increase in impervious surfaces would occur.</u> | — | — | <u>X</u> |
| C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?
<u>The majority of the site would remain undeveloped with no change in the existing drainage pattern. The developed portion of the site would drain to the existing stormdrain system via a network of catchbasins.</u> | — | — | <u>X</u> |
| D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)?
<u>No such discharge would occur. Please see IX-A.</u> | — | — | <u>X</u> |
| E. A potentially significant adverse impact on ground water quality?
<u>No such impact would occur. Please see IX-A.</u> | — | — | <u>X</u> |
| F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? | — | — | <u>X</u> |

Yes Maybe No

No such impact would occur. Please see IX-A.

X. LAND USE – Would the proposal result in:

- A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project?
The proposed single-family residence would be built on a site which is designated for single-family development by the community plan and zone designation in a neighborhood developed with single-family homes. — — X
- B. A conflict with the goals, objectives and recommendations of the community plan in which it is located?
No such conflict would occur. Please see X-A. — — X
- C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area?
The project is not within or adjacent to the MHPA. No such conflict would occur. — — X
- D. Physically divide an established community?
The proposed single-family home would not physically divide an established community.
- E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan?
The project area is not located within a CLUP. — — X

XI. NOISE – Would the proposal result in:

- A. A significant increase in the existing ambient noise levels?
The proposed single-family home in an existing single-family neighborhood would — — X

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>not cause a significant increase in ambient noise levels.</u>			
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>No significant net increase to the existing noise level would occur. Please see XI-A.</u>	—	—	<u>X</u>
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? <u>The project site is located on a residential cul-de-sac and future transportation noise levels would not be expected to increase substantially beyond existing levels. The project site is not located within a CLUP.</u>	—	—	<u>X</u>
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? <u>The project site is underlain by Ardath shale formations, which has a known sensitivity for archeological resources. However, the grading amounts proposed are not substantial enough to cause a significant impact.</u>	—	—	<u>X</u>
XIII. POPULATION AND HOUSING – Would the proposal:			
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <u>No such inducement would occur with the development of the proposed single-family home in a developed single-family neighborhood.</u>	—	—	<u>X</u>
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <u>No housing would be removed.</u>	—	—	<u>X</u>
C. Alter the planned location, distribution,			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
density or growth rate of the population of an area? <u>No such alteration would occur.</u>	—	—	<u>X</u>
XIV. PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
A. Fire protection? <u>Adequate services are available for the subject site.</u>	—	—	<u>X</u>
B. Police protection? <u>Please see XIV-A.</u>	—	—	<u>X</u>
C. Schools? <u>Please see XIV-A.</u>	—	—	<u>X</u>
D. Parks or other recreational facilities? <u>Please see XIV-A.</u>	—	—	<u>X</u>
E. Maintenance of public facilities, including roads? <u>Please see XIV-A.</u>	—	—	<u>X</u>
F. Other governmental services? <u>Please see XIV-A.</u>	—	—	<u>X</u>
XV. RECREATIONAL RESOURCES – Would the proposal result in:			
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>The proposed single-family home in a developed single-family neighborhood would not result in a significant increase in the use of such facilities.</u>	—	—	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	—	—	<u>X</u>

Yes Maybe No

Proposed project would not require recreational facilities to be constructed. Please see XV-A.

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

- | | | | |
|--|---|---|----------|
| A. Traffic generation in excess of specific/
community plan allocation?
<u>The proposed single-family home is consistent with the community plan designation and would not result in significant traffic generation.</u> | — | — | <u>X</u> |
| B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?
<u>Please see XVI-A.</u> | — | — | <u>X</u> |
| C. An increased demand for off-site parking?
<u>Adequate parking would be provided onsite.</u> | — | — | <u>X</u> |
| D. Effects on existing parking?
<u>Proposed project would provide additional onsite parking.</u> | — | — | <u>X</u> |
| E. Substantial impact upon existing or planned transportation systems?
<u>Refer to XVI. A.</u> | — | — | <u>X</u> |
| F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas?
<u>The proposed single-family residence would not alter existing traffic circulation. Please refer to XVI-A.</u> | — | — | <u>X</u> |
| G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)?
<u>The project would comply with all applicable Engineering standards for driveway design.</u> | — | — | <u>X</u> |
| H. A conflict with adopted policies, plans or programs supporting alternative transportation | | | |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
models (e.g., bus turnouts, bicycle racks)? <u>Please see XVI-A.</u>	—	—	<u>X</u>
XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:			
A. Natural gas? <u>Adequate services are available to serve the site.</u>	—	—	<u>X</u>
B. Communications systems? <u>Please see XVII-A.</u>	—	—	<u>X</u>
C. Water? <u>Please see XVII-A.</u>	—	—	<u>X</u>
D. Sewer? <u>Please see XVII-A.</u>	—	—	<u>X</u>
E. Storm water drainage? <u>Please see XVII-A.</u>	—	—	<u>X</u>
F. Solid waste disposal? <u>Please see XVI-A.</u>	—	—	<u>X</u>
XVIII. WATER CONSERVATION – Would the proposal result in:			
A. Use of excessive amounts of water? <u>Standard residential consumption is expected. No such impact would occur.</u>	—	—	<u>X</u>
B. Landscaping which is predominantly non-drought resistant vegetation? <u>Landscaping and irrigation would be in compliance with the San Diego Landscape Technical Manual.</u>	—	—	<u>X</u>
XIX. MANDATORY FINDINGS OF SIGNIFICANCE:			
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<p>number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? <u>Proposed impacts to biologically sensitive habitat and possible archeological resources would require mitigation to avoid possible significant impacts.</u></p>	—	<u>X</u>	—
<p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.) <u>The proposed project would not result in an impact to long-term environmental goals</u></p>	—	—	<u>X</u>
<p>C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) <u>The proposed project would not have a considerable incremental contribution to any cumulative impacts.</u></p>	—	—	<u>X</u>
<p>D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? <u>The proposed single-family home in a developed single-family neighborhood would not be associated with such impacts.</u></p>	—	—	<u>X</u>

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

___ City of San Diego Progress Guide and General Plan.

X U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

___ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

___ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

___ Site Specific Report: _____.

III. Air

___ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

___ Regional Air Quality Strategies (RAQS) - APCD.

___ Site Specific Report: _____.

IV. Biology

X City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

X City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

- City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
- Community Plan - Resource Element.
- California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
- California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- City of San Diego Land Development Code Biology Guidelines.
- Site Specific Report: Ross Residence-7940 Costebelle Way, prepared by Dudek and Associates, December 15, 2003.

V. Energy

VI. Geology/Soils

- City of San Diego Seismic Safety Study.
- U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- Site Specific Report: Geotechnical Investigation-Lot 56, Costebelle Way, prepared by Christian Wheeler Engineering, September 12, 2002.

VII. Historical Resources

- City of San Diego Historical Resources Guidelines.
- City of San Diego Archaeology Library.
- Historical Resources Board List.
- Community Historical Survey:
- Site Specific Report:

VIII. Human Health / Public Safety / Hazardous Materials

- San Diego County Hazardous Materials Environmental Assessment Listing, 1996.
- San Diego County Hazardous Materials Management Division
- FAA Determination
- State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- Airport Comprehensive Land Use Plan.
- Site Specific Report: _____

IX. Hydrology/Water Quality

- Flood Insurance Rate Map (FIRM).
- Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- Clean Water Act Section 303(b) list, dated May 19, 1999, http://www.swrcb.ca.gov/tmdl/303d_lists.html.

X. Land Use

- City of San Diego Progress Guide and General Plan.
- Community Plan.
- Airport Comprehensive Land Use Plan
- City of San Diego Zoning Maps
- FAA Determination

XI. Noise

- Community Plan

___ Site Specific Report: _____.

___ San Diego International Airport - Lindbergh Field CNEL Maps.

___ Brown Field Airport Master Plan CNEL Maps.

X Montgomery Field CNEL Maps.

___ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

X San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
___ City of San Diego Progress Guide and General Plan.

___ Site Specific Report:

XII. Paleontological Resources

___ City of San Diego Paleontological Guidelines.

X Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego,"
Department of Paleontology San Diego Natural History Museum, 1996.

X Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

X Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

___ Site Specific Report: _____.

XIII. Population / Housing

X City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Series 8 Population Forecasts, SANDAG.

___ Other: _____.

XIV. Public Services

X City of San Diego Progress Guide and General Plan.

X Community Plan.

XV. Recreational Resources

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Department of Park and Recreation

___ City of San Diego - San Diego Regional Bicycling Map

___ Additional Resources: _____.

XVI. Transportation / Circulation

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

X San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ San Diego Region Weekday Traffic Volumes, SANDAG.

___ Site Specific Report: _____.

XVII. Utilities

___ _____.

XVIII. Water Conservation

___ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.

DOC # 2006-0046066



JAN 20, 2006 2:46 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 33.00
PAGES: 9



2006-0046066

18
1/21/06

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

11490

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-0033

SITE DEVELOPMENT PERMIT NO. 4522
ROSS RESIDENCE - PROJECT NO. 2701 (MMRP)
HEARING OFFICER

This Site Development Permit No. 4522 is granted by the Hearing Officer of the City of San Diego to BRIAN ROSS, an Individual, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0501. The 26,944 square-foot site is located at 7940 Costebelle Way in the SF (single-family) zone of the La Jolla Shores Planned District within the La Jolla Community Plan area. The project site is legally described as Lot 56, Azure Coast Unit No. 2, Map No. 5676.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new 6,177 square-foot single-family residence on a vacant lot to include a 4,851 square-foot main house with a 1,266 square-foot detached garage and artists studio, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated June 16, 2004, on file in the Development Services Department. The Exhibits are:

- T-1: Title Page
- D-1: Drainage and Grading
- D-2: Drainage and Grading
- A-1: Site plan
- A-2: Building A Plans
- A-3: Building B Plans
- A-4: Building B Plans
- A-5: Building B Plans
- A-6: Building B Roof Plans
- A-7: Building A Elevations
- A-8: Building B Elevations
- A-9: Exterior Elevations
- A-10: Exterior Elevations



- A-11: Building Sections
- L-1: Landscape
- L-2: Landscape
- A-1a: Site Plan

The project or facility shall include:

- a. A 4,851 square-foot, 3-story residence and a 1,266 square-foot, 2-story detached 3-car garage with artist's studio; and
- b. Landscaping (planting, irrigation and landscape related improvements); and
- c. Three off-street parking spaces within a garage (minimum two required); and
- d. A lap pool, trellis's, decking and walls and fencing; and
- e. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference 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.

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4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee 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.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

10. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

ORIGINAL

11. As conditions of Site Development Permit No. 4522, the mitigation measures specified in the MMRP, and outlined in the MITIGATED NEGATIVE DECLARATION, LDR NO. 2701 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Historical Resources (Archaeology)

Biology

12. The Mitigation, Monitoring and Reporting Program (MMRP) shall require a deposit of \$1,100.00 to be collected prior to the issuance of the Site Development Permit No. 4522 to cover the City's costs associated with implementation of the MMRP.

13. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

14. Prior to issuance of any engineering permits for grading, complete Brush Management, planting and irrigation plans, details and specifications (including maintenance specifications), shall be submitted to the City Manager for approval. All plans shall indicate the brush management zones depths by dimension.

15. The Brush Management Program shall consist of two zones as follows:

Lot 56 Zone One = 30' Zone Two = 20'

16. The building construction documents shall conform to the Architectural features as described in Section 142.0412(d). In the event that Architectural Features are not added, an additional 10' shall be added to Zone one.

17. Within a standard Zone One, a minimum fire rating of ONE HOUR for additions or accessory structures (including, but not limited to decks, trellises, gazebos, etc) are permitted with the approval of the Fire Marshall and the City Manager.

18. Prior to any construction or grading, it shall be the responsibility of the Permittee to schedule a pre-construction meeting on site with the contractor and the Mitigation, Monitoring & Conservation section of Development Services Department to discuss and outline the implementation of the Brush Management Program.

19. Prior to final inspection and occupancy for any building, the approved Brush Management Program shall be implemented.

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20. In all brush management zones the plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as determined by the Landscape Section of Development Services Department.

21. The Brush Management Maintenance Program as noted on exhibit "A" shall be performed annually by the Permittee or subsequent Owner or until such time that another approved entity such as a home owners association or a Landscape Maintenance District assumes annual responsibility.

ENGINEERING REQUIREMENTS:

22. Prior to building occupancy, the applicant shall conform to Municipal Code provisions for "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.

23. The drainage system proposed for this development, as shown on the approved plans, is subject to approval by the City Engineer.

24. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

25. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Removal Agreement, from the City Engineer, for landscaping in Costebelle Way.

26. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a 16-foot driveway on Costebelle Way, satisfactory to the City Engineer. This work shall be shown on the grading plan and included in the grading permit.

27. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

28. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

29. Prior to the issuance of any construction permits, the applicant 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.

30. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2,

Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

LANDSCAPE REQUIREMENTS:

31. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit has been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with the La Jolla Shores Planned District Ordinance, Land Development Code 142.0401 and Landscape Standards, Exhibit 'A' Landscape Development Plan, Brush Management Plan, Details and Notes on file in the Office of the Development Services.

32. All required landscape plant material shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to it's mature height and spread.

33. The Permittee or subsequent Owner shall be responsible for the maintenance of all street trees and landscape improvements (right-of-way and median landscaping) consistent with the Landscape Standards.

34. If any required landscape improvements (including existing or new planting, hardscape, landscape features, etc.) are damaged or removed during demolition or construction, they shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage and prior to occupancy.

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

36. The geotechnical consultant recommends that landscape irrigation be minimized as a precautionary measure to mitigate potential slope instability. Therefore, as condition of approval, a qualified landscape architect shall design the landscape plan to minimize the amount of irrigation necessary to support drought tolerant (xerophytic) landscaping. Irrigation should consist of drip irrigation and/or microspray irrigation.

PLANNING/DESIGN REQUIREMENTS:

37. No fewer than two off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

38. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a

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deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

39. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

40. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

41. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

42. No building additions shall be permitted unless approved by the City Manager.

43. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a lighting plan showing the location and type of each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

44. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

45. No merchandise, material, or equipment shall be stored on the roof of any building.

WASTEWATER REQUIREMENTS:

46. If the existing sewer lateral is located in the new driveway, it shall be relocated per City Standards or it shall be private and constructed per City Standard Drawing SDS-102. Private sewer laterals require an Encroachment Maintenance and Removal Agreement (EMRA).

WATER REQUIREMENTS:

47. The Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director and the City Engineer.

48. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water

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Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities as shown on approved Exhibit 'A' shall be modified at final engineering to comply with standards.

49. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational, including fire hydrants, in a manner satisfactory to the Water Department Director and the City Engineer.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the Hearing Officer of the City of San Diego on June 16, 2004, Resolution No. HQ-4712.

ORIGINAL



LA JOLLA 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 – 07 February 2013

Attention: Paul Godwin, PM
City of San Diego

DRAFT

Project: Costebelle Residence SDP Amendment
7940 Costebelle Way
PN: 295796

Motion: To deny the Amendment to the Site Development Permit because two of the required Findings for a Site Development Permit cannot be made: (1) The proposed development will not adversely affect the applicable Land Use Plan and (2) The proposed development will comply with the regulations of the Land Development Code. Specifically:

Vote: 13-1-1

(a) Contrary to the Visual Resources Plan Recommendations (pg. 56 -57) of the La Jolla Community Plan and Local Coastal Program Land Use Plan the proposed project lacks sufficient articulation of the building facades facing Pottery Canyon Park and open space in order to reduce the perceived bulk and scale of the proposed structures when viewed from the park and open space; and

(b) The proposed structure height of the proposed guest quarters located above the garage accessory building exceeds the maximum allowed structure height of 21 feet as limited by LDC Sec. 141.0306 (f); and

(c) The setback and relationship of the front wall of the proposed guest quarters to the front wall of the garage below presents an upper level front yard setback that is not in general conformity with other upper level setbacks in the vicinity as is required by LDC Sec. 1510.0304 (b); and

(d) The garage with the proposed quest quarters above is so different in form and relationship to the street from that of other structures in the area that the proposed guest quarters addition is not in accordance with the General Design Regulations of the La Jolla Shores PDO, LDC Sec. 1510.0301(b) and will disrupt the architectural unity of the area; and



LA JOLLA COMMUNITY PLANNING ASSOCIATION

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Motion cont.

(e) The length of the proposed driveway measured from the street curb to the face of the garage does not meet the minimum length required by LDC Sec 142.0520, Table 142-05B, Footnote 1, nor does the project provide two additional on-site parking space as required by Footnote 1, nor is there sufficient curb length on the street abutting the property to provide the two additional required parking spaces

07 Feb. 2013

Submitted by: **Tony Crisafi, President**
La Jolla CPA

Date

LA JOLLA SHORES PLANNED DISTRICT

Applicant: Costebelle REI, LLC

Item: #1 Costebelle Residence

Date: March 19, 2013

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

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

Approval recommended - as presented project
provides appropriate sloped roof + setback
from street, and one additional parking
space. Materials + building step-backs
conform to community character.

located _____

and recommends:



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



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



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



D. Denial because of lack of four affirmative votes.

Board Signatures

Approving Item: 4

Disapproving Item: 0

Janice Patten
Jan Hoese
[Signature]

[Empty Signature Box]

Absentees:

[Signature]
Chairman



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title COSTEBELLE RESIDENCE **Project No. For City Use Only** 295796

Project Address: 1940 COSTEBELLE WAY, LA JOLLA, CA 92037

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

<p>Name of Individual (type or print): _____</p> <p><input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency</p> <p>Street Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone No: _____ Fax No: _____</p> <p>Signature : _____ Date: _____</p>	<p>Name of Individual (type or print): _____</p> <p><input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency</p> <p>Street Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone No: _____ Fax No: _____</p> <p>Signature : _____ Date: _____</p>
<p>Name of Individual (type or print): _____</p> <p><input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency</p> <p>Street Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone No: _____ Fax No: _____</p> <p>Signature : _____ Date: _____</p>	<p>Name of Individual (type or print): _____</p> <p><input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency</p> <p>Street Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone No: _____ Fax No: _____</p> <p>Signature : _____ Date: _____</p>

Project Title: COSTEBELLE RESIDENCE Project No. (For City Use Only) 295796

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Yes No

Corporate/Partnership Name (type or print):

COSTEBELLE REI, LLC

Owner Tenant/Lessee

Street Address: 2720 VILLAS WAY

City/State/Zip: SAN DIEGO, CA 92108

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

MARCO B MORENO

Title (type or print):

MANAGER

Signature:  Date: 8/21/12

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

 <p>City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 446-5210</p> <p>THE CITY OF SAN DIEGO</p>	<h2>Development Permit/ Environmental Determination Appeal Application</h2>	<p>FORM DS-3031 MARCH 2007</p>
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See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission Environmental Determination - Appeal to City Council
 Process Three Decision - Appeal to Planning Commission Appeal of a Hearing Officer Decision to revoke a permit
 Process Four Decision - Appeal to City Council

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name

La Jolla Community Planning Group

Address

P.O. Box 889

City

La Jolla

State

CA

Zip Code

92038

Telephone

858-459-9291 direct

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Claude Anthony Marengo

4. Project Information

Permit/Environmental Determination & Permit/Document No.:

Costebelle Residence Amendment to SDP # 4522

Date of Decision/Determination:

March 20, 2013

City Project Manager:

Paul Godwin

Decision (describe the permit/approval decision):

Hearing Officer approval of an amendment to a previously approved Site Development Permit #4522 which is currently under construction.

5. Grounds for Appeal (Please check all that apply)

- Factual Error (Process Three and Four decisions only) New Information (Process Three and Four decisions only)
 Conflict with other matters (Process Three and Four decisions only) City-wide Significance (Process Four decisions only)
 Findings Not Supported (Process Three and Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

1. The La Jolla Community Planning Association voted 13-1-1 to recommend of denial of the application Feb. 7th 2013.

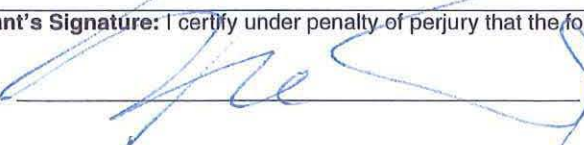
2. The project does not conform to the Community Plan due to bulk & scale and lack of conformance to Community Character.

specifically due to the following reasons:

a. The setback and relationship of the front wall of the proposed guest quarters to the front wall of the garage below presents an upper level front yard setback that is not in general conformity with other upper level setbacks in the vicinity as is required by LDC Sec. 1510.0304 (b)

b. The garage with the proposed quest quarters above is so different in form and relationship to the street from that of other structures in the area that the proposed guest quarters addition is not in accordance with the General Design Regulations the La Jolla Shores PDO, LDC Sec. 1510.0304(b) and will disrupt the architectural unity of the area;

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: 

Date: 4/4/2013

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

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