



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: January 31, 2024 REPORT NO. HO-24-006

HEARING DATE: February 14, 2024

SUBJECT: 8445 Avenida De Las Ondas, Process Three Decision

PROJECT NUMBER: [PRJ-1050498](#)

OWNER/APPLICANT: Smit A. Patel and Irene Patel, Owners / Marengo Morton Architects, Applicant

SUMMARY:

Issue: Should the Hearing Officer approve an addition to an existing two-story, 3,963 square-foot single dwelling unit, including partial demolition of portions of the home and constructing a 1,995 square-foot addition with new garage for a total of 5,447 square feet at 8445 Avenida De Las Ondas within the La Jolla Community Plan area?

Proposed Actions: Approve Site Development Permit No. PMT-3142201.

Fiscal Considerations: All costs associated with this action are recovered through a deposit account funded by the applicant.

Housing Impact Statement: The project proposes an addition to an existing single dwelling unit.

Community Planning Group Recommendation: On July 7, 2022, the La Jolla Community Planning Association voted 13-0-1 to approve the project (Attachment 7).

Other Recommendations: On March 16, 2022, the La Jolla Shores Planned District Advisory Board voted 4-0-0 to approve the project (Attachment 6).

Environmental Review: The project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). The environmental determination for the project was made on November 3, 2023, and the opportunity to appeal that determination ended November 20, 2023 (Attachment 8). There were no appeals of the environmental determination.

BACKGROUND

The 0.46-acre site is located at 8445 Avenida De Las Ondas in an urbanized neighborhood within the La Jolla community. The project site is in the La Jolla Shores Planned District – Single Family Zone (LJSPD-SF), Coastal Overlay Zone (Non-Appealable Area), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, and Fire Hazard Severity Zone within in the La Jolla Community Plan Area (Community Plan) (Attachments 1-3).

The existing two-story, 3,963 square-foot single dwelling unit was constructed in 1955. On January 28, 2021, the City's Historical Resources Board (HRB) designated the home as a historical resource (Dorrit and Albert Wright House - HRB #1401). This designation excluded the northeast addition, the southeast addition, the added parapet, and the Japanese-inspired gate above and to the right of the garage, which were constructed outside the period of significance.

DISCUSSION

Pursuant to San Diego Municipal Code Section 1510.0201(d), a Process Three Site Development Permit is required for additions to an existing single dwelling unit within the La Jolla Shores Planned District. Therefore, the decision to approve, conditionally approve, or deny the project shall be made by the Hearing Officer, and the decision is appealable to the Planning Commission. Of note, the project plans include for informational purposes only floor area for an accessory dwelling unit. Staff determined that the accessory dwelling unit can be submitted as a Process 1 Coastal Development Permit.

The project consists of an addition to the existing single dwelling unit, including partial demolition of portions of the home and constructing a 1,995-square-foot addition with new garage for a total of 5,447 square feet (Attachment 10 – Project Plans). Based on a submitted neighborhood survey of the existing development pattern, including bulk and scale comparisons within the neighborhood, the proposed addition was determined to be in general conformance with the surrounding area as required by the LJSPD-SF Zone, including building height (27 feet 3 inches) which is below the 30-foot height limit, and floor area ratio (.27) which is below the maximum (.45) allowed. No deviations or variations are required. Staff has also determined that the project is consistent with the U.S. Secretary of the Interior's Standards and does not require a Site Development Permit for impacts to a historical resource.

The project site is designated in the Community Plan for Very Low Density (0-5 dwelling units per acre) residential uses, and the addition to the existing home is consistent with the prescribed density. A primary goal of the Community Plan is to maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures. The project is consistent with this Community Plan goal by designing a project similar in design and character with the residences in the surrounding neighborhood which is comprised of one and two-story residences with varying architectural styles.

The Community Plan also promotes transitions in scale between new and older structures by creating visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment, and variations within front yard setback requirements. The project supports this

Community Plan goal by placing the structure massing in the rear of the property. Additionally, most of the first-floor expansion will be located towards the side and rear yard areas of the site and the second floor includes pushed-back areas where the balcony is located. The site does not contain any designated view corridors or public views on the premises which also supports the Community Plan goal of maintaining identified public views to and from amenities to achieve a beneficial relationship between the natural or unimproved and developed areas of the community.

The project site does not contain sensitive biological resources and does not contain nor is adjacent to the City's Multiple Habitat Planning Area. Staff has also reviewed and accepted a geotechnical report prepared for the site that concluded that the project adequately addresses the site's soil and geologic conditions, and drainage for the project complies with the City's drainage regulations and standards. The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include:

- Submitting a Water Pollution Control Plan prepared in accordance with the City's Construction Best Management Practices (BMPs) and Storm Water Standards;
- Entering into an Encroachment Maintenance Removal Agreement for landscaping in the public right-of-way;
- Maintenance of all landscape improvements; and
- All private water and sewer facilities shall be designed to meet the requirements of the California Uniform Plumbing Code.

Staff has reviewed the proposal, including all the issues identified through the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan and the adopted City Council policies and regulations of the Land Development Code. Therefore, draft findings and conditions to support project approval are presented to the Hearing Officer for consideration.

ALTERNATIVES

1. Approve Site Development Permit No. PMT-3142201, with modifications.
2. Deny Site Development Permit No. PMT-3142201, if the findings required to approve the project cannot be affirmed.

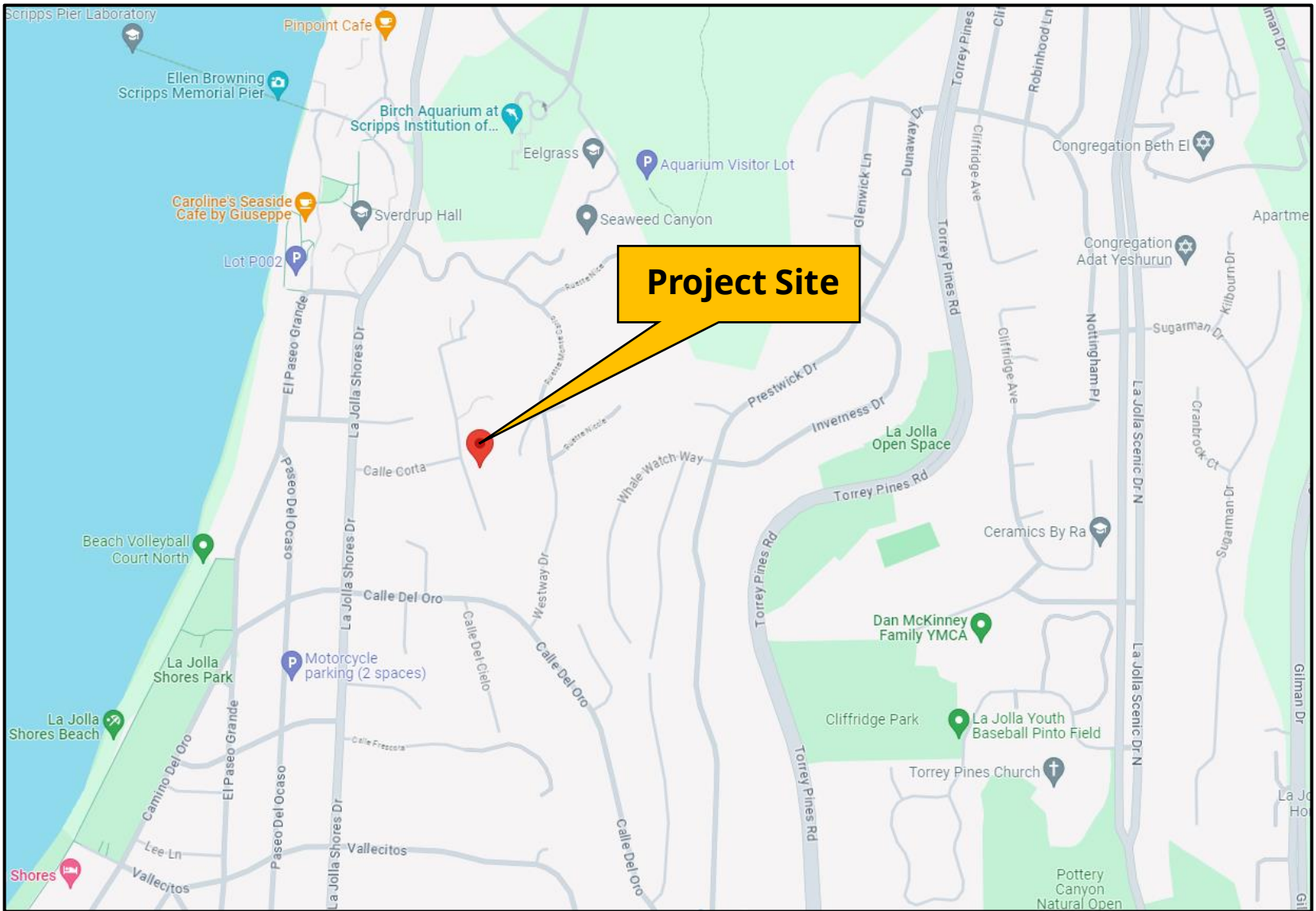
Respectfully submitted,



Xavier Del Valle, Development Project Manager

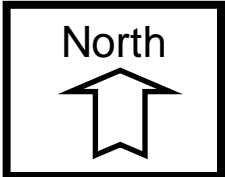
Attachments:

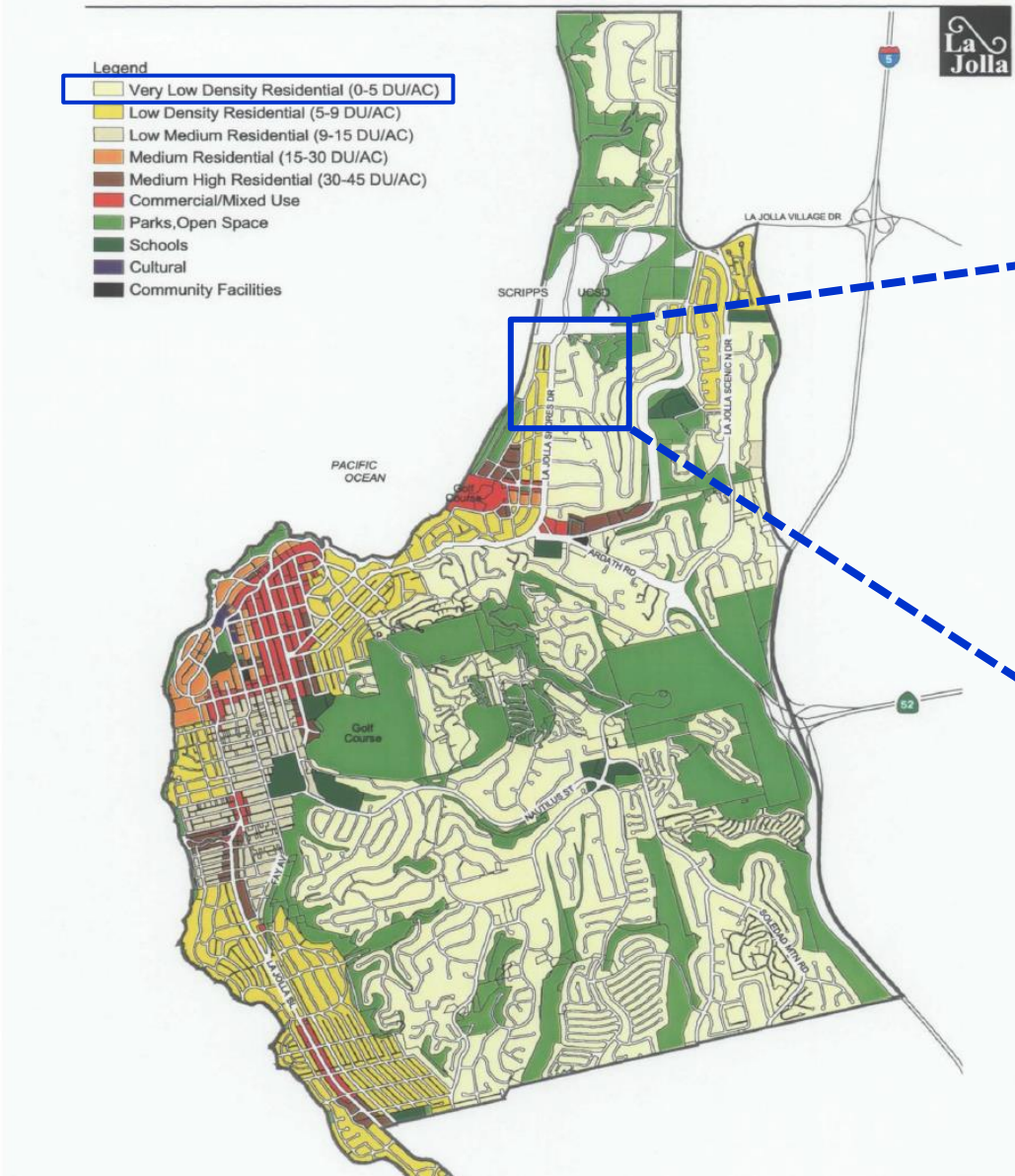
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. La Jolla Shores Planned District Advisory Board Recommendation
7. Community Planning Association Recommendation
8. Notice of Right to Appeal (NORA)
9. Ownership Disclosure Statement
10. Project Plans



Project Location Map

8445 Avenida De Las Ondas
PRJ-1050498 - 8445 Avenida De Las Ondas



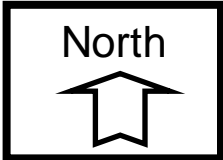


Project Site



Land Use Map

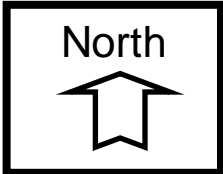
8445 Avenida De Las Ondas
 PRJ-1050498 - 8445 Avenida De Las Ondas





Aerial Photograph

8445 Avenida De Las Ondas
PRJ-1050498 - 8445 Avenida De Las Ondas



HEARING OFFICER RESOLUTION NO. _____
SITE DEVELOPMENT PERMIT NO. PMT-3142201
8445 AVENIDA DE LA ONDAS: PRJ - 1050498

WHEREAS, SMIT A. PATEL and IRENE PATEL, TRUSTEES OF THE SMIT A. & IRENE PATEL REVOCABLE TRUST, Owner/Permittee, filed an application with the City of San Diego for a permit for an addition to an existing single dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Site Development Permit No. PMT-3142201), on portions of a 0.46-acre site;

WHEREAS, the project site is located at 8445 Avenida de las Ondas within the La Jolla Shores Planned District – Single Family Zone (LJSPD-SF), Coastal Overlay Zone (Non-Appealable Area), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, and the Fire Hazard Severity Zone, within the La Jolla Community Planning Area;

WHEREAS, the project site is legally described as Lot 27 of La Jolla Shores Terrace, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2996, filed in the Office of the County Recorder of San Diego County, May 29, 1953;

WHEREAS, on November 3, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on February 14, 2024, the Hearing Officer of the City of San Diego considered Site Development Permit No. PMT-3142201 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 3142201:

A. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

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

The project site is designated in the Community Plan for very low density (0-5 dwelling units per acre) residential uses, and the addition to the existing home is consistent with the prescribed density. Based on a submitted neighborhood survey of the existing development pattern, including bulk and scale comparisons within the neighborhood, the addition was determined to be in general conformance with the surrounding area as required by the LJSPD-SF Zone, including building height (27 feet 3 inches) which is below the 30-foot height limit, and floor area ratio (.27) which is below the maximum (.45) allowed. No deviations or variations are required.

A primary goal of the Community Plan is to maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures. The project is consistent with this Community Plan goal by designing a project similar in design and character with the residences in the surrounding neighborhood which is comprised of one and two-story residences with varying architectural styles.

The Community Plan also promotes transitions in scale between new and older structures by creating visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment, and variations within front yard setback requirements. The project supports this Community Plan goal by placing the structure massing in the rear of the property. Additionally, most of the first-floor expansion will be located towards the side and rear yard areas of the site and the second floor includes pushed-back areas where the balcony is located.

The project site does not contain any designated view corridors or public views on the premise which supports the Community Plan goal of maintaining identified public views to and from amenities to achieve a beneficial relationship between the natural or unimproved and developed areas of the community. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project site is developed with a single dwelling unit and is surrounded by existing development. The project site does not contain sensitive biological resources, sensitive riparian habitat, or any other identified habitat community. Additionally,

the project site does not contain nor is adjacent to the City's Multiple Habitat Planning Area.

Staff has accepted a geotechnical report prepared for the site that concluded that the project adequately addresses the site's soil and geologic conditions, and drainage for the project complies with the City's drainage regulations and standards. The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include:

- Submitting a Water Pollution Control Plan prepared in accordance with the City's Construction Best Management Practices (BMPs) and Storm Water Standards;
- Entering into an Encroachment Maintenance Removal Agreement for any landscaping in the public right-of-way;
- Maintenance of all landscape improvements; and
- All private water and sewer facilities shall be designed to meet the requirements of the California Uniform Plumbing Code.

The project was determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Therefore, the project will not be detrimental to the public, health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The existing two-story, 3,963 square-foot single dwelling unit was constructed in 1955. On January 28, 2021, the City's Historical Resources Board (HRB) designated the home as a historical resource (Dorrit and Albert Wright House - HRB #1401). This designation excluded the northeast addition, the southeast addition, the added parapet, and the Japanese-inspired gate above and to the right of the garage, which were constructed outside the period of significance. The project is consistent with the U.S. Secretary of the Interior's Standards and does not require a Site Development Permit for impacts to a historical resource.

Based on a submitted neighborhood survey of the existing development pattern, including bulk and scale comparisons within the neighborhood, the project was determined to be in general conformance with the surrounding area as required by the LJSPD-SF Zone, including building height (27 feet 3 inches) which is below the 30-foot height limit, and floor area ratio (.27) which is below the maximum (.45) allowed. No deviations or variations are required. Therefore, the project will comply with the regulations of the Land Development Code.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer / Site Development Permit No. PMT-3142201 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. PMT-3142201, a copy of which is attached hereto and made a part hereof.

Xavier Del Valle
Development Project Manager
Development Services

Adopted on February 14, 2024

IO#: 11004543

DRAFT

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 11004543

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. PMT-3142201
8445 AVENIDA DE LA ONDAS: PRJ-1050498
HEARING OFFICER

This Site Development Permit No. PMT-3142201 is granted by the Hearing Officer of the City of San Diego to SMIT A. PATEL and IRENE PATEL, TRUSTEES OF THE SMIT A. & IRENE PATEL REVOCABLE TRUST, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The 0.46-acre site is located at 8445 Avenida de las Ondas in the La Jolla Shores Planned District – Single Family Zone, Coastal (Non-Appealable) Overlay Zone, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, Fire Hazard Severity Zone, and Geological Hazard Area 53 within the La Jolla Community Plan Area. The project site is legally described as: Lot 27 of La Jolla Shores Terrace, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2996, filed in the Office of the County Recorder of San Diego County, May 29, 1953.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for an addition to an existing single dwelling unit described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 14, 2024, on file in the Development Services Department.

The project shall include:

- a. An addition to an existing two-story, 3,963 square-foot single dwelling unit, including partial demolition of portions of the home and constructing a 1,995 square-foot addition with new garage for a total of 5,447 square feet; and
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 1, 2027.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required

to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction Best Management Practices (BMP) Standards Chapter 4 of the City's Storm Water Standards.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement from the City Engineer for any landscaping along the Avenida De Las Ondas public right-of-way.

PLANNING/DESIGN REQUIREMENTS:

14. The automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

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

16. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

WATER AND SEWER DEVELOPMENT REQUIREMENTS:

17. Prior to the issuance of any construction permits, if determined during the building permit review process that the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall assure by permit and bond the design and construction of new water and sewer service(s) outside of any driveway or drive aisle, including the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

18. All proposed private water and sewer facilities shall be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

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

LANDSCAPING REQUIREMENTS:

20. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit to the Development Services Department for approval complete landscape and irrigation construction documents. The construction documents shall be consistent with approved Exhibit "A," the La Jolla Shores Planned District Ordinance, the La Jolla Community Plan, and the Land Development Manual - Landscape Standards.

21. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements as shown on the approved plans, including in the public right of way unless long-term maintenance

of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscaping shall be maintained consistent with the Landscape Standards in disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.

22. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) as shown on the approved construction document plans is damaged or removed, it shall be repaired and/or replaced in kind and in an equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on February 14, 2024, and [Approved Resolution Number].

ATTACHMENT 5

Site Development Permit No. PMT-3142201
Date of Approval: February 14, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Xavier Del Valle
Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**TRUSTEES OF THE SMIT A. & IRENE PATEL
REVOCABLE TRUST, OWNER/PERMITTEE**

By _____
Smit A. Patel
Trustee

By _____
Irene Patel
Trustee

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



THE CITY OF SAN DIEGO

La Jolla Shores Planned District Advisory Board
FINAL Meeting Minutes for March 16, 2022
 Virtual Online meeting

Trustee	Attendance	Trustee	Attendance
Jane Potter	Present	Herbert Lazerow	Present
Andrea Moser	Present	Suzanne Weissman	Present

1. Call to Order:

Potter called the meeting to order at 10:00 a.m.

2. Agenda:

Lazerow moved to approve, Moser seconded. Motion passed 4-0-0.

3. Approval of February 16, 2022 minutes:

Lazerow recommended re-posting of February minutes and approve at the April meeting along with March minutes. Moser seconded. Motion passed 4-0-0.

Page 2, bullet point 3, regarding board members, Potter added that the requirement of living within the LJSAB jurisdiction should be removed for an architect or engineer Board member.

Page 5, bullet point 3, not sure what sentence is saying. Put comma after front, two -thirds in rear. No existing second story. Delete last part of sentence. Lazerow agreed.

Chair Potter also added that recruiting an architect to serve on the Board is difficult because of possible conflict of interest problems. P. 5, bullet 3, not sure what sentence says. then comma after front. Potter suggested deleting last part of sentence. Bullet point 8, put colon after 844 sf, Potter proposed forwarding to the City the suggestions regarding

specific guidelines for LJSPDO proposed projects to be considered minor in scope. Board members agreed and will work with Board Member Weissman on the proposal to be submitted to the Planning Department.

4. Non-agenda public comment:

Staff said no non-agenda comment received.

DISCUSSION ITEM (ACTION): Consideration of amendments to the La Jolla Shores Planned District Ordinance to address increasing membership to the Advisory Board and submittal for the next round of Land Development Code updates

Discussion:

- Suggested changes: change requirements in PDO to allow 5 members from anywhere in the La Jolla Shores district
- Next: put measures in the ordinance on how to determine if projects are minor vs. major. These changes must be submitted by March 31, 2022 to be included in the Code Update
- La Jolla Community Planning Group has recommended eliminating La Jolla Shores Advisory Board. But Weissman advocated for continuing the Board since there is an ongoing effort to reduce role of CPG's thru changes to Council Policy 600-24. Lazerow agreed with Weissman's suggestions and added that the requirement of living within the LJSAB jurisdiction should be removed for an architect or engineer Board member. Potter added recruiting an architect to serve on the Board is difficult because of possible conflict of interest problems and that the requirement of living within the LJSAB jurisdiction should be removed for an architect or engineer Board member. A major problem has been inability of the Mayor and Council to get new LJSAB members. Proposed that, If after 6 months the Mayor has not appointed a member he/she would automatically be appointed to the board. Potter said a problem getting an architect on the board would be conflict of interest when/if their projects go before the board
- Potter not in favor of having members who live outside the Shores boundaries. Potter would also not support combining the CPG and LJSAB (an administrative nightmare)
- Potter said the council wants more members on the LJSAB and the Mayor's office has a new staff for boards and commissions and Potter would like to reach out to her Potter advocated support for getting clarification on major vs. minor. Weissman said an architect would just have to work in La Jolla and not live there. Moser said PDO needs to be updated, as it still refers to a City Manager. Staff suggested forwarding comments to Planning Department prior to the Code Update. Potter proposed forwarding the suggestions regarding specific guidelines for LJSPDO proposed projects to be considered minor in scope. Board members agreed and will work with Board Member Weissman on the proposal to be submitted to the Planning Department.
- Potter would support forwarding only the suggestions regarding minor vs major
- Kathleen Neil said thanks for the opportunity to provide input and to use the Code Update to request changes. Michael Morton said he knew of a female architect who lives in La Jolla Shores as a possible new member.

5. Project Review:

Action Item A – Action Item A – PTS 696515 - Calle de la Garza Remodel

Location: 2350 Calle de la Garza

APN: 346-180-2200

Description: Proposed 1,229 sq. ft. 2nd story addition with a deck and a 75 sq. ft. 1st floor addition to an existing 7,628 sq. ft. one story over basement single-family residence on a 0.57-acre lot.

The Applicant is seeking a recommendation for approval of a Site Development Permit from the Advisory Board.

Applicant/Project Contact:

Mark Lyon, (858) 459-1171, mark@mdla.net

Sara Carpenter, sara@mdla.net

Presentation:

- Presenter showed slides of property and past remodel
- Existing FAR .29
- Propose SDP for 1229 sf 2nd floor addition with deck and 75 sf 1st floor addition
- Second story has bigger setbacks than first floor
- Seventy-five sf is for stairway to 2nd floor
- Increase in height of 6'3"
- Open beam roof over patio design
- Overall height of 24' 7.5"
- Same material as an existing structure: Mediterranean colors, tile roof, glass railing on decks
- Existing landscaping to remain
- Proposed FAR .34

Board Clarification:

- Clarification of wall length requested. Presenter said fifteen and eighteen feet.
- Distance between top of deck and property line requested, and to neighbor's building. Presenter said 15'.
- Request for distance from second story to other neighbors. Sixty-eight feet replied presenter

Board Comment:

- Second story addition mostly stepped back, but member asked if all of second story could be stepped back, approximately 35' and building height would increase by approximately 9'. Presenter said 'correct.'
- Other members had no substantive comments, except whether notification of neighbors was made. Presenter responded in affirmative

Public Comment

None received

Motion:

Lazerow moved to recommend approval. Moser seconded. Motion passed 4-0-0

Action Item B – PTS 0700217 – 2790 Bordeaux Avenue

Location: 2790 Bordeaux Avenue APN: 344-111-0500

Description: Proposed remodel and addition to a single-story residence on a 0.21-acre lot. The Applicant is seeking a recommendation that the proposed project is minor in scope (Process 1) from the Advisory Board.

Applicant/Project Contact:

Claudia Gemballa, (619) 333-4864, Klaudiag@architectslocal.com

Presentation:

- Aaron Borja of Architects Local presented
- Preliminary Review submitted to City but need determine if minor or needs a SDP
- Borja showed elevations and farmhouse arch. Style, with open floor plan, 473 sf addition to rear of property to 2700 sf dwelling (over 10% increase) FAR increase from .29 to .34
- Height increase is 6' to increase pitch of roof, 1 story du
- Setbacks decreasing from rear property line, remaining same in front
- Roof deck over addition with stairway
- Existing setbacks compatible with that of neighbors with some having less set back than proposal within 300' radius
- Proposed sf not near max sf of neighbors
- Covered patio at rear
- Exterior materials - metal roof, smooth white stucco, planters to soften building, natural stone
- Exempt from CDP 50% wall demolition requirement

Public Comment:

None received

Board Comment:

- Question posed whether staircase visible from street. Presenter said no
- Suggested candidate for borderline project regarding Code Update
- Member OK with addition because it is in rear with no neighbors affected by decreased setback. But project more visible from street. White stucco more visible than existing grey color. Increased angle of the roof contributes to project being more visible from street. This is more a reconstruction of whole house rather than an addition. Presenter

said they are keeping exterior walls, modifying exterior from street but increasing quality of structure.

- Member suggested they should talk to neighbors and get feedback from CCR's (architectural committee) for neighborhood. House is outdated but neighbor input needed. Presenter said he planned to invite them to a meeting to discuss the project and meet with the architectural review board. Member said that neighbor feedback is most important. Member liked design and suggested returning to LJSAB after contacting neighbors. Michael Morton said adding sf more than 10% of GFA or raising roof more than 10% would result in a major project. Presenter said deviating from the 10% could be done if meeting other requirements. Member requested lowering pitch of roof to compromise. Presenter was non-committal
- Lazerow said applicant did not want a vote, just a recommendation to return with neighbor input. Lazerow said he would support as a minor if applicant got letters of support from neighbors

Motion:

Lazerow recommended to approve as a minor project if letters of support are received from neighbors on both sides and across the street. Potter seconded. Motion passed 4-0-0.

Action Item C – PTS 695953 – Jafari Residence

Location: 8241 La Jolla Scenic Drive North

APN: 346-721-0700

Description: Proposed remodel and 2,826 sf second story addition on a 0.23-acre lot. The Applicant is seeking a recommendation for approval of a Site Development Permit from the Advisory Board.

Applicant/Project Contact:

Scott Spencer, (858) 459-8898, scottspencerarchitect@gmail.com

Presentation:

- Existing 1,124 sf single story dwelling
- Flat roof with stucco walls
- Landscaping to remain
- Side setback to remain at 8' upper floor stepped back 3'
- North side setback 6' to remain, upper floor stepped back 2'
- Rear deck facing east and stepped back from first floor
- Converting 3-car garage to 2-car garage plus office
- Master bedroom rear addition
- Side deck on north elevation
- Decks facing west for maximization of light and air
- Second story stepped back on all sides. Bedroom above garage stepped back 2'
- Spanish Mediterranean style, exposed rafter tails, clay tile roof, stucco pilasters, wood windows clad in aluminum, beige stucco, dark brown trim

- Overall height of 27' 6"
- Landscaping coverage at 46.7%, maintaining existing coverage
- Neighbors are set back 5-6' and are 2 stories
- No dwelling on west side

Board Clarifying Questions:

- Clarification whether FAR comports with City regulations. Six % points below City maximum FAR per presenter
- Question raised whether neighbors notified of SDP. Presenter said Yes (no comments received) but applicant received verbal support
- Verify if noticing posted. Yes, multiple times

Public Comment:

Staff said none received

Board Comment:

- Member said fine design and no neighbors affected

Motion:

Lazerow recommended approval. as presented. Weissman seconded. Motion passed 4-0-0

Action Item D – PRJ 1050498 – Avenida de las Ondas

Location: 8445 Avenida de las Ondas

APN: 346-132-1000

Description: Demolition, remodel, and 1,995 sf addition (including Accessory Dwelling Unit) to an existing 2-story single-family residences on a 0.50-acre lot. The Applicant is seeking a recommendation for approval of a Site Development Permit and Coastal Development Permit from the Advisory Board.

Applicant/Project Contact:

Michael Morton, michael@m2a.io, (858) 459-3769

Presentation:

- Home not visible from street due to bushes
- Main body of house designated historical. Proposed project not on main body
- Site is 21,000 sf
- Proposed ADU on second story
- Proposed FAR .34
- Existing FAR .21%
- 51% landscaping coverage
- Two guest parking spaces
- Second floor 1 bedroom. 1,191 sf
- Four hundred fifteen sf to 607 sf increase for garage

- Side setbacks of 5' and 10', rear yard 20'
- Redwood siding, dark roof
- Existing courtyard to remain
- Additions per Secretary of Interior standards are different from historical part of house. Addition is darker in color
- Stairs to roof deck
- CDP required for ADU

Board Clarifying questions:

- Lazerow asked if proposed construction is behind historic house. Presenter confirmed and added that addition is south of existing house
- Presenter showed photos of proposal and surrounding topo
- Lazerow asked distance between project and existing houses on either side. Presenter responded there is a 20' separation between the addition and neighbor. Thirty-five feet from above neighbor. Approximately 20' to side neighbor
- Presenter spoke with some neighbors across the street. Only comment was softening of color for addition to make it compatible with existing home

Public Comment:

Staff said none received

Board Comment:

None

Motion:

Lazerow moved to recommend approval. Moser seconded. Motion passed 4-0-0

Next meeting date: April 20, 2022

Adjournment: 12:21 p.m.

Minutes taken by Tony Kempton, Associate Planner, Planning Department

Page 3	City of San Diego · Information Bulletin 620	August 2018
	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	Community Planning Committee Distribution Form
	Project Name: 8445 Avenida de las Ondas	Project Number: 1050498
Community: La Jolla		
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>		
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny		Date of Vote: July 07, 2022
# of Members Yes 13	# of Members No 0	# of Members Abstain 1
Conditions or Recommendations:		
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		
NAME: Suzanne Baracchini		
TITLE: LJCPA Trustee/Secretary		DATE: July 13, 2022
<p align="center"><i>Attach additional pages if necessary (maximum 3 attachments).</i></p>		

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 3, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

IO No. 11004543

PROJECT NAME / NUMBER: 8445 Avenida De Las Ondas / PRJ-1050498

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 8445 Avenida De Las Ondas San Diego, CA 92037

PROJECT DESCRIPTION: The project proposes a Site Development Permit for a remodel/addition to an existing 3,963 square-foot (sf) 2-story single family residence located at 8445 Avenida De Las Ondas. The project includes demolishing portions of the home and constructing a 1,995 sf addition with a new garage for a total of 5,447 sf. A portion of the second story addition would include a 1,191 sf Accessory Dwelling Unit, new floor terraces and a roof deck. The 0.46-acre site is zoned La Jolla Shores Planned District – Single-Family (LJSPD-SF) within the non-appealable coastal overlay zone and is designated as Very Low-Density Residential (0-5 DU/AC) in the La Jolla Community Plan Area. **LEGAL DESCRIPTION:** Lot 27 of La Jolla Shores Terrace, Map No. 2996.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15303, New Construction or Conversion of Small Structures.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures). The exemption allows for the construction and location of limited numbers of new, small facilities or structures where only minor modifications are made. Since the project proposes the remodel and additions to an existing single-family residence, this exemption was deemed appropriate. In addition, the exceptions listed in CEQA Section 15300.2 would not apply. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

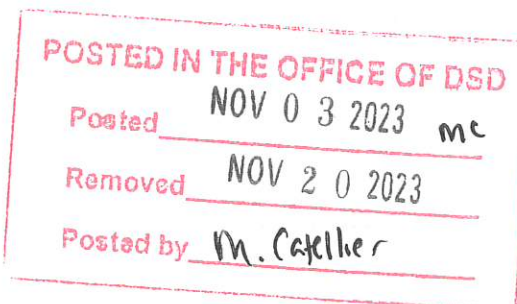
DEVELOPMENT PROJECT MANAGER: Xavier Del Valle
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER / EMAIL: (619) 557-7941 / XDelValle@sandiego.gov


On November 3, 2023 the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (November 20, 2023). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.



	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM
			DS-318
			October 2017

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: Private Residence **Project No. For City Use Only:** _____

Project Address: 8445 Avenida de las Ondas, La Jolla, CA 92037

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? CA Corporate Identification No. _____ Certificate of Trust _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Smit A. Patel Owner Tenant/Lessee Successor Agency

Street Address: 8445 Avenida de las Ondas

City: La Jolla State: CA Zip: 92037

Phone No.: (909) 510-1577 Fax No.: _____ Email: deardrpatel@gmail.com

Signature:  Date: 1/14/2022

Additional pages Attached: Yes No

Applicant

Name of Individual: Michael R. Morton - Marengo Morton Architects Owner Tenant/Lessee Successor Agency

Street Address: 7724 Girard Avenue

City: La Jolla State: CA Zip: 92037

Phone No.: (858) 459-3769 Fax No.: _____ Email: michael@m2a.io

Signature: Michael R. Morton, AIA Date: 1/14/2022

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: Yes No