



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: April 16, 2025 REPORT NO. HO-25-020

HEARING DATE: April 23, 2025

SUBJECT: CLAY RESIDENCE, 8425 Avenida De Las Ondas, Process Three Decision

PROJECT NUMBER: [PRJ-1111376](#)

OWNER/APPLICANT: Gregory W. Clay and Martha H. Clay, Clay Management Trust/Patrick Vercio, Island Architects.

SUMMARY

Issue: Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit to demolish an existing one-story, 3,300-square-foot, single-dwelling unit with an attached garage and construct a new two-story, 6,715-square-foot single-dwelling unit with an attached garage, pool, and associated site improvements at [8425 Avenida De Las Ondas](#) within the [La Jolla Community Plan](#) area?

Proposed Actions: APPROVE Coastal Development Permit No. PMT-3273663 and Site Development Permit No. PMT-3285403.

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

Housing Impact Statement: The project is within the La Jolla Community Plan area with a Very Low-density Residential land use designation (0-5 dwelling units per acre), allowing up to two units on the 0.56-acre site. The underlying zone is the La Jolla Shores Planned District-Single Family (LJSPD-SF) Zone, where no more than one unit is permitted on a lot. With one single-dwelling unit proposed there is no net loss of housing nor increase in density. Therefore, the project is consistent with the prescribed density.

Community Planning Group Recommendation:

- On April 17, 2024, The La Jolla Shores Plan District Advisory Board voted 6-0-0 to recommend approval of the project without conditions. (Attachment 8)
- On May 2, 2024, The La Jolla Community Plan Association voted 14-0-0 to recommend approval of the project without conditions. (Attachment 7)

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 13, 2025, and the opportunity to appeal that determination ended on January 28, 2025. (Attachment 6).

BACKGROUND

Site Description

The 0.56-acre site is located at 8425 Avenida De Las Ondas within an established residential area in the La Jolla Shores Planned District Single Family (LJSPD-SF) Zone, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, and Parking Impact Overlay Zone (Campus impact) of the La Jolla Community Plan area. The project site is currently developed with a one-story single dwelling unit with an attached garage.

Project Scope:

Demolition of an existing one-story, 3,300-square-foot, single dwelling unit with an attached garage and construction of a two-story, 6,715-square-foot single dwelling unit, including an attached 760-square-foot Garage.

Permits Required:

- Process 2 - Coastal Development Permit pursuant to San Diego Municipal Code (SDMC) [Section 126.0702](#) for the development of premises within the coastal overlay zone.
- Process 3 – Site Development Permit pursuant to SDMC [Section 1510.0201](#) for the development of premises within the La Jolla Shores Planned District.

These permits are consolidated for a decision by the Hearing Officer per SDMC Section 112.0103, with appeal rights to the Planning Commission.

DISCUSSION

Project Description:

The project proposes the demolition of an existing one-story, single dwelling unit for the construction of a new two-story, 6,715-square-foot single dwelling unit, including a 3,902-square-foot living area on the first floor with an attached 760-square-foot Garage/Utility space and a 2,053-square-foot living area on the second floor. (Attachment 10)

The existing dwelling unit was built in 1953. Structures older than 45 years require evaluation of historical significance. Staff determined that the property does not meet the local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

The proposed development is situated within previously disturbed areas of the site and is in general conformance with the development pattern of the neighborhood. The La Jolla Shores Planned District Ordinance requires all building and structure setbacks to be in general conformity with

those in the vicinity. The Applicant has provided a survey containing lot sizes, gross floor areas, and setback dimensions for building structures within a 300-foot radius of the project site. The survey shows the following ranges: Floor Area Ratio (FAR) between 0.16 and 0.87, front setback between 3.5 and 73.7 feet, side setback between one and 107.8 feet, and rear setback between zero and 182.8 feet. The project proposes 0.27 FAR, 44.25-foot front setback, 20.75-foot side setback at the North Property Line, 45-foot rear setback and 7-foot side setback at the South property line, all of which are consistent with the survey. In addition, the project conforms to the required 0.60 maximum lot coverage, proposing 0.19.

The project site is approximately a ½ mile east of the Pacific Ocean and is not within the First Public Roadway and the ocean. The project site is currently developed and is located within an urbanized area. It does not contain any sensitive riparian habitat or other identified sensitive biological resources, sensitive coastal bluffs, or special flood hazard areas, and drainage for the project complies with the City's drainage regulations and standards.

City staff has reviewed and accepted a Geotechnical study, dated January 31, 2024, prepared for the site by Geotechnical Exploration, Inc., which concluded that the site has favorable geologic structure and the geologic conditions potentially affecting the proposed project have been adequately addressed.

Specific requirements are included in the permit to ensure compliance with the regulations of the Land Development Code, including those adopted to protect public health, safety, and welfare. Permit conditions include implementing Best Management Practices necessary to comply with Grading Regulations of the SDMC; obtaining an encroachment maintenance and removal agreement for private improvements in the public right-of-way, subject to the approval of the City Engineer; disposing of all excavated material listed to be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction; and compliance with all stormwater construction requirements of the current version of the City of San Diego's Stormwater Standards Manual.

Community Plan Consistency:

The [La Jolla Community Plan and Local Coastal Program Land Use Plan](#) (Community Plan) policies include maintaining the neighborhood's residential character by conforming to density regulations and promoting development that is compatible with the existing residential scale; "In order to address transitions between the bulk and scale of new and older development in residential areas, maintain the existing 30-foot height limit of the single dwelling unit zones and Proposition D."

The project is designed to comply with all the development standards required by the underlying LSPD-SF Zone including density, setbacks, lot coverage and building height. In addition, the proposed development fits into the diverse theme of the neighborhood, consisting predominantly of one- and two-story single-dwelling units and is consistent with the community plan as follows:

- Residential Density: The Community Plan designates the site for [very low-density residential uses](#) (zero to five dwelling units per acre). The proposed development of one dwelling unit is consistent with the prescribed land use and maintains the current density (up to 2 dwelling units for the 0.56-acre project site).

- Community Character: As stated above, the project design is consistent with the development patterns of the neighborhood, including bulk and scale, density and setbacks. In addition, the proposed Modern Monterey-style elements are visually compatible with the area's character. Terraces and courtyards facilitate "inside-outside" living while utilizing natural building materials, including brick veneer and white stucco walls, terracotta tile roofs, wood lintels and rafter tails, iron railings and decorative grills.
- 30-foot height limit: The project also conforms to the 30-foot maximum structure height allowed in the Coastal Height Limit Overlay Zone per [SDMC Section 132.0505](#) and in accordance with Proposition "D" measurement procedures. The project proposes a maximum building height of 26 feet, 6 inches, except for a maximum of 30 feet at the chimney.

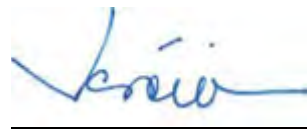
Conclusion:

City Staff has reviewed the proposal, including all issues identified through the review process, and has determined that all project issues have been addressed. The project conforms to the Community Plan and the adopted City Council policies and regulations of the Land Development Code. No deviations or variances are necessary or requested. Therefore, draft findings and conditions to support project approval are presented to the Hearing Officer for consideration.

ALTERNATIVES

1. Approve Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403, with modifications.
2. Deny Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

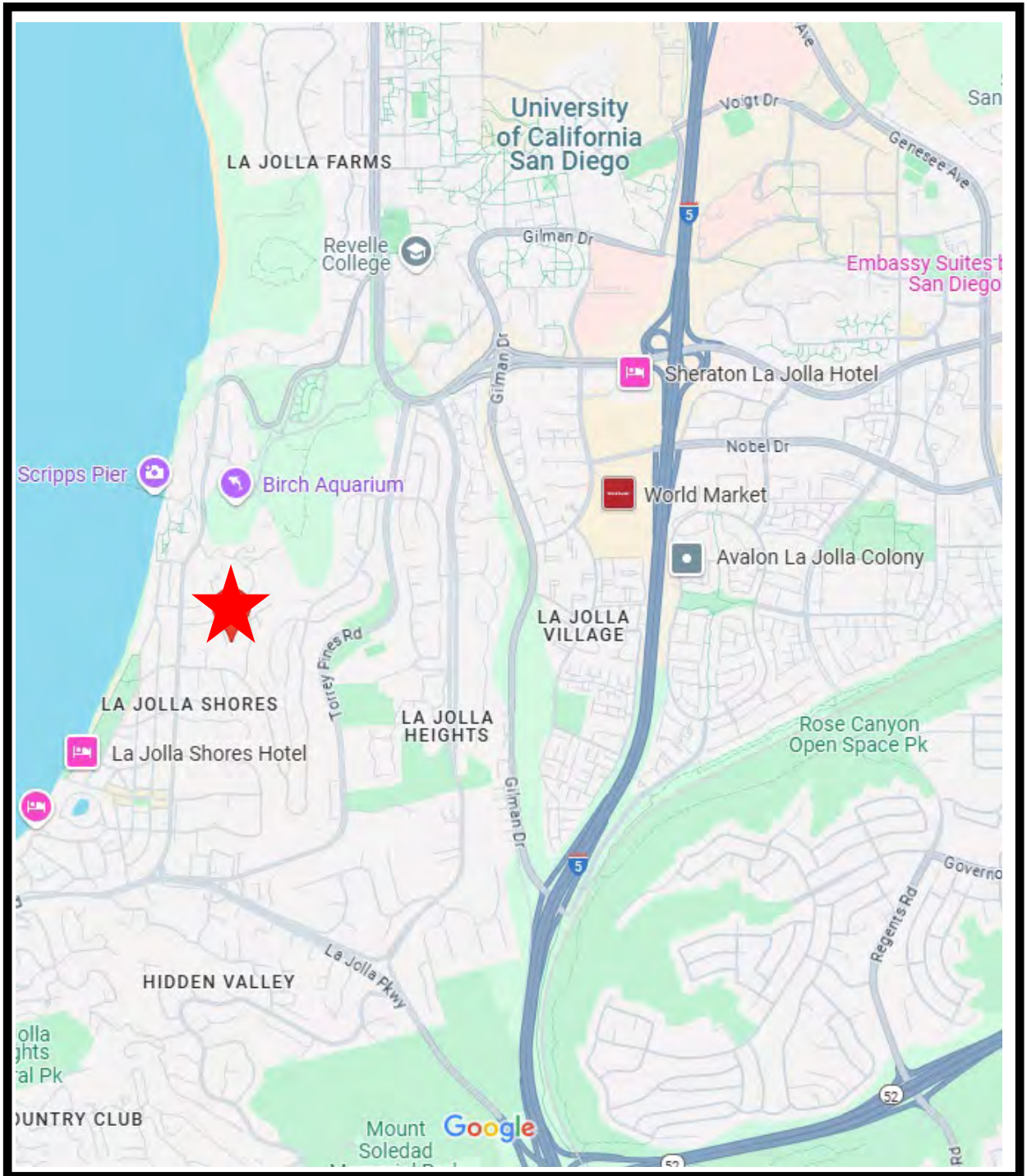


Veronica Davison
Development Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph

4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. Notice of Right to Appeal (NORA)
7. La Jolla CPA Recommendation
8. LJSPDAB Recommendation
9. Ownership Disclosure Statement
10. Project Plans

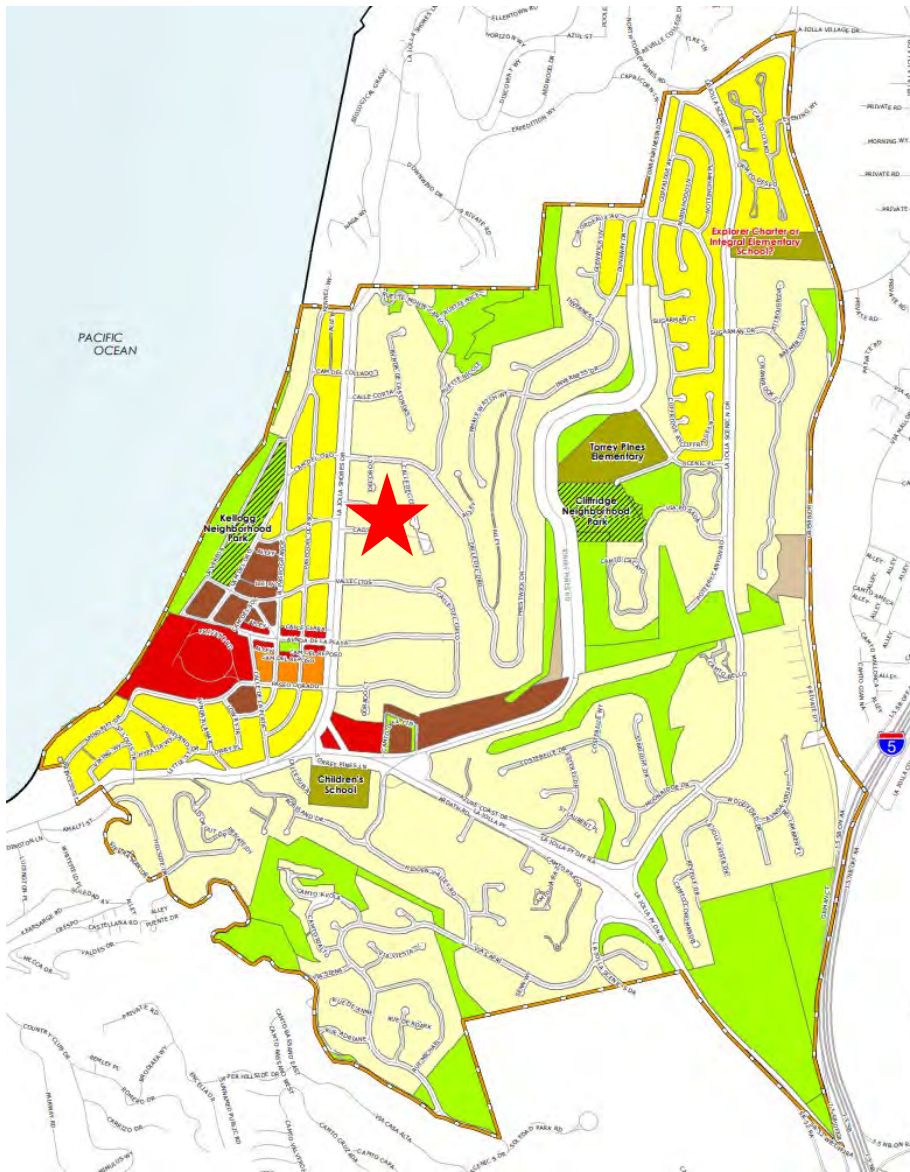


Project Location

8425 Avenida De Las Ondas
Project No. PRJ-111376

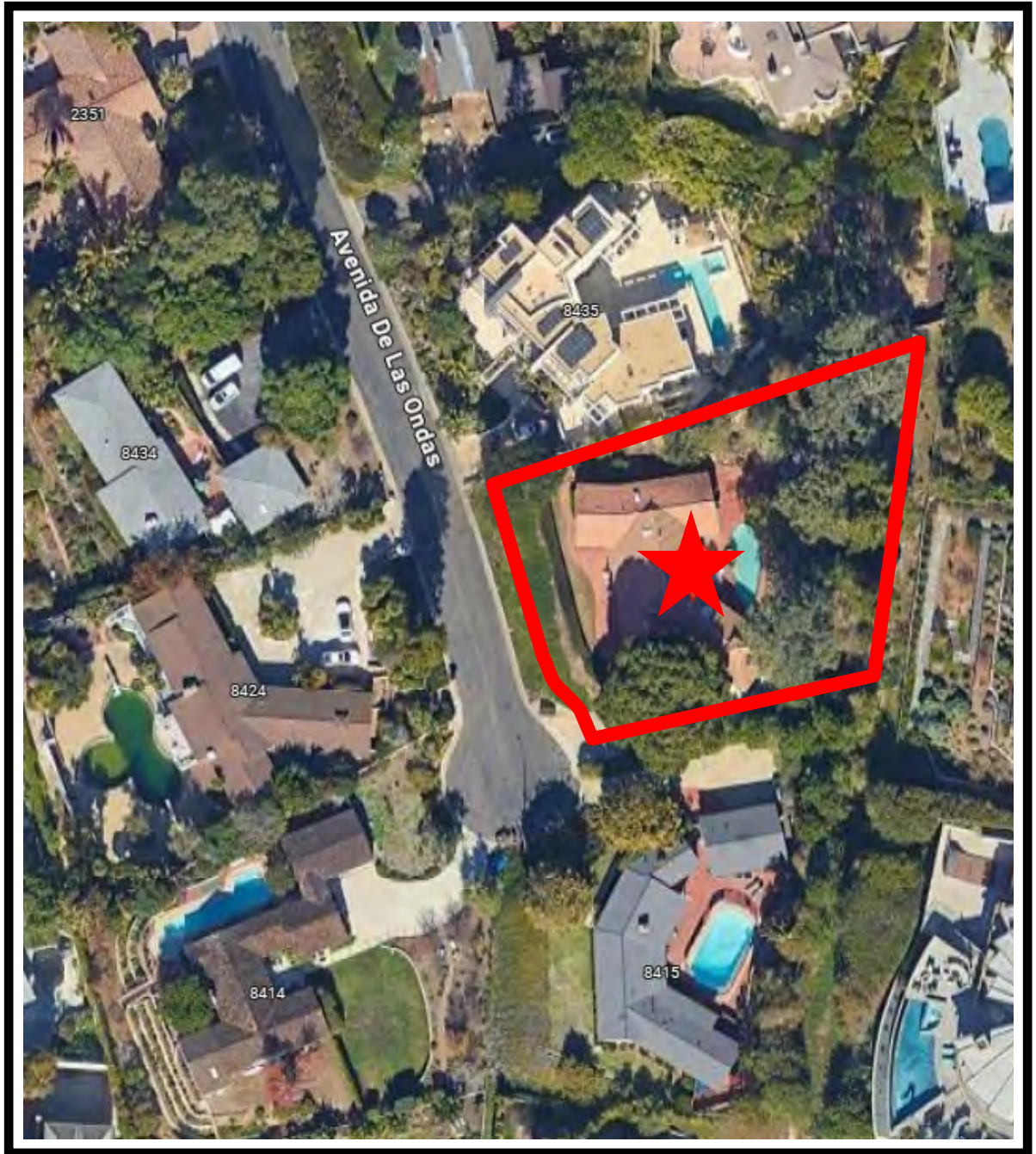
North





LA JOLLA SHORES





Aerial Photo

8425 Avenida De Las Ondas
Project No. PRJ-111376



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: 24009896

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3273663
SITE DEVELOPMENT PERMIT NO. PMT-3285403
CLAY RESIDENCE – PROJECT NO. PRJ-1111376
HEARING OFFICER

This Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403 is granted by the Hearing Officer of the City of San Diego to GREGORY W. CLAY AND MARTHA H. CLAY, Trustees of the Clay Management Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 126.0502. The 0.56-acre site is located at 8425 Avenida De Las Ondas in the La Jolla Shores Planned District Single Family (LJSPD-SF) Zone, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, and Parking Impact Overlay Zone (Campus Impact) of the La Jolla Community Plan Area. The project site is legally described as Lot 29 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. Amended pursuant to that certain certificate of correction recorded March 08, 2012, as instrument No. 2012-136441 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to demolish an existing one-story, single-dwelling unit with an attached garage and construct a new two-story, 6,715-square-foot single-dwelling unit with an attached garage, pool, and associated site improvements described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 23, 2025, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing one-story, 3,300-square-foot single dwelling unit with an attached garage;
- b. Construction of a new two-story, 6,715-square-foot single dwelling unit, including a 3,902-square-foot living area on the first floor with an attached 760-square-foot Garage/Utility space, and 2,053-square-foot living area on the second floor;
- b. Construction of a new pool and associated site improvements;

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision-maker. This permit must be utilized by May 7, 2028.
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.

ENGINEERING REQUIREMENTS:

10. Prior to the issuance of any construction permits, the Owner/Permittee shall grant to the City a two-foot wide Irrevocable Offer of Dedication adjacent to the site on Avenida De Las Ondas, satisfactory to the City Engineer. The property owner shall also enter into an agreement with the City waiving the right to oppose special assessment proceedings initiated for public improvements.

11. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for the private storm drain connection, curb outlets, walkway, landscapes and irrigation located within the City's right-of-way, satisfactory to the City Engineer.

12. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of a 12-foot-wide City Standard driveway adjacent to the site on Avenida De Las Ondas, as shown on the approved Exhibit A, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the removal of the existing rolled curb and construction of a City Standard curb & gutter adjacent to the site on Avenida De Las Ondas, as shown on the approved Exhibit A, satisfactory to the City Engineer.

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the closure of the non-utilized driveway and construct a City Standard curb & gutter adjacent to the site on Avenida De Las Ondas, as shown on approved Exhibit A, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain a bonded grading 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.
16. The project proposes to export 1,175 cubic yards of material from the project site. All excavated material listed to be exported shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2024 edition and Regional Supplement Amendments adopted by the Regional Standards Committee.
17. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
18. Prior to the issuance of any Grading permits, the Owner/Permittee shall obtain an approved Drainage Study to determine the capacity of the receiving downstream storm conveyance system.
19. A Stormwater Management and Discharge Control Maintenance Agreement (SWMDCMA), including maintenance procedures for each proposed stormwater Best Management Practice (BMP) and stormwater pump station, shall be prepared to the satisfaction of the City Engineer.
20. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
21. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC into the construction plans or specifications.
22. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Technical Report (Stormwater Quality Management Plan) that will be subject to final review and approval by the City Engineer based on the City's Stormwater Standards Manual in effect at the time of the construction permit issuance.
23. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2013-0001, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual.
24. Development of this project shall comply with all stormwater construction requirements of the current version of the City of San Diego's Stormwater Standards Manual.
25. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions set forth in Section 11.C of Order No. 2022-0057-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

26. Prior to the issuance of any construction permits for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way (ROW) improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water, and sewer laterals shall be designed so as not to prohibit the placement of street trees.

27. Prior to the issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents to the Development Services Department for approval. The construction documents shall be consistent with approved Exhibit "A," the La Jolla Shores Planned District Ordinance, the La Jolla Community Plan, and the Landscape Standards of the Development Manual. Unplanted recreational areas, walks (areas used for access whether paved, mulched, steppingstone, ground cover, or similar), and driveways may not count towards the minimum landscape area required by the La Jolla Shores Planned District Ordinance.

28. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the ROW unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

PLANNING/DESIGN REQUIREMENTS:

30. The automobile, motorcycle and bicycle 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 the 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 by the appropriate City decision-maker in accordance with the SDMC.

31. 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 regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

32. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

33. Prior to the issuance of a Certificate of Occupancy, any private improvements that lie within a public ROW fronting the development or within a public easement within the development that could inhibit the City's right to access, maintain, repair, or replace its public water and sewer facilities (as determined by the Public Utilities Director or the City Engineer) must be removed unless the Owner/Permittee has obtained a City approved/County Recorded Encroachment and Maintenance Removal Agreement (EMRA) which authorizes that specific encroachment at that specific location.

34. Prior to the issuance of a Certificate of Occupancy, all existing and proposed public water lines serving this development (including domestic, irrigation, and fire) must pass through a permitted, private, above ground, Backflow Prevention Device (BFPD); or, the Design Engineer must include the following note On the Site Plan: "THIS SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PROJECT WILL HAVE A COMBINED DOMESTIC/FIRE PROTECTION WATER SERVICE WHICH UTILIZES A PASSIVE PURGE DESIGN AND IS THEREFORE EXEMPT FROM THE REQUIREMENT FOR A BACKFLOW PREVENTION DEVICE."

35. Prior to the issuance of a Certificate of Occupancy, any existing water service shown on Exhibit 'A' as TO BE RETAINED, which is subsequently determined to be inadequately sized, requires that the applicant obtain a permit for & construct the following: kill the existing water service line at the main and install a new water service in a location acceptable to the Public Utilities Director and City Engineer. To ensure acceptability, the new water service should be at least 30" from any prior water service line connection, 5' from any driveway, and 10' from any active sewer lateral.

36. Prior to the issuance of a Certificate of Occupancy, the applicant must produce a written statement signed by a CA-licensed plumber which states that they have performed an internal video inspection of the sewer lateral to be reused and found it to be free of all debris, in good material condition, properly sloped, properly connected to the public sewer main, and serviceable within the public ROW via an appropriate cleanout. If the lateral does not meet these requirements, it must be repaired and re-inspected, or abandoned/removed and replaced via a separate permit.

37. Prior to the issuance of a Certificate of Occupancy, any damages caused to the City of San Diego's public water and sewer facilities due to the activities associated with this project shall be repaired or reconstructed in a manner satisfactory to the Public Utilities Director and the City Engineer in accordance with SDMC section 142.0607.

38. Prior to the issuance of Building Permits, all public improvements and proposed private sewer and water facilities (except for private irrigation-only pipelines) within the public ROW and/or public easements shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer in accordance with SDMC Section 142.0610 (a).

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 April 23, 2025, and [Approved Resolution Number].

DRAFT

ATTACHMENT 4

Coastal Development Permit No. PMT-3273663
Site Development Permit No. PMT-3285403
Date of Approval: April 23, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Veronica Davison
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.

CLAY MANAGEMENT TRUST
Owner/Permittee

By _____
Gregory W. Clay
TRUSTEE

CLAY MANAGEMENT TRUST
Owner/Permittee

By _____
Martha H. Clay
TRUSTEE

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

HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. PMT-3273663
SITE DEVELOPMENT PERMIT NO. PMT-3285403
CLAY RESIDENCE - PROJECT NO. PRJ-1111376

WHEREAS, GREGORY W. CLAY AND MARTHA H. CLAY, Trustees of the Clay Management Trust, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing one-story, 3,300-square-foot single dwelling unit with an attached garage and construct a new two-story, 6,715-square-foot single dwelling unit with an attached garage, pool, and associated site improvements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. PMT-3273663 and Site Development Permit No. PMT-3285403), on portions of a 0.56-acre site;

WHEREAS, the project site is located at 8425 Avenida De Las Ondas in the La Jolla Shores Planned District Single Family (LJSPD-SF) Zone, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, and Parking Impact Overlay Zone (Campus impact) of the La Jolla Community Plan Area;

WHEREAS, the project site is legally described as Lot 29 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. Amended pursuant to that certain certificate of correction recorded March 08, 2012 as instrument No. 2012-136441 of Official Records;

WHEREAS, on January 13, 2025, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15302 (Replacement or Reconstruction); 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 April 23, 2025, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403 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 Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Section 126.0708]

1. Findings for all Coastal Development Permits:

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

The 0.56-acre site is located at 8425 Avenida De Las Ondas within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan). The property is approximately ½ mile east of the Pacific Ocean and is not between the nearest public road and the sea or the shoreline of any body of water. The site will not encroach upon any physical accessway or view corridor, viewshed, or scenic overlook per [Fig. 9 of the Community Plan](#). The project will protect public views by conforming to the 30-foot maximum structure height allowed in the Coastal Height Limitation Overlay Zone per [SDMC Section 132.0505](#), and in accordance with Proposition "D" measurement procedures. The project proposes a maximum building height of 26 feet, 6 inches, except for a maximum of 30 feet at the chimney. The development will be sited completely on private property, and no encroachment or impacts to public access are proposed.

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

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

The project site is currently developed with an existing single dwelling unit and is located within an urbanized area. It does not contain any sensitive riparian habitat or other identified sensitive biological resources, sensitive coastal bluffs, or special flood hazard areas. The project site is not located within or adjacent to the City's Multi-Habitat Planning Area (MHPA) designated lands. In addition, Environmental review staff determined that the project would not have a significant environmental effect and found it to be categorically exempt under the State of California Environmental Quality Act (CEQA), pursuant to CEQA State Guidelines, Section 15302 (Replacement or Reconstruction). Therefore, the project will not adversely affect environmentally sensitive lands.

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

The project includes demolishing an existing 3,300-square-foot single-dwelling unit and attached garage and building a new two-story, 6,715-square-foot single-dwelling unit with attached garage, pool, and associated site improvements.

The existing structure is more than 45 years old and required an historical evaluation. City Staff determined that the property does not meet the local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

The La Jolla Shores Planned District Ordinance requires all buildings and structure setbacks to be in general conformity with those in the vicinity. The applicant has provided a survey containing lot sizes, gross floor areas, and setback dimensions for building structures within a 300-foot radius of the project site. The survey shows the following ranges: Floor Area Ratio (FAR) between 0.16 and 0.87, front setback between 3.5 and 73.7 feet, side setback between one and 107.8 feet, and rear setback between zero and 182.8 feet. The project proposes 0.27 FAR, 44.25-foot front setback, 20.75-foot side setback at the North Property Line, 45-foot rear setback and 7-foot side setback at the South property line, all of which are consistent with the survey. In addition, the project conforms to the required 0.60 maximum lot coverage, proposing 0.19.

[The Community Plan policies](#) include maintaining the neighborhood's residential character by conforming to density regulations and promoting development that is compatible with the existing residential scale; "In order to address transitions between the bulk and scale of new and older development in residential areas, maintain the existing 30-foot height limit of the single dwelling unit zones and Proposition D."

The proposed development fits into the diverse theme of the neighborhood, which consists predominantly of one- and two-story single-dwelling units and conforms to the community plan as follows:

- Residential Densities: The Community Plan designates the site for [very low-density residential uses](#) (zero to five dwelling units per acre). The proposed development of one dwelling unit is consistent with the prescribed land use and maintains the current density (1.7 dwelling units for the 0.56-acre project site).
- Community Character: As stated above, the project design is consistent with the development patterns of the vicinity within a 300-foot radius, including bulk and scale, density and setbacks. In addition, the proposed Modern Monterey-style elements are visually compatible with the area's character. Terraces and courtyards facilitate “inside-outside” living while utilizing natural building materials, including brick veneer and white stucco walls, terracotta tile roofs, wood lintels and rafter tails, iron railings and decorative grills.
- 30-foot height limit: The project also conforms to the 30-foot maximum structure height allowed in the Coastal Height Limit Overlay Zone per [SDMC Section 132.0505](#) and in accordance with Proposition “D” measurement procedures. The project proposes a maximum building height of 26 feet, 6 inches, except for a maximum of 30 feet at the chimney.

The project was designed to comply with all the development standards required by the underlying LJSPD-SF Zone including density, setbacks, lot coverage and building height. No deviations or variances are required. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The project site is approximately ½ mile east of the Pacific Ocean and is not between the nearest public road and the sea or the shoreline of any body of water. In addition, the project site is not located near any existing or proposed physical accessway that is utilized by the public, nor is it within or adjacent to any public vantage points, as identified in the community plan. Therefore, the project is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505(a)]

1. Findings for all Site Development Permits:

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

As set forth in Finding A.1.a and A.1.c above which are herein incorporated by reference, the proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all the regulations of the certified Implementation Program. 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 located within an established residential area and is developed with a 3,300-square-foot single-dwelling unit with an attached garage. The project includes the demolition of the existing structure and construction of a new two-story, 6,715-square-foot, single-dwelling unit with an attached garage, pool, and associated site improvements. The proposed project supports the Community Plan land use designation and does not increase the density of the site.

The previously disturbed project site is characterized by sloping topography with potential slope instability. City staff reviewed and accepted a Geotechnical study, dated January 31, 2024, prepared for the site by Geotechnical Exploration, Inc., which concluded that the site has favorable geologic structure and the geologic conditions potentially affecting the proposed project have been adequately addressed.

In addition, the permit 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 conditions include implementing Best Management Practices necessary to comply with Grading Regulations of the SDMC; Obtaining an encroachment maintenance and removal agreement for private improvements in the public right-of-way, subject to the approval of the City Engineer; Disposing of all excavated material listed to be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction; and compliance with all stormwater construction requirements of the current version of the City of San Diego's Stormwater Standards Manual.

The project site is not located within a coastal bluff, beach, or special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards. Therefore, the Project will not be detrimental to 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.

As set forth in Finding A.1 .c above, which is herein incorporated by reference, the proposed development complies with the regulations of the Land Development Code. No deviations are requested or required.

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, Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403 are hereby GRANTED by the HEARING OFFICER to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 3273663 and Site Development Permit No. 3285403, a copy of which is attached hereto and made a part hereof.

Veronica Davison
Development Project Manager
Development Services

Adopted on: April 23, 2025

IO#: 24009896



THE CITY OF SAN DIEGO

Date of Notice: January 13, 2025

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP or I.O. No. 24009896

PROJECT NAME / NUMBER: Avenida De Las Ondas Single Family Residence/PRJ-1111376

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 8425 Avenida De Las Ondas, San Diego, CA 92037

PROJECT DESCRIPTION: SITE DEVELOPMENT PERMIT (SDP) and COASTAL DEVELOPMENT PERMIT (CDP) to demolish an existing single story, 3,300 sq ft single-family residence with attached garage and construct a two-story 6,715-square foot single family residence consisting of a 3,902-square foot first floor, 2,053 square-foot second floor and a 760-square foot lower level attached garage, pool and associated site improvements at 8425 Avenida De Las Ondas. The 0.56-acre site LJSFD-SF Zone, Coastal Overlay Zone (N-APP-2), Coastal Height Limit Overlay Zone, and Parking Impact Overlay Zone (Coastal and Camos) within the La Jolla Community Plan Area. Council District 1.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego, Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15302 (Replacement or Reconstruction).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego, Development Services Department

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review and determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15302 (Replacement or Reconstruction). Section 15302 allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. The proposed project is the demolition of an existing single-family residence and the construction of a new single-family residence on the same site. No environmental impacts were identified for the proposed project and none of the exceptions

described in CEQA Guidelines Section 15300.2 apply. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

DEVELOPMENT PROJECT MANAGER: Veronica Davison
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER / EMAIL: (619) 446-5462/ hdavison@sandiego.gov

On January 13, 2025, the City of San Diego 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 the 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 10 business days from the date of the posting of this Notice (January 28, 2025). 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](#) 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](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (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.

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 1/13/2025

REMOVED: 1/28/2025

POSTED BY: *Leilani Phillips*

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: 8425 AVENIDA DE LAS ONDAS		Project Number: 1111376
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: May 02, 2024
# of Members Yes 14	# of Members No 0	# of Members Abstain 0	
Conditions or Recommendations: APPROVED WITHOUT CONDITIONS			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: ADRIAN FERAL			
TITLE: SECRETARY		DATE: May 29, 2024	

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



LA JOLLA SHORES PLANNED DISTRICT ADVISORY BOARD

MEETING MINUTES FROM:

WEDNESDAY, April 17, 2024

Item 1: CALL TO ORDER

Chair Jane Potter called the meeting to order at 10:03 a.m.

Item 2: ROLL CALL

Members Present: Jane Potter – Chair, Herbert Lazerow, Suzanne Weissman, Kathleen Neil, Philip Wise and Sherri Lightner.

Staff Liaison: Melissa Garcia, Senior Planner, City Planning Department; Angela Dang, Junior Planner, City Planning Department.

Item 3: APPROVAL OF THE AGENDA

Motion to approve the agenda by Board Member Lazerow, seconded by Board Member Neil. Agenda approved 6-0-0.

Item 4: APPROVAL OF THE MINUTES from March 20, 2024.

Motion to approve minutes with suggested changes from Board Members Lightner, Neil, and Lazerow by Board Member Lazerow, seconded by Board Member Neil. Minutes approved 6-0-0.

Item 5: BOARD MEMBER COMMENT

Board Member Neil requested that staff notify the Board of any applications that come through the Boards and Commissions for vacancies on the Board. Staff commented that an application was received for Janie Emerson and that staff will be notified when the City Council takes action on the application.

Item 6: STAFF LIAISON COMMENT AND NON-AGENDA PUBLIC COMMENT

No staff or liaison comment.

Item 7: **PRJ-1111376 – 8425 Avenida de Las Ondas – (ACTION ITEM)**

Proposal for the demolition of an existing 3,300 single-family residence & garage and construction of a new 6,700 sq ft two-story single-family residence with garage,

pool, and related site improvements. The applicant is seeking a recommendation of approval for a Site Development Permit (SDP) and Coastal Development Permit (CDP).

Patrick Vercio of Island Architects presented the project.

Public Comment:

- Janie Emerson stated concern regarding drainage on the lot that could affect houses down the slope

Board Comment included:

- Concern that the proposed house is larger than older structures nearby
- Suggestion to discuss construction with neighbors and how they will address vehicles for grading activity to avoid complaints
- Suggestion to attempt bringing the chimney height down
- Suggestion to reflect existing torrey pine trees on the lot in the landscape notes
- Concern regarding potential lighting for the pool

Board Motion: The LJSPDAB voted to approve the project as presented. Motion made by Board Member Lightner, seconded by Board Member Lazerow. Motion approved 6-0-0.

Item 8: **PRJ-1079574 – 2352 Calle Del Oro – (ACTION ITEM)**

Proposal to demolish an existing 2,877 SF single-family residence and construct a new 7,504 SF single-family residence with a 488 SF Accessory Dwelling Unit and a 3-car garage. Pool and spa under separate permit. The applicant is seeking a recommendation of approval for a Site Development Permit (SDP) and Coastal Development Permit (CDP).

Andy Fotsch of Will and Fotsch Architects presented the project.

Public Comment:

- Janie Emerson expressed concern regarding drainage on the property. The current property is 8 feet higher than the adjacent property. Without proper drainage, adjacent properties will be flooded. Concerned about privacy as the current property and can see right into the master bedroom on the adjacent property

Board Comment included:

- Suggestion to install a sump pump for drainage
- Request options be found to resolve drainage issues at property line nearest La Jolla Shores Dr

- Concern regarding privacy and parties on the roof deck
- Suggestion to design closets in the two bedrooms that are next to each other
- Suggestion to reduce the size of the roof deck to limit number of people congregating on the roof

Board Motion: Board Member Lazerow was absent for the vote. The LJSPDAB voted to recommend approval of the project subject to the following modifications: no astroturf, review and implement options to remove water from the rear landscape area, and minimize size of the roof deck. Motion made by Board member Lightner, seconded by Chair Jane Potter. Motion approved 5-0-0.

Item 9: **PRJ-1043951 – 8317 La Jolla Shores Dr – (ACTION ITEM)**

Proposal for a remodel of existing 1-story single-family dwelling and to demolish the existing pool. The applicant is seeking a recommendation that the project is Minor in Scope.

Andy Fotsch of Will and Fotsch Architects presented the project.

Public Comment:

There was no testimony provided by the public on this item.

Board Comment:

No Board comment was made for this item.

Board Motion: The LJSPDAB voted to approve the project as presented. Motion made by Board Member Lightner, seconded by Chair Potter. Motion approved 5-0-0.

Item 10: **Land Development Code Update – (ACTION ITEM)**

Public Comment:

There was no testimony provided by the public on this item.


Board Comment:

- Board Member Neil received notice from City staff that new code language was not available on the website because it's still in review with the City's attorney. City staff are aware that they would like to see the wording on the update website. Wording is still not available on website or through the Planning Commission. Code language will be heard by Planning Commission on April 30th. Board Member Neil will continue to inquire about the wording.

Board Motion: No motion was made on this item.

Item 11: ADJOURNMENT

Next meeting: To be determined. The meeting concluded at 11:56 a.m.

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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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: 8425 Avenida de las Ondas Residence

Project No. For City Use Only: _____

Project Address: 8425 Avenida de las Ondas, La Jolla, CA 92037

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

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? _____ Corporate Identification No. _____
☐ 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: Clay Managment Trust ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 2800 Scenic Dr

City: Austin

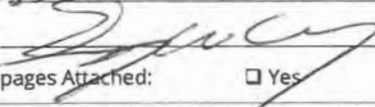
State: TX

Zip: 78703

Phone No.: 858-945-4832

Fax No.: _____

Email: gclay@claym.com

Signature: 

Date: 1/29/2024

Additional pages Attached:

☐ Yes

☐ No

Applicant

Name of Individual: Island Architects/ Patrick Vercio

☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 7626 Herschel Ave

City: La Jolla

State: CA

Zip: 92037

Phone No.: (858) 869-2862

Fax No.: _____

Email: pvercio@islandarch.com

Signature: 

Date: 1/31/24

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

THE CLAY MANAGEMENT TRUST

THIS TRUST AGREEMENT ("this Agreement"), is made in Dallas County, Texas, this 1st day of December, 2006, by and between Gregory W. Clay and Martha H. Clay, as grantors (sometimes referred to below in this Agreement as "the grantors" and each individually as a "grantor"), and Gregory W. Clay and Martha H. Clay, as trustees (sometimes referred to below in this Agreement as "trustee").

WHEREAS, Gregory W. Clay and Martha H. Clay, as grantors, and Gregory W. Clay and Martha H. Clay, as trustees, did execute the agreement entitled the Gregory W. Clay and Martha H. Clay Family Trust (the "Agreement") on April 19, 2002; and

WHEREAS, in section 2.021 of the Agreement, Gregory W. Clay and Martha H. Clay did retain the right during their joint lifetimes, by written instrument signed by both grantors and delivered to the trustee, to amend the Agreement in whole or in part; and

WHEREAS, Gregory W. Clay and Martha H. Clay wish to amend and restate said Agreement in its entirety, including changing the name to the Clay Management Trust;

NOW, THEREFORE, Gregory W. Clay and Martha H. Clay, as grantors, and Gregory W. Clay and Martha H. Clay, as trustees, do hereby amend and restate the Agreement in its entirety, as follows:

WITNESSETH:

Grantors have previously transferred property to trustee to be held in trust under this Agreement. Grantors or any other person or persons may, by instrument in writing, by lifetime gift, by will or trust, by naming trustee as beneficiary of life insurance or employee benefit plan proceeds, or in any other manner, deliver to trustee at any time and from time to time additional properties acceptable to the trustee. In consideration of the mutual covenants made below, grantors and trustee hereby agree that such property and other property subsequently held hereunder shall be held in trust under the following provisions:

ARTICLE I Declarations

1.1 Family Members. As of the date of this Agreement, grantors are married to each other. Grantors' only living children are Juliet Guo Clay (born November 5, 2003) and Meredith Dillon Clay (born December 3, 2004). In this Agreement grantors are providing for all of their family members, including any issue born or adopted after the date of this Agreement, in the manner and to the extent they desire.

1.2 Name of Trust. The initial trust established under this Agreement shall be named the Clay Management Trust.

ARTICLE II

Concerning the Trustee

2.1 Appointment of Trustees. Grantors appoint Gregory W. Clay and Martha H. Clay as co-trustees of each trust created under this Agreement. If either co-trustee fails or ceases to serve as co-trustee of any such trust, and if such trust has no successor co-trustee appointed pursuant to section 13.1(a), then grantors appoint the remaining co-trustee as successor sole trustee of such trust. If both grantors fail or cease to serve as trustee of such trust, and if such trust has no successor trustee appointed pursuant to section 13.1(a), then grantors appoint Albert W. Clay, III as successor trustee of such trust. If he fails or ceases to serve as trustee of such trust, and if such trust has no successor trustee appointed pursuant to section 13.1(a), then grantors appoint Mark F. Mai as successor trustee of such trust. If he fails or ceases to serve as trustee of such trust, and if such trust has no successor trustee appointed pursuant to section 13.1(a), then grantors appoint Robert H. Clay as successor trustee of such trust. If he fails or ceases to serve as trustee of such trust, and if such trust has no successor trustee appointed pursuant to section 13.1(a), then grantors appoint Catherine H. Mai as successor trustee of such trust.

2.2 Discretionary Appointment of Income Beneficiary as Co-Trustee. At such time as the income beneficiary of a GMC Trust created under this Agreement has attained the age of thirty (30) years (or upon the establishment of such a trust if the income beneficiary has then attained the age of thirty (30) years), if the trustee then serving (other than the income beneficiary of such trust) determines at that time that such income beneficiary possesses sufficient financial acumen, and personal maturity and responsibility to serve as a co-trustee of the GMC Trust of which he or she is the income beneficiary, then grantors request the trustee then serving (other than the income beneficiary of such trust) to appoint such income beneficiary as co-trustee of the GMC Trust of which he or she is the income beneficiary, to serve with the other trustee then serving. Thereafter, if the income beneficiary for any reason fails or ceases to serve as co-trustee of such trust, grantors appoint the remaining trustee or co-trustees of such trust then serving as successor sole trustee or co-trustees, as the case may be, of such trust. Except as expressly provided in section 2.3, in no event shall the income beneficiary of a GMC Trust created under this Agreement ever serve as sole trustee of such trust by reason of the income beneficiary's appointment as co-trustee pursuant to this section 2.2, but there shall always be an independent trustee or co-trustee serving of each GMC Trust created under this Agreement until and unless the income beneficiary is appointed as sole trustee pursuant to section 2.3. Trustee shall not have any liability arise from trustee's good faith exercise of or failure to exercise the powers granted in this paragraph.

2.3 Discretionary Appointment of Income Beneficiary as Sole Trustee of GMC Trust. At any time after the income beneficiary of a GMC Trust created under this Agreement has attained the age of thirty-five (35) years, if the trustee or co-trustee then serving (other than the income beneficiary of such trust) determines at that time that such income beneficiary possesses sufficient financial acumen, and personal maturity and responsibility to serve as sole trustee of the GMC Trust of which he or she is the income beneficiary, and is living his or her life in such a manner that the trustee (other than the income beneficiary of such trust) determines such income beneficiary serving as sole trustee of such trust is prudent and advisable, then grantors request the trustee or co-trustee then serving (other than the income beneficiary of such trust) to certify

that the income beneficiary is eligible to serve as sole trustee of such trust, and then to resign as trustee or co-trustee, so that the income beneficiary shall thereafter serve as sole trustee of such trust. Any such certification of the income beneficiary to serve as sole trustee shall be implemented by a writing to that effect, signed by the trustee or co-trustee then serving, placed in the records of the trust, with a copy thereof delivered to the income beneficiary. Thereafter, if the income beneficiary for any reason fails or ceases to serve as trustee of such trust, and if such trust is without a successor trustee appointed pursuant to section 13.1(a), grantors appoint the trustee or co-trustees who had been serving as trustee or co-trustees immediately prior to the appointment of the income beneficiary as sole trustee, as successor trustee or co-trustees, as the case may be, of such trust, and the succession of trustees of such trust shall thereafter proceed as if such trustee or co-trustee had not resigned pursuant to this section. Trustee shall not have any liability arise from trustee's good faith exercise of or failure to exercise the powers granted in this paragraph.

2.4 Waiver of Conflict. Grantors understand that one or more of the persons grantors have appointed as trustee under this Agreement (or who may be appointed by any such person or any successor thereto) may also have a beneficial interest in a trust of which such person is serving as trustee, and that such fiduciary appointment and such beneficial interest create a potential conflict of interest for any such person. Grantors have selected, and provided for the selection of, the trustees with full faith in their abilities, and hereby waive any potential conflict that may otherwise arise by reason of such appointment and such beneficial interest in any trust under this Agreement.

ARTICLE III **Clay Management Trust**

3.1 Administration of the Trust While both Grantors are Living. While both grantors are living, grantors shall be the income beneficiaries of the Clay Management Trust.

(a) Distributions for Health, Maintenance and Support. Subject to the following provisions of this section 3.1(a), trustee may pay to either or both of grantors as much of the net income and principal of the trust as trustee deems proper to provide for the health, education, maintenance and support of such grantor or both grantors, as the case may be.

(i) Standard of Distributions. The standard of support for such distributions shall be the standard of living to which such grantor or both grantors have become accustomed on the date of distribution.

(ii) Consent of Both Grantors' Required. No distribution shall be made to one grantor from the other grantor's separate property, or from the community property of grantors, without the written consent of the grantor who is not receiving the distribution. At any time during the incapacity of a grantor, any duly appointed attorney-in-fact of that grantor acting under a durable power of attorney from such grantor that gives that attorney-in-fact the express authority to

act for such grantor with respect to this trust may consent to distributions pursuant to this section 3.1(a)(ii) on behalf of such grantor.

(iii) Gifts by Attorney-in-Fact. In addition, at any time during the incapacity of both grantors, any duly appointed attorney-in-fact of a grantor acting under a durable power of attorney from such grantor that gives that attorney-in-fact the express authority to make gifts on behalf of such grantor may, from time to time, withdraw on behalf of such grantor properties of the trust that are such grantor's separate property or sole management community property for the purpose of making those gifts; provided, the only gifts authorized under this section 3.1(a)(iii) are gifts to or for the benefit of any issue of such grantor that qualify for the annual exclusion from gift tax provided under Code section 2503(b), and trustee shall not release any funds to any attorney-in-fact pursuant to this section without a written certification signed and sworn to by such attorney-in-fact as to the donee and amount of any such gift.

(b) Distributions on Request. Trustee shall also distribute to grantors, or either of them, so much of the net income and principal of the trust as shall be directed from time to time in writing, in accordance with the following provisions.

(i) Joint Management Community Property. A distribution from grantors' joint management community property shall require a joint direction of grantors.

(ii) Other Property. A distribution from a grantor's separate property or sole management community property shall require the unilateral direction of that grantor.

(iii) Attorney-in-Fact. At any time during the incapacity of a grantor, any duly appointed attorney-in-fact of that grantor acting under a durable power of attorney from such grantor that gives that attorney-in-fact the express authority to act for such grantor with respect to this trust may consent to distributions pursuant to this section 3.1(b) on behalf of such grantor.

(c) Accumulation of Undistributed Income. Any net income of the trust not distributed pursuant to preceding provisions of this section 3.1 may be accumulated and added to trust principal, in trustee's sole discretion.

(d) Residence and Personalty Held in Trust. While both grantors are living, they shall each have the right to use and occupy as their principal residence any and all residential property held in the trust, without paying rent and without paying other costs and expenses typically payable by the holder of a life estate, except any such costs and expenses that are not paid by trustee out of funds contributed to the trust. During the lifetimes of grantors, they shall each have the right to use, control and possess any and all tangible personal property held in the trust without paying rent, and trustee shall have no responsibility or liability with respect to any such tangible personal property of the trust not in trustee's possession.

(e) Character of Trust Estate. Grantors do not intend that any property transferred to trustee while both grantors are living will have a character different from the character of that property that would apply if that property were held by grantors, or either of them, free of this trust, whether such property would be their community property (including grantors' joint management community property or the sole management community property of one of them) or the separate property of one of them. Accordingly, grantors have included provisions in section 14.12 that shall apply in connection with the determination of the character of trust properties while both grantors are living.

(f) Testamentary General Power of Appointment. Each grantor shall have the following testamentary power of appointment with respect to all or any part of the trust properties that are included in such grantor's estate for federal estate tax purposes:

A general power of appointment in favor of any one or more persons or entities such grantor desires, including but not limited to his or her estate, his or her creditors or creditors of his or her estate, exercisable by will at such grantor's death. Such grantor may appoint outright or in trust, select the trustees, create new powers of appointment in others, establish administrative powers, create life interests or other limited interests in some with future interests in others, impose lawful conditions on such new powers of appointment, impose lawful spendthrift provisions, and in general appoint by will in any lawful manner.

If and to the extent the power of appointment provided in this section 3.1(f) is exercised, then upon termination of the trust trustee shall continue to hold, or pay over and deliver, the trust property so appointed in accordance with the provisions of such grantor's exercise of this power of appointment.

(g) Grantors as Primary Beneficiaries. The interests of the remaindermen of the trust shall be considered secondary to those of grantors; accordingly, in determining whether to make any distribution of income or principal of the trust to or for the benefit of grantors, or either of them, trustee shall resolve any doubt concerning the propriety of any such distribution in favor of making such distribution to or for the benefit of such person.

3.2 Administration of the Trust at the Death of the Deceased Grantor. On the death of the deceased grantor, trustee shall add to the principal of the trust any assets payable to or receivable by trustee by reason of such grantor's death. Trustee shall, within a reasonable time after the death of such grantor, make any payments which may be required pursuant to the provisions of section 11.20. If and to the extent the power of appointment described in section 3.1(f) is not exercised, the trust property, as so augmented and diminished, shall pass and be paid in accordance with the following terms and provisions.

(a) Gift to Clay Survivor's Trust. Trustee shall pay over and deliver the following trust property to the trustee of the Clay Survivor's Trust, to be held, administered and disposed of in accordance with the terms and provisions of Article V.

(i) Any separate property of the surviving grantor which is then held as part of the trust property.

(ii) All of the interest in all motor vehicles, boats, social organization memberships, clothing, jewelry, books, household furnishings, linens, collectibles, plate, silverware, china, glass, paintings, pictures, objects of art, yard and gardening tools and equipment, sporting goods and other similar articles of personal or household use (other than any such property primarily used by the deceased grantor at the time of his or her death in a business, farming or ranching enterprise, as determined in the sole reasonable discretion of trustee), together with any insurance on any of those items that are then held by trustee or received by trustee as a result of the death of the deceased grantor. The deceased grantor may leave a handwritten memorandum, written entirely in his or her handwriting and signed by such grantor, disposing of such grantor's interest in certain household goods, jewelry and/or personal effects. If for any reason such a memorandum cannot be found, it is to be assumed that the deceased grantor did not prepare such memorandum, and all of said property shall be disposed of by trustee in accordance with the other provisions of this section 3.2(a)(ii). If such a memorandum is found, grantors hereby request, but do not require, the surviving grantor to abide by the terms of any such memorandum.

(iii) All of any life insurance or employee benefit plan proceeds that are made payable to the trustee of the Clay Survivor's Trust.

(iv) Any other assets that are made payable to the trustee of the Clay Survivor's Trust by the will of the deceased grantor or otherwise.

(v) Trust property that was the community property of grantors and that is not specifically given to the Clay Survivor's Trust above in this section 3.2(a), that is then held as part of the trust property or received by trustee as a result of the death of the deceased grantor, including any life insurance or employee benefit plan proceeds which are payable to the estate of the deceased grantor or to trustee under this Agreement with no further identification of the beneficiary, and which would be considered community property under the laws of the state of Texas (the "Remaining Community"), equal in value to the value of the surviving grantor's community one-half (½) interest in the Remaining Community. The intent and direction of this section 3.2 is for the trustee to have the ability to allocate from the aggregate pool of assets that form the community estate of grantors assets that as of the date of distribution have a value equal to the surviving grantor's community one-half of the Remaining Community rather than a one-half fractional interest in each asset included in the Remaining Community.

(b) Contingent Gifts of Separate Property.

(i) If Greg is the Deceased Grantor. If the deceased grantor is Gregory W. Clay, and if any issue of grantors survives him, then trustee shall allocate among grantors' issue who survive the deceased grantor, per stirpes, all

of the interest then held in the trust, or that is received by trustee by reason of the death of Gregory W. Clay, in that Texas limited partnership named Tri-Clay, Ltd., and any investment account styled in the name of "Gregory W. Clay Separate Property" (on the date of execution of this Agreement, these are E trade individual account # 5758-8435, and E trade money market account #2010575864, both styled in the name of Husband). Trustee shall continue to hold, administer and dispose of each share so allocated in a separate trust, of which the issue of the deceased grantor for whose benefit the share was allocated shall be the income beneficiary, in accordance with the provisions of Article VIII of this Agreement. Each such trust shall be named for the income beneficiary of the trust followed by the words "GMC Trust," and shall sometimes be referred to in this Agreement as a "GMC Trust."

(ii) If Martha is the Deceased Grantor. If the deceased grantor is Martha H. Clay, and if either of her parents survives her, then trustee shall pay over and deliver to Martha's parents, in equal shares if they are both living, or all to the survivor of them if only one of them is living, all of the interest then held in the trust, or that is received by trustee by reason of the death of Martha H. Clay, in any property that was Martha's separate property at her death (whether then held in the trust or passing to the trust by reason of her death).

(c) Gift to Clay Marital Trust. Trustee shall pay over and deliver the following trust property to the trustee of the Clay Marital Trust, to be held, administered and disposed of in accordance with the terms and provisions of Article VI.

(i) All of any life insurance or employee benefit plan proceeds that are made payable to the trustee of the Clay Marital Trust.

(ii) Any other assets that are made payable to the trustee of the Clay Marital Trust by the will of the deceased grantor or otherwise.

(iii) Trust property not described above in this section 3.2 equal in value to the value of the "marital gift," if any. This gift is one of a dollar amount, and shall not participate in increases or decreases in the estate of the deceased grantor during the period of administration of his or her estate. The properties used to satisfy this gift shall be only those qualifying for the federal estate tax marital deduction, and to the extent possible without failing to fully satisfy this gift, the properties used shall not include any unmatured life insurance policy, property subject to foreign death taxes, United States Treasury Bonds redeemable at par in payment of the federal estate tax upon such grantor's estate, or the right to any income in respect of a decedent under section 691 of the Code. In making the computations necessary to determine the amount of this gift, values as finally determined for federal estate tax purposes in the estate of the deceased grantor shall control. Trustee shall have the power and the sole discretion to satisfy this gift in cash or in kind or partly in cash and partly in kind and to select the assets that shall constitute this gift, provided that trustee shall value such assets at their respective fair market values as of the date or dates of distribution.

(iv) If the surviving grantor disclaims his or her interest in any property that would otherwise pass pursuant to a preceding portion of this section 3.2(c), such disclaimed property shall instead pass to the trustee of the Clay Disclaimer Trust, of which the surviving grantor shall be the income beneficiary, in accordance with the provisions of Article VII applicable to the Clay Bypass Trust; provided, in no event shall any power of appointment otherwise granted to the surviving grantor under the provisions of Article VII be exercisable over any property of the Clay Disclaimer Trust.

(d) Gift to Clay Bypass Trust. Trustee shall allocate the balance of the trust property to the trustee of the Clay Bypass Trust, to be held, administered and disposed of in accordance with the provisions of Article VII.

(e) Regarding Disclaimers. Except as provided otherwise above in this Agreement, if any person disclaims all or any undivided portion of an interest in property otherwise passing to or for the benefit of such person under this Agreement, the interest that is the subject of such a disclaimer shall pass as if the person disclaiming had predeceased the transfer of the interest involved, and a future interest that would otherwise take effect in possession or enjoyment after the termination of the estate or interest that is disclaimed shall take effect as if the disclaiming beneficiary had predeceased the transfer of the interest involved.

(f) Regarding Life Insurance. Notwithstanding any contrary provision of this section 3.2, trustee shall allocate all of the deceased grantor's interest, if any, in any policy or policies of insurance on the life of the surviving grantor in accordance with the terms and provisions of Article IV dealing with the administration and disposition of the trust property after the death of both grantors, and notwithstanding any contrary provision of this Agreement, the surviving grantor shall have absolutely no incidents of ownership with respect to the deceased grantor's interest in any such policy, and shall exercise no powers over such interest in any such policy as trustee or otherwise. Should the surviving grantor be a trustee of any trust under this Agreement which holds any such policy, grantors hereby appoint the successor trustee named in Article II to serve as trustee solely with respect to such policy.

ARTICLE IV

Administration After the Deaths of Both Grantors

4.1 Disposition of Trust Property. On the death of the survivor of grantors (or on the death of both grantors if neither grantor survives the other), trustee shall add to the principal of the trust any assets payable to or receivable by trustee by reason of the surviving grantor's death or both grantors' deaths. Trustee shall, within a reasonable time after such death, make any payments which may be required pursuant to the provisions of section 11.20. If and to the extent the powers of appointment described in sections 3.1(f) and 5.5(a) are not exercised, trustee shall allocate the trust property, as so augmented and diminished, in accordance with the following terms and provisions.

(a) Personal and Household Effects. If any issue of grantors survives the last grantor to die, trustee shall distribute all of trustee's interest in any motor vehicles, boats, social organization memberships, clothing, jewelry, books, household furnishings, linens, collectibles, plate, silverware, china, glass, paintings, pictures, objects of art, yard and gardening tools and equipment, sporting goods and other similar articles of personal or household use (other than any such property primarily used by grantors or the surviving grantor, as the case may be, at the time of death in a business, farming or ranching enterprise, as determined in the sole reasonable discretion of trustee), together with any insurance on any of those items, that are then held by trustee or received by trustee as a result of the death of the surviving grantor or both grantors, to grantors' issue, per stirpes.

(i) Method of Distribution. In the event any tangible personal property passes to grantors' children or issue, then grantors direct that trustee shall, in its absolute discretion, distribute these items between such children or issue in as fair and equitable a manner as is possible, and preferably in accordance with any agreement for distribution which such children or issue may reach among themselves. Any division and distribution made by trustee shall be binding and conclusive on all of grantors' issue.

(ii) Distribution to Minor or Incapacitated Person. If in the opinion of trustee any child or issue of grantors living at the time property passes pursuant to this section 4.1(a) is not sufficiently mature to take possession of such items, then trustee is authorized (A) to delay the actual distribution of these items, or a portion thereof, to such child or issue until such time as the child or issue reaches sufficient maturity, in the opinion of trustee, to receive the distributions; (B) to deliver the property, or a portion thereof, to the person having custody of the child or issue or to a custodian for the child or issue under the Texas Uniform Transfers to Minors Act, or any applicable similar or successor law of any state; or (C) to sell all or any portion of such items and distribute the proceeds to the person or persons then entitled thereto. A receipt for such tangible personal property signed by any person having custody of a minor child or issue shall be a full acquittance to trustee.

(iii) Memorandum. A grantor may leave a handwritten memorandum, written entirely in his or her handwriting and signed by such grantor, disposing of such grantor's interest in certain household goods, jewelry and/or personal effects. If for any reason such a memorandum cannot be found, it is to be assumed that the grantor did not prepare such memorandum, and all of said property shall be disposed of by trustee in accordance with the other provisions of this section 4.1(a). If such a memorandum is found, grantors hereby request, but do not require, grantors' issue to abide by the terms of any such memorandum.

(b) Balance of Trust Property. Trustee shall continue to hold, or pay over and deliver, the balance of the trust property then on hand in accordance with the following terms and provisions.

(i) Issue Survives. If any issue of grantors survives the last grantor to die, trustee shall divide and allocate the property passing pursuant to this section 4.1(b) among grantors' issue who survive grantors, per stirpes. Trustee shall continue to hold, administer and dispose of the properties and interests therein so allocated for each such person in a separate trust, of which that person shall be the income beneficiary, in accordance with Article VIII. Each such trust shall be named for the person who is the income beneficiary of the trust followed by the words "GMC Trust" and shall sometimes be referred to in this Agreement as a "GMC Trust."

(ii) No Issue Survives. If no issue of grantors survives the last grantor to die, trustee shall hold, administer and dispose of the trust property in accordance with the provisions of section 4.2.

4.2 Contingent Disposition. In certain sections of this Agreement, it is stated that under certain circumstances the property of a trust is to pass and be paid as provided in this section. Where this section controls the disposition of any such property, such property shall pass and be paid as follows:

(a) Trustee shall pay over and deliver to grantor Gregory W. Clay's parents' issue who survive the last grantor to die, per stirpes, all of the interest then held in the trust, or that is received by trustee by reason of the death of Gregory W. Clay, in that Texas limited partnership named Tri-Clay, Ltd., and any investment account styled in the name of "Gregory W. Clay Separate Property" (on the date of execution of this Agreement, these are E trade individual account # 5758-8435, and E trade money market account #2010575864, both styled in the name of Husband).

(b) One-half of the balance of the property passing pursuant to this section 4.2 remaining after the gift (if any) made in section 4.2(a) shall pass and be paid to grantor Gregory W. Clay's heirs at law determined as though he had died immediately after the death that terminated the trust, and as though his parents had not survived him.

(c) The other one-half of the balance of the property passing pursuant to this section 4.2 remaining after the gift (if any) made in section 4.2(a) shall pass and be paid in equal shares to Patricia D. Hall and William T. Hall, if they are both then-living, or all to the survivor of them if only one of them is then-living, or if neither of them is living, then per stirpes to their then-living issue, or if there is none, then to grantor Martha H. Clay's heirs at law determined as though she had died immediately after the death that terminated the trust.

ARTICLE V **Clay Survivor's Trust**

Trustee shall continue to hold, administer and dispose of any property held in or passing to the Clay Survivor's Trust after the death of the deceased grantor in a separate trust, of which

the surviving grantor shall be the income beneficiary, in accordance with the following provisions.

5.1 Distributions to Surviving Grantor.

(a) Trust Income. Trustee shall pay to the surviving grantor as much of the net income of the trust and with such frequency of payment as the surviving grantor may from time to time direct by written instrument signed by the surviving grantor and delivered to trustee.

(b) Trust Principal. The surviving grantor shall have the right to require and direct trustee, by written instrument signed by the surviving grantor and delivered to trustee, to pay to the surviving grantor as much or all of the principal of the trust as the surviving grantor directs.

5.2 Incapacity of the Surviving Grantor. If the surviving grantor is or becomes incapacitated, then in addition to any prior written distribution instructions made by the surviving grantor pursuant to section 5.1, during the incapacity of the surviving grantor, trustee may pay to or for the benefit of the surviving grantor such part or all of the income or principal, or both, of the trust as trustee deems proper for the surviving grantor's health, education, maintenance and support in accordance with the surviving grantor's accustomed manner of living. In addition, during the incapacity of the surviving grantor, any duly appointed attorney-in-fact of the surviving grantor acting under a durable power of attorney from the surviving grantor that gives that attorney-in-fact the express authority to make gifts on behalf of the surviving grantor may, from time to time, withdraw on behalf of the surviving grantor properties of the trust for the purpose of making those gifts; provided, the only gifts authorized under this section 5.2 are gifts to or for the benefit of any issue of the surviving grantor that qualify for the annual exclusion from gift tax provided under section 2503(b) of the Internal Revenue Code, and trustee shall not release any funds to any attorney-in-fact pursuant to this section without a written certification signed and sworn to by such attorney-in-fact as to the donee and amount of any such gift.

5.3 Accumulation of Undistributed Income. Any net income of the trust not distributed pursuant to preceding provisions of this Article V may be accumulated and added to trust principal in the discretion of trustee.

5.4 Residence and Personalty Held in Trust. During the lifetime of the surviving grantor, he or she shall have the right to use and occupy as his or her principal residence residential property held in the trust, without paying rent and without paying other costs and expenses typically payable by the holder of a life estate, except any such costs and expenses that are not paid by trustee out of funds contributed to the trust. During the lifetime of the surviving grantor, he or she shall have the right to use, control and possess any and all tangible personal property held in the trust without paying rent, and trustee shall have no responsibility or liability with respect to any such tangible personal property of the trust not in trustee's possession

5.5 At the Surviving Grantor's Death. Unless the properties of the trust are sooner exhausted, the trust shall terminate upon the surviving grantor's death. The trust property shall then pass and be paid as follows:

(a) Testamentary General Power of Appointment. Upon the surviving grantor's death, the surviving grantor shall have the following testamentary power of appointment with respect to all or any part of the income or principal of the trust then on hand:

A general power of appointment in favor of any one or more persons or entities the surviving grantor desires, including but not limited to his or her estate, his or her creditors or creditors of his or her estate, exercisable by will at such grantor's death. The surviving grantor may appoint outright or in trust, select the trustees, create new powers of appointment in others, establish administrative powers, create life interests or other limited interests in some with future interests in others, impose lawful conditions on such new powers of appointment, impose lawful spendthrift provisions, and in general appoint by will in any lawful manner.

If and to the extent the power of appointment provided in this section 5.5(a) is exercised, then upon termination of the trust trustee shall continue to hold, or pay over and deliver, the trust property so appointed in accordance with the provisions of the surviving grantor's exercise of this power of appointment.

(b) If Power Not Exercised. If and to the extent the power of appointment provided above is not exercised, the remaining trust properties shall pass and be paid in accordance with the provisions of section 4.1 dealing with the administration and disposition of the trust property after the death of both grantors.

5.6 Surviving Grantor as Primary Beneficiary. The interests of the remaindermen shall be considered secondary to those of the surviving grantor; accordingly, any doubt trustee may have regarding making or failing to make any payment from this trust shall be resolved to favor the interests of the surviving grantor in the trust.

ARTICLE VI

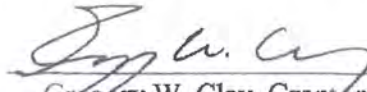
Clay Marital Trust

Trustee shall hold, administer and dispose of any property passing to the Clay Marital Trust in a separate trust, of which the surviving grantor shall be the income beneficiary, in accordance with the following provisions.

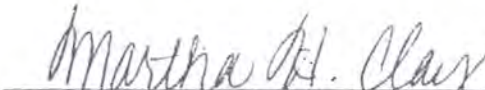
6.1 Distributions to Surviving Grantor. As long as the surviving grantor lives, trustee shall pay to him or her all of the income of the Clay Marital Trust, in quarter-annual or more frequent installments, and may pay to him or her such part or all of the principal of the trust as trustee may determine is proper for the surviving grantor's health, support and maintenance in accordance with his or her accustomed standard of living.

6.2 Residence Held in Trust. If the properties of the trust include an interest in any residence (whether one or more) used by grantors as a personal residence at the time of the deceased grantor's death, trustee shall, as to that interest during the surviving grantor's life, (a) permit the surviving grantor to have the exclusive use of that residence without charge for

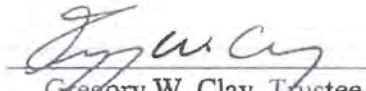
IN WITNESS WHEREOF, Grantors and Trustee have hereunto set their hands, on the day and year first above written.



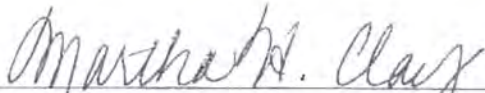
Gregory W. Clay, Grantor



Martha H. Clay, Grantor



Gregory W. Clay, Trustee



Martha H. Clay, Trustee

FORM
DS-560
September 2021

Stormwater Requirements Applicability Checklist

Project Address: 8425 Avenida de las Ondas, Jolla, CA 92037

Project Number:

SECTION 1: Construction Stormwater Best Management Practices (BMP) Requirements

All construction sites are required to implement construction BMPs per the performance standards in the [Stormwater Standards Manual](#). Some sites are also required to obtain coverage under the State Construction General Permit (CGP), administered by the [California State Water Resources Control Board](#).

For all projects, complete Part A - If the project is required to submit a Stormwater Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP), continue to Part B.

PART A – Determine Construction Phase Stormwater Requirements

- Is the project subject to California's statewide General National Pollutant Discharge Elimination System (NPDES) permit for Stormwater Discharges Associated with Construction Activities, also known as the State Construction General Permit (CGP)? (Typically projects with land disturbance greater than or equal to 1 acre.)
☐ Yes, SWPPP is required; skip questions 2-4. ☒ No; proceed to the next question.
- Does the project propose construction or demolition activity, including but not limited to, clearing, grading, grubbing, excavation, or any other activity resulting in ground disturbance and/or contact with stormwater?
☒ Yes, WPCP is required; skip questions 3-4. ☐ No; proceed to the next question.
- Does the project propose routine maintenance to maintain the original line and grade, hydraulic capacity, or original purpose of the facility? (Projects such as pipeline/utility replacement)
☐ Yes, WPCP is required; skip question 4. ☐ No; proceed to the next question.
- Does the project only include the following Permit types listed below?
 - Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Spa Permit.
 - Individual Right of Way Permits that exclusively include only ONE of the following activities: water service, sewer lateral, or utility service.
 - Right of Way Permits with a project footprint less than 150 linear feet that exclusively include only ONE of the following activities: curb ramp, sidewalk and driveway apron replacement, potholing, curb and gutter replacement, and retaining wall encroachments.☐ Yes, no document is required.

Check one of the boxes below and continue to Part B

- ☐ If you checked "Yes" for question 1, an SWPPP is REQUIRED - continue to Part B
- ☒ If you checked "No" for question 1 and checked "Yes" for question 2 or 3, a WPCP is REQUIRED. If the project proposes less than 5,000 square feet of ground disturbance AND has less than a 5-foot elevation change over the entire project area, a Minor WPCP may be required instead. Continue to Part B
- ☐ If you check "No" for all questions 1-3 and checked "Yes" for question 4, Part B does not apply, and no document is required. Continue to Section 2.

¹ More information on the City's construction BMP requirements as well as CGP requirements can be found at: <https://www.sandiego.gov/stormwater/regulation/cgpa.shtml>

CLEAR FORM

Visit our web site: [sandiego.gov/risk](https://www.sandiego.gov/risk)
Upon request, this information is available in alternative formats for persons with disabilities.
DS-560 (09-21)

P1

Visit our web site: [sandiego.gov/risk](https://www.sandiego.gov/risk)
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DS-560 (09-21)

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P2

Visit our web site: [sandiego.gov/risk](https://www.sandiego.gov/risk)
Upon request, this information is available in alternative formats for persons with disabilities.
DS-560 (09-21)

CLEAR FORM

P3

Visit our web site: [sandiego.gov/risk](https://www.sandiego.gov/risk)
Upon request, this information is available in alternative formats for persons with disabilities.
DS-560 (09-21)

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P4

PART D – PDP Exempt Requirements

PDP Exempt projects are required to implement site design and source control BMPs.

- If "yes" is checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt."
- If "no" is checked for all questions in Part D, continue to Part E.

- Does the project ONLY include new or retrofit sidewalks, bicycle lanes, or trails that:
 - Are designed and constructed to direct stormwater runoff to adjacent vegetated areas, or other non-erodible permeable areas? Or;
 - Are designed and constructed to be hydraulically disconnected from paved streets and roads? Or;
 - Are designed and constructed with permeable pavements or surfaces in accordance with the Green Streets guidance in the City's Stormwater Standards manual?☐ Yes, PDP exempt requirements apply ☒ No, proceed to next question
- Does the project ONLY include retrofitting or redeveloping existing paved alleys, streets or roads designed and constructed in accordance with the Green Streets guidance in the [City's Stormwater Standards Manual](#)?
☐ Yes, PDP exempt requirements apply ☒ No, proceed to next question

PART E – Determine if Project is a Priority Development Project (PDP)

Projects that match one of the definitions below are subject to additional requirements, including preparation of a Stormwater Quality Management Plan (SWQMP).

- If "yes" is checked for any number in Part E, continue to Part F and check the box labeled "Priority Development Project."
- If "no" is checked for every number in Part E, continue to Part F and check the box labeled "Standard Development Project."

- New development that creates 10,000 square feet or more of impervious surfaces collectively over the project site. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☒ Yes ☐ No
- Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☐ Yes ☒ No
- New development or redevelopment of a restaurant. Facilities that sell prepared foods and beverages for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (Standard Industrial Classification [SIC 5811](#)), and where the land development creates and/or replaces 5,000 square feet or more of impervious surface. ☐ Yes ☒ No
- New development or redevelopment of a hillside. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site) and where the development will grade on any natural slope that is twenty-five percent or greater. ☐ Yes ☒ No
- New development or redevelopment of a parking lot that creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). ☐ Yes ☒ No
- New development or redevelopment of streets, roads, highways, freeways, and driveways. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). ☐ Yes ☒ No

- New development or redevelopment discharging directly to an environmentally sensitive area. The project creates and/or replaces 2,500 square feet of impervious surface (collectively over the project site), and discharges directly to an Environmentally Sensitive Area (ESA). "Discharging directly to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands). ☐ Yes ☒ No
- New development or redevelopment projects of retail gasoline outlet (RGO) that create and/or replaces 5,000 square feet of impervious surface. The development project meets the following criteria: (a) 5,000 square feet or more or (b) has a projected Average Daily Traffic (ADT) of 100 or more vehicles per day. ☐ Yes ☒ No
- New development or redevelopment projects of an automotive repair shop that creates and/or replaces 5,000 square feet or more of impervious surfaces. Development projects categorized in any one of Standard Industrial Classification (SIC) codes [4811](#), [5014](#), [5231](#), [7331-7334](#) or [7336-7339](#). ☐ Yes ☒ No
- Other Pollutant Generating Project. These projects are not covered in any of the categories above but involve the disturbance of one or more acres of land and are expected to generate post-construction phase pollutants, including fertilizers and pesticides. This category does not include projects creating less than 5,000 square feet of impervious area and projects containing landscaping without a requirement for the regular use of fertilizers and pesticides (such as a slope stabilization project using native plants). Impervious area calculations need not include linear pathways for infrequent vehicle use, such as emergency maintenance access or bicycle and pedestrian paths if the linear pathways are built with pervious surfaces or if runoff from the pathway sheet flows to adjacent pervious areas. ☐ Yes ☒ No

PART F – Select the appropriate category based on the outcomes of Part C through Part E

- The project is **NOT SUBJECT TO PERMANENT STORMWATER REQUIREMENTS**. ☐ Yes ☐ No
- The project is a **STANDARD DEVELOPMENT PROJECT**. Site design and source control BMP requirements apply. See the [Stormwater Standards Manual](#) for guidance. ☐ Yes ☐ No
- The Project is **PDP EXEMPT**. Site design and source control BMP requirements apply. Refer to the [Stormwater Standards Manual](#) for guidance. ☐ Yes ☐ No
- The project is a **PRIORITY DEVELOPMENT PROJECT**. Site design, source control and structural pollutant control BMP requirements apply. Refer to the [Stormwater Standards Manual](#) for guidance on determining if the project requires hydromodification plan management. ☒ Yes ☐ No

Antony K. Christensen

Name of Owner or Agent

Antony K. Christensen
Signature

Civil Engineer

Title

01/30/2024

Date

CITY STANDARD TITLE BLOCK

Prepared By:

Name: Island Architects

Contact: Patrick Vercio

7626 Herschel Avenue

La Jolla, CA 92037

Phone: (858) 459-9291

Street Address:
8425 Avenida De Las Ondas,
La Jolla, CA 92037

Project Name:
CLAY RESIDENCE

Sheet Title:

FORMS

Revision 08:

Revision 07:

Revision 06:

Revision 05:

Revision 04:

Revision 03: 12/06/24

Revision 02: 10/31/24

Revision 01: 05/16/24

Original Date: 02/02/24

Sheet: 2 of 17

DEP#:

CLAY RESIDENCE
8425 Avenida De Las Ondas, La Jolla, CA 92037

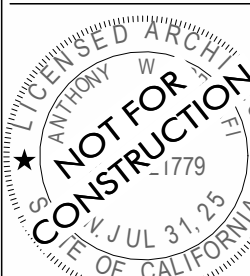
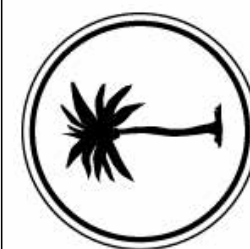
T4

FORMS

12/06/24

ISLAND

ARCHITECTS



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JOB #:

DRAWN BY: Author

PROJ. MGR: Checker

DATE: ISSUE

02/02/24 1 CDP SUBMITTAL

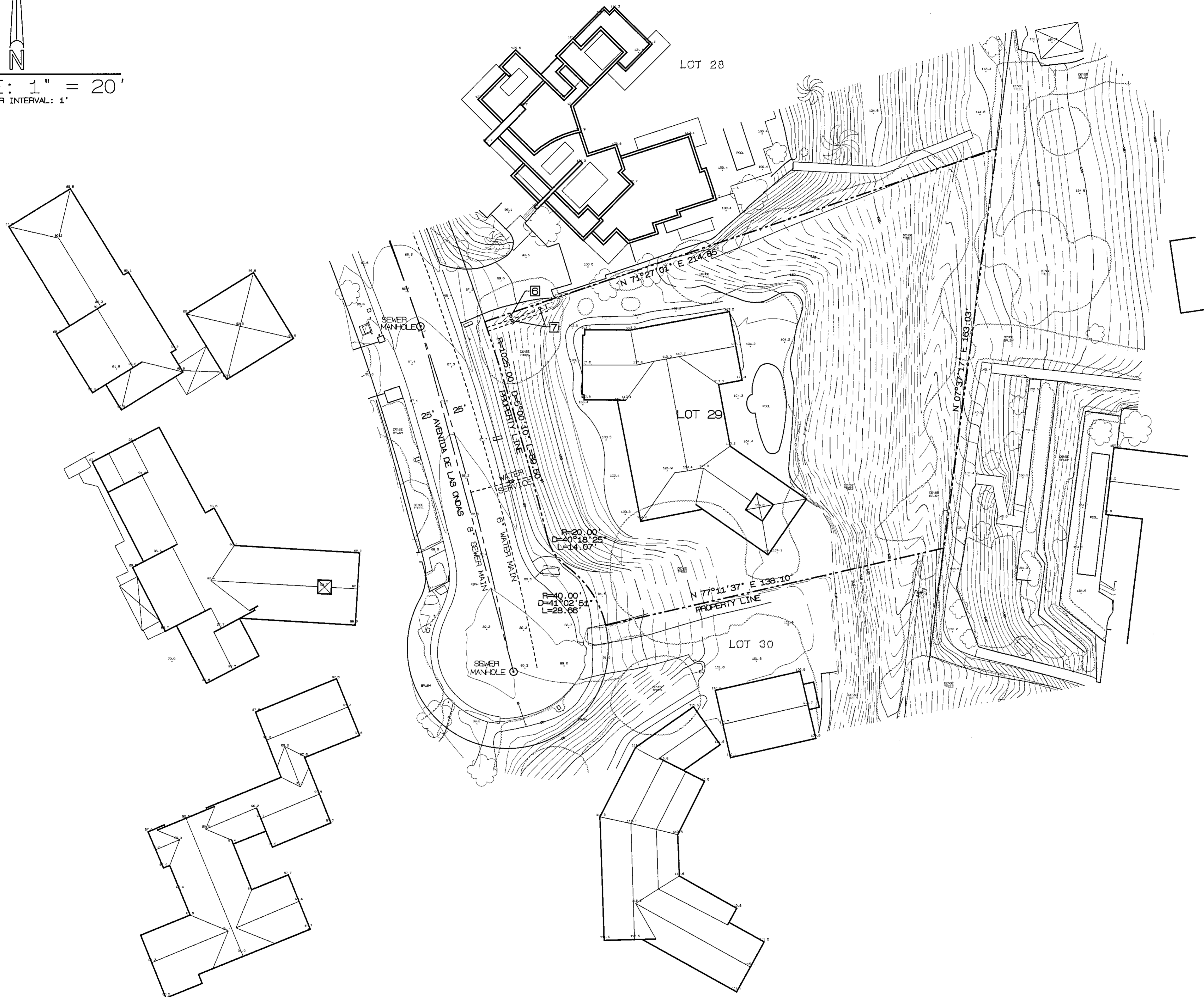
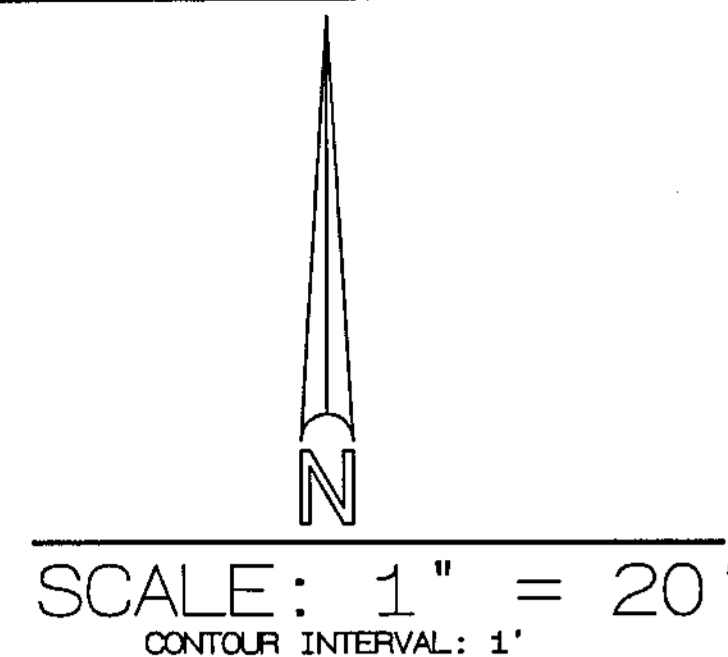
05/16/24 2 CDP SUBMITTAL

10/31/24 3 CDP SUBMITTAL

12/06/24 4 CDP SUBMITTAL

REVISIONS

DESCRIPTION DATE



LEGAL DESCRIPTION

LOT 29 OF LA JOLLA SHORES TERRACE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2896, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 29, 1953. AMENDED PURSUANT TO THAT CERTAIN CERTIFICATE OF CORRECTION RECORDED MARCH 08, 2012 AS INSTRUMENT NO. 2012-136441 OF OFFICIAL RECORDS. DOCUMENT NOT PROVIDED.

NOTES

- EASEMENTS, AGREEMENTS, DOCUMENTS AND OTHER MATTERS WHICH AFFECT THIS PROPERTY MAY EXIST, BUT CANNOT BE PLOTTED. TITLE REPORT NOT PROVIDED.
- THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN THE FIELD. PRIOR TO ANY EXCAVATION UTILITY COMPANIES WILL NEED TO MARK-OUT THE UTILITY LOCATIONS.
- THE ADDRESS FOR THE SUBJECT PROPERTY IS 8425 AVENIDA DE LAS ONDAS, LA, CA, 92037.
- THE ASSESSOR PARCEL NUMBER FOR THE SUBJECT PROPERTY IS 346-132-08.
- THE TOTAL AREA OF THE SUBJECT PARCEL IS 0.57 ACRES.

TITLE NOTES

TITLE INFORMATION FOR THIS SURVEY IS FROM FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT, ORDER NO. DIV-6964578, DATED MARCH 7, 2023.

- AN EASEMENT FOR EITHER OR BOTH POLE LINES, UNDERGROUND CONDUITS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND RIGHTS INCIDENTAL THERETO IN DOCUMENT RECORDED DECEMBER 11, 1953 AS BOOK 5074, PAGE 453 OF OFFICIAL RECORDS.
- AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED SEPTEMBER 25, 1953 AS BOOK 4998, PAGE 424 OF OFFICIAL RECORDS.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE SOUTHEASTERLY CORNER OF CALLE DEL ORO AND DEL ORO COURT. ELEVATION 48.01' MEAN SEA LEVEL (N.G.V.D. 1929).

Patrick F. Christensen
PATRICK F. CHRISTENSEN, P.L.S. 7208
05-16-23
Date



Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING
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PHONE (658)271-9901 EMAIL CEANDS@AOL.COM

Project Address:

8425 AVENIDA DE LAS ONDAS
LA JOLLA, CA 92037

Revision 5:

Revision 4:

Revision 3:

Revision 2:

Revision 1: 5-19-23 ADDED TITLE DATA

Project Name:

OLAY MANAGEMENT TRUST

Original Date: MAY 16, 2023

Sheet Title:

TOPOGRAPHIC MAP

Sheet 1 Of 1

DEP#

J.N. 2023-27

NOTE: FEATURES SHOWN HEREON WERE OBTAINED BY PHOTOGRAMMETRIC MEANS FROM AERIAL PHOTOGRAPHY DATED 04/2023 AND MAY NOT DEPICT GROUND LEVEL OR OBSCURED FEATURES.



CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS PLANNERS
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TELEPHONE: (658)271-9901 EMAIL: CEANDS@AOL.COM

COASTAL DEVELOPMENT PERMIT NO.
SITE DEVELOPMENT PERMIT NO.
PRJ-1111376

LEGAL DESCRIPTION:

LOT 29 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, AMENDED PURSUANT TO THAT CERTAIN CERTIFICATE OF CORRECTION RECORDED MARCH 08, 2012 AS INSTRUMENT NO. 2012-136441 OF OFFICIAL RECORDS. DOCUMENT NOT PROVIDED.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE SOUTHEASTERLY CORNER OF CALLE DEL ORO AND DEL ORO COURT. ELEVATION 48.01' MEAN SEA LEVEL (N.G.V.D. 1929).

NOTES

1. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS ON AN AERIAL SURVEY BY CHRISTENSEN ENGINEERING & SURVEYING, DATED MAY 26, 2023.
2. THE ASSESSOR PARCEL NUMBER FOR THIS PROPERTY IS: 346-132-08-00.
3. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 0.569 ACRES.
4. THE PROPOSED USE IS NEW SINGLE-FAMILY RESIDENCE AND APPURTENANCES WITH REMOVAL OF ONE SINGLE FAMILY RESIDENCE.
5. THE SUBJECT PROPERTY IS SERVED BY SANITARY SEWER LATERALS AND WATER SERVICES CONNECTED TO CITY OF SAN DIEGO MAINS.
6. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BMP'S NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
7. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.
8. TWO EXISTING EASEMENTS ARE LISTED BELOW AND SHOWN ON SHEET C02.
9. AN ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT SHALL BE REQUIRED FOR PROPOSED PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT OF WAY, INCLUDING NON-STANDARD DRIVEWAY WALKWAY AND TWO CURB OUTLETS.
10. SITE IMPERVIOUS SURFACE RUNOFF WILL BE TREATED BY A FILTERRA BIOFILTRATION UNIT. PROJECT IS HYDROMODIFICATION EXEMPT.
11. FOR LANDSCAPE AND HARDSCAPE, SEE LANDSCAPE PLAN.
12. ALL PROPOSED PUBLIC IMPROVEMENTS SHALL BE IN ACCORDANCE WITH CURRENT CITY STANDARDS AT THE TIME OF THEIR CONSTRUCTION.
13. THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.

TITLE NOTES (EASEMENTS)

TITLE INFORMATION FOR THIS SURVEY IS FROM FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT, ORDER NO. DIV-6964578, DATED MARCH 7, 2023.

- AN EASEMENT FOR EITHER OR BOTH POLE LINES, UNDERGROUND CONDUITS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND RIGHTS INCIDENTAL THERETO IN DOCUMENT RECORDED DECEMBER 11, 1953 AS BOOK 5074, PAGE 453 OF OFFICIAL RECORDS.
- AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED SEPTEMBER 25, 1953 AS BOOK 4998, PAGE 424 OF OFFICIAL RECORDS.

Prepared By:
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Project Address:
8425 AVENIDA DE LAS ONDAS
LA JOLLA, CA 92037

Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1: 05-14-24 ADDRESS CITY COMMENTS

Project Name:

CLAY RESIDENCE

Original Date: JANUARY 30, 2024

Sheet Title:

PRELIMINARY GRADING PLAN

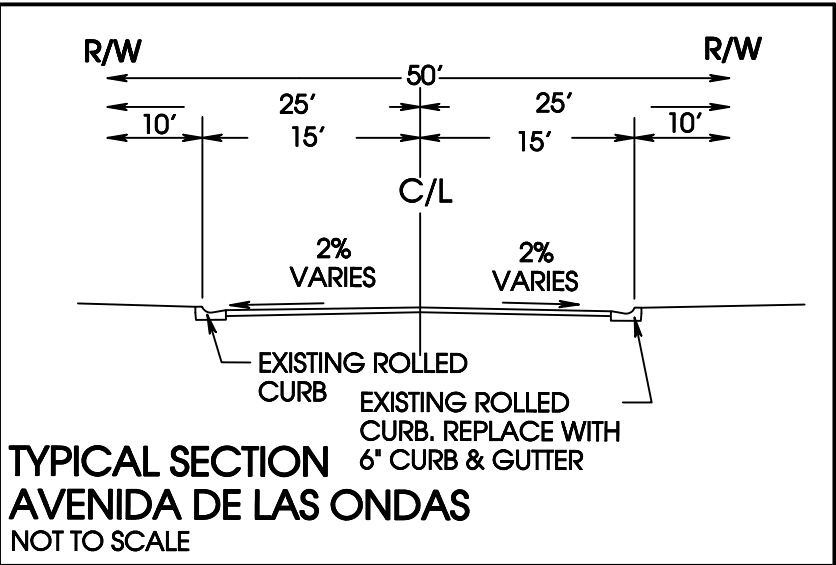
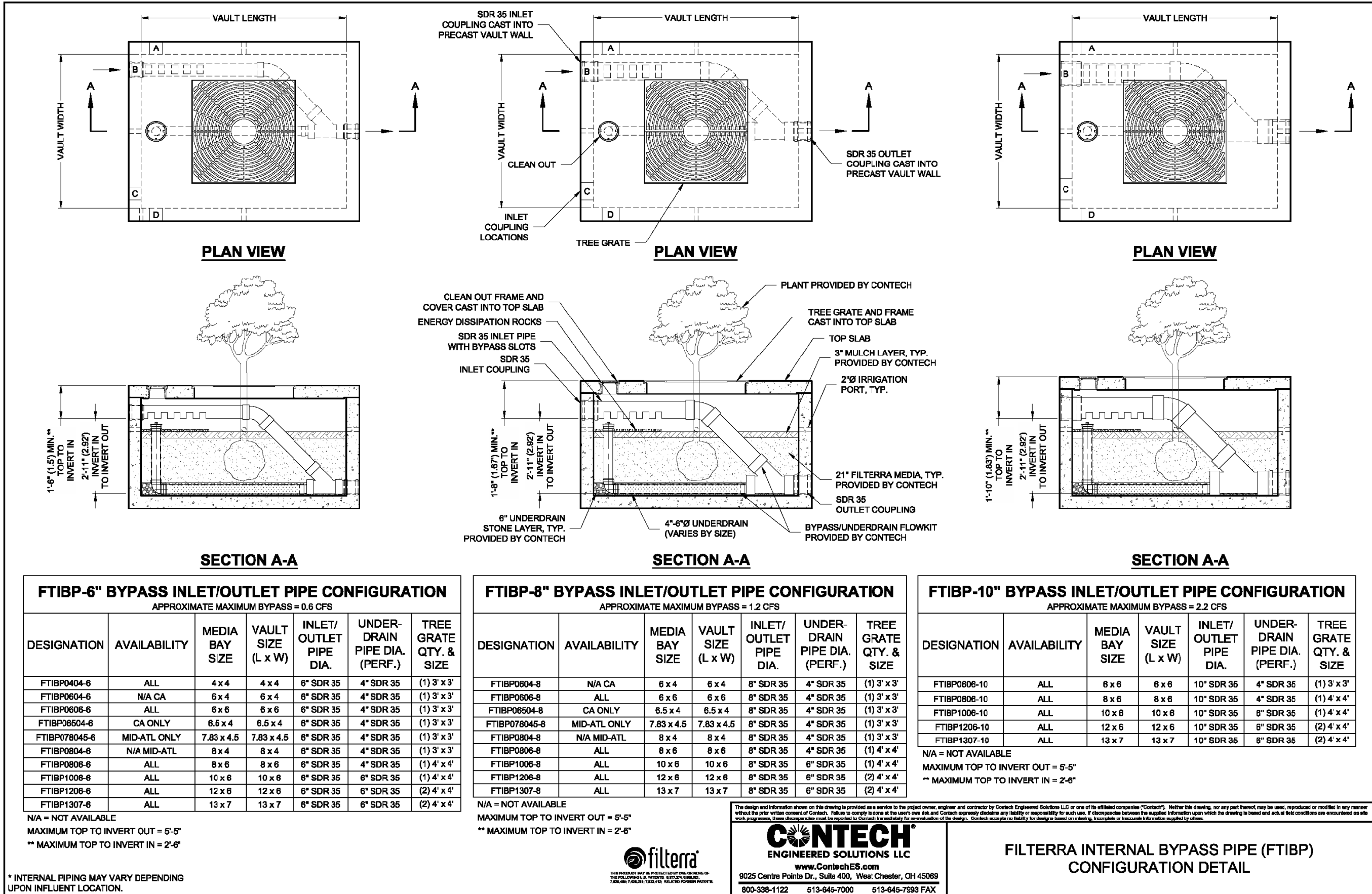
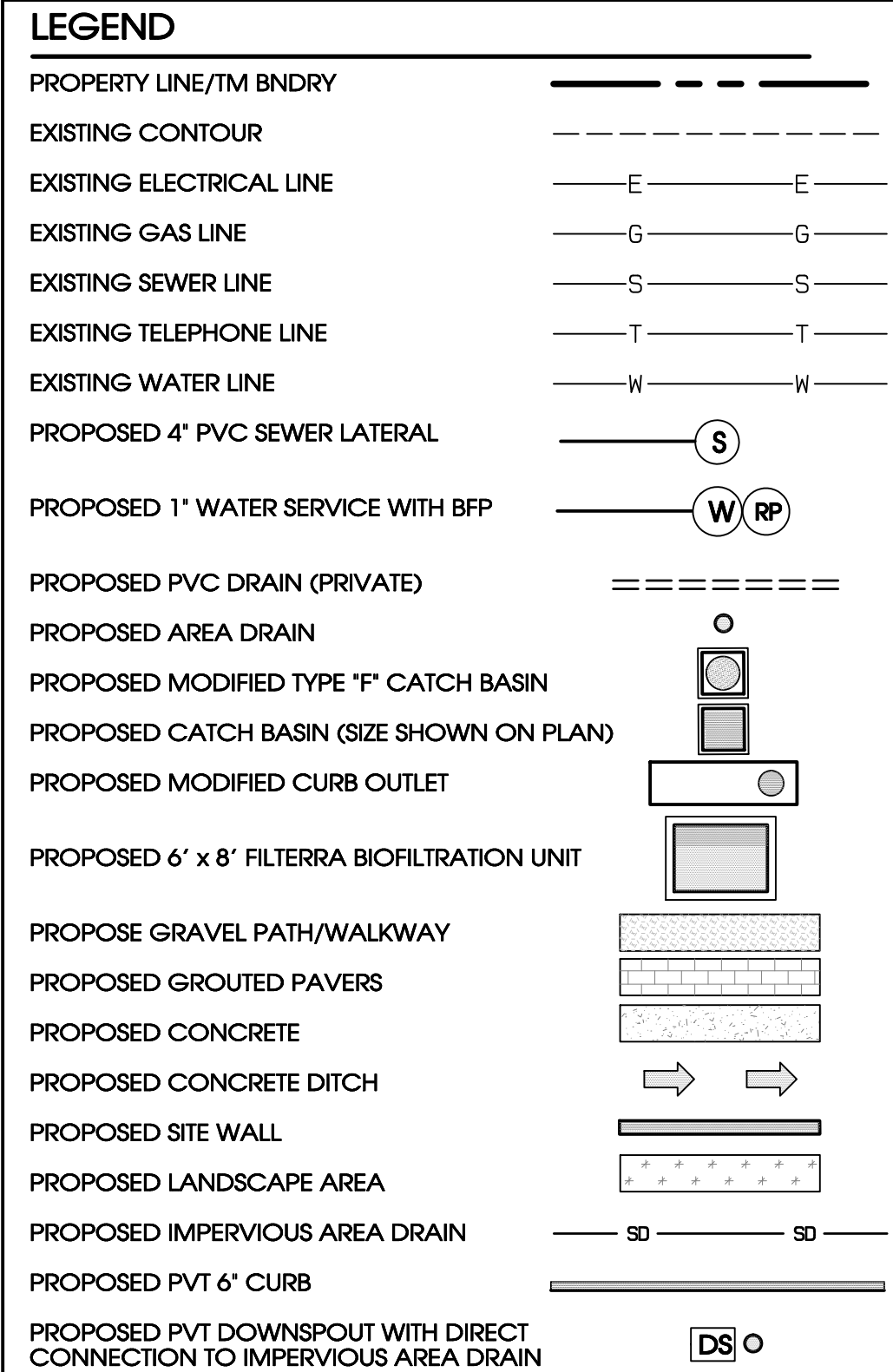
Sheet 1 of 2 Sheets



Anthony K. Christensen
ANTHONY K. CHRISTENSEN, RCE 54021

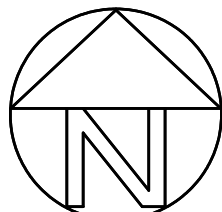
DECEMBER 03, 2024

Date



CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS
7888 SILVERTON AVENUE, SUITE 'J', SAN DIEGO, CALIFORNIA 92126
TELEPHONE: (858) 271-9901 EMAIL: ceands@aol.com

C01



SCALE: 1" = 10'



LETTER OF PERMISSION FOR WORK
IN THIS AREA REQUIRED FROM
OWNER OF NEIGHBORING
PROPERTY

COASTAL DEVELOPMENT PERMIT NO. SITE DEVELOPMENT PERMIT NO. PRJ-1111376

CONSTRUCTION NOTES

- EXISTING SEWER LATERAL TO BE ABANDONDED AT P/L
- PROPOSED PVT 12" DRIVEWAY PER CURRENT CITY STANDARDS
- PROPOSED PVT SITE WALL (TYPICAL)
- PROPOSED PVT AREA DRAIN (TYPICAL)
- PROPOSED PVT PERVIOUS SURFACE PVC DRAIN (TYPICAL)
- PROPOSED PVT 1818 CATCH BASIN WITH PUMP TO CONVEY DRIVEWAY RUNOFF TO IMPERVIOUS AREA DRAIN SYSTEM.
- PROPOSED PVT 6" TRENCH DRAIN
- PROPOSED PVT 12" TRENCH DRAIN
- PROPOSED PVT 1212 CATCH BASIN
- PROPOSED PVT 6 x 8 FILTERRA BIOSCAPE VAULT BIOFILTRATION UNIT 92.5 TB / 91.17 FL IN / 88.6 FL OUT
- PROPOSED PVT SEPARATE IMPERVIOUS AREA DRAIN SYSTEM
- PROPOSED PVT DOWNSPOUT WITH DIRECT CONNECTION TO IMPERVIOUS AREA DRAIN SYSTEM
- PROPOSED 10" PVT PVC DRAIN CONVEYING IMPERVIOUS AND PERVIOUS SURFACE RUNOFF
- PROPOSED PVT PRESSURE LINE FROM LOWER DRIVEWAY TRENCHDRAIN PUMP TO ONSITE IMPERVIOUS AREA DRAIN SYSTEM
- PROPOSED PVT MODIFIED TYPE "F" CATCH BASIN (TYPICAL)
- PROPOSED PVT MODIFIED CONCRETE DITCH
- PROPOSED PVT GRAVEL WALKWAY
- PROPOSED PVT GROUTED PAVERS (TYPICAL)
- EXISTING WATER SERVICE TO BE KILLED
- PROPOSED 1" WATER SERVICE WITH BACKFLOW PREVENTER PER CURRENT CITY STANDARDS
- PROPOSED 4" SEWER LATERAL PER CURRENT CITY STANDARDS
- PROPOSED PVT LANDSCAPE AREA
- PROPOSED PVT CURB OUTLET (88.3 FL IN, 88.0 FL OUT)
Q100= 0.89 CFS, V100= 3.2 FPS
- PROPOSED PVT CURB OUTLET (87.3 FL IN, 87.0 FL OUT)
Q100= 0.20 CFS, V100= 1.8 FPS
- NO WORK PROPOSED IN EXISTING EASEMENTS
- PROPOSED POOL EQUIPMENT AREA BELOW LANDSCAPE / GROUTED PAVERS
- PROPOSED CURB OUTLET BURIED, EXCEPT FOR MH (TYPICAL)
- VISIBILITY TRIANGLE
- REMOVE AND REPLACE EXISTING ROLLED CURB WITH 6" CURB & GUTTER PER CURRENT CITY STANDARD. TRANSITION TO EX ROLLED CURB WITHIN 5' OF P/L
- EX NON STANDARD DRIVEWAY TO BE REMOVED AND REPLACED WITH STANDARD 6" CURB & GUTTER
- PROPOSED 2" IRREVOCABLE OFFER TO DEDICATE
- PROPOSED CRAWL SPACE BELOW LOWER FLOOR

GRADING DATA

AREA OF SITE - 0.559 AC (24,764 SF)
AREA OF SITE TO BE GRADED - 0.433 AC (AREA OF DISTURBANCE)
PERCENT OF SITE TO BE GRADED 76.2%
AREA OF SITE WITH SLOPES GREATER THEN 25% - 13.214
PERCENT OF SITE WITH SLOPES GREATER THEN 25% - 53.4%

NO SYSTEM OF STEEP SLOPES EXIST ONSITE NOR OFFSITE.
(MAXIMUM ELEVATION CHANGE OF SLOPE GREATER THAN 25%
ONSITE IS 40' (145'-105') AND NO SYSTEM OF STEEP SLOPES EXISTS
WITH NEIGHBORING PROPERTIES, WHICH HAVE GRADED SLOPES).

AMOUNT OF CUT - 1,725 C.Y.
AMOUNT OF FILL - 550 C.Y.
AMOUNT OF EXPORT - 1,175 C.Y.
MAXIMUM HEIGHT OF FILL SLOPE - 5'
MAXIMUM HEIGHT OF FILL - 2' WITHIN BLDG FOOTPRINT; 7" OUTSIDE
MAXIMUM HEIGHT OF CUT SLOPE - 15'
MAXIMUM DEPTH OF CUT - 12' WITHIN BLDG FOOTPRINT; 17' OUTSIDE

EARTHWORK IS APPROXIMATE AND IS TO FINISH SURFACE, GRADE, FLOOR.

DOES NOT INCLUDE POOL

RETAINING WALL (SITE WALL: 12.5 FEET MAX. HT.(17' RETAINING)
525 FEET TOTAL LENGTH

EXISTING IMPERVIOUS AREA: 9,554 SF (38.6%) INCLUDES POOL; EX PERVIOUS AREA: 15, 210 SF
PROPOSED CREATED/REPLACED IMPERVIOUS AREA: 11,262 SF (45.6%) INCLUDES POOL
PROPOSED PERVIOUS AREA 13,502 SF

Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING
7888 SILVERTON AVENUE, SUITE "J"
SAN DIEGO, CA 92126
PHONE (658)271-9901

Project Address:

8425 AVENIDA DE LAS ONDAS
LA JOLLA, CA 92037

Project Name:

CLAY RESIDENCE

Sheet Title:

PRELIMINARY GRADING PLAN

Revision 5:

Revision 4: 12-03-24 ADDRESS CITY COMMENTS

Revision 3: 10-14-24 REVISED DESIGN
ADDRESS CITY COMMENTS

Revision 2: 05-14-24 ADDRESS CITY COMMENTS

Revision 1: 01-30-24 MINOR DESIGN REVISIONS

Original Date: JANUARY 15, 2024

Sheet 2 of 2 Sheets

NOTE:

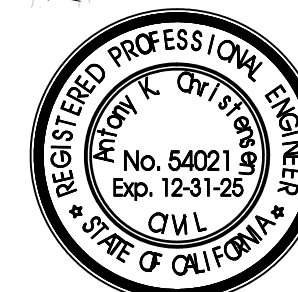
AN ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT SHALL BE REQUIRED FOR PVT WALKWAY, AND CURB OUTLETS IN PUBLIC RIGHT OF WAY.

NO OBSTRUCTION, INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PER SDMC SECTION 142.0409 (D)(2), PLANT MATERIAL, OTHER THAN TREES, LOCATED IN VISIBILITY AREA OR THE ADJACENT PUBLIC RIGHT OF WAY SHALL NOT EXCEED 36 INCHES IN HEIGHT, MEASURED FROM THE LOWEST GRADE ABUTTING THE PLANT MATERIAL TO THE TOP OF THE PLANT MATERIAL.

LA JOLLA SHORES TERRACE
MAP NO. 2996
LOT 30

ANTONY K. CHRISTENSEN, RCE 54021

DECEMBER 03, 2024
Date



C02

- SITE NOTES**
- PER FHPS POLICY P-00-6 (UFC 901.4.4) BUILDING ADDRESS NUMBERS TO BE VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY.
 - THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30 FEET (SDMC, SECTIONS 131.0444 AND 132.0505.) HIGHEST POINT ON ROOF EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE GRADE. THE HIGHEST POINT OF ANY ROOF, EQUIPMENT, OR ANY VENT PIPE, ANTENNA, OR OTHER PROJECTION SHALL NOT EXCEED 30'-0" ABOVE GRADE.
 - ALL PROPOSED SITE LIGHTING SHALL BE SHIELDED SUCH THAT THE LIGHT SOURCE SHALL BE CONCEALED FROM PUBLIC VIEW.
 - FIRE HYDRANTS, NEAREST @ 125'-0" FROM PROPERTY. SEE SITE PLAN.
 - ALL DOMESTIC WATER SERVICE LINE DIAMETERS ARE PROVIDED FOR CLARITY OF INTENT ONLY. ACTUAL SERVICE LINE DIAMETERS WILL BE BASED UPON THE PROJECT'S APPROVED WATER METER DATA CARD.
 - WITHIN THE PUBLIC ROW, ALL PROPOSED SEWER LINES (BOTH PUBLIC AND PRIVATE) MUST HAVE A 10' MINIMUM SEPARATION (EDGE TO EDGE) FROM THE TRUNK OF ANY TREE; AND, THAT ALL PROPOSED WATER LINES (BOTH PUBLIC AND PRIVATE) MUST HAVE A 5' MINIMUM OF 5' SEPARATION (EDGE-TO-EDGE) FROM THE TRUNK OF ANY TREE.
 - NO PUBLIC OR PRIVATE EASEMENTS FOR WATER, SEWER OR GENERAL UNDERGROUND UTILITIES LIE ON THE SUBJECT PROPERTY.
 - REFER TO SEPARATE GRADING PLAN FOR REQUIRED EMRA, PERMANENT BMPs, AND WCPC.
 - WATER METERS FOR COMBINED DOMESTIC WATER AND FIRE SPRINKLER SYSTEMS SHALL NOT BE INSTALLED UNTIL THE FIRE SPRINKLER SYSTEM HAS BEEN SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL.
 - AUTOMATIC IRRIGATION SYSTEM CONTROLLERS FOR LANDSCAPING PROVIDED BY THE BUILDER AND INSTALLED AT THE TIME OF FINAL INSPECTION SHALL COMPLY WITH THE FOLLOWING:
 - Controllers shall be weather or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.
 - Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

ISLAND ARCHITECTS
TONY CRISAFI, LISA KRIEDEMANN, R.A.
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101 HERSHEL AVENUE
LA JOLLA, CA 92037
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JOB #:
DRAWN BY: Author
PROJ. MGR: Checker

DATE:	ISSUE:
02/02/24	1 CDP SUBMITTAL
05/16/24	2 CDP SUBMITTAL
10/31/24	3 CDP SUBMITTAL
12/06/24	4 CDP SUBMITTAL

REVISIONS

#	DESCRIPTION	DATE
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CITY STANDARD TITLE BLOCK

Prepared By: _____
Name: Island Architects
Contact: Patrick Vercio
7626 Herschel Avenue
La Jolla, CA 92037
Phone: (858) 459-9291
Street Address: 8425 Avenida De Las Ondas, La Jolla, CA 92037
Project Name: CLAY RESIDENCE
Sheet Title: SITE PLAN

Revision 08: _____
Revision 07: _____
Revision 06: _____
Revision 05: _____
Revision 04: _____
Revision 03: 12/06/24
Revision 02: 10/31/24
Revision 01: 05/16/24
Original Date: 02/02/24

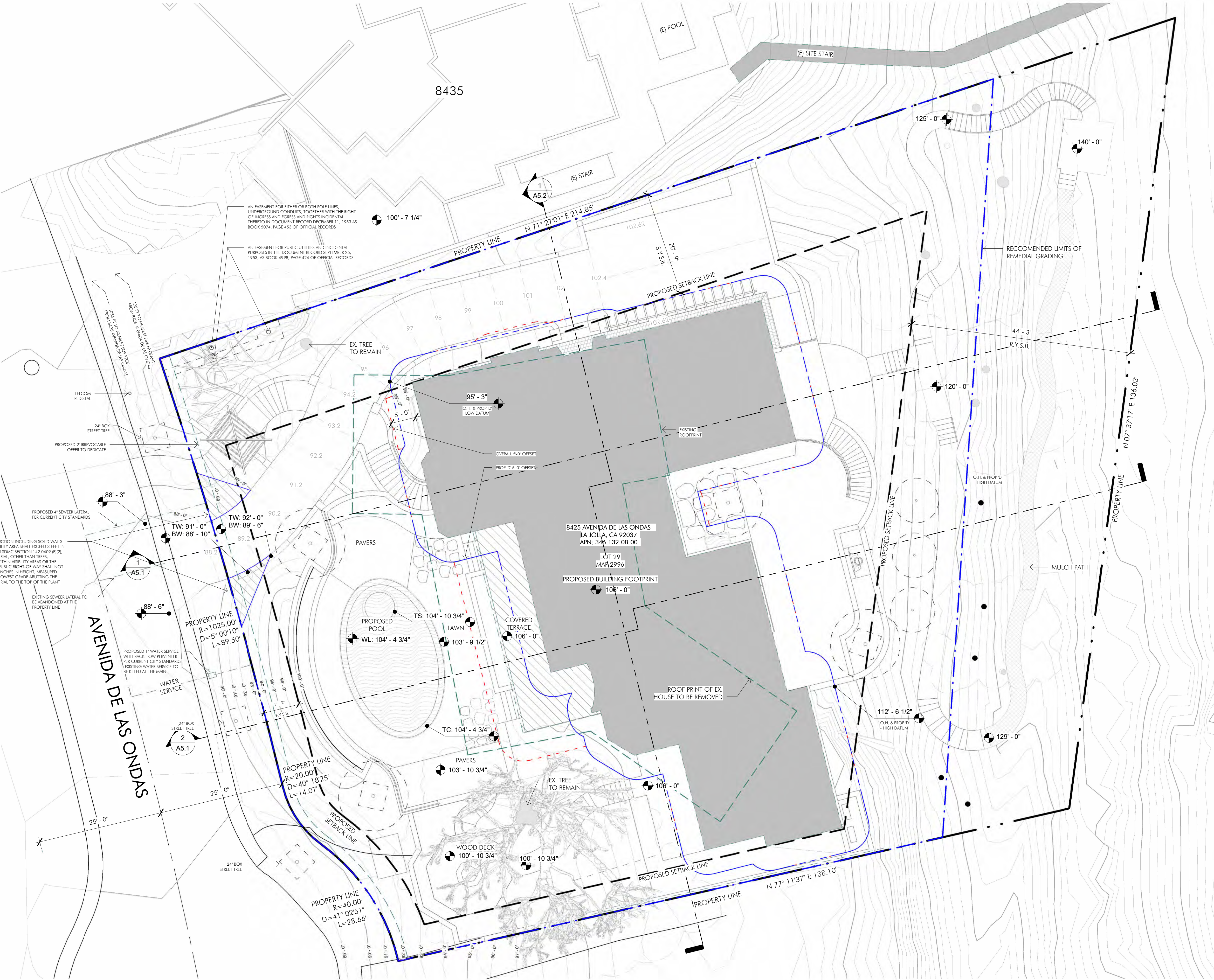
Sheet: 6 of 17
DEP#:

CLAY RESIDENCE
8425 Avenida De Las Ondas, La Jolla, CA 92037

A1.1

SITE PLAN

12/06/24



SITE PLAN 1" = 10'-0"
0' 5' 10' 20'





OLEA EUROPAEA
24" BOX TREES
QTY. 3 ON FRONTAGE.
SEE NOTES UPPER RIGHT

TELECOM
PEDESTAL

1
A5.1

2
A5.1

WATER
SERVICE

10'-0"
(5 FT MIN)

1
A5.2

EXISTING ALEPPO PINE
(PINUS HALEPENSIS)
TO REMAIN

EXISTING ALEPPO PINE
(PINUS HALEPENSIS)
TO REMAIN

EXISTING TORREY PINE
(PINUS TORREYANA)
TO REMAIN

EXISTING ALEPPO PINE
(PINUS HALEPENSIS)
TO REMAIN

MULCH PATH

EXISTING ALEPPO PINE
(PINUS HALEPENSIS)
TO REMAIN

EXISTING ALEPPO PINE
(PINUS HALEPENSIS)
TO REMAIN

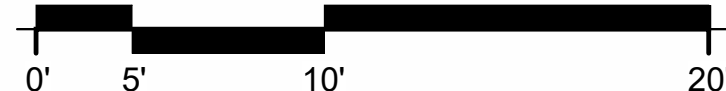
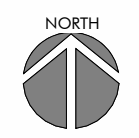
Area Legend

	BUILDING FOOTPRINT	4,813 SQ. FT.	19 %
	LANDSCAPE	12,699.1 SQ. FT.	52 %
	HARDSCAPE	7,252 SQ. FT.	29 %
LOT TOTAL:		24,764 SQ. FT.	100%

LANDSCAPE DIAGRAM

1" = 10'-0"

1



Landscape Notes

- IN THE SINGLE-FAMILY ZONE, ALL OF THE PROPERTY NOT USED OR OCCUPIED BY STRUCTURES, UNPLANTED RECREATIONAL AREAS, WALKS AND DRIVEWAYS SHALL BE LANDSCAPED (PLANTING/PERVIOUS AREAS) AND MAY INCLUDE NATIVE MATERIALS, AND IN NO CASE SHALL THIS LANDSCAPED AREA BE LESS THAN 30 PERCENT OF THE TOTAL PARCEL AREA. ALL LANDSCAPING AND IRRIGATION SHALL BE DEVELOPED IN CONFORMANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND DEVELOPMENT MANUAL.

-ALL LANDSCAPING SHALL BE COMPLETED WITHIN 6 MONTHS OF OCCUPANCY OR WITHIN ONE YEAR OF THE NOTICE OF COMPLETION OF A RESIDENCE.

-ALL LANDSCAPED MATERIAL SHALL BE PERMANENTLY MAINTAINED IN A GROWING AND HEALTHY CONDITION INCLUDING TRIMMING AS APPROPRIATE TO THE LANDSCAPING MATERIAL.

-MINIMUM TREE SEPARATION DISTANCE
TRAFFIC SIGNALS / STOP SIGNS - 20 FEET
UNDERGROUND UTILITY LINES - 5 FEET (10' FOR SEWER)
ABOVE GROUND UTILITY STRUCTURES - 10 FEET
DRIVEWAY (ENTRIES) - 10 FEET (5' FOR RESIDENTIAL STREETS < 25MPH)
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

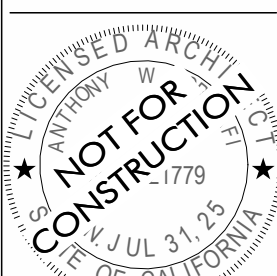
-A MINIMUM ROOT ZONE OF 40-SQFT IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET.

-NON-BIODEGRADABLE TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES.

-WITHIN THE PUBLIC ROW, ALL PROPOSED SEWER LINES (BOTH PUBLIC AND PRIVATE) MUST HAVE A 10' MINIMUM SEPARATION (EDGE TO EDGE) FROM THE TRUNK OF ANY TREE; AND, THAT ALL PROPOSED WATER LINES (BOTH PUBLIC AND PRIVATE) MUST HAVE A 5' MINIMUM OF 5' SEPARATION (EDGE-TO -EDGE) FROM THE TRUNK OF ANY TREE.

CITY STANDARD TITLE BLOCK

Prepared By:	Island Architects	
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Street Address:	8425 Avenida De Las Ondas, La Jolla, CA 92037	Revision 04: _____
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		Revision 02: 10/31/24
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Project Name:	CLAY RESIDENCE	Original Date: 02/02/24
Sheet Title:	LANDSCAPE DIAGRAM	Sheet: 7 of 17
		DEP#: _____



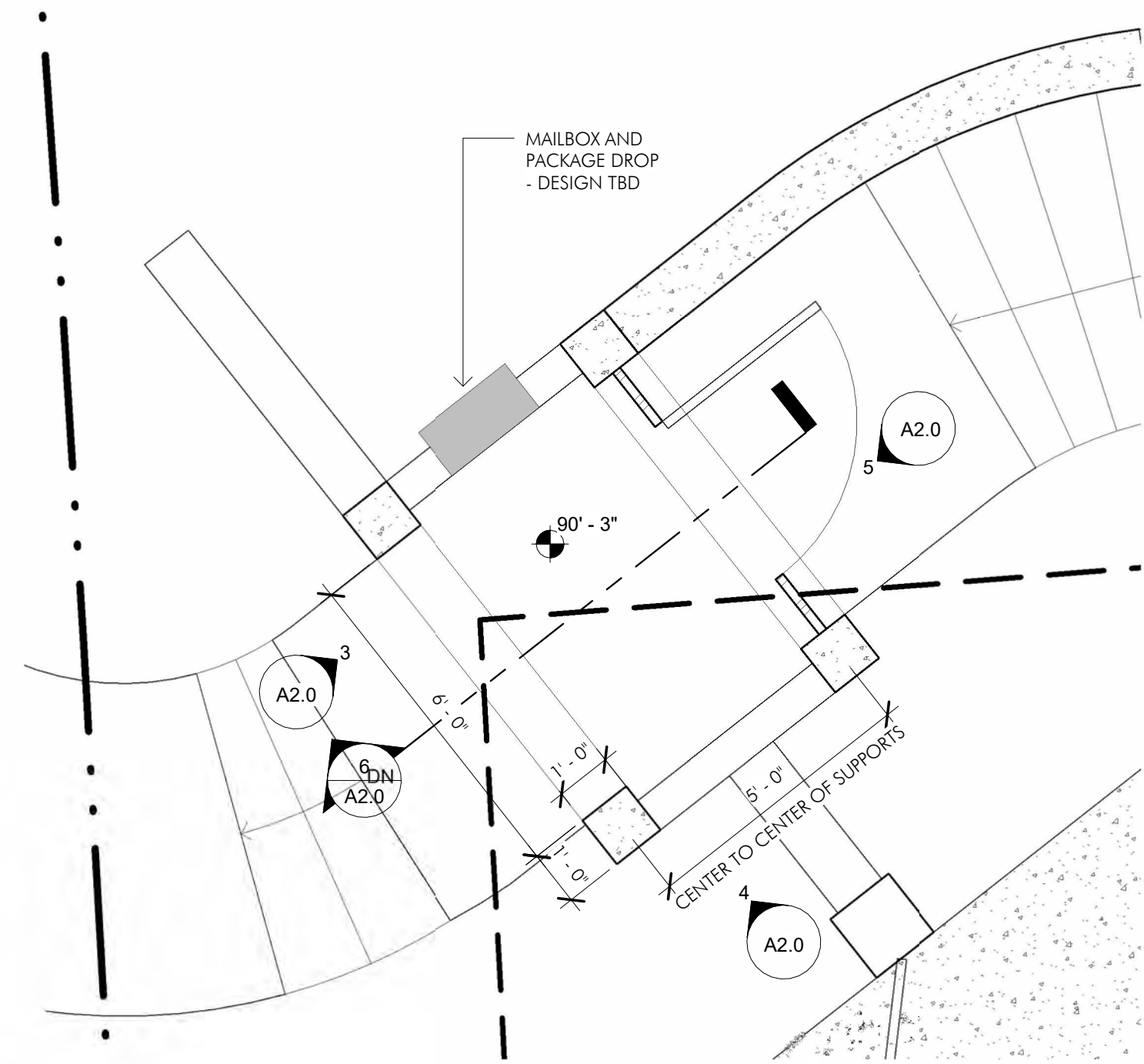
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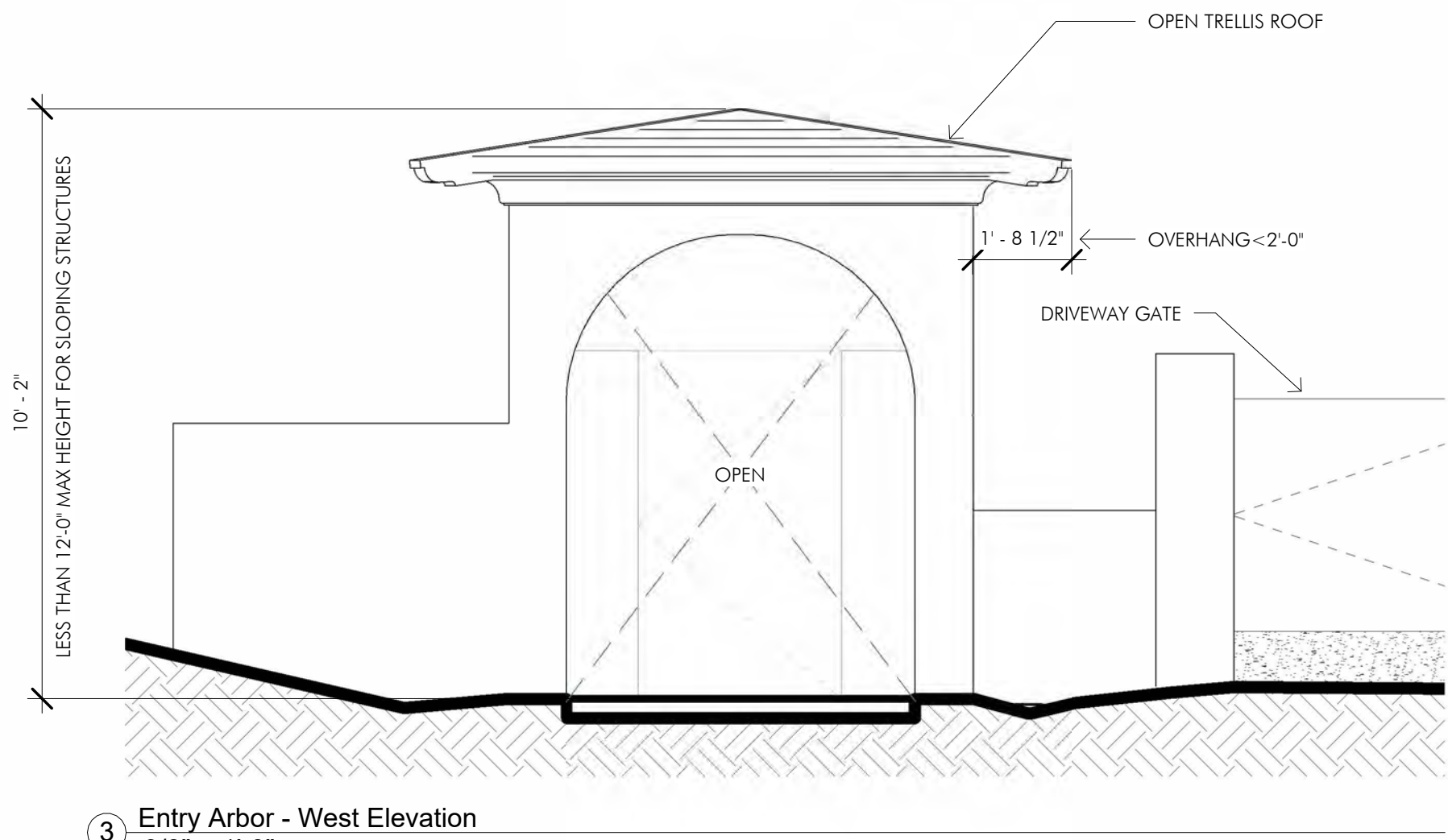
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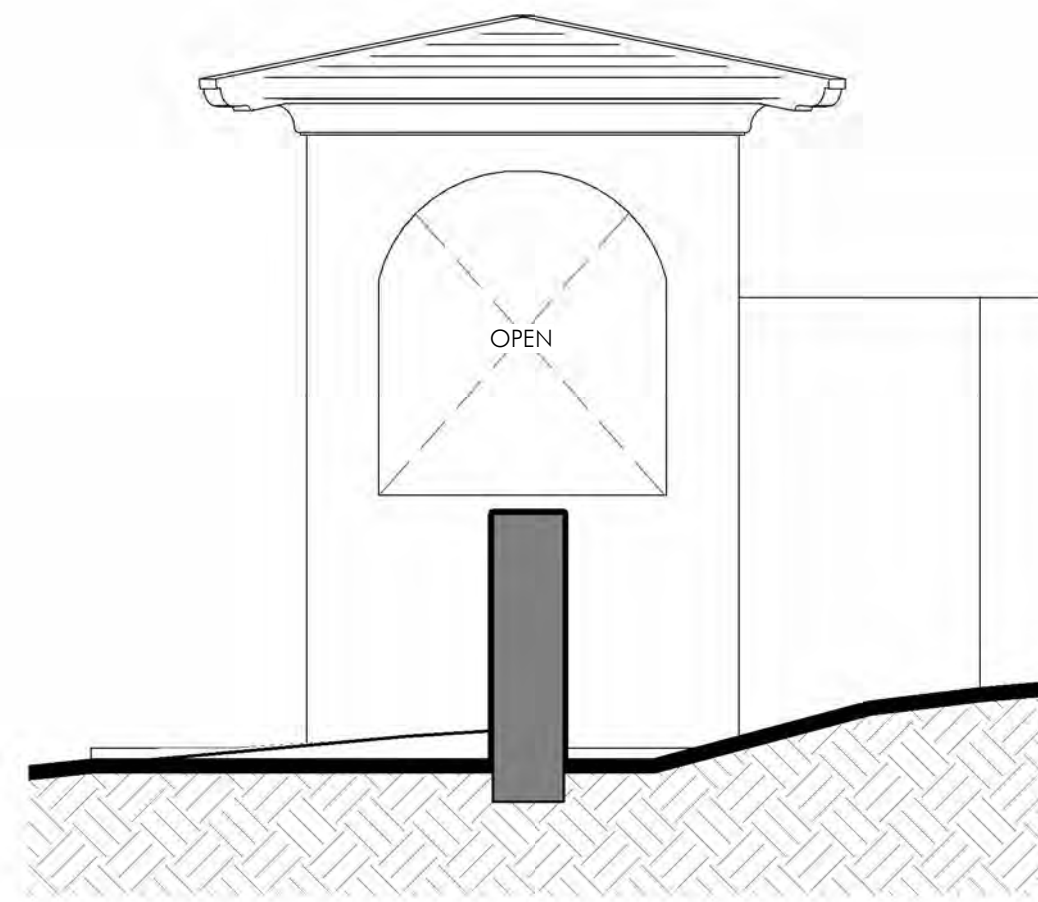
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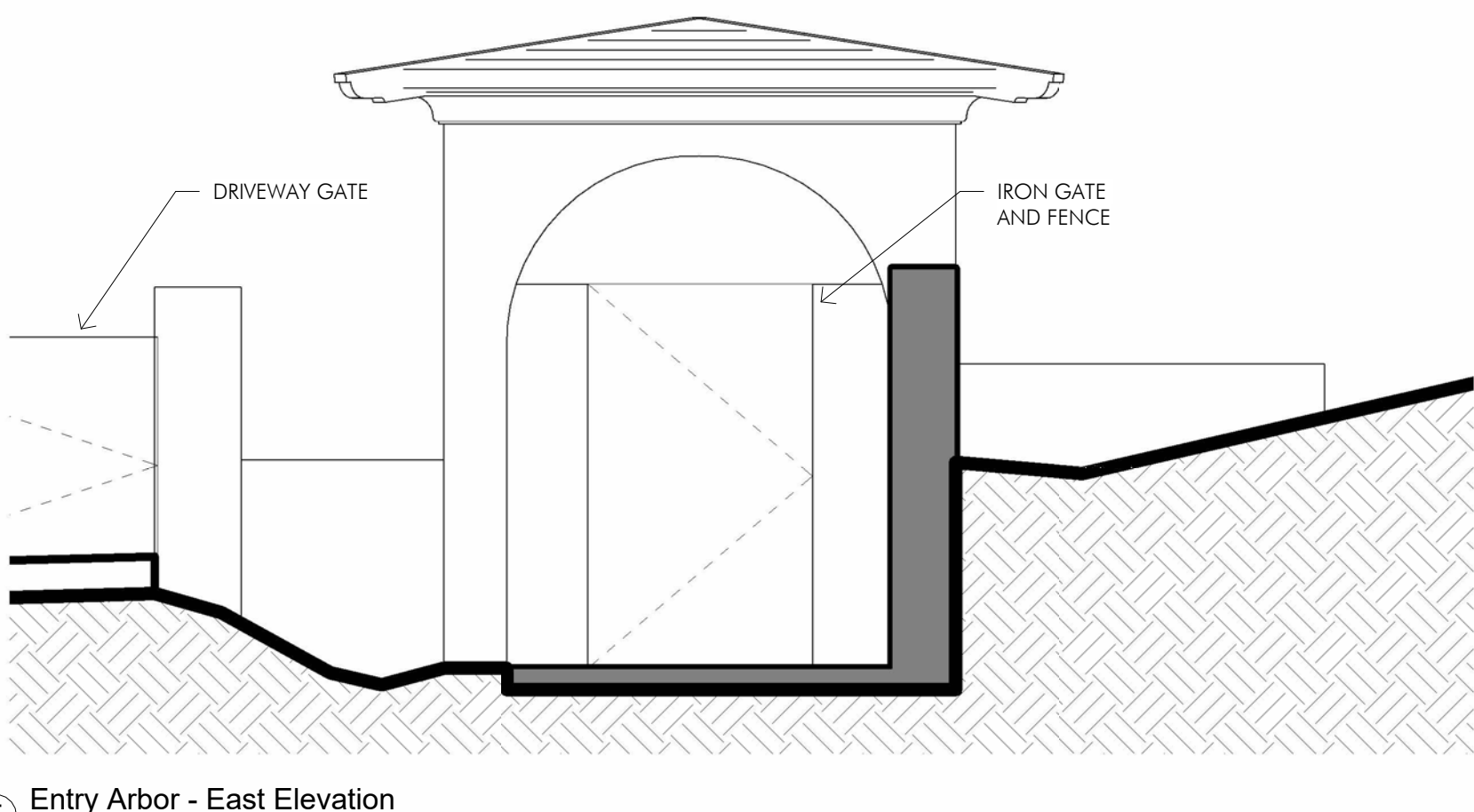
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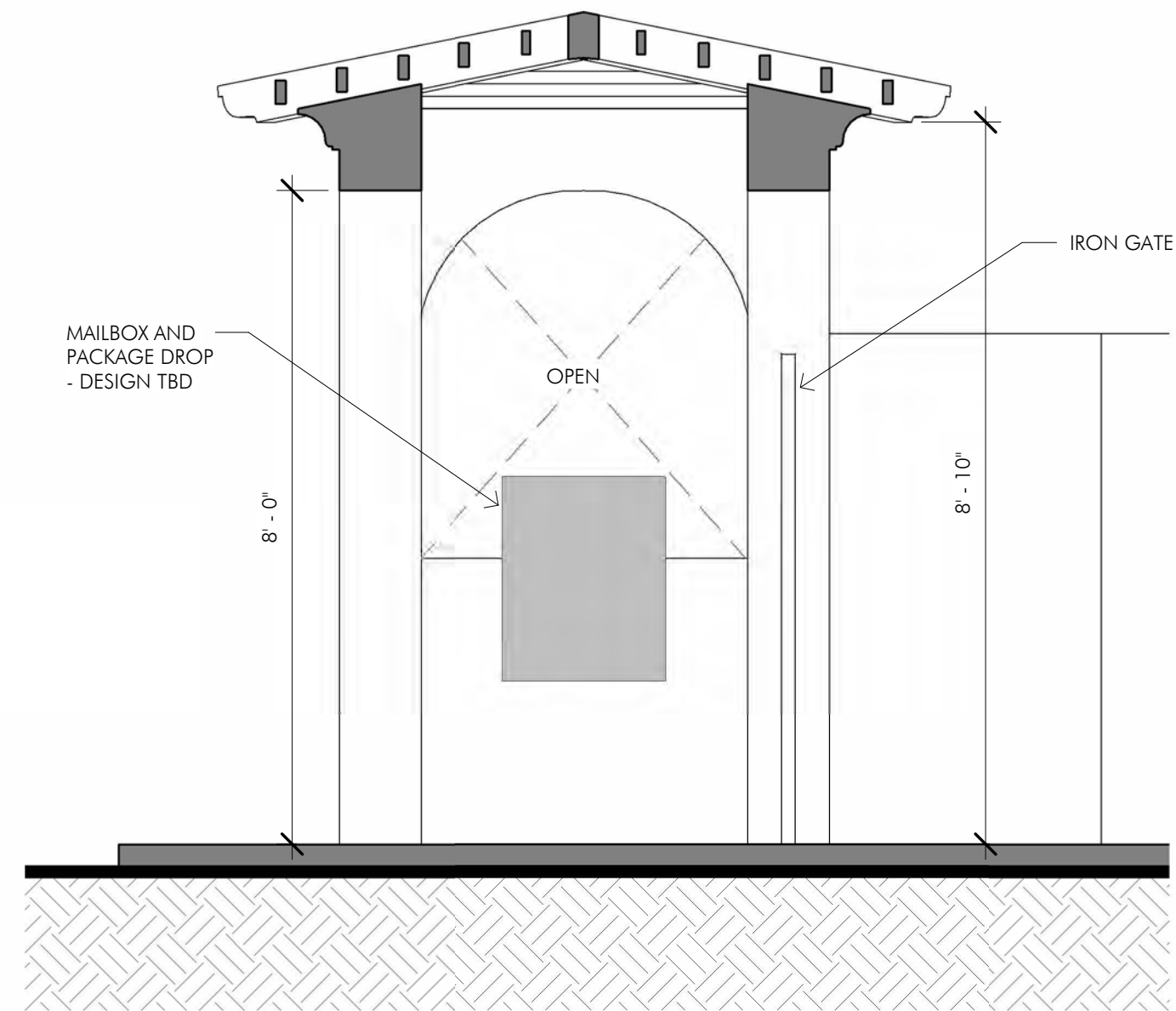
3 Entry Arbor - West Elevation 3/8" = 1'-0"



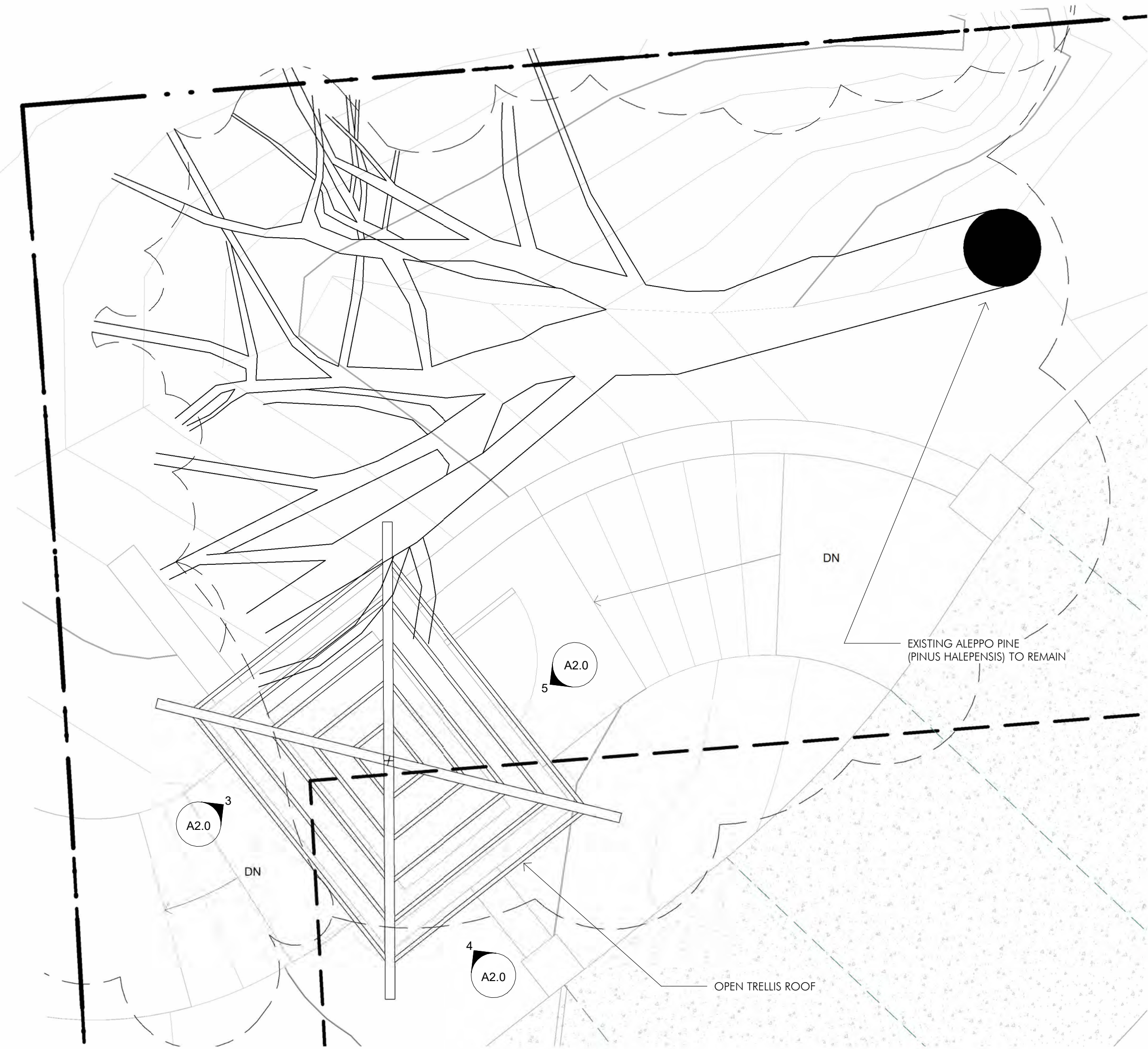
4 Entry Arbor - South Elevation 3/8" = 1'-0"



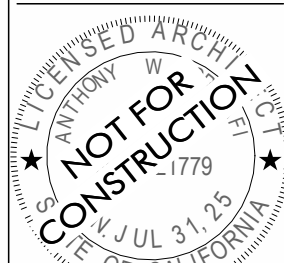
5 Entry Arbor - East Elevation 3/8" = 1'-0"



6 Entry Arbor - Section 1/2" = 1'-0"



ENTRY ARBOR ROOF PLAN 3/8" = 1'-0" 2



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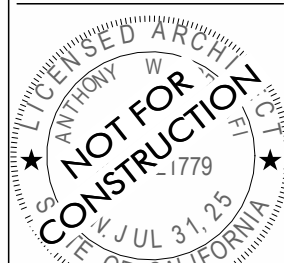
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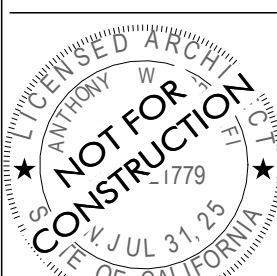
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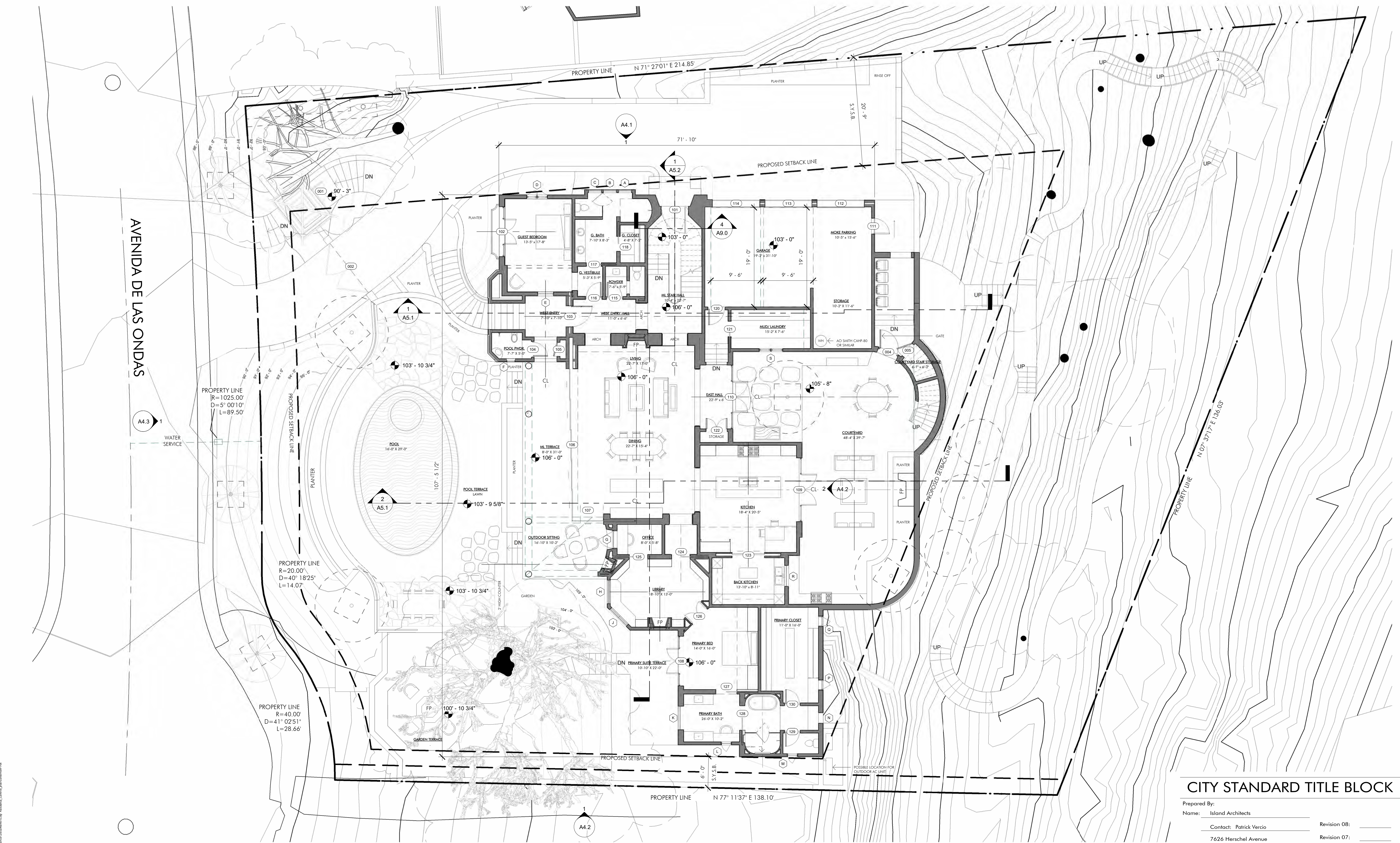
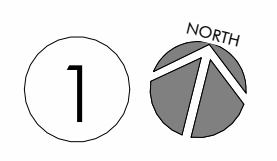
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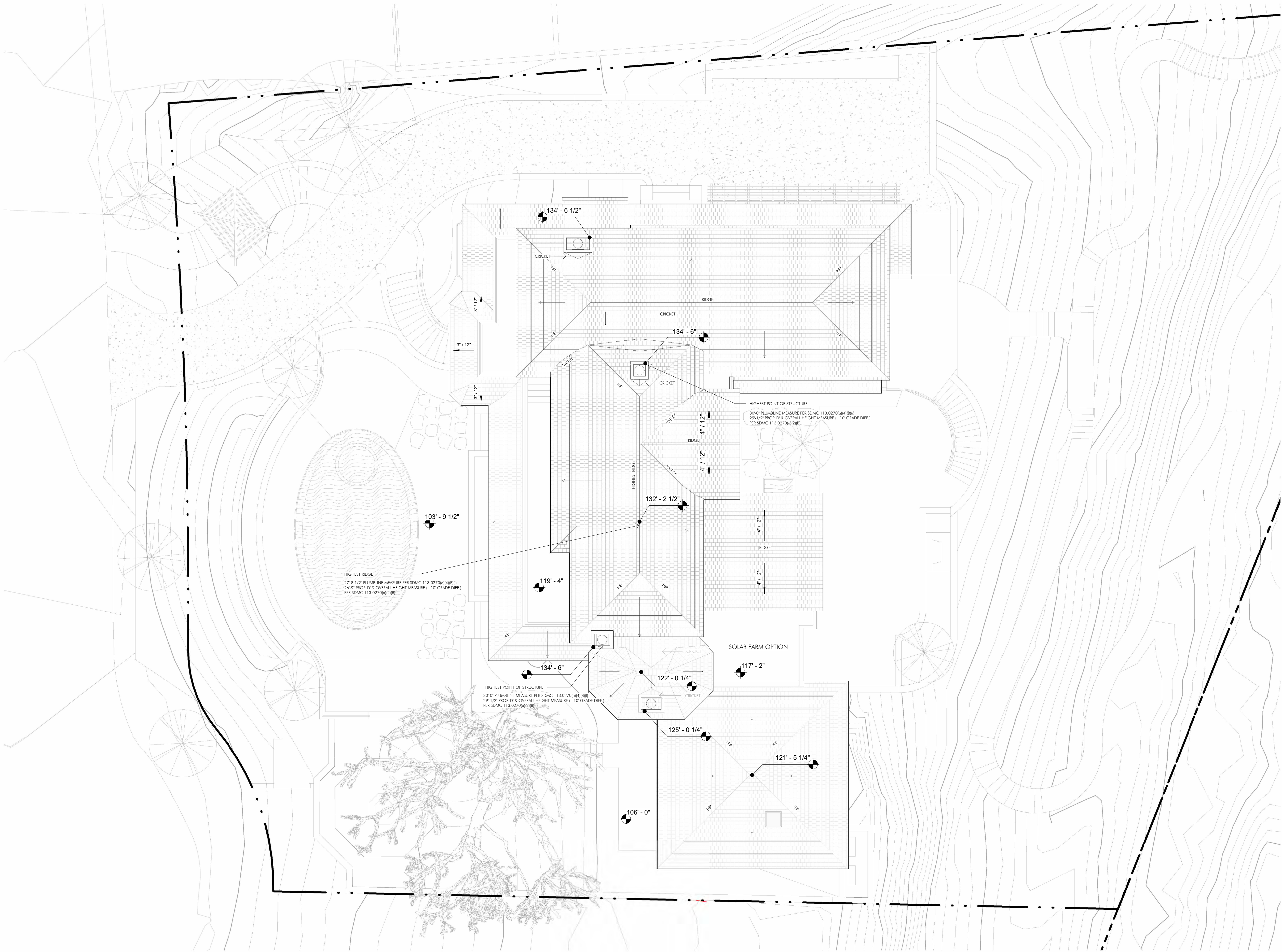
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La Jolla, CA 92037
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Revision 07: _____
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MAIN LEVEL FLOOR PLAN 1/8" = 1'-0"





- ROOF NOTES:
1. ALL RIDGE DIMENSIONS ARE CALLED OUT TO TOP OF SHEATHING
 2. ALL ELEVATIONS LOCATED AT EDGE OF WALLS ARE TO TOP OF PLATE
 3. ALL PLATE HTS. ARE TAKEN ABOVE MAIN LEVEL F.F. = 0'-0" (EL. +106.0)
 4. DIMENSIONS SHOWN AT CHIMNEY CAPS ARE TO FINISH MATERIAL
 5. ALL SKYLIGHTS TO BE FLAT, TINTED GLAZING & BRONZE FRAME SKYLIGHT.
 6. RADIANT BARRIER SHEATHING TO BE USED OVER INTERIOR & ATTIC SPACES
- = DOWN SPOUT LOCATIONS
□ = SCUPPER LOCATIONS



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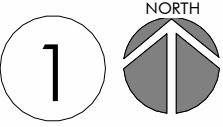
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Sheet Title: ROOF PLAN

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ROOF PLAN 1/8" = 1'-0"

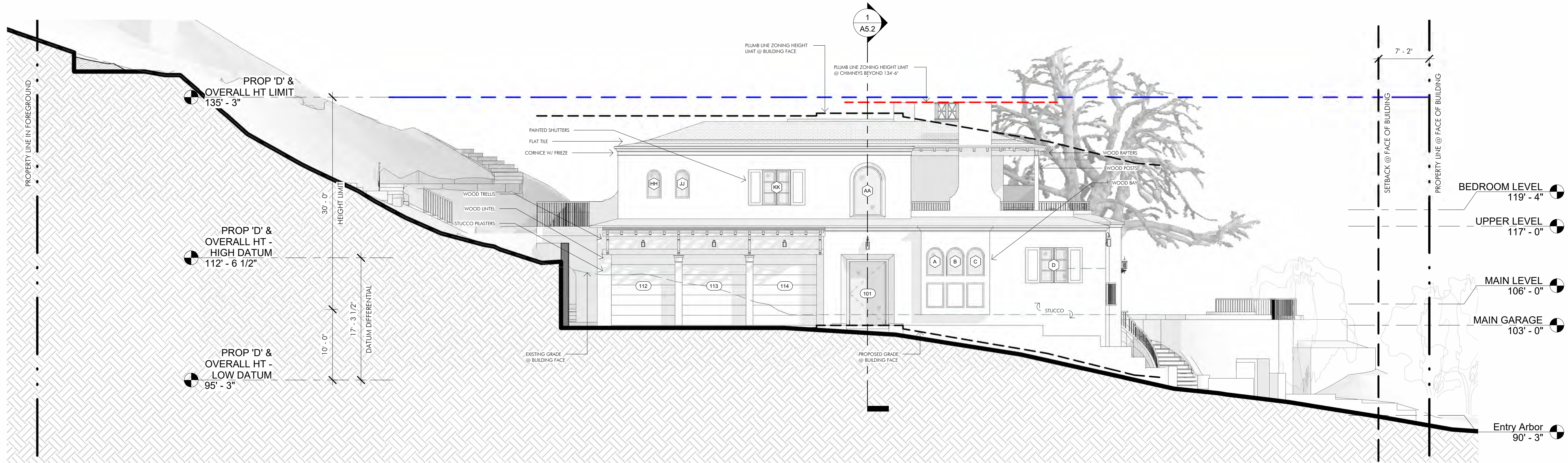


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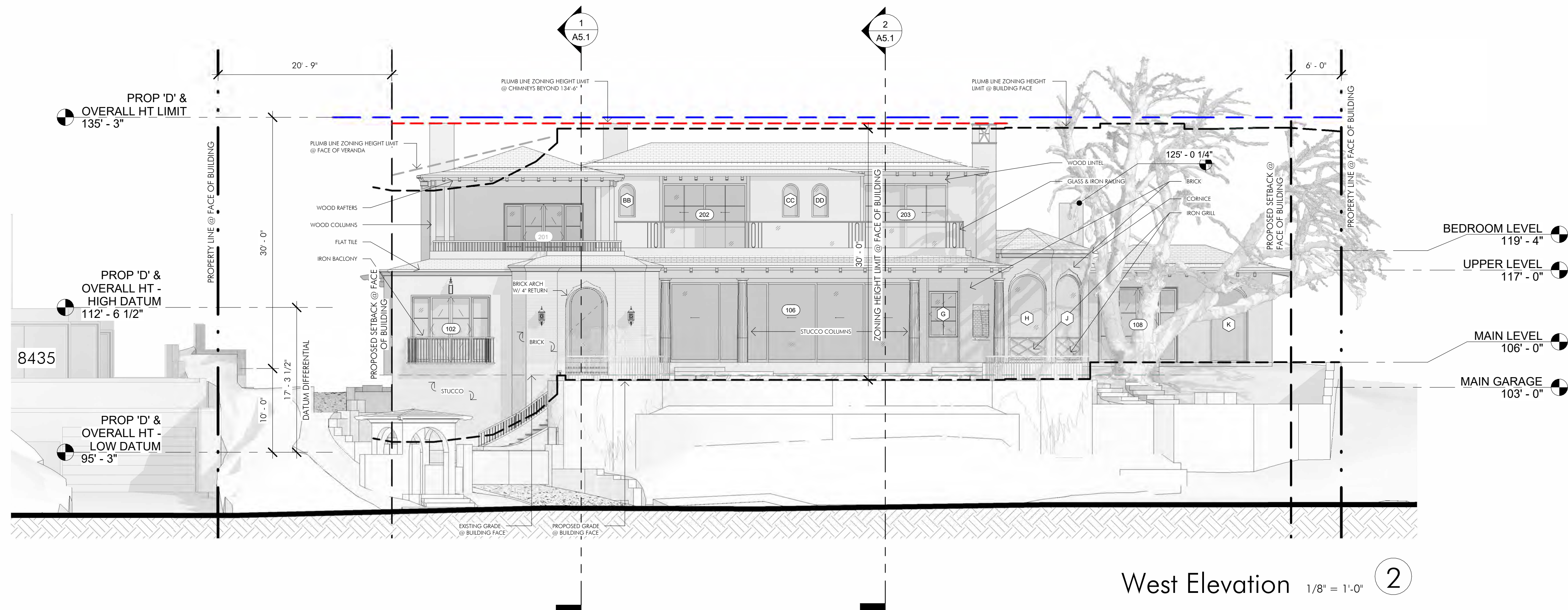
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ROOF PLAN

12/06/24



North Elevation 1/8" = 1'-0" 1

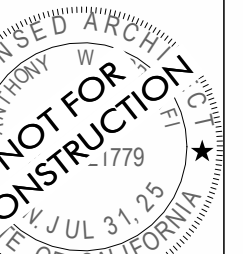
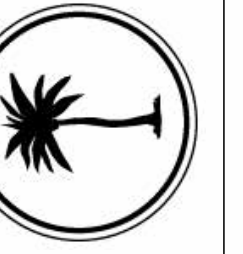


West Elevation 1/8" = 1'-0" 2

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Sheet Title:	EXTERIOR ELEVATIONS	DEP#:	

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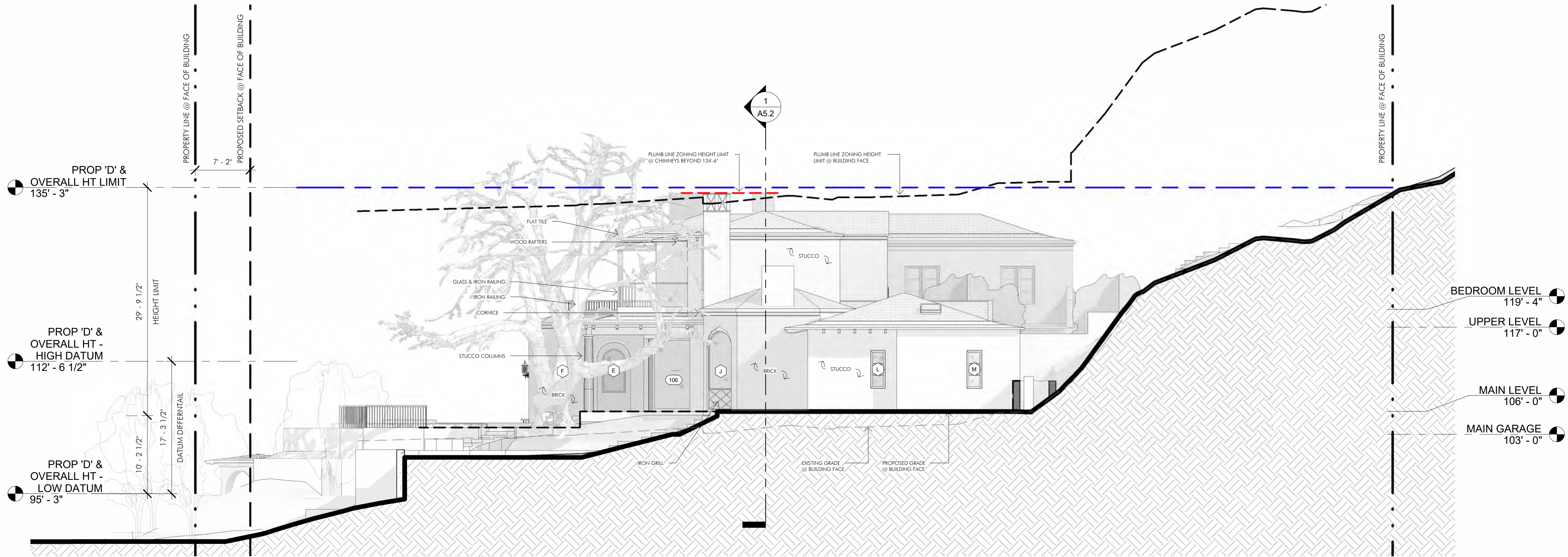
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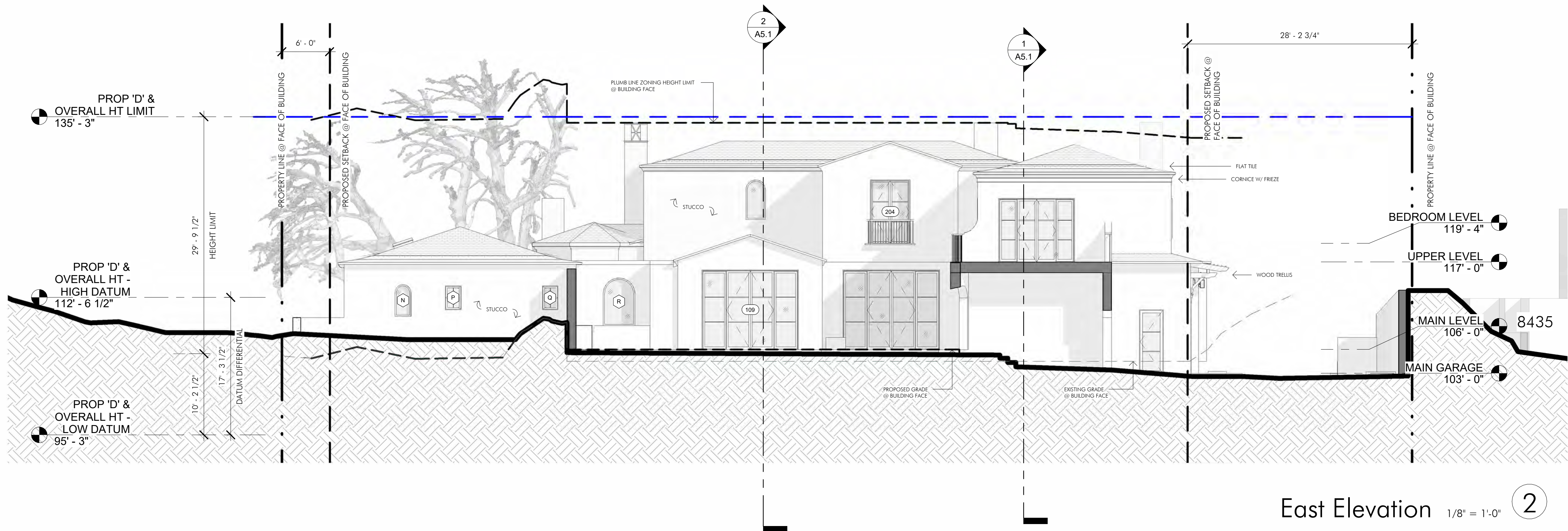
A4.1

EXTERIOR ELEVATIONS

12/06/24



South Elevation 1/8" = 1'-0" 1



East Elevation 1/8" = 1'-0" 2

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West Elevation - Material Board 1/8" = 1'-0" 1



CHARACTER		
DESIGN STYLE	MODERN MONETREY WITH ECLECTIC INFLUENCES	COMPLIES
MATERIALS	STUCCO, SLURRIED-BRICK, TERRACOTTA TILE, WOOD, IRON	COMPLIES
FORM	ARTICULATED FACADES AND SLOPED ROOFLINES	COMPLIES
RELATIONSHIP	MASSING AND SETBACKS CONFORM WITH VICINITY	COMPLIES
LANDSCAPE	INTEGRATED, NATURALISTIC LANDSCAPE	COMPLIES
QUALITY	HONEST USE OF GOOD QUALITY MATERIALS	COMPLIES

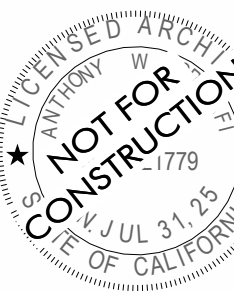
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La Jolla, CA 92037		Revision 02:
Project Name:	CLAY RESIDENCE	Revision 01:
CLAY RESIDENCE		Original Date:
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CLAY RESIDENCE
8425 Avenida De Las Ondas, La Jolla, CA 92037

A4.3

EXTERIOR
ELEVATION -
MATERIAL BOARD
12/06/24

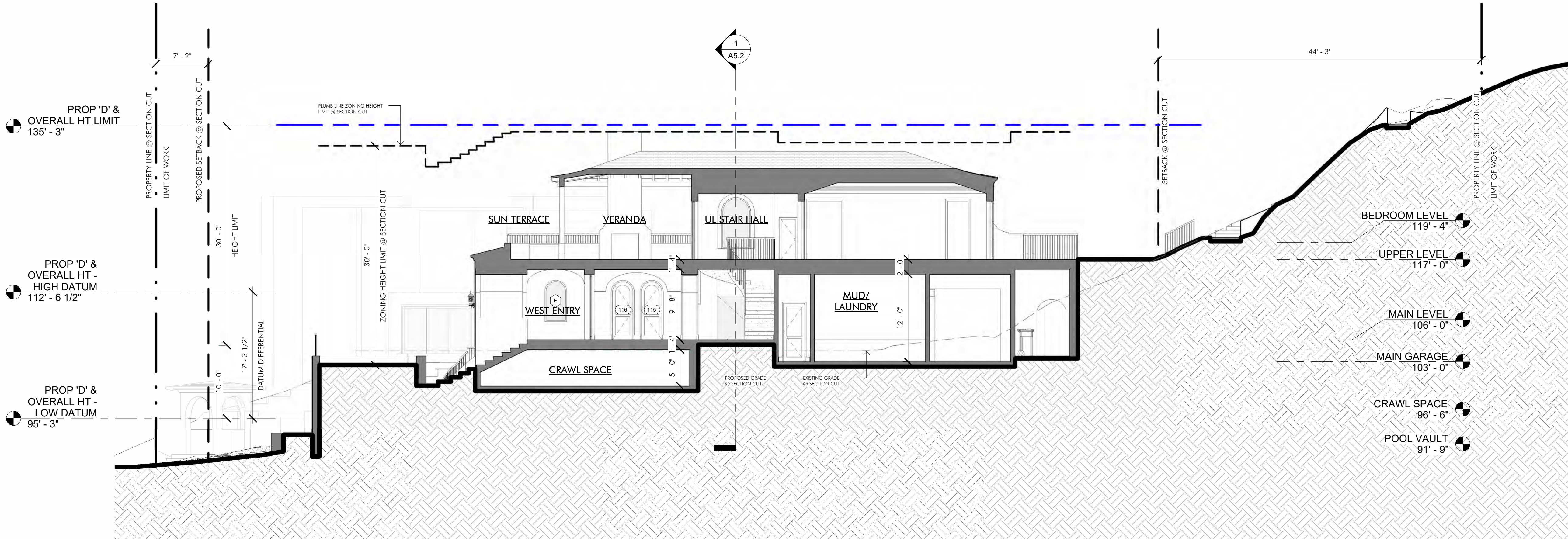


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Section 1 1/8" = 1'-0" 1



Section 2 1/8" = 1'-0" 2

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Street Address:		Revision 02:	
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CLAY RESIDENCE		DEP#:	
Sheet Title:			
BUILDING SECTIONS			

ISLAND ARCHITECTS

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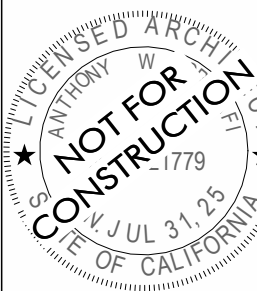
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BUILDING SECTIONS

12/06/24



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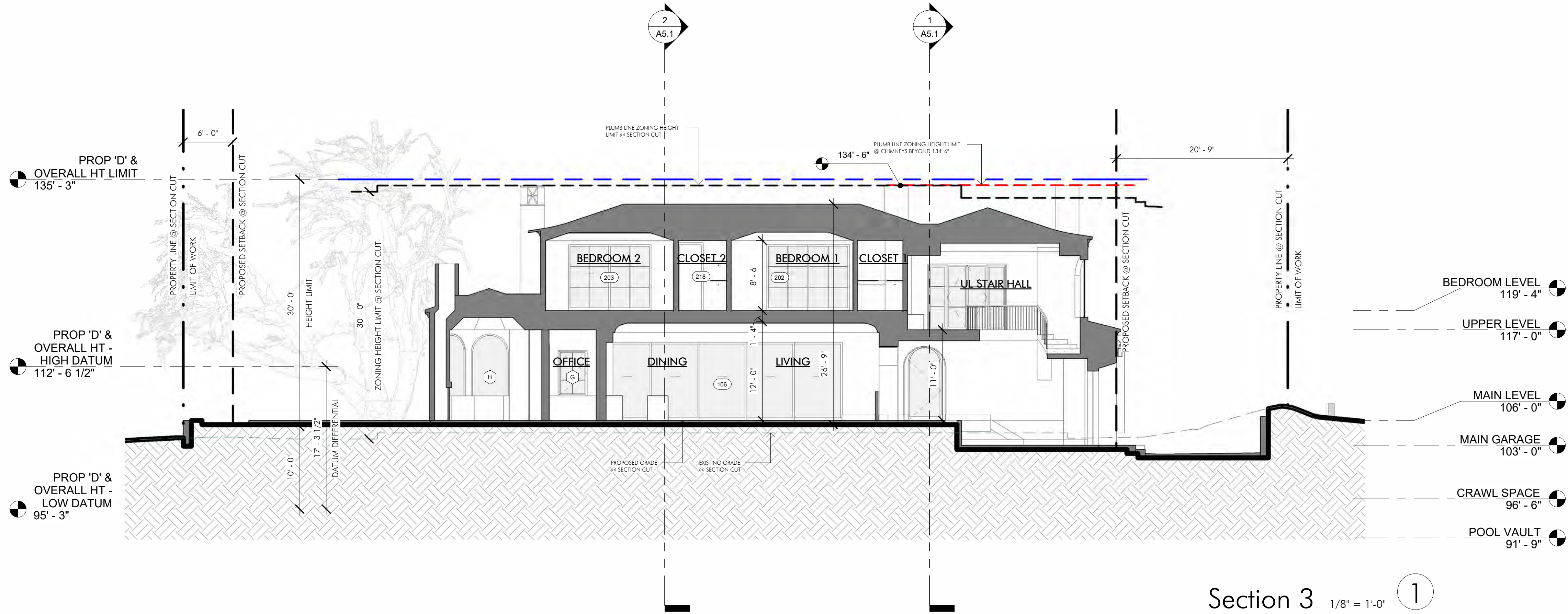
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A5.2

BUILDING
SECTIONS

12/06/24

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Section 3 1/8" = 1'-0" 1

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Project Name:	Revision 01: 05/16/24
CLAY RESIDENCE	Original Date: 02/02/24
Sheet Title:	
NORTH DRIVEWAY WALL	Sheet: 17 of 17
	DEP#: