



THE CITY OF SAN DIEGO

## ADDENDUM TO MITIGATED NEGATIVE DECLARATION

Project No. 579283  
Addendum to MND No. 96-7872  
SCH No. N/A

**SUBJECT: 7247 Fairway CDP:** COASTAL DEVELOPMENT PERMIT AMENDMENT to construct a 6,444 square foot single-family residence within a two-story configuration over an underground garage and a 644 square foot guest quarters over a basement. The project is located at 7247 Fairway Road. The 0.44 acre site is located within the RS-1-4 zone within the Coastal Height Limit Overlay, Parking Impact Overlay (COASTAL), and Coastal Overlay Zone (Non-Appealable) of the La Jolla Community Plan Area, Council District 1. (LEGAL DESCRIPTION: Lot 7, La Jolla Country Club Knolls, Map No. 4039).  
APPLICANT: Eduardo Frischwasser, (619) 764-1818.

### I. SUMMARY OF PROPOSED PROJECT

The project concerns the development of a single-family home within a neighborhood of similar development on Fairway Road. The proposed use at this location is subject to the framework of a Coastal Development Permit Amendment with respect to a discretionary review process.

The 6,444 square foot residence is proposed over a below-grade garage with a guest quarters. The guest quarters is situated towards the rear of the property and will be used for the occupants of the primary dwelling or for their guests or employees. A pool towards the front of the property is proposed along with an approved landscape plan reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape Ordinance and development standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff.

The project site was previously developed with a single-family home, but was demolished under Permit 99-0249 and left vacant. The site is currently vacant with an existing retaining wall towards the front of the property and a building pad for a house. The property slopes upward towards the rear of the property with the lowest elevation on Fairway Road. The project proposes to grade the property to prepare for the home and guest quarters by excavating 3,630 cubic yards of cut with a maximum depth of 22 feet within the building footprint and maximum depth of 11 feet outside of the building footprint.



## **II. ENVIRONMENTAL SETTING**

The 0.44 acre site is located on the east side of Fairway Road, south of Country Club Drive at 7247 Fairway Road. The site is currently vacant, but was previously developed with a single-family home within a two-story configuration and an attached two car garage. The project site is designated Very Low Density Residential (0-5 DU/AC) according to the La Jolla Community Plan. Additionally, the project site is within the Coastal Height Limit Overlay, Parking Impact Overlay (COASTAL), and Coastal Overlay Zone (Non-Appealable).

The site elevation ranges from approximately 390 above mean sea level (AMSL), at the northwest corner of the lot, to approximately 445 feet AMSL at the rear end of the property line. The site does not contain Environmentally Sensitive Lands (ESL). The entire site was previously disturbed and contains no natural "steep-slopes."

## **III. SUMMARY OF ORIGINAL PROJECT**

The project consisted of a Coastal Development Permit to demolish an existing single-family dwelling and to construct a two-story 5,845 square foot, single family residence with attached garage on a 0.45 acre site. The lot was zoned as R1-40,000, located in the La Jolla Community Planning Area (Lot 7, La Jolla Country Knolls, Map 4039).

Due to the steep sloped nature of the site, grading included excavation of 3,183 cubic yards of cut and 14 cubic yards of fill. Exterior building materials for the proposed dwelling consisted of stucco siding and glass railings around balconies and decks. A flat roof was proposed. Submitted landscape plans indicated a variety of trees, shrubs, and groundcover to be planted in accordance with the landscape regulations.

The site was noted as sloping, located on the east side of Fairway Road, south of Country Club Drive. The site was developed at that time with a two-story residence and attached garage, which was proposed to be demolished. The original Environmental Setting listed incorrect site elevations of 308 feet above mean sea level (AMSL) at the northwest corner of the lot to approximately 368 feet AMSL at the rear of the property line. After confirming with mapping data on the City's Project Tracking System, the elevations were shown to range from 390 feet to 445 feet AMSL. Surrounding properties to the north, south, and east include single-family dwellings in the R1-40,000 zone, to the west is the La Jolla Country Club golf course.

The project was analyzed for environmental impacts, and according to the Initial Study, there was a potential that the proposed project could cause a loss of Paleontological Resources. In the discussion, it was noted that the site was underlain with the Ardath Shale formation which has a high probability of containing important paleontological resources. Due to the project proposing an amount of excavation that exceeded the City Significance Thresholds, Paleontological Monitoring was required as a part of the mitigation measures outlined in the environmental document to reduce the potential for significant adverse impacts to a level below significance.



#### IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and adopted the **Fairway Road Residence Mitigated Negative Declaration (MND) No. 96-7872**. Based on all available information considering the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous environmental document;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.



## V. IMPACT ANALYSIS

The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the MND relative to the project.

### Paleontological Resources

#### Fairway Road Residence

**The Fairway Road Residence MND** identified that the property is underlain with the highly sensitive Ardath Shale Formation which has a high probability of containing important paleontological resources. The MND concluded that project grading would impact Ardath Shale formation but the impacts would be reduced to below a level of significance with the implementation of the Mitigation Monitoring and Reporting Program.

#### 7247 Fairway CDP

According to the Geotechnical Report prepared by Geotechnical Exploration, Inc. (Geotechnical Exploration, Inc., June 26, 1997) and the three updated reports (dated February 21, 2001, May 28, 2003, and November 17, 2008), the site is underlain by firm to hard (medium dense to very dense) formational materials of the Tertiary-age Ardath Formation (Ta) overlain in some areas by loose to medium dense fill and topsoil to depths ranging from 1 to 13 feet. The upper few feet of the formational soils were noted to be weathered and highly fractured in the large diameter boring, B-5.

According to the City's Significance Thresholds for Paleontological Resources, the Ardath Shale formation has a high sensitivity rating. Therefore, according to the City thresholds, there would be a significant impact if grading exceeds 1,000 cubic yards or 10 feet of depth.

As previously discussed, the **Fairway Road Residence MND** analyzed paleontological resources and disclosed that the site is underlain by the Ardath Shale formation and concluded that impacts would occur based on the proposed 3,183 cubic yards of cut. The current proposal includes grading to a depth of up to 22 feet below grade and 3,630 cubic yards of cut. Based on the City's thresholds of significance, paleontological monitoring is required due to the paleontological sensitivity of the Ardath Shale Formation (highly sensitivity) and due to grading volumes in excess of significance thresholds. As a result, the project would include a mitigation measure to require a paleontological monitor during grading activities. This mitigation measure, detailed in the Mitigation Monitoring & Reporting Program, would reduce the potentially significant impact to below a level of significance.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Mitigated Negative Declaration. The project would not result in any new significant impact, nor would a substantial increase in the severity of impacts from that described in the Mitigated Negative Declaration result.



## **VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT**

### **I. Prior to Permit Issuance**

#### **A. Entitlements Plan Check**

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

#### **B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

### **II. Prior to Start of Construction**

#### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

#### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored  
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).



3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

#### A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

#### B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell



fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### IV. Night and/or Weekend Work

##### A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
  - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
  - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
  - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
  - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

##### B. If night work becomes necessary during the course of construction

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

##### C. All other procedures described above shall apply, as appropriate.

#### V. Post Construction

##### A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
  - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
  - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History



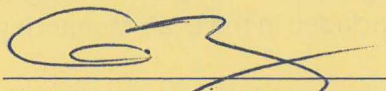
- Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## **VII. IMPACT SIGNIFICANCE**

The MND identified that all impacts would be mitigated to below a level of significance through mitigation. This Addendum also identifies that all significant project impacts would be mitigated to below a level of significance, consistent with the previously certified MND.

## **VIII. CERTIFICATION**

Copies of the Addendum, the adopted MND, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be reviewed in the office of the Development Services Department, or purchased for the cost of reproduction.



Chris Tracy, Senior Planner  
Development Services Department

5/2/18  
Date of Final Report



Analyst: **Rachael Lindquist**

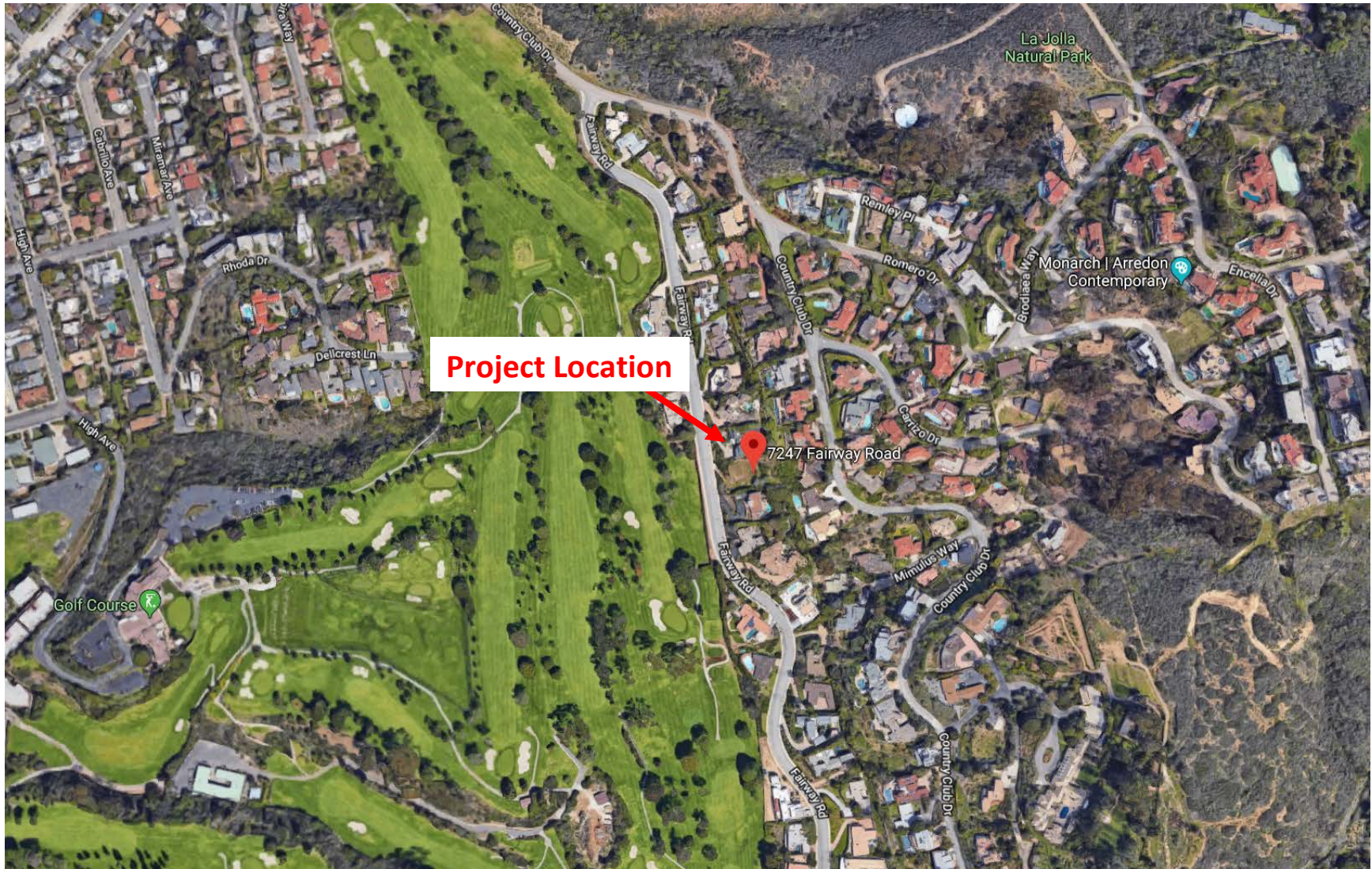
Attachments:

Figure 1: Vicinity Map

Figure 2: Site Plan

Mitigated Negative Declaration No. 96-7872 / SCH No. N/A





### Vicinity Map

Fairway CDP/Project No. 579283

Address – 7247 Fairway Road.

City of San Diego – Development Services Department

**Figure  
No.1**



