

## Report to the Hearing Officer

DATE ISSUED: December 12, 2018 REPORT NO. HO-18-094

HEARING DATE: December 19, 2018

SUBJECT: Scenic Residence. Process Three Decision.

PROJECT NUMBER: 446152

OWNER/APPLICANT: Chatham LLC, Owner / Joshua Wood, Architect, Applicant

## **SUMMARY**

<u>Issues</u>: Should the Hearing Officer approve the construction of a single dwelling unit, a variance to exceed the maximum front yard paving allowed, and the vacation of a drainage easement on a project site located at 6083 La Jolla Scenic Drive South within the La Jolla Community Planning area?

## **Staff Recommendations:**

- 1. **Approve** Site Development Permit No. 1569580;
- 2. **Approve** Variance No. 2164676; and
- 3. **Approve** Easement Vacation No. 1945037.

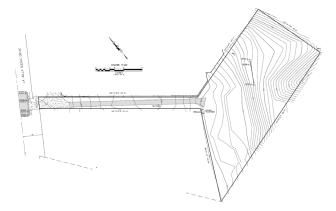
<u>Community Planning Group Recommendation</u>: On March 3, 2016, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the proposed project without conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 20, 2018, and the opportunity to appeal that determination ended August 3, 2018.

## **BACKGROUND**

The 1.37-acre vacant, flag-shaped site is located at 6083 La Jolla Scenic Drive South, southwest of Mount Soledad, and is designated for Very Low Density Residential development within the La Jolla Community Plan (Plan) (Attachments 1-3). The site contains Environmentally Sensitive Lands (ESL)

identified as Steep Hillsides and Biological Resources pursuant to San Diego Municipal Code (SDMC) section 113.0103. Surrounding the project site to the north, west and south are single dwelling units within an established residential area zoned RS-1-1. Land uses surrounding the property are designated Very Low Density with Park/Open Space to the east coinciding with the ESL mapped on site.

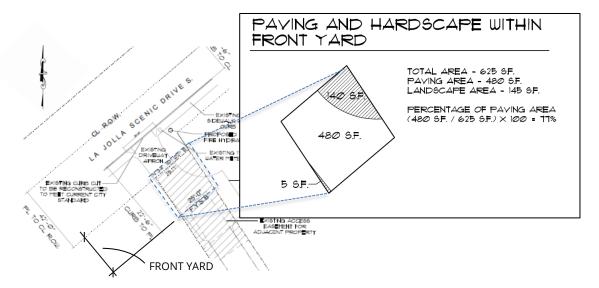


## **DISCUSSION**

<u>Project Description/Approvals</u>: The project proposes a two-story, 9415-square-foot single dwelling unit with pool and spa, and a 965-square-foot attached garage. Because of the presence of ESL, the project requires a Process Three Site Development Permit per SDMC 143.0110, Table 143-01A. A Process Three Variance is also requested to allow paving within the front yard setback to exceed the maximum 60 percent allowed by 17 percent. Finally, a Process Two Easement Vacation is required to vacate a sewer easement mapped incorrectly. Pursuant to consolidation of processing regulations SDMC 112.0103(a)(1), the project approvals are consolidated, and the decision will be made by the highest level of authority- Hearing Officer, Process Three.

<u>Community Plan Analysis</u>: The La Jolla Community Plan (Plan) designates the site for Very Low Density Residential development at the range of 0-5 dwelling units per acre (du/ac). The site is zoned RS-1-1, allowing one dwelling unit on the lot. The project proposes one dwelling unit with a resulting density of 0.72 du/ac, consistent with the use and density of the Plan.

The Plan also contains specific goals within its Natural Resources and Open Space System element that guide steep hillside development intended to protect and preserve ESL. The project adheres to the recommendations within the Steep Hillsides regulations, which include minimal grading, protective landscaping and erosion control, and a topographically sensitive design. The project meets the Steep Hillside regulations by siting construction away from the Steep Hillsides on the eastern portion of the property. Additionally, Brush Management Zones have been established to reduce erosion and to protect native flora from invasive species. To protect ESL in perpetuity, a covenant of easement will be recorded on the eastern portion of the property. Finally, the massing of the structure follows the topography, terracing down through split-levels as it follows the natural terrain. With these protections in place and a topographically-sensitive design, the project is consistent with the recommendations and objectives of the Plan.



<u>Variance</u>: The flag-shaped lot was created in 1973, prior to regulations limiting the creation of such flag-shaped lots and prior to the regulations limiting paving or hardscape within front yards. Additionally, the narrow driveway portion of the lot fronting La Jolla Scenic Drive South contains an access easement to provide access to the adjacent property to the northeast. Paving located within this driveway easement is also within the front yard setback of the proposed project site. This area must serve as the entrance to the proposed project's fire access road. Fire Department requirements for the entrance must allow a fire truck to enter and travel down the fire access road. Additionally, the applicant is obligated to provide access to the adjacent property. These requirements necessitate keeping the existing paving.

However, the existing paving does not meet the current regulations of the RS-1-1 Zone limiting the amount of paving allowed in the front yard. Per SDMC 131.0447, Maximum Paving and Hardscape in RS Zones, no more than 60 percent of a front yard setback may be paving or hardscape. The project cannot meet Fire Department requirements and remain at or below the maximum 60 percent. Due to the narrowness of this driveway and fire access requirements, a variance is required to allow 77 percent paving (17 percent more than allowed, or 105 square feet). Staff supports this variance at this location, as it would allow the project to meet its fire access requirements and continue to maintain the access for the adjacent property.

<u>Easement Vacation</u>: The project site also contains an incorrectly mapped sewer easement. The facilities for the easement are located several feet eastward. The project will vacate the easement at its current location, and a new dedication will reserve an area encompassing the actual location of the existing sewer facilities. As the current sewer easement is no longer needed for the purpose it was originally created, staff supports the requested easement vacation.

## **CONCLUSION**

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff supports a determination that the project, including the proposed variance, is appropriate at this location; therefore, staff recommends approval of the project as proposed.

## **ALTERNATIVES**

- 1. **Approve** Site Development Permit No. 1569580, Variance No. 2164676, and Easement Vacation No. 1945037, with modifications.
- 2. **Deny** Site Development Permit No. 1569580, Variance No. 2164676, and Easement Vacation No. 1945037 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Francisco Mendoza, Development Project Manager

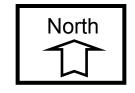
## Attachments:

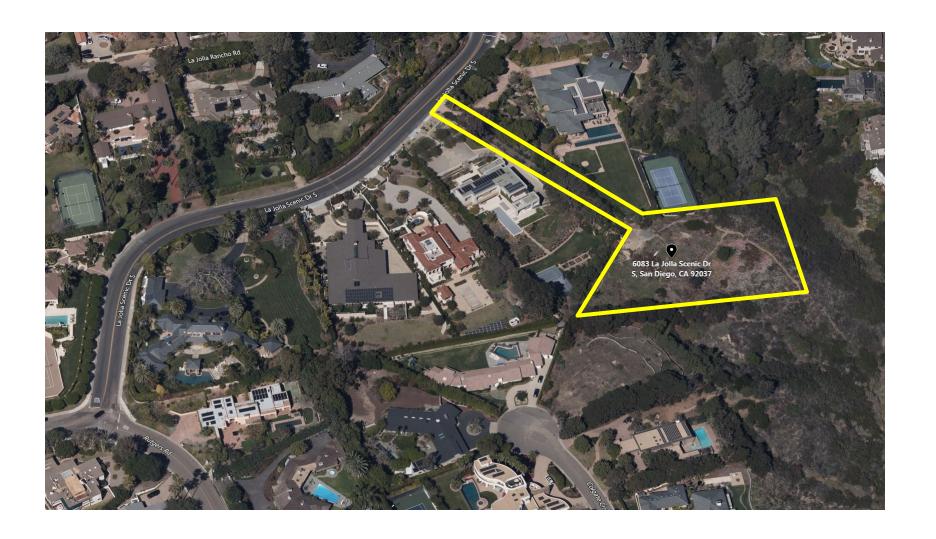
- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Draft Easement Vacation Resolution w/ Attachments
- 7. Environmental Exemption
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement
- 10. Project Plans



# **Project Location**

<u>Scenic Residence</u> Project No. 446152 – 6083 La Jolla Scenic Drive South

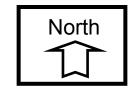






# **Aerial Photograph**

<u>Scenic Residence</u> Project No. 446152 – 6083 La Jolla Scenic Drive South



## HEARING OFFICER RESOLUTION NO. HO-\_\_\_\_\_ SITE DEVELOPMENT PERMIT NO. 1569580 VARIANCE NO. 2164676

## **SCENIC RESIDENCE - PROJECT NO. 446152**

WHEREAS, CHATHAM LLC, a California limited liability company, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a single dwelling unit with a variance to allow 77% hardscape within the front yard setback (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1569580 and 2164676), on portions of a 1.37-acre site; and

WHEREAS, the project site is located at 6083 La Jolla Scenic Drive South in the RS-1-1 zone and the Coastal Height Limitation Overlay zone within the La Jolla Community Plan; and

WHEREAS, the project site is legally described as: Lot 2 of Waltz Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 7589, filed in the Office of the County Recorder of San Diego County, April 2, 1973; and

WHEREAS, on July 20, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, on December 19, 2018, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1569580/Variance No. 2164676, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following

findings with respect to Site Development Permit No. 1569580/Variance No. 2164676:

## A. <u>SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]</u>

## 1. Findings for all Site Development Permits:

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

The Scenic Residence project (Project) proposes the construction a single dwelling unit on property containing Environmentally Sensitive Lands (ESL) in the form of Steep Hillsides and Biological Resources. The vacant, 1.37-acre project site is located at 6083 La Jolla Scenic Drive South, southwest of Mount Soledad, and is designated for Very Low Density Residential development within the La Jolla Community Plan (Plan). The site is zoned RS-1-1, allowing one dwelling unit on the lot. The project proposes one dwelling unit with a resulting density of 0.72 du/ac, consistent with the use and density of the Plan.

The Plan also contains specific goals within its Natural Resources and Open Space System element that guide steep hillside development intending to protect and preserve ESL. The project adheres to the recommendations within the Steep Hillsides regulations, which include minimal grading, protective landscaping and erosion control, and a topographically sensitive design. The project meets the Steep Hillside regulations by siting construction away from the Steep Hillsides on the eastern portion of the property. Additionally, Brush Management Zones have been established to reduce erosion and to protect native flora from invasive species. To protect ESL in perpetuity, a covenant of easement will be recorded on the eastern portion of the property. Finally, the massing of the structure follows the topography, terracing down through split-levels as it follows the natural terrain. With these protections in place and a topographically-sensitive design, the project is consistent with the recommendations and objectives of the Plan. 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 vacant site is within a developed, residential area of the City. Surrounding the project site to the north, west, and south are single dwelling units within an established residential area zoned RS-1-1. Land uses surrounding the property are designated Very Low Density with Park/Open Space to the east coinciding with the ESL mapped on site.

The project includes site improvements which shall comply with all applicable building, mechanical, electrical, fire code, and development regulations necessary to avoid adverse impacts upon the health, safety and general welfare of the public. The project shall comply with the permit conditions in effect for the subject property and

other regulations and guidelines pertaining to the subject property pursuant to the SDMC, State and Federal laws.

In addition to on-site construction, the project includes the construction of a new City-standard driveway and the implementation of a Brush Management Plan. These improvements will benefit public safety and welfare by providing improvements to pedestrian pathways fronting the property and assisting the City in managing brush to prevent or limit fire risks. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The Project complies with all regulations of the Land Development Code and does not require any deviations; however, it does require the approval of one variance. The project requests a variance to SDMC section 131.0447, Maximum Paving and Hardscape in RS Zones. Maximum paving/hardscape allowed within the front setback is limited to 60%. The Project proposes 77% paving due to unique circumstances.

The flag-shaped lot was created in 1973, prior to regulations limiting the creation of such flag-shaped lots and prior to the regulations limiting paving or hardscape within front yards. Additionally, the narrow driveway portion of the lot fronting La Jolla Scenic Drive South contains an access easement to provide access to the adjacent property to the northeast. Paving located within this driveway easement is also within the front yard setback of the proposed project site. The existing paving within this area must serve as the entrance to the proposed project's fire access road. Fire Department requirements make it impossible to reduce the amount of paving within the setback, as the entrance must allow a fire truck to enter and travel down the fire access road. The existing paving meets the Fire Department requirements.

However, the existing paving does not meet the current regulations of the RS-1-1 Zone limiting the amount of paving allowed in the front yard. The project cannot meet Fire Department requirements and remain at or below the maximum 60 percent paving within the front yard setback. Due to the narrowness of this driveway and fire access requirements, a variance is required to allow 77 percent paving (17 percent more than allowed, or 105 square feet). Staff supports this variance at this location, as it would allow the project to meet fire access requirements. Therefore, the proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

## B. VARIANCE [SDMC Section 126.0805]

## 1. Findings for all Variances:

a. There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations.

The flag-shaped lot was created in 1973, prior to regulations limiting the creation of such flag-shaped lots and prior to the regulations limiting paving or hardscape within front yards. Additionally, the existing narrow driveway portion of the lot fronting La Jolla Scenic Drive South contains an access easement to provide access to the adjacent property to the northeast. All other residential lots in the nearby vicinity are standard, with standard frontage along established rights-of-way. The special circumstances or conditions at the project site were created in February 2007 to give access to the adjacent lot, which is located near an intersection. The regulations restricting paving were not in effect until August 2007. Therefore, there are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations.

b. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises.

The existing narrow driveway portion of the lot fronting La Jolla Scenic Drive South contains an access easement to provide access to the adjacent property to the northeast. Paving located within this driveway easement is also within the front yard setback of the proposed project site. Fire Department requirements at the entrance must allow a fire truck to enter the project site from the public right-of-way. The proposed project, however, cannot meet Fire Department requirements and remain at or below the maximum 60 percent paving within the front yard setback.

Due to the narrow access portion of the lot and fire access requirements, a variance is required to allow 77 percent paving (17 percent more than allowed, or 105 square feet). The granting of the variance will permit reasonable use of the land to meet minimum safety standards while maintaining access to the adjacent lot. Were the variance not granted, the proposed project would not meet Fire Department Access requirements and the applicant would not be able to construct the house. Therefore, the circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises.

c. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

The granting of the variance will permit the Project to meet minimum safety standards, and will not be detrimental to the public health, safety, and welfare. Granting of the variance allows the project ingress and egress, including Fire Department access, and the request for 17% more hardscape meets the general purpose and intent by providing only the minimum amount of paving required to meet safety standards. Therefore, the granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

d. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan.

The Plan contains specific goals within its Natural Resources and Open Space System element that guide steep hillside development intending to protect and preserve ESL. The Project adheres to the recommendations within the Steep Hillsides regulations, by proposing minimal grading, protecting native landscaping and providing erosion control, and via a topographically-sensitive design. The project is designed to meet the regulations by siting construction away from the steep hillsides on the eastern portion of the property. The variance would allow Fire Department access for the proposed project and not affect conformity with the recommendations of the Plan. Therefore, the granting of the variance will not adversely affect the applicable land use plan.

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

**ATTACHMENT 4** 

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing

Officer, Site Development Permit No. 1569580/Variance No. 2164676 is hereby GRANTED by the

Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as

set forth in Permit Nos. 1569580/2164676, a copy of which is attached hereto and made a part

hereof.

Francisco Mendoza

Development Project Manager

**Development Services** 

Adopted on: December 19, 2018

IO#: 24006210

fm 7-17-17

## **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: SPACE ABOVE THIS LINE FOR RECORDER'S USE

VARIANCE NO. 2164676

SCENIC RESIDENCE - PROJECT NO. 446152

HEARING OFFICER

This Site Development Permit No. 1569580/Variance No. 2164676 (Permit) is granted by the Hearing Officer of the City of San Diego to CHATHAM LLC, a South Carolina limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0505 and 126.0805. The 1.37-acre site is located at 6083 La Jolla Scenic Drive South in the RS-1-1 zone and the Coastal Height Limitation Overlay Zone within the La Jolla Community Plan. The project site is legally described as: Lot 2 of Waltz Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 7589, filed in the Office of the County Recorder of San Diego County, April 2, 1973.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a single dwelling unit with a variance to allow 77% hardscape within the front yard setback, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 19, 2018, on file in the Development Services Department.

## The project shall include:

- a. A two-story, 9,415-square-foot single dwelling unit with 965-square-foot attached garage;
- b. A variance allowing 77% hardscape/paving in the front yard setback where the pavement currently exists;
- c. Pool, spa, and site walls;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking; and

f. 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 January 7, 2022.
- 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

## **BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

- 11. The Brush Management Program shall be based on a standard 35-foot-wide Zone One and a 65-foot-wide Zone Two, extending out from the structure towards the native/naturalized vegetation, consistent with SDMC §142.0412. Zone One shall range from 35- to 45-feet in width with a corresponding Zone Two range of 65- to 50-feet in width, exercising Zone Two reduction options under SDMC §142.0412(f).
- 12. Prior to the issuance of any engineering permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

- 13. Prior to the issuance of any building permits, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.
- 14. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted. Accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.
- 15. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

## **CLIMATE ACTION PLAN REQUIREMENTS:**

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

## **ENGINEERING REQUIREMENTS:**

- 17. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 18. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 19. Prior to the issuance of any building 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.
- 20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the sidewalk underdrain/curb outlet in the La Jolla Scenic Drive Right-of-Way.
- 21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard driveway, adjacent to the site on La Jolla Scenic Drive, satisfactory to the City Engineer.
- 22. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

## **GEOLOGY REQUIREMENTS:**

- 25. Prior to the issuance of any building permits, the Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
- 26. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

## **LANDSCAPE REQUIREMENTS:**

- 27. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.
- 28. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way 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.
- 29. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per SDMC §142.0403(b)(5).

- 30. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required 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.
- 31. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

## **PLANNING/DESIGN REQUIREMENTS:**

- 32. 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 requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.
- 33. 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 construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 34. Prior to the issuance of any construction permits, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for: Sensitive Biological Resources and Steep Hillsides, in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."
- 35. 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:**

36. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall assure that all public water and/or sewer facilities necessary to serve the development (including services and laterals) are complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer, and all associated easements have been dedicated or vacated in accordance with Exhibit "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 December 19, 2018 and HO-\_\_\_\_\_.

## **ATTACHMENT 5**

Site Development Permit No. 1569580 Variance No. 2164676 Date of Approval: December 19, 2018

AUTHENTICATED BY THE CITY OF SAN DI	EGO DEVELOPMENT SERVICES DEPARTMENT
Francisco Mendoza Development Project Manager	
NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.	
-	execution hereof, agrees to each and every condition of the and every obligation of Owner/Permittee hereunder.
	Chatham LLC, a South Carolina limited liability company Owner/Permittee
	By William M. Malloy III Managing Member

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

## EXHIBIT "C"

HEARING OFFICER RESOLUTION NUMBER HO-\_\_\_\_\_\_ DATE OF FINAL PASSAGE DECEMBER 19, 2018 EASEMENT VACATION NO. 1945037

# A RESOLUTION SUMMARILY VACATING A SEWER EASEMENT IN LOT 2 OF MAP NO. 7589 SCENIC RESIDENCE - PROJECT NO. 446152

WHEREAS, California Streets and Highways Code section 8330 *et seq.* San Diego Municipal Code section 125.1001 *et seq.* provide a procedure for the summary vacation of public easements; and

WHEREAS, it is proposed that a sewer easement granted to the City of San Diego in Lot 2 of Map No. 7589 (Easement Vacation No. 1945037) be vacated; and

WHEREAS, the easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed abandonment; and the easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the easement does not contain public utility facilities; and

WHEREAS, the matter was set for public hearing on December 19, 2018, testimony having been heard, evidence having been submitted, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Hearing Officer of the City of San Diego, that with respect to Easement Vacation No. 1945037, the Hearing Officer finds that:

(a) There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

The area of the proposed easement vacation was originally created for sewer purposes. The existing sewer line was not constructed within the easement that is proposed to be vacated. A new dedication will reserve an area encompassing the actual location of the existing sewer facilities, which are located several feet eastward of the incorrectly mapped sewer easement. Therefore, there is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

(b) The public will benefit from the action through improved utilization of the land made available by the vacation.

The public will benefit from the action through improved utilization of the land made available by the easement vacation because it will allow the development of the proposed single dwelling unit, which will increase the area of privately owned land subject to property tax and contribute an incremental increase to the tax base. With an increase of tax revenue, the general public will benefit from the easement vacation due to the increase of available public funds.

. Additionally, a new dedication will reserve an area encompassing the actual location of the existing sewer facilities, which are located several feet eastward of the incorrectly mapped sewer easement. The public will benefit from the correction of the records regarding the placement of sewer facilities, allowing the coordination of land use and wastewater infrastructure planning. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

(c) The vacation is consistent with any applicable land use plan.

The La Jolla Community Plan does not contain guidance for easement vacations. The Public Facilities, Services, and Safety Element of the General Plan provides a policy (PF-F.6) to coordinate land use planning and wastewater infrastructure planning to provide for future development and maintain adequate service level. The vacation and subsequent reservation would provide the correct information to allow the coordination of land use and wastewater infrastructure planning; therefore, the vacation is consistent with the applicable land use plans.

(d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.

The area of the proposed easement vacation was originally created for sewer purposes. The existing sewer line was not constructed within the easement that is proposed to be vacated. A new dedication will reserve an area encompassing the actual location of the existing sewer facilities, which are located several feet eastward of the incorrectly mapped sewer easement. Therefore, the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation and the purpose for which the easement was acquired no longer exists.

BE IT FURTHER RESOLVED, that Easement Vacation No. 1945037, in connection with Site

Development Permit No. 1569580 and Variance No. 2164676, as more particularly described in the

**ATTACHMENT 6** 

legal description marked as Exhibit "A," and shown on Drawing No. 40628-B, marked as Exhibit "B,"

which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that the Development Services Department shall record a

quitclaim deed with an attached copy of this resolution and any exhibits, in the Office of the County

Recorder releasing to the property owner, all rights title and interest in said easement.

Francisco Mendoza Development Project Manager

**Development Services** 

Adopted on: December 19, 2018

IO No: 24006210

# EXHIBIT "A" LEGAL DESCRIPTION SEWER EASEMENT VACATION

All that Sewer Easement, lying within Lot 2 of Waltz Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map thereof No, 7589, filed in the Office of the County Recorder of San Diego County, April 2, 1973 as File No. 73-085112, and said Sewer Easement being granted to the City of San Diego per said Map No. 7589.

Attached hereto is Drawing No. 40628-B, labeled Exhibit "B" and by this reference made a part hereof.

NO. 8211

OF CAL

Containing 4,758 Sq. Ft. (0.109 Ac.) more or less.

Legal Description prepared by Accurate Land Surveys.

Rob Russell, PLS 8211

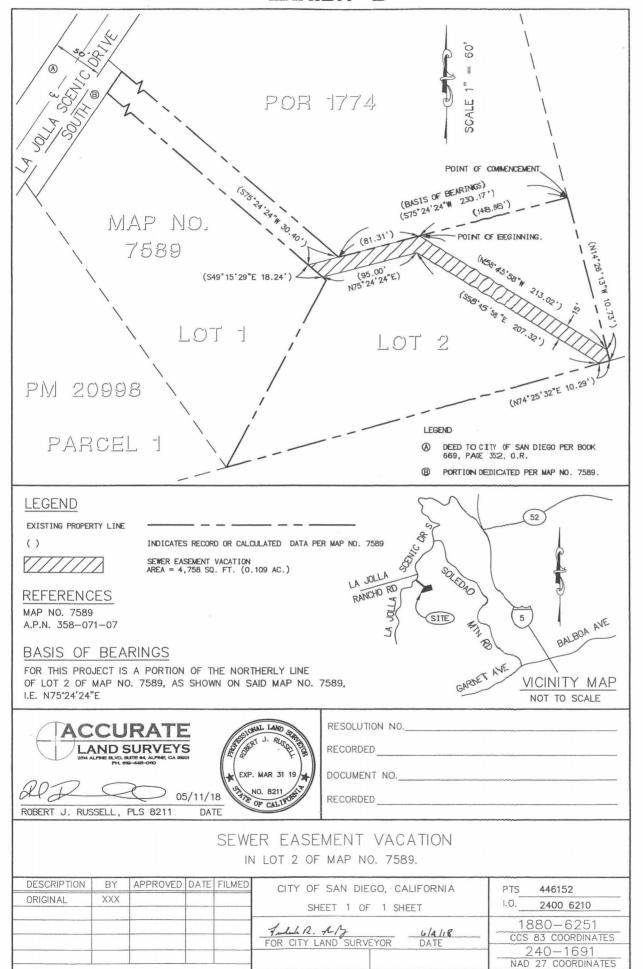
May 11, 2018

P.T.S. NO.: 446152 I. O. NO.:2400 6210

DWG. NO.: 40628-B

40628-R

## EXHIBIT "B"





Date of Notice: July 20, 2018

## **NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION**

## **DEVELOPMENT SERVICES DEPARTMENT**

SAP No. 24006210

PROJECT NAME / NUMBER: Scenic Residence / 446152

**COMMUNITY PLAN AREA:** La Iolla

**COUNCIL DISTRICT: 1** 

LOCATION: 6083 La Jolla Scenic Drive, San Diego, California 92037

PROJECT DESCRIPTION: The project proposes a SITE DEVELOPMENT PERMIT to construct a 9,415-square foot two story single dwelling unit with associated improvements including a pool, driveway and motor court, hardscape, landscape, and retaining walls. The approximately 1.37-acre (59,853-square-foot) project site is located at 6083 La Jolla Scenic Drive South. The parcel is designated Very Low Density Residential (0 - 5 dwelling units per acre) and zoned RS-1-1 within the La Jolla Community Plan Area. Additionally, the project site is within the Coastal Height Limitation Overlay Zone, and Very High Fire Hazard Severity Zone. LEGAL DESCRIPTION: Lot 2 of Waltz Subdivision, in the City of San Diego, According to Map Thereof No. 7589)

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

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

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15303 (New Construction or Conversion of Small Structures), which allows for the construction and location of limited numbers of new, small facilities or structures including one single-family residence, or a second dwelling unit in a residential zone Furthermore, the exceptions listed in 15300.2 would not apply.

**DEVELOPMENT PROJECT MANAGER:** 

**MAILING ADDRESS:** 

Francisco Mendoza

1222 First Avenue, MS 501, San Diego, CA 92101-4153

**PHONE NUMBER / EMAIL:** (619) 446-5433 / fmendoza@sandiego.gov to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (August 3, 2018). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

Posted JUL 1 9 2018 mu

Removed AUG 0 5 2018

Posted by Myrales



# La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us
Mail: PO Box 889, La Jolla, CA 92038
Web: http://www.LaJollaCPA.org

Voicemail: 858.456.7900 Email: info@LaJollaCPA.org President: Cindy Greatrex Vice President: Bob Steck 2<sup>nd</sup> Vice President: Joe LaCava Secretary: Helen Boyden Treasurer: Jim Fitzgerald

Ending Balance of 2/29/16

\$ 466.30

## **DRAFT MINUTES**

## Regular Meeting | Thursday 3 March 2016

Trustees present: Patrick Ahern, Helen Boyden, Tom Brady, Bob Collins, Mike Costello, Dolores Donovan, Janie Emerson, Cindy Greatrex, Joe LaCava, David Little, Alex Outwater, Jim Ragsdale, Bob Steck, Ray Weiss, Brian Will, Fran Zimmerman

Trustee absent: Jim Fitzgerald

**1.0** Welcome and Call To Order at 6:15 pm by Cindy Greatrex, President who announced that the polls would close at 7:00 pm.

## 2.0 Adopt the Agenda

Approved Motion: To adopt the agenda as posted (Costello, Collins: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss,

Will, Zimmerman

Abstaining: Greatrex (Chair)

3.0 Meeting Minutes Review and Approval: 4 February 2016

Approved Motion: To adopt the minutes of February 4, 2016 as distributed (Steck, Outwater: 14-0-1) In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss,

Will, Zimmerman

- **4.0** Abstaining: Greatrex (Chair)**Elected Officials** Information Only
  - **4.1** Council District 1 Council President Sherri Lightner

Rep: Justin Garver, 619-236-6611, JGarver@sandiego.gov reported that the City has adopted an ordinance allowing the creation of an Urban Agriculture Incentive Zone. If later passed by the County this will allow contracted owners of undeveloped parcels to establish a site and receive property tax credit. The City Council agreed with the Lifeguard Union to extend presumptive illness coverage to lifeguards. The office is still looking to fill vacancies on the Parking Advisory Board, the La Jolla Shores Planned District Advisory Board, the Board of Library Commissioners and the Park and Recreation Board. Attention was called to the City resource website: <a href="www.sandiego.gov/el-nino">www.sandiego.gov/el-nino</a>. In response to a query by Trustee Weiss, Mr. Garver stated that the analysis of the January storm drain washout on Avenida de la Playa was ongoing under contract and being monitored by the City. Repair will likely require more excavation.

- **4.2** Mayor's Office Mayor Kevin Faulconer
  - Rep: Francis Barraza, 619-533-6397, FBarraza@sandiego.gov was not present
- 4.3 39<sup>th</sup> Senate District State Senator Marty Block
  Rep: Sarah Fields, 619-645-3133, Sarah.Fields@sen.ca.gov stated that February 19 had been the legislative deadline to introduce new bills this session. Senator Block's bills under consideration include SB 821, clarifying the definition of criminal threats, and is supported by DA Bonnie Dumanis and SB 823

would expunge the criminal records of victims of human trafficking. She offered his office's help to persons having trouble dealing with state agencies.

**4.4** 78th Assembly District – Speaker of the Assembly Toni Atkins Rep: **TBD** 

**5.0** ACTION ITEM: La Jolla Town Council Coastal Committee Sea Lion Proposal

Steve Haskins, LJTC, President, spoke of the need to find a simple, government approved solution to the problems at La Jolla Cove caused by the sea lions (smell, dangerous interactions with humans, lost business, fecal contamination and the insufficiency of the current expensive chemical treatment) that would protect both people and animals. He reviewed several methods, including board crowding, that had been tried and found insufficient in other localities. The LJTC proposal aims to make 354' of coast east of the Cove seal free (about 6,000 to 7,000 sf). They would focus on 12' at the east end and 60' at the west end that the seals use to climb on the rocks. They are suggesting installing stacked roller barriers, to be installed on removable poles in existing and new holes in the rocks (method approved by NOAA). Questions discussed included whether the deterrents would only be needed in the summer (possibly), dogs are not compatible with seals, where would the seals go, possibility of deliberate vandalism by those opposing any effort to disperse the seals, seals can't get up rocks higher than 6', flushing with salt water is not approved by the government any more than fresh for flushing. Those commenting included: Rob Whittemore, Sally Miller, Laura Conboy, Julia Blake, CA Marengo, Glen Rasmussen, Phil Merten and Trustees Will, Zimmerman, Steck, Brady, Weiss, Little, Costello, Ragsdale, Outwater, LaCava and Ahern.

Approved Motion: To approve the concept of controlling the sea lions near the La Jolla Cove by installing roller barriers (Little, Donovan: 14-0-1).

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss,

Will, Zimmerman

Abstaining: Greatrex (Chair)

## 6.0 Non-Agenda Comment

- **6.1** Opportunity for Public to speak on matters <u>not</u> on the agenda, 2 minutes or less. None additional.
- **6.2** City of San Diego Community Planner: Marlon Pangilinan <u>mpangilinan@sandiego.gov</u> introduced himself.
- 6.3 UCSD Planner: Anu Delouri, <a href="mailto:adelouri@ucsd.edu">adelouri@ucsd.edu</a>, <a href="http://commplan.ucsd.edu/">http://commplan.ucsd.edu/</a> reported the Altman Clinical and Translational Research Institute on the East Campus will open soon. Planning to repurpose Southwest Fisheries Building D is underway. The emergency access road to Black's Beach by the UCSD Chancellor's residence, which suffered severe damage in the recent storms, has been repaired and is expected to reopen by March 4. Trustee Donovan asked for more community involvement in the design for the repurposed Building 5, citing past "surprises." Trustees Zimmerman, Little and LaCava also commented.

### 7.0 Trustee Comment

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less

**Trustee Ragsdale** reported that the Residential Zoning Committee had re-formed as an independent entity and would hold its first meeting at the La Jolla Riford Library on Wednesday, March 9 from 5:30 to 7:30 pm. The goal is to involve the community possibly through a charrette process. Six near-term meetings are anticipated. **Trustee Outwater** noted the dangerous crosswalks near Windansea--Westbourne and La Jolla Boulevard and other locations. A recent accident left a pedestrian severely injured. Crosswalks with blinking lights are not offering sufficient protection.

**Trustee LaCava** is stepping down after 8 years as a LICPA trustee and officer. He stated that several tasks he has done will need to be assumed by other trustees: Managing the website; sending e-blasts. He has also maintained the membership files which is now being done by **President Cindy Greatrex**. He has valued his service and does not plan to disappear.

Trustee Boyden stated that she is termed out as Secretary and another trustee will need to take up that role.

- 8.0 Reports from Ad Hoc and non-LJCPA Committees Two minutes. Information only.
  - **8.1** Community Planners Committee <a href="http://www.sandiego.gov/planning/community/cpc/index.shtml">http://www.sandiego.gov/planning/community/cpc/index.shtml</a> took no action this month
  - **8.2** Coastal Access & Parking Board <a href="http://www.lajollacpa.org/cap.html">http://www.lajollacpa.org/cap.html</a> Tom Brady reported no action.
  - **8.3 Election Committee:** Upon the close of the polls at 7:00 PM the ballots will be collected and counted by the Elections Committee. Upon final verification the Election Committee shall report the results to the LJCPA President who shall certify and immediately announce results.

At 6:55, President Greatrex announced that there was 5 minutes left till the polls closed.

## 9.0 Consent Agenda- Action Item

\_\_\_\_\_

# The public is encouraged to attend and participate in Community Joint Committee & Board meetings <u>before</u> the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4:00 pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair Phil Merten, 4th Tues, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wed, 4:00 pm

The Consent Agenda allows the LICPA to <u>ratify recommendations of the community joint committees</u> <u>and boards</u> in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LICPA. The public may comment on consent items.

- → See Committee minutes and/or agenda for description of projects, deliberations, and vote.
- → Anyone may request a consent item be pulled for full discussion by the LJCPA.
- → Items "pulled" from Consent Agenda are automatically trailed to the next LJCPA meeting.

Planned District Ordinance did not meet in February 2016
Traffic and Transportation had No Action Items in February 2016

## 9.1 AC WATER GROUP 1008 PPA- Muirlands PW

Public Project Assessment - (PW) WBS No. B-14117.02.06 - For 8,936 feet of pipe replacement and 2,300 feet of new pipe within the public right of way at multiple locations on various streets in the Muirlands area. Project Scope includes several service easement vacations to be completed once the facilities are relocated. The streets affected are: Avenida Manana, Avenida Wilfredo, Manana Place, Muirlands Vista Way, Muirlands Drive, Solymar Drive, Newkirk Drive, Inspiration Drive, Terryhill Drive, and Havenhurst Drive, and other streets, alleys and easements in the area.

**DPR RECOMMENDATION:** Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan for 8,936 feet of pipe replacement and 2,300 feet of new pipe within the public right of way at multiple locations on various streets in the Muirlands area. 7-0-2

## 9.2 BUCKINGHAM DEMOLITION 1525 Buckingham Way CD

(Process 2) Coastal Development Permit to demolish existing 3235 square-foot single dwelling unit, existing 701 square-foot detached garage, existing pool house, existing swimming pool and existing shed(s). The 0.92-acre site is located in the Coastal Overlay Zone (Non-Appealable) at 1525 Buckingham in the RS-1-1 zone(s) of the La Jolla Community Plan area.

**DPR RECOMMENDATION:** Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan to demolish existing 3235 square-foot single dwelling unit, existing 701 square-foot detached garage, existing pool house, existing swimming pool and existing shed, at 1525 Buckingham Way. 5-2-1

### 9.3 LA JOLLA SCENIC RESIDENCE 6083 La Jolla Scenic Drive South CDP, SDP

(Process 3) Coastal Development Permit and Site Development Permit for environmentally-sensitive lands for the construction of a new residence with a garage for 4 parking spaces totaling 10,380 square feet. The 1.37-acre (59,853 sf) site is located at 6083 La Jolla Scenic Drive South in the RS-1-1 zone, Coastal Overlay Zone (Nonappealable), Geologic Hazard Area 53, within the La Jolla Community Plan area.

**DPR RECOMMENDATION:** Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for environmentally-sensitive lands for the construction of a new residence with a garage located at 6083 La Jolla Scenic Drive South. 6-0-2

## 9.4 247 KOLMAR TENTATIVE MAP WAIVER 247-249 Kolmar Street MW and CDP

(Process 3) Map Waiver and Coastal Development Permit for the conversion of an existing 3,698 sf residential duplex into condominium ownership on a 0.115 acre property at 247-249 Kolmar Street. The project site is in the RM-1-1 zone, Coastal (non-appealable) overlay zone.

**DPR RECOMMENDATION:** Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan for the conversion of an existing duplex comprising 3,698 sf into condominium ownership on a 0.115 acre property at 247-249 Kolmar Street. 7-0-2

### 9.5 5656 LA JOLLA BOULEVARD MIXED-USE 5656 La Jolla Boulevard CDP, SDP Pulled by Trustee Little

(Process 2) Coastal Development Permit and Site Development Permit for the demolition of two existing commercial buildings and the construction of a 2-story, 11,433 sq. ft. mixed use building with four residential units and two ground floor retail spaces at 5652-5656 La Jolla Blvd. The 0.194-acre site is in Zone 4 of the La Jolla Planned District, Coastal (Non-appealable) overlay zone.

**DPR RECOMMENDATION:** Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for the demolition of two existing commercial buildings and the construction of a 2-story, 11,433 sq. ft. mixed use building with four residential units and two ground floor retail spaces at 5652-5656 La Jolla Boulevard. 6-0-1

## **9.6 8438 PASEO DEL OCASO** 8430 Paseo Del Ocaso CDP, SDP *Re-Review*

(Process 3) Coastal Development Permit/Site Development Permit to demolish an existing single dwelling unit and construct a new 3,816 square foot two story single dwelling unit with attached garage and partial basement. The 5,556 sf site is located within the Coastal Overlay Zone (Appealable Area) in the LJSPD-SF zone of the La Jolla Shores Planned District within the La Jolla Community Plan area and Council District 1.

**PREVIOUS PRC RECOMMENDATION:** Findings **CAN** be made for an SDP and CDP for demolition of the existing single family residence at 8438 Paseo del Ocaso and construction of a new 3,816 SF two-story single dwelling unit with attached garage and partial basement on a 5,556 sf Lot is located within the Coastal Overlay Zone (Appealable Area) in the LISPD-SF zone of the La Jolla Shores Planned District with the La Jolla Community Plan area and Council District 1. 4-0-0

**FEBRUARY 2016 PRC RECOMMENDATION RE-REVIEW**: Findings **CAN** be made for an SDP and CDP for demolition of the existing single family residence at 8438 Paseo del Ocaso and construction of a new 3,816 SF two-story single dwelling unit with attached garage and partial basement. The 5,556 sf Lot is located within the Coastal Overlay Zone (Appealable Area) in the LJSPD-SF zone of the La Jolla Shores Planned District with the La Jolla Community Plan area and Council District 1. 5-0-0

### 9.7 ROBBINS RESIDENCE 2340 Calle del Oro CDP, SDP

LA JOLLA (Process 3) To obtain a Coastal Development Permit and Site Development Permit to demolish existing 1-story single-family residence currently 1552 SF and attached garage and construct a new 2-story single-family residence with attached garage. Scope includes a new 1-story pool cabana as well as site and landscape improvements. Lot size: 19,597 sf. <a href="Proposed Square Footages">Proposed Square Footages</a>: 4,797 SF living, 1,017 SF garage, 295 SF pool cabana.

**PRC RECOMMENDATION:** Findings **CAN** be made for an SDP and CDP to demolish an existing one-story single-family residence and attached garage and construct a new 4,797 SF two-story single-family residence with

attached 1,017 SF garage, a new 295 SF one-story pool cabana and site and landscape improvements on a 19,597 SF lot size within the Coastal Overlay Zone (Appealable Area) in the LJSPD-SF zone of the La Jolla Shores Planned District with the La Jolla Community Plan area and Council District 1. 5-0-0

### 9.8 **SWINDLE RESIDENCE** 2488 Hidden Valley Rd -*Reconsideration*

Architect Tim Martin seeks the Committee's views on whether applicant should construct a sidewalk along the edge of the property, which is on the east side of Hidden Valley Road.

**PRC RECOMMENDATION 1 of 2:** If there is going to be a sidewalk in that section of Hidden Valley Road, it should be constructed on the west side of the road. 5-0-0

**PRC RECOMMENDATION 2 of 2:** The proposed requirement of a sidewalk on the east side of Hidden Valley Road in front of the subject property is out of character with the neighborhood and not supportable by the Committee. 5-0-0

NOTE: Item 9.5 -- 5656 LA JOLLA BOULEVARD MIXED-USE 5656 La Jolla Boulevard CDP, SDP was pulled by Trustee Little and will be heard at a de novo hearing at the April LJCPA meeting.

Approved motion: To accept the recommendations of the DPR committee that for 9.1 AC WATER GROUP 1008 PPA- Muirlands PW the findings CAN be made that the proposed project conforms to the La Jolla Community Plan for 8,936 feet of pipe replacement and 2,300 feet of new pipe within the public right of way at multiple locations on various streets in the Muirlands area; that for 9.2 BUCKINGHAM DEMOLITION 1525 Buckingham Way CD that the findings CAN be made that the proposed project conforms to the La Jolla Community Plan to demolish existing 3235 square-foot single dwelling unit, existing 701 square-foot detached garage, existing pool house, existing swimming pool and existing shed, at 1525 Buckingham Way; that for 9.3 LA JOLLA SCENIC RESIDENCE 6083 La Jolla Scenic Drive South CDP, SDP that the findings CAN be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for environmentally-sensitive lands for the construction of a new residence with a garage located at 6083 La Jolla Scenic Drive; that for 9.4 247 KOLMAR TENTATIVE MAP WAIVER 247-249 Kolmar Street MW and CDP that the findings CAN be made that the proposed project conforms to the La Jolla Community Plan for the conversion of an existing duplex comprising 3,698 sf into condominium ownership on a 0.115 acre property at 247-249 Kolmar Street; and to accept the recommendations of the LISPRC that for 9.6 8438 PASEO DEL OCASO 8430 Paseo Del Ocaso CDP, SDP that the findings CAN be made for an SDP and CDP for demolition of the existing single family residence at 8438 Paseo del Ocaso and construction of a new 3,816 SF two-story single dwelling unit with attached garage and partial basement on a 5,556 Lot; for 9.7 ROBBINS RESIDENCE 2340 Calle del Oro CDP, SDP that the findings CAN be made for an SDP and CDP to demolish an existing one-story single-family residence and attached garage and construct a new 4,797 SF two-story single-family residence with attached 1,017 SF garage, a new 295 SF one-story pool cabana and site and landscape improvements on a 19,597 SF lot and that for 9.8 SWINDLE RESIDENCE 2488 Hidden Valley Rd the LISPRC recommends 1. If there is going to be a sidewalk in that section of Hidden Valley Road, it should be constructed on the west side of the road and 2. The proposed requirement of a sidewalk on the east side of Hidden Valley Road in front of the subject property is out of character with the neighborhood and not supportable by the Committee and forward the recommendations to the city. (LaCava, Donovan: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss, Will, Zimmerman Abstaining: Greatrex (Chair)

**10.0 ACTION ITEM: INCREASE SPEED LIMIT ON SOLEDAD MOUNTAIN ROAD** City Staff Proposal to increase speed limit between Pacifica Drive and Soledad Road from 35 mph to 40 mph.

This is regarding the posted speed limit on Soledad Mountain Road between Pacifica Drive and Soledad Road in the community La Jolla. Local governments must follow the procedures set by the State of California when setting speed limits on public streets, the so-called Speed Trap Law. City has recently surveyed the above segment of Soledad Mountain Road and the results of the study indicate that the existing posted speed limit of 35 miles per hour for both the southbound and northbound directions of traffic must be raised to 40 miles per hour in order to

remain radar enforceable. Therefore, City will be changing the speed limit in both directions from 35 miles per hour to 40 miles per hour.

T&T Recommendation: Findings CAN be made to raise the speed limit from 35 MPH to 40 MPH. 5-1-0.

**Mr. O'Neill,** formerly a traffic safety officer with the SDPD, had pulled the item. He states that this is a dangerous road and would like traffic calming devices, e.g. "slow down speed reminders." He lives on the street and stated that there had been no radar enforcement since January 2015. Currently the blinking speed limit reminders in the 6800 and 6100 blocks are non-functional and he thinks they may have been turned off prior to the speed surveys that triggered the proposed increase in speed limit.

David Haney, Don Schmidt, Dave Gordon, Odile Costello, and Trustees Zimmerman, Weiss, Little, Donovan, Costello, spoke to the conditions on the street. Trustee LaCava stated that we did not know the legal reasons for removing the warning lights; that the speed trap law does not apply to residential streets, but that this is likely a "collector street." Trustee Brady (T&T member) stated that the Board did not have this information when it reviewed the proposed speed limit increase.

Approved Motion: To return the item: Increase speed limit on Soledad Mountain Road to T&T for consideration of additional information (Brady, Weiss: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss,

Will, Zimmerman,

Abstaining: Greatrex (Chair)

## 11.0 President's Report: Information Only unless Noticed as Action Item

## 11.1 Committee Ratification of Matthew Edwards to LJSPRC. ACTION ITEM

Approved Motion: To ratify appointment of Matthew Edwards to the LJSPRC (Donovan, Boyden: 14-0-1) In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, LaCava, Little, Outwater, Ragsdale, Steck, Weiss,

Will, Zimmerman

Abstaining: Greatrex (Chair)

11.2 LICPA Bylaws Approved By City Council: The Bylaws revision approved by the membership in December 2014 in response to changes to City Policy 600-24 were approved by the City Council on February 29, 2016. The approved bylaws have been posted on the LICPA website.

http://www.lajollacpa.org/bylaws/LJCPA%20Bylaws%20-%20Approved%2016\_0229.pdf

A recess was called until election results were ready.

# At 8:30 pm President Greatrex announced and certified the election and will forward the results to the City. Election results are subject to appeal for one week.

The following results were reported, 93 members voted:

The tallies for the candidates were reported in alphabetical order.

Patrick Ahern, 54; Helen Boyden, 65; Dan Courtney, 57; Gail Forbes 1 (write-in); David Haney, 46; Steve Haskins, 66; Phil Merten, 75; CA Marengo, 2 (write-ins), Michael Morton 2, (write-ins); Glen Rasmussen, 68; Bob Steck, 52, Ray Weiss 70, Frances Zimmerman, 51.

Therefore: Receiving 3-year terms were: Helen Boyden, Dan Courtney, Glen Rasmussen, Steve Haskins, Phil Merten, and Ray Weiss. The term with 2-years remaining goes to Patrick Ahern and the term with 1-year remaining to Bob Steck.

The newly elected trustees will take their seats at the beginning of the April 7 meeting of the LJCPA.

## 12.0 Adjourn at 8:45pm to next LJCPA Meeting: Thursday, 7 April 2016



City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000

# Ownership Disclosure Statement

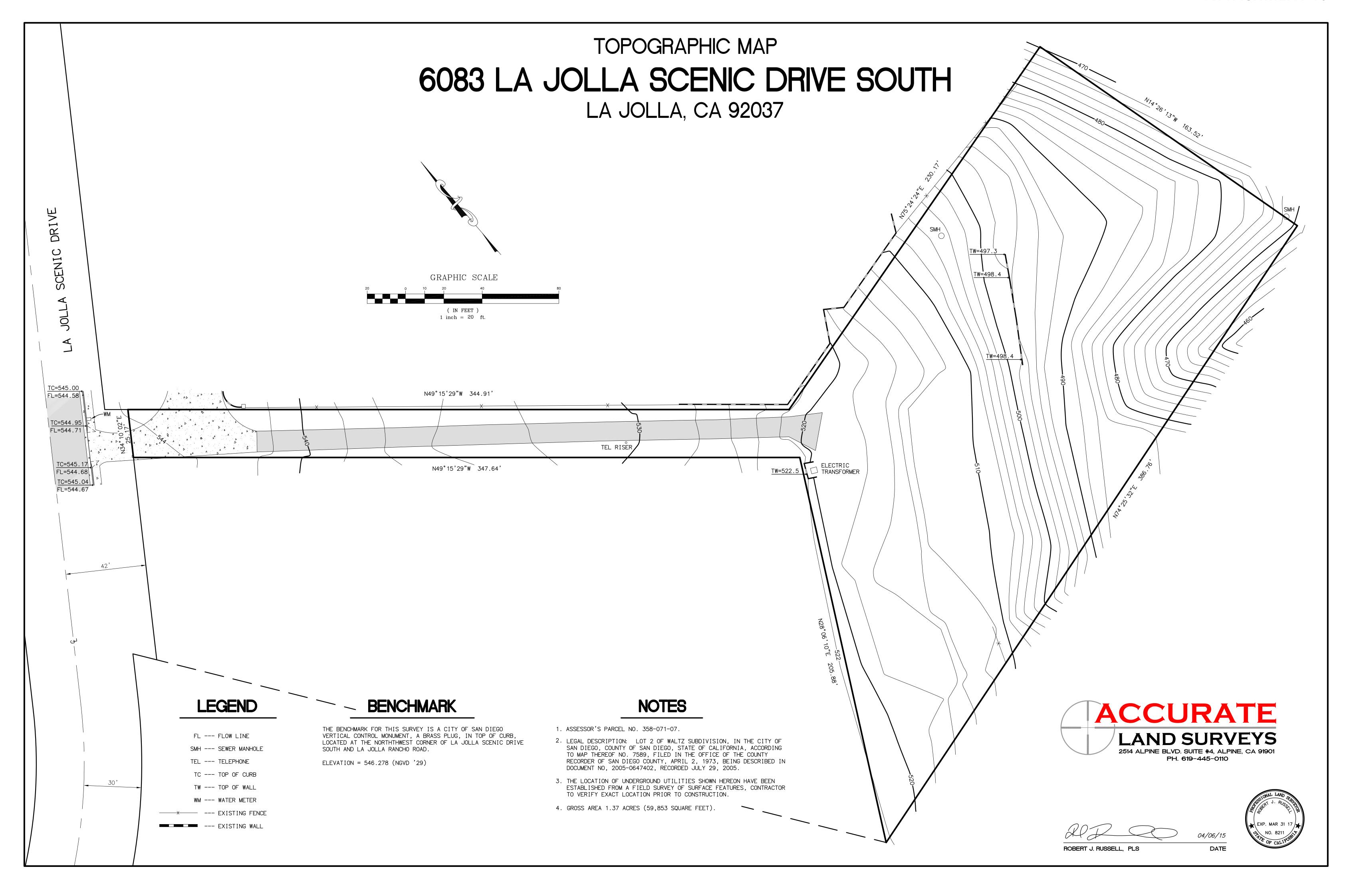
**FORM** 

**DS-318** 

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Developm☐ Tentative Map ☐ Wap Waiver ☐ Land Use Plan Amendment	nent Permit I	Conditional Use P	
Project Title: Scenic Residence	Project No	. For City Use Only	:
Project Address: 6083 La Jolla Scenic Drive, La Jolla, CA 92037			-
Specify Form of Ownership/Legal Status (please check):  □ Corporation  □ Limited Liability -or- □ General – What State?Corporate	Identification	No 56 - 2	149592
□ Partnership □ Individual	racrimication	1140.	
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an appli with the City of San Diego on the subject property with the intent to record an encum owner(s), applicant(s), and other financially interested persons of the above referenced individual, firm, co-partnership, joint venture, association, social club, fraternal organiza with a financial interest in the application. If the applicant includes a corporation or paindividuals owning more than 10% of the shares. If a publicly-owned corporation, inclu officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or as tru A signature is required of at least one of the property owners. Attach additional page notifying the Project Manager of any changes in ownership during the time the application of the project Manager at least thirty days prior to any public accurate and current ownership information could result in a delay in the hearing process	nbrance again property. A tion, corpora intnership, in- de the name ganization or stee or bene as if needed. ation is being thearing on is	nst the property. Prinancially interested tion, estate, trust, reclude the names, tits, titles, and addres, a trust, list the name ficiary of the none Note: The applicate processed or constantially interested to the processed or constantially processed or constantially interested.	lease list below the d party includes any eceiver or syndicate les, addresses of all ses of the corporate les and addresses of profit organization. It is responsible for idered. Changes in
Property Owner			
Name of Individual: Chatham UC	Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address: PO BOX 605			
city: Cheraw		State: SC	7in: 29520
Phone No.: 49.695.5129  Signature:  Additional pages Attached: Yes	Email: Date:	malloy?	mallugand
Applicant			
Name of Individual:	☐ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address: Samuas above			
City:		State:	Zip:
Phone No.: Fax No.:	Email:		
Signature:	Date:		
Additional pages Attached:			
Other Financially Interested Persons			
Name of Individual:  Street Address:  SAMU OS NOVE	_ □ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address:		State:	Zip:
Phone No.: Fax No.:			
Signature:			-
	Date:		
Additional pages Attached:			

Printed on recycled paper. Visit our web site at <a href="https://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a>. Upon request, this information is available in alternative formats for persons with disabilities.



DATE: 09-01-15

PROJECT #: 15-05

**REVISION DATE:** 

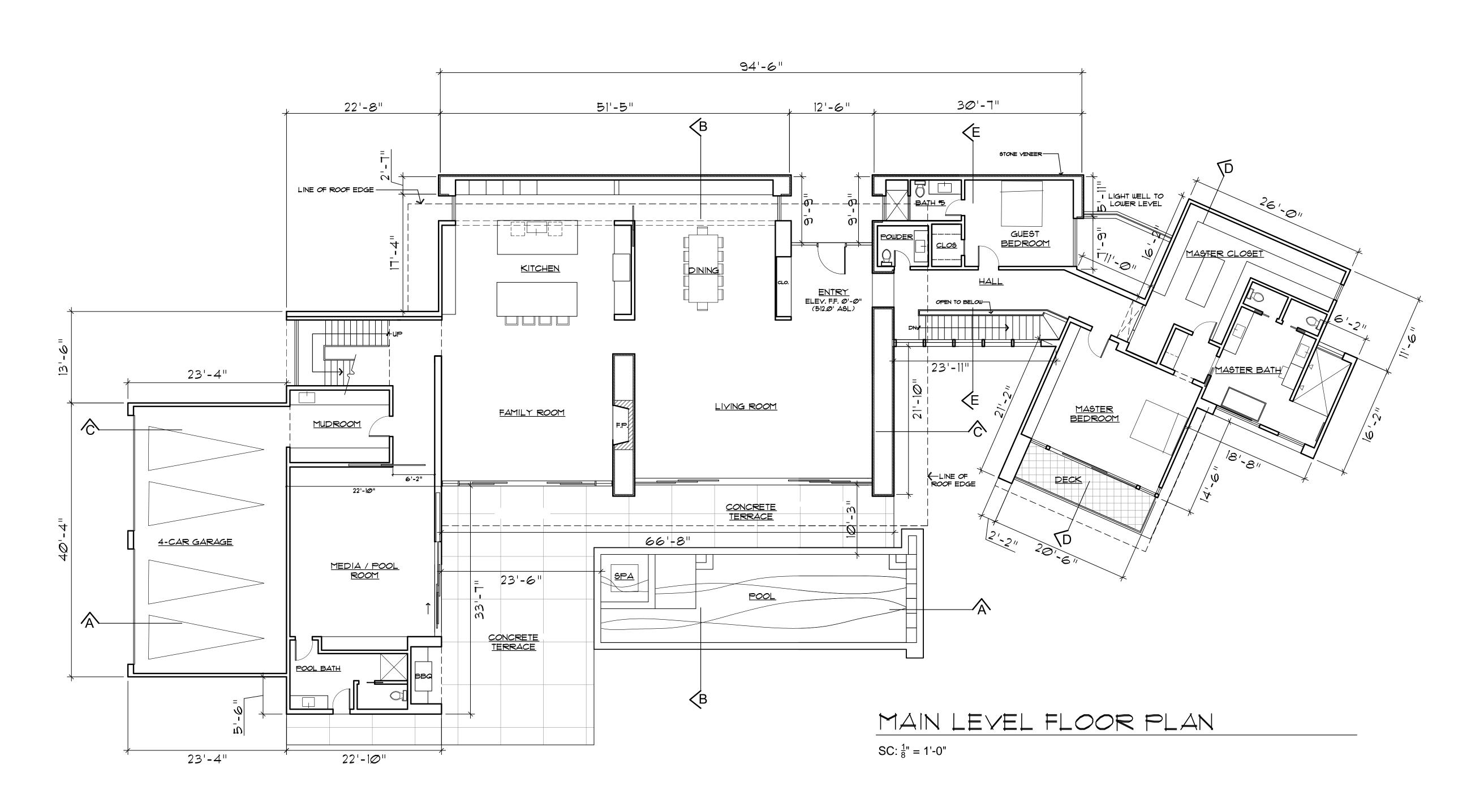
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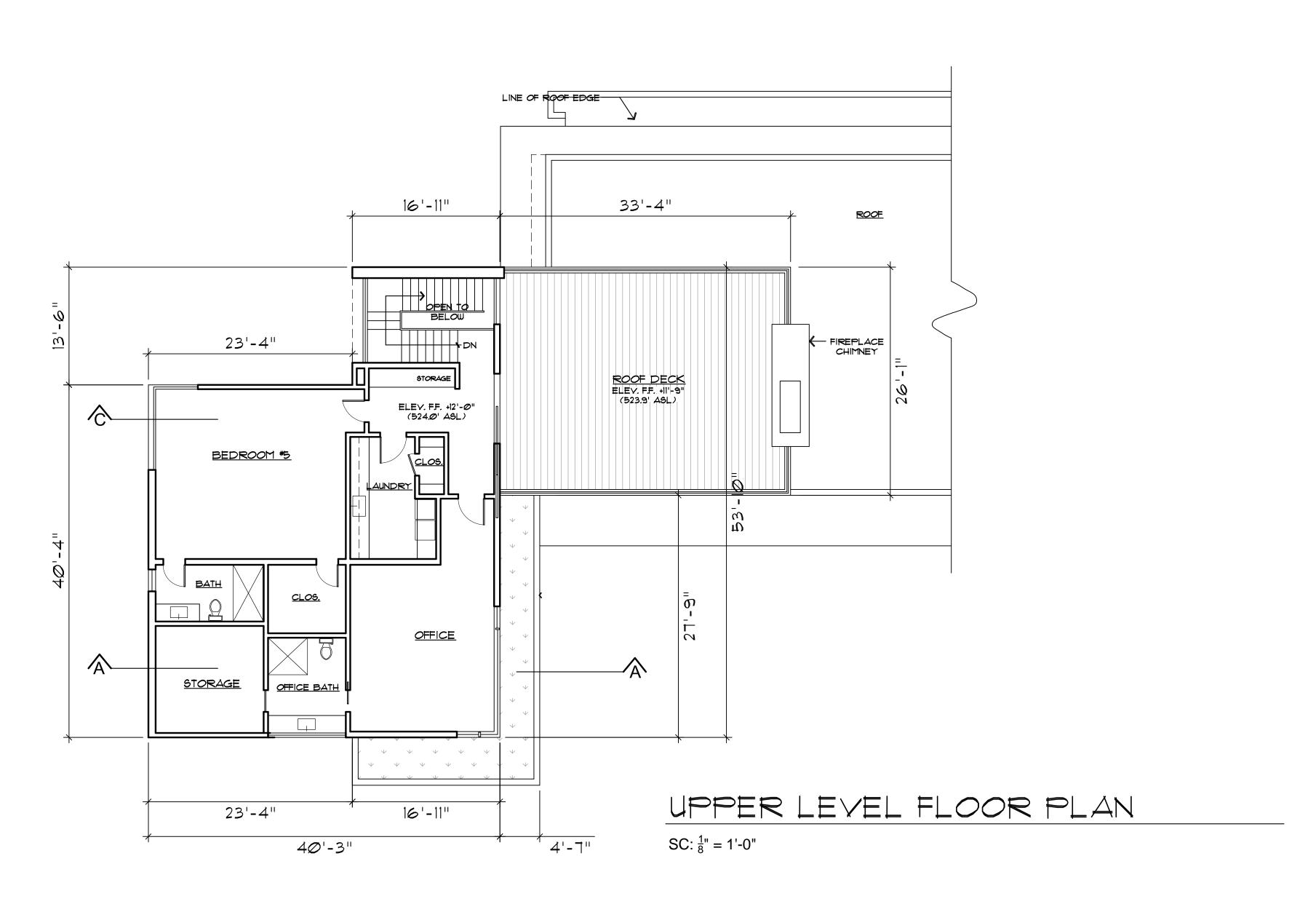
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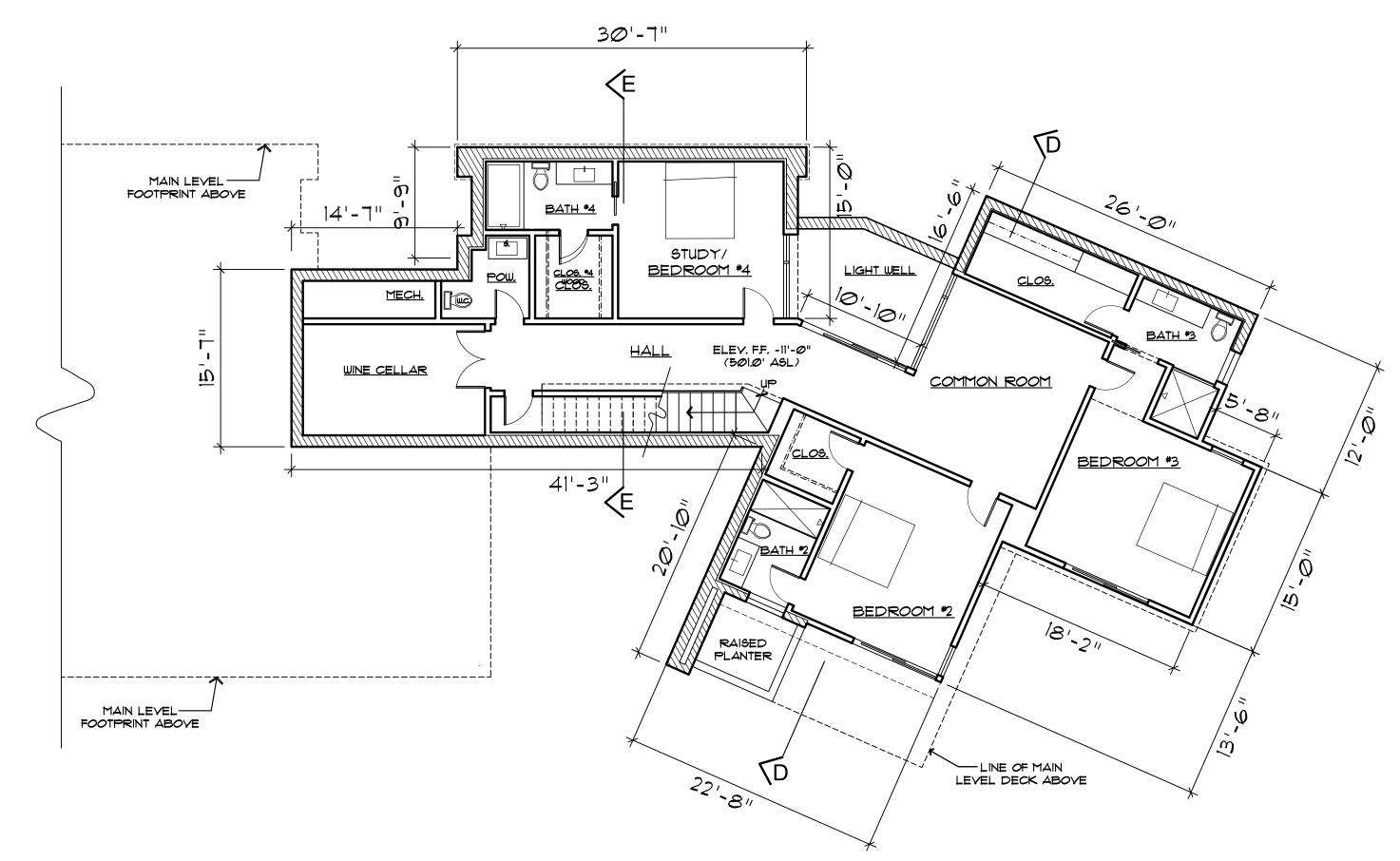
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REVISION 2: 6 - 15 - 2017

REVISION 3: 02 - 01 - 2018 REVISION 4: 05 - 15 - 2018

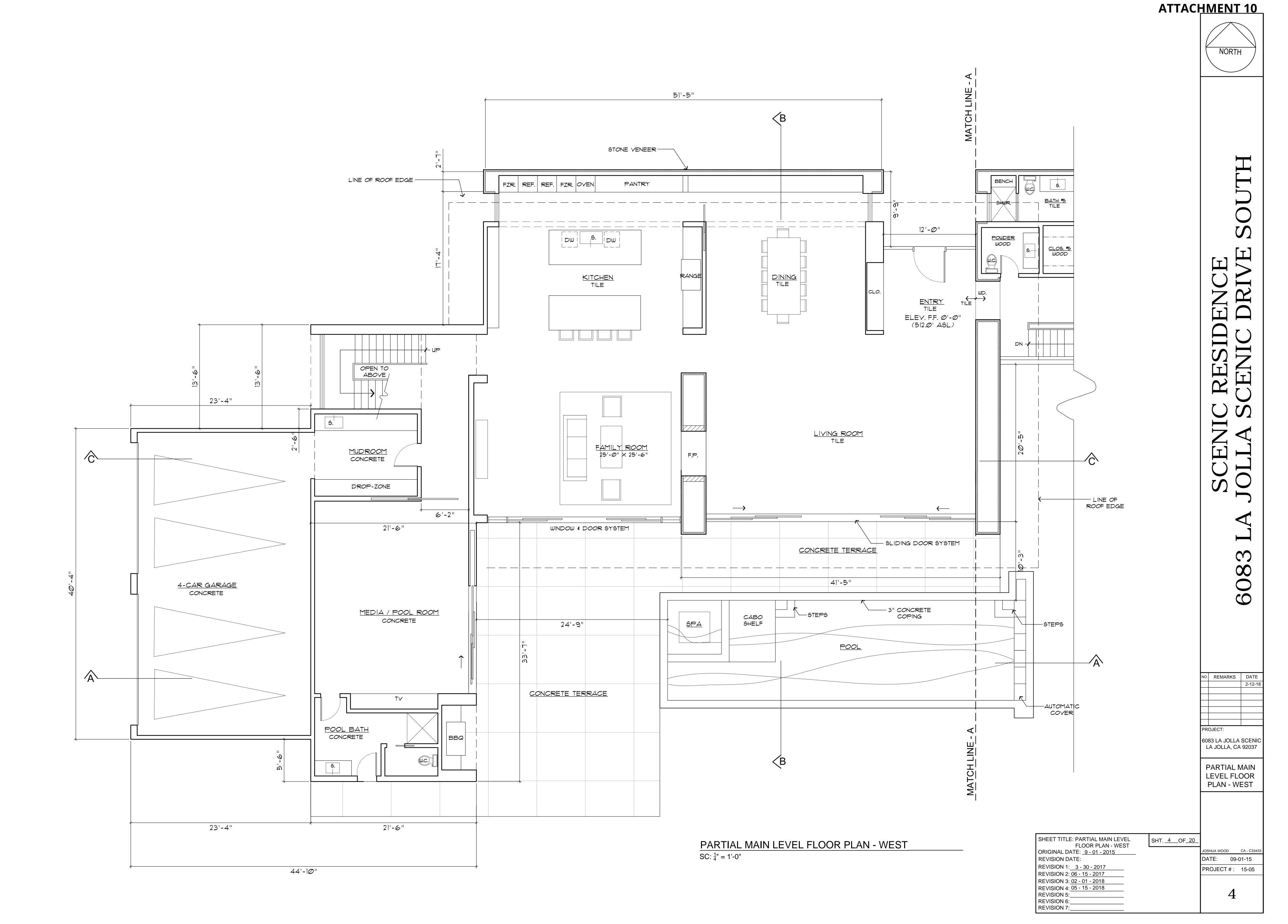


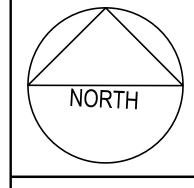


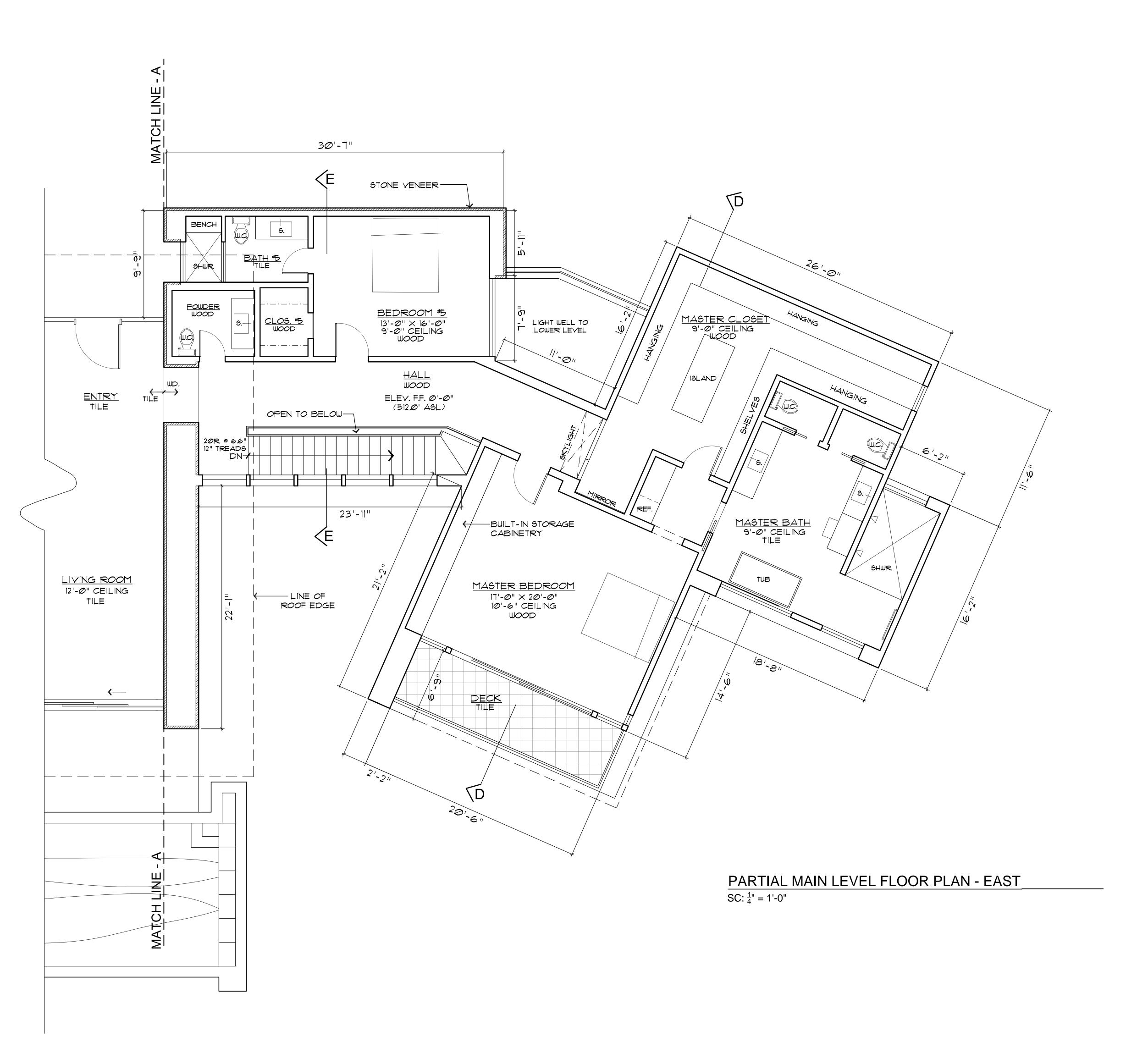


LOWER LEVEL FLOOR PLAN

SC:  $\frac{1}{8}$ " = 1'-0"







NO. REMARKS DATE

2-12-18

PROJECT:

6083

6083 LA JOLLA SCENIC LA JOLLA, CA 92037 PARTIAL MAIN

LEVEL FLOOR
PLAN - EAST

SHEET TITLE: PARTIAL MAIN LEVEL
FLOOR PLAN - EAST
ORIGINAL DATE: 9 - 01 - 2015
REVISION DATE:
REVISION 1: 3 - 30 - 2017
REVISION 2: 06 - 15 - 2017
REVISION 3: 02 - 01 - 2018
REVISION 4: 05 - 15 - 2018
REVISION 5:
REVISION 6:
REVISION 7:

JOSHUA WOOD CA - C33433

DATE: 09-01-15

PROJECT #: 15-05

SHT. <u>5</u> OF <u>20</u>

5

SQUARE FOOTAGE - LOWER LEVEL

HABITABLE AREA- 2,000 S.F.

AREA TOWARD F.A.R. - 1,125 S.F.

EXEMPT AREA - 875 S.F.

<u>CLOS. #3</u> WOOD

<u>BEDROOM #3</u> 14'-0" × 15'-6"

WOOD

LOWER LEVEL FLOOR PLAN

SC:  $\frac{1}{4}$ " = 1'-0"

COMMON ROOM

14'-6" × 15'-6" WOOD

LEVEL DECK ABOVE

3Ø'-T"

STONE VENEER ----ABOVE

STUDY/ BEDROOM #4 14'-0" × 14'-6"

WOOD

20 R. 0 6.6" 12" TREADS

RAISED PLANTER

LIGHT WELL

BEDROOM #2 14'-0" × 16'-0" WOOD

ELEY. F.F. -11'-Ø"

(501.0' ASL)

MASONRY — FOUNDATION WALL

<u>CLOS. #4</u> WOOD

<u>GALLERY</u> WOOD

41'-3"

-----

<u>MECH</u>

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MAIN LEVEL FOOTPRINT ABOVE

WINE CELLAR WOOD

MAIN LEVEL —— FOOTPRINT ABOVE

NO. REMARKS DATE 2-12-18 PROJECT:

6083 LA JOLLA SCENIC LA JOLLA, CA 92037

LOWER LEVEL FLOOR PLAN

SHEET TITLE: LOWER LEVEL FLOOR SHT. <u>6</u> OF <u>20</u> PLAN ORIGINAL DATE: <u>9 - 01 - 2015</u> REVISION DATE: REVISION 1: 3 - 30 - 2017 REVISION 2: 06 - 15 - 2017

REVISION 6:\_\_\_ REVISION 7:\_\_\_

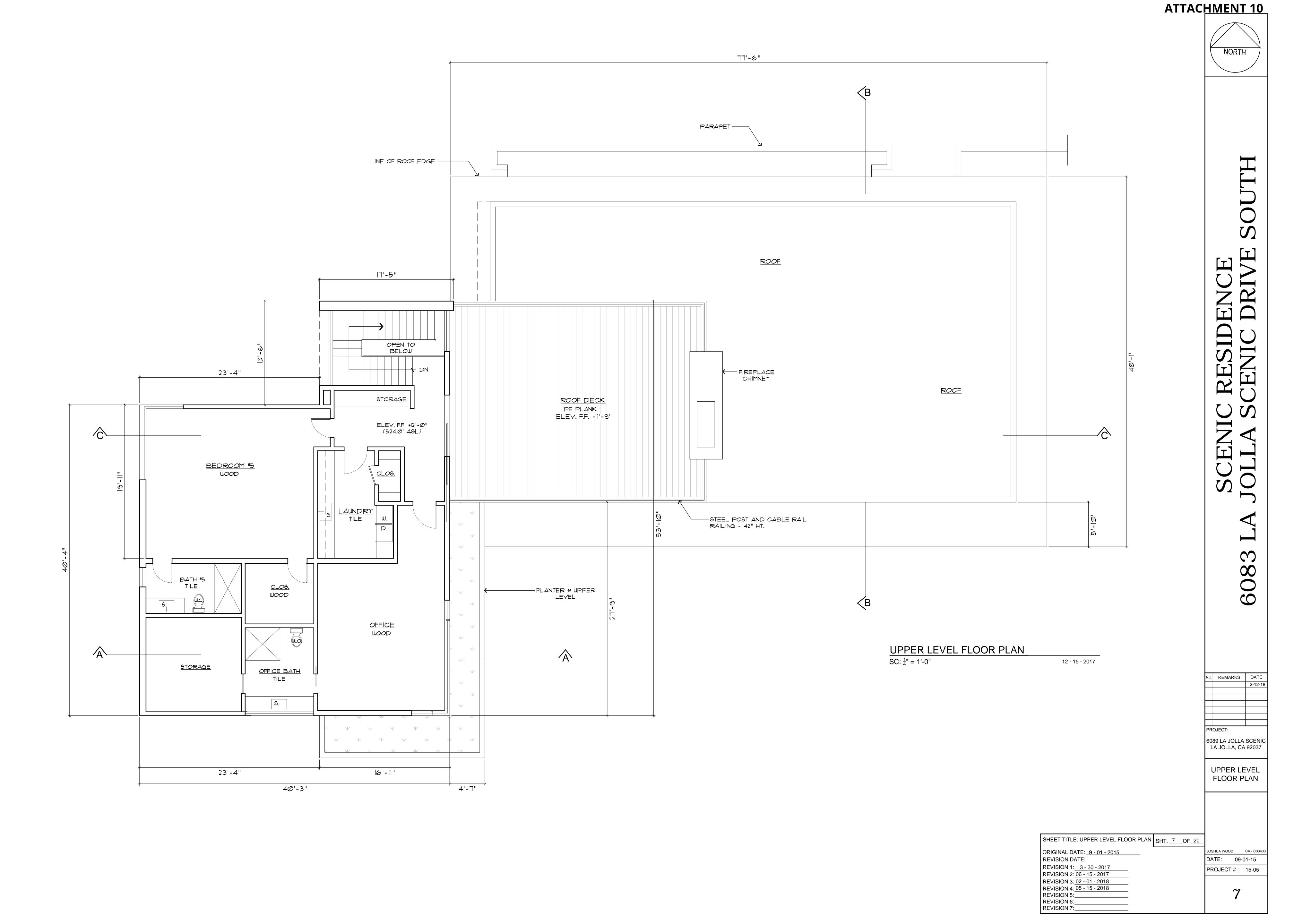
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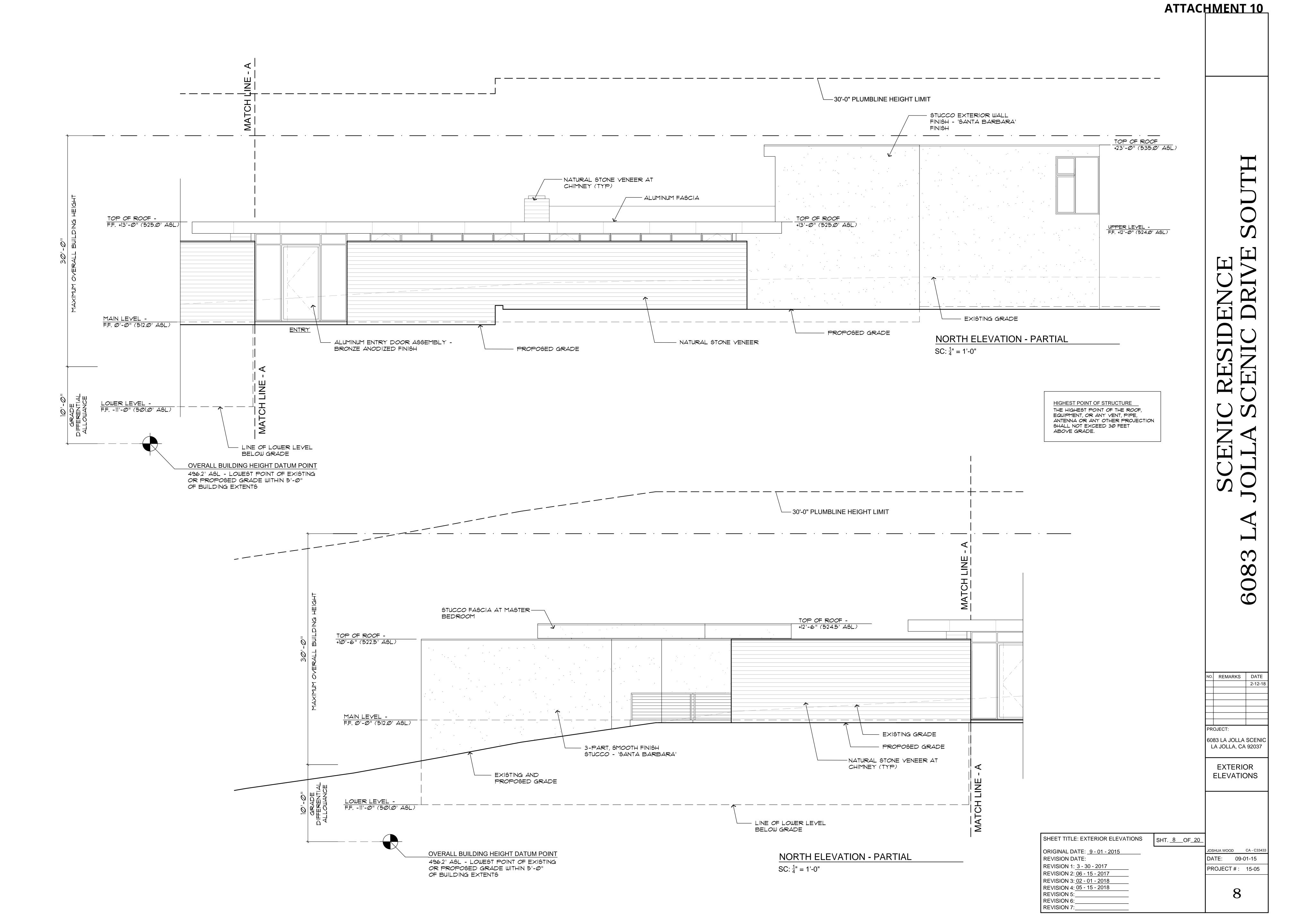
12 - 15 - 2017

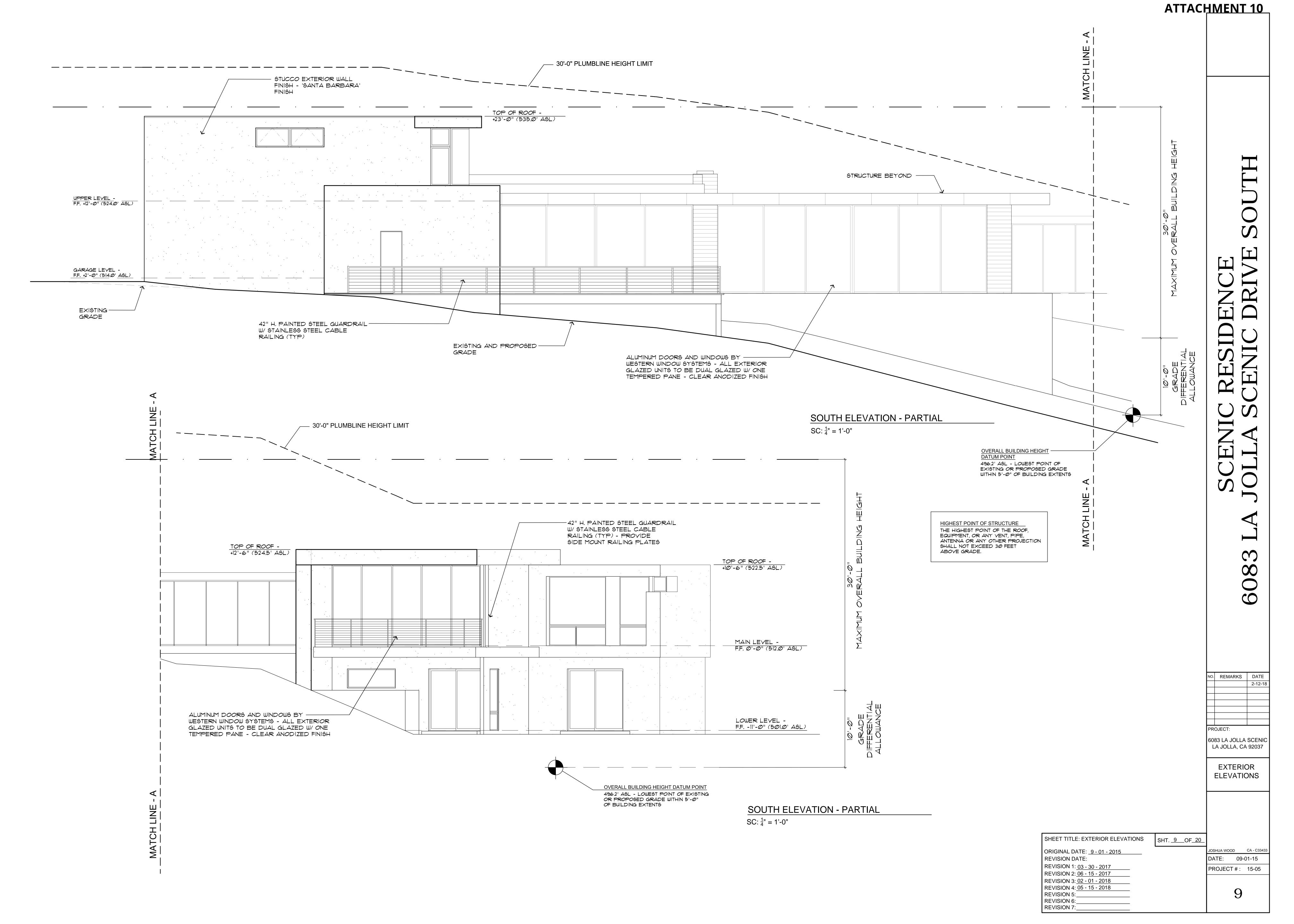
JOSHUA WOOD CA - C33433

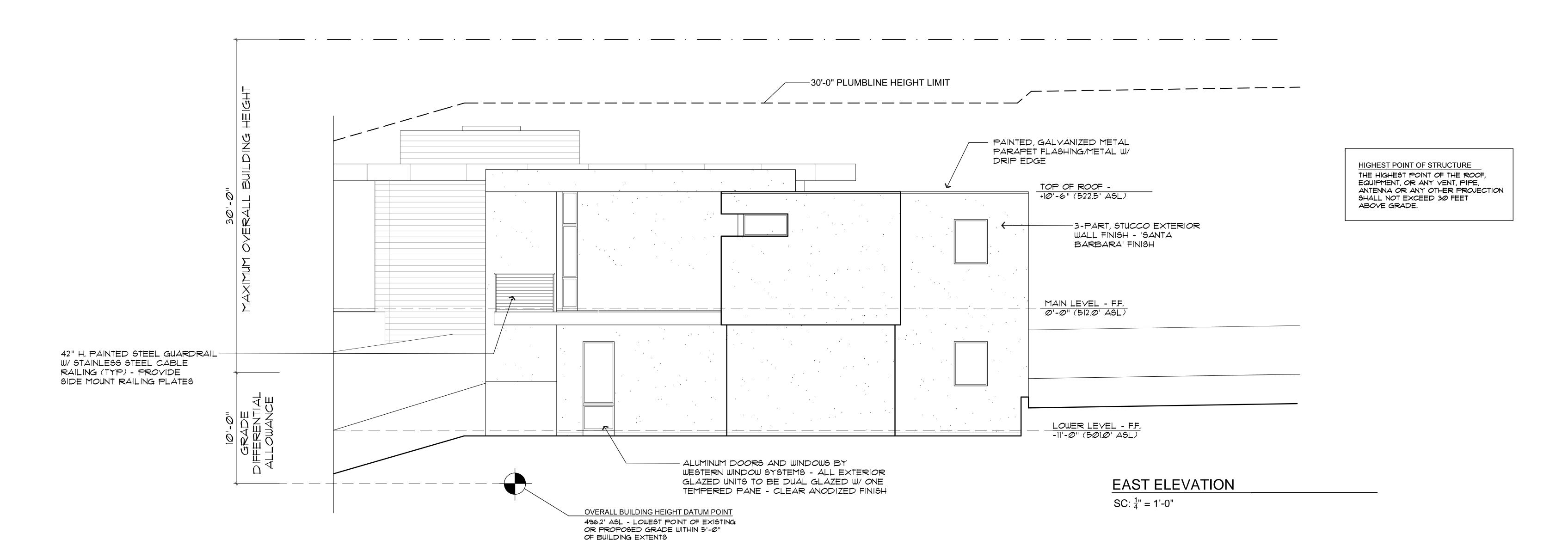
DATE: 09-01-15

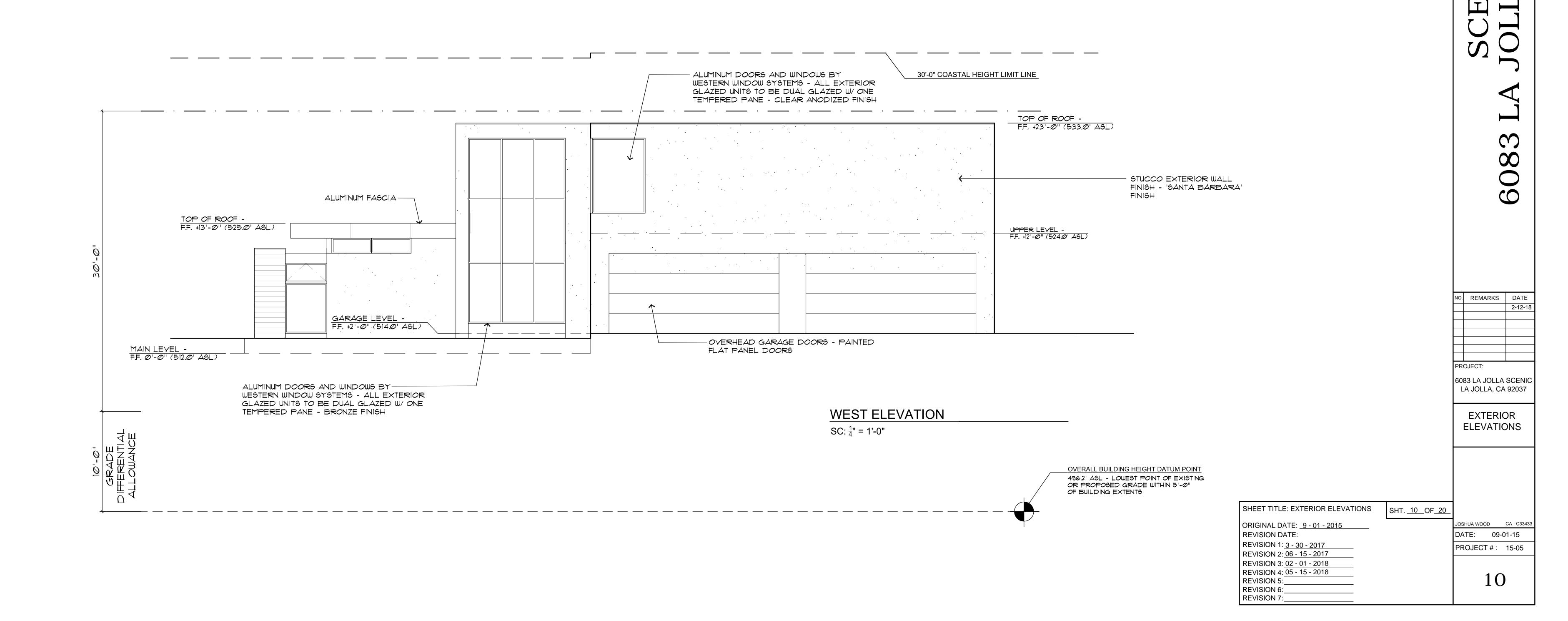
PROJECT #: 15-05

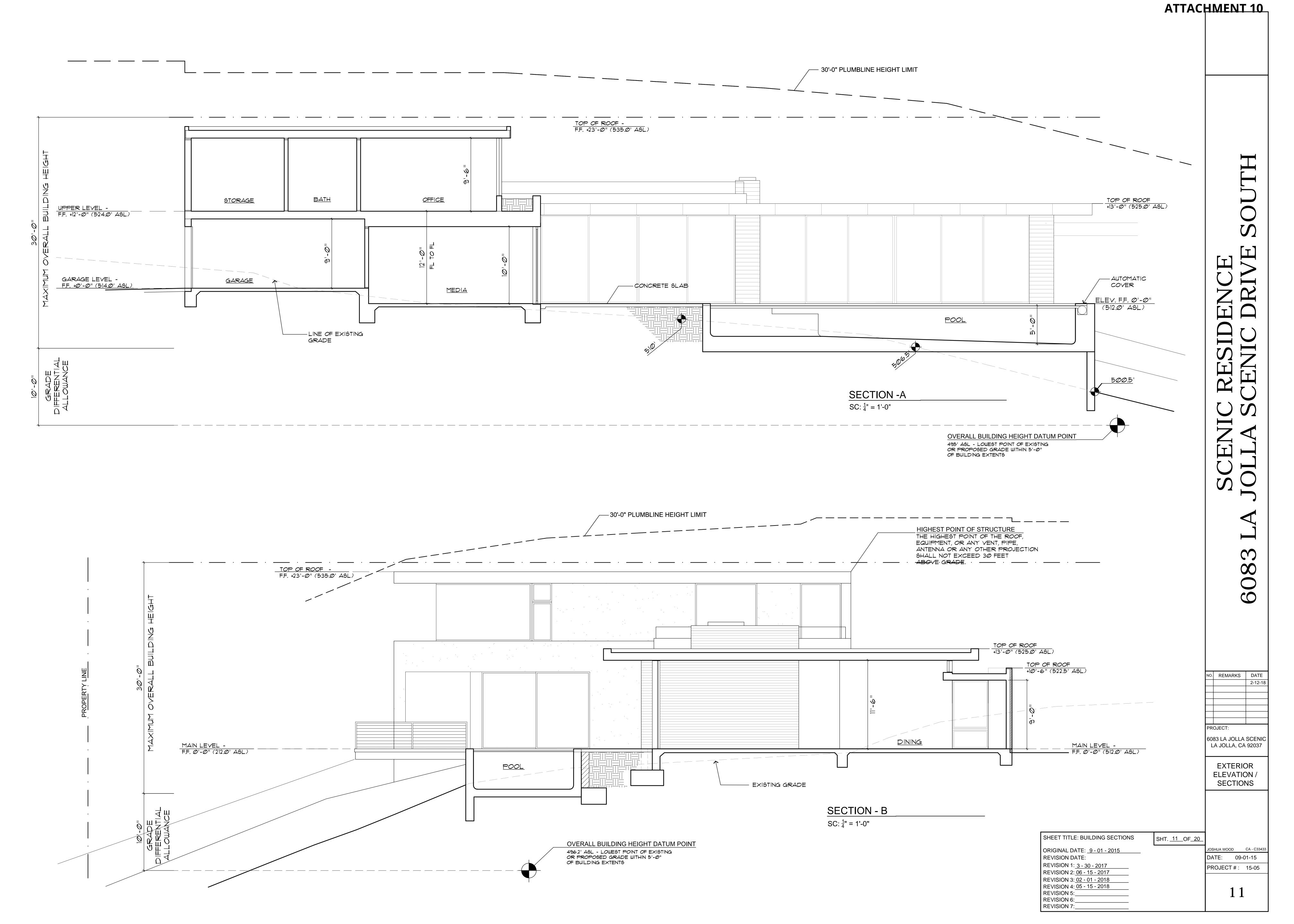


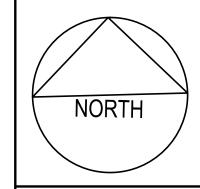












NO.	REMARKS	DATE
		2-12-18
PR(	DJECT:	

LA JOLLA, CA 92037

PLAN

SHEET TITLE: ROOF PLAN SHT. <u>13</u> OF <u>19</u> ORIGINAL DATE: 9 - 01 - 2015

REVISION DATE:

REVISION DATE:

REVISION 1: 3 - 30 - 2017

REVISION 2: 6 - 15 - 2017

REVISION 3: 02 - 01 - 2018

REVISION 4: 05 - 15 - 2018

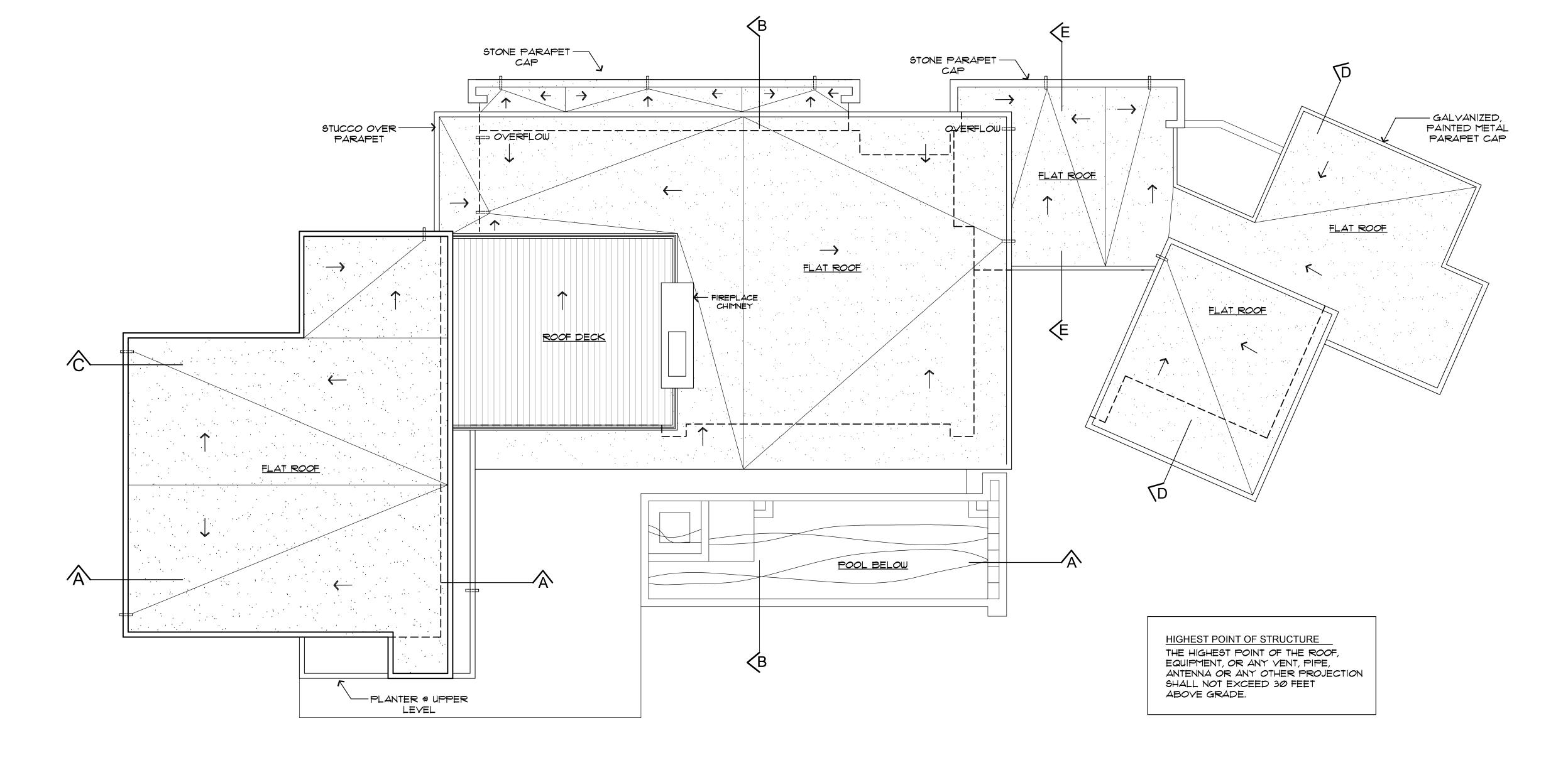
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REVISION 6:

REVISION 7:

JOSHUA WOOD CA - C33433 DATE: 09-01-15 PROJECT #: 15-05

14



## LEGEND

SYMBOL **DESCRIPTION** 

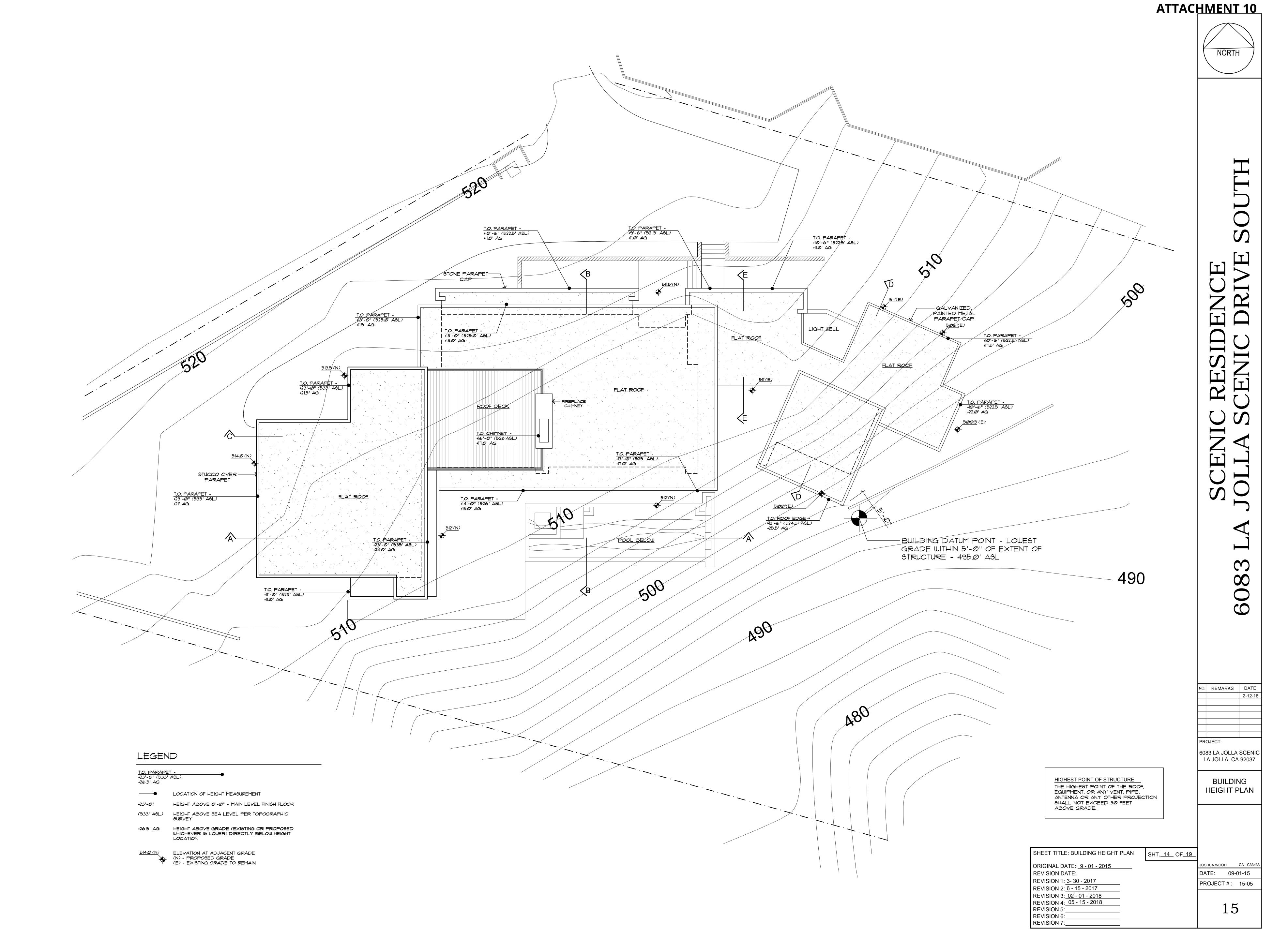
ROOF DRAIN OUTLET - ROOF DRAINS TO RUN IN WALL AND OUTLET 6"-8" ABOVE GRADE

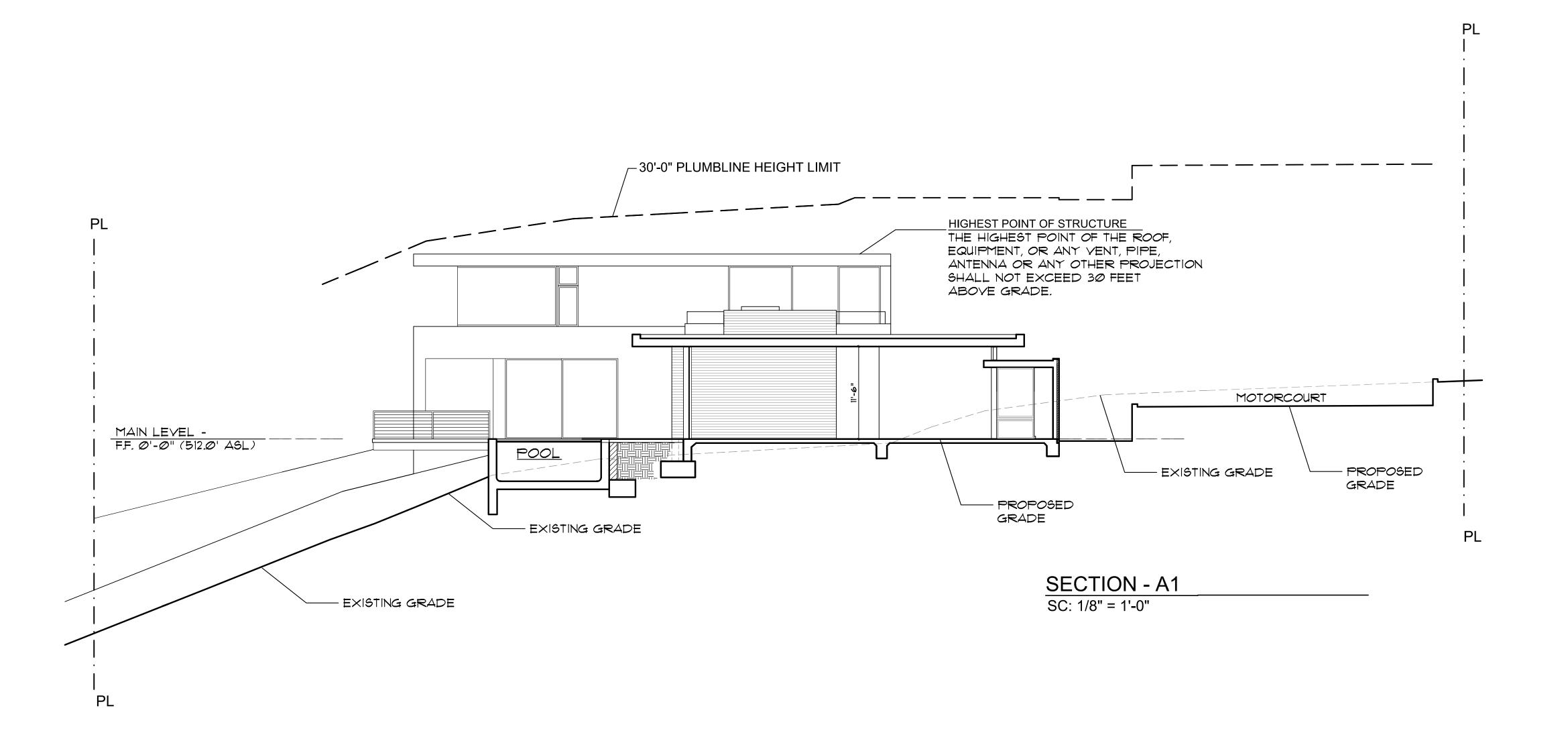
PARAPET WALL - SEE PLAN FOR STUCCO PARAPET CAP OR GALVANIZED AND PAINTED METAL CAP

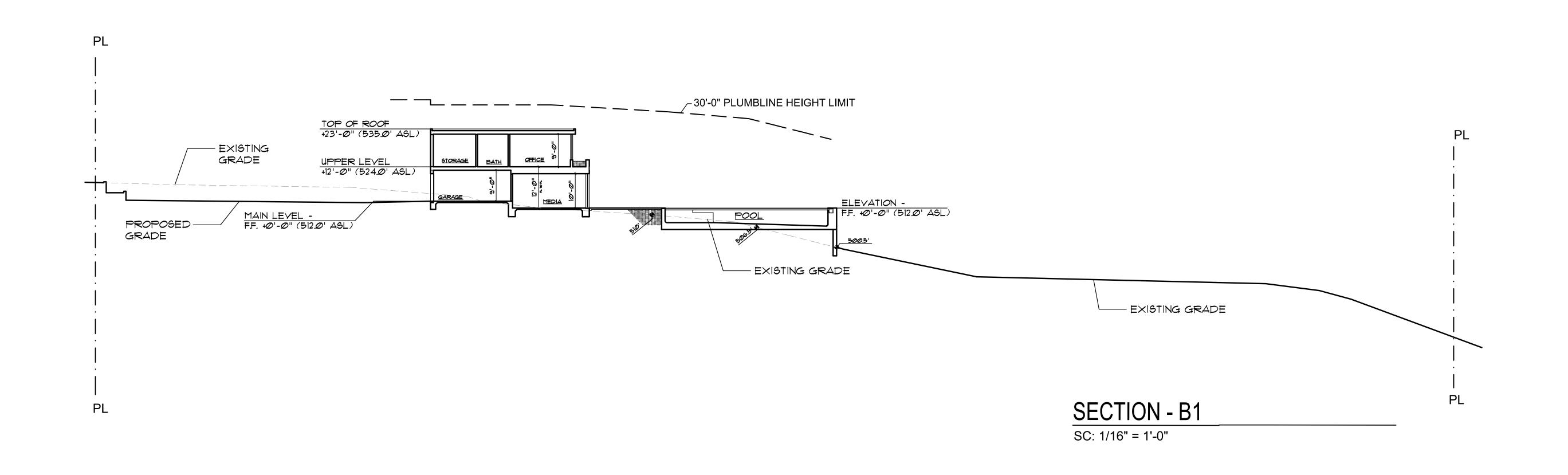
FLAT ROOF AREA - BUILT-UP ROOFING WITH ROCK BALLAST IN COORDINATING COLOR TO STUCCO/STONE VENEER

ROOF PLAN

SC:  $\frac{1}{8}$ " = 1'-0"







NO. REMARKS DATE
2-12-18
PROJECT:
6083 LA JOLLA SCENIC
LA JOLLA, CA 92037

SITE
SECTIONS

JOSHUA WOOD CA - C33433

DATE: 09-01-15

PROJECT #: 15-05

**16** 

SHT. <u>16</u> OF <u>20</u>

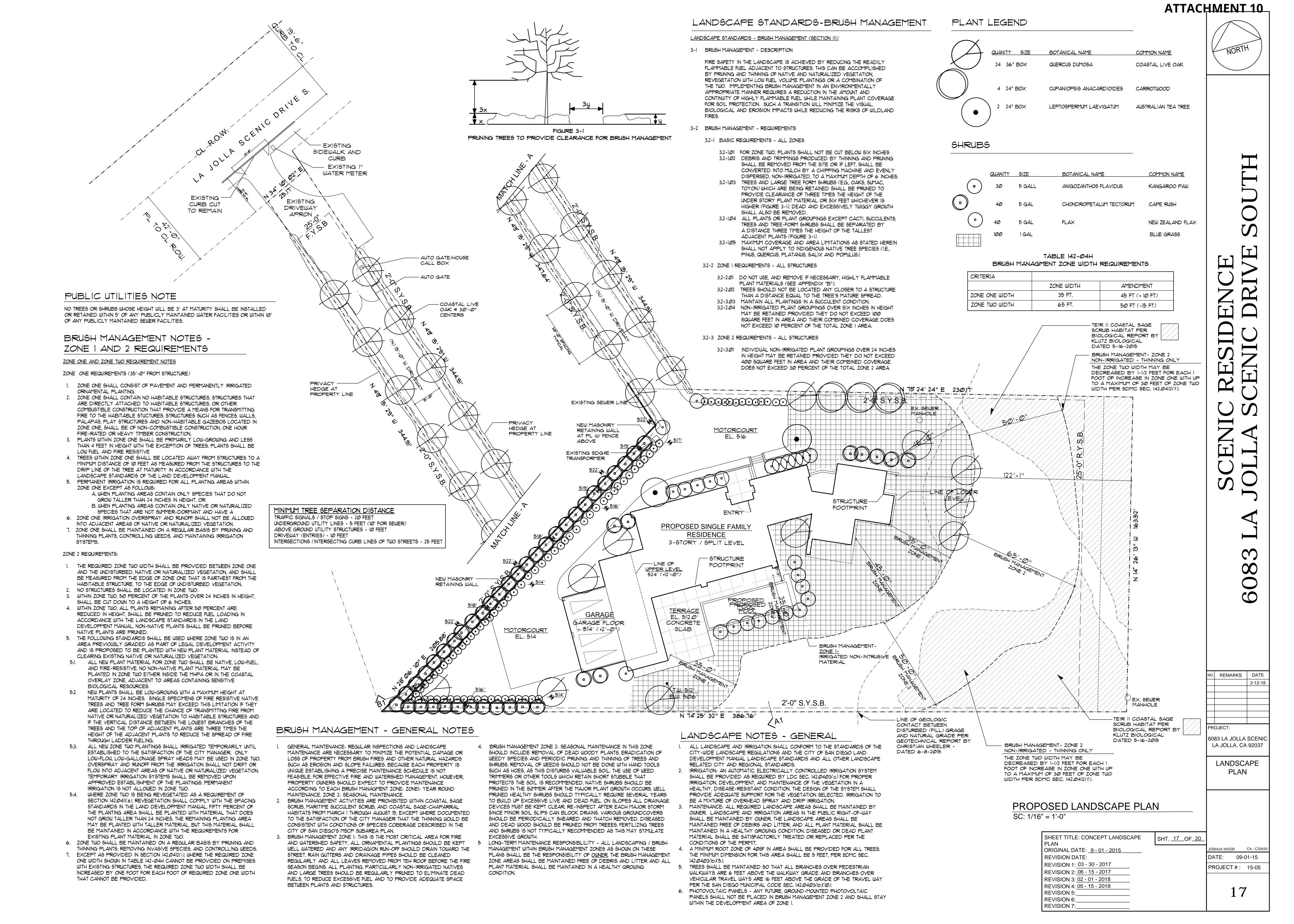
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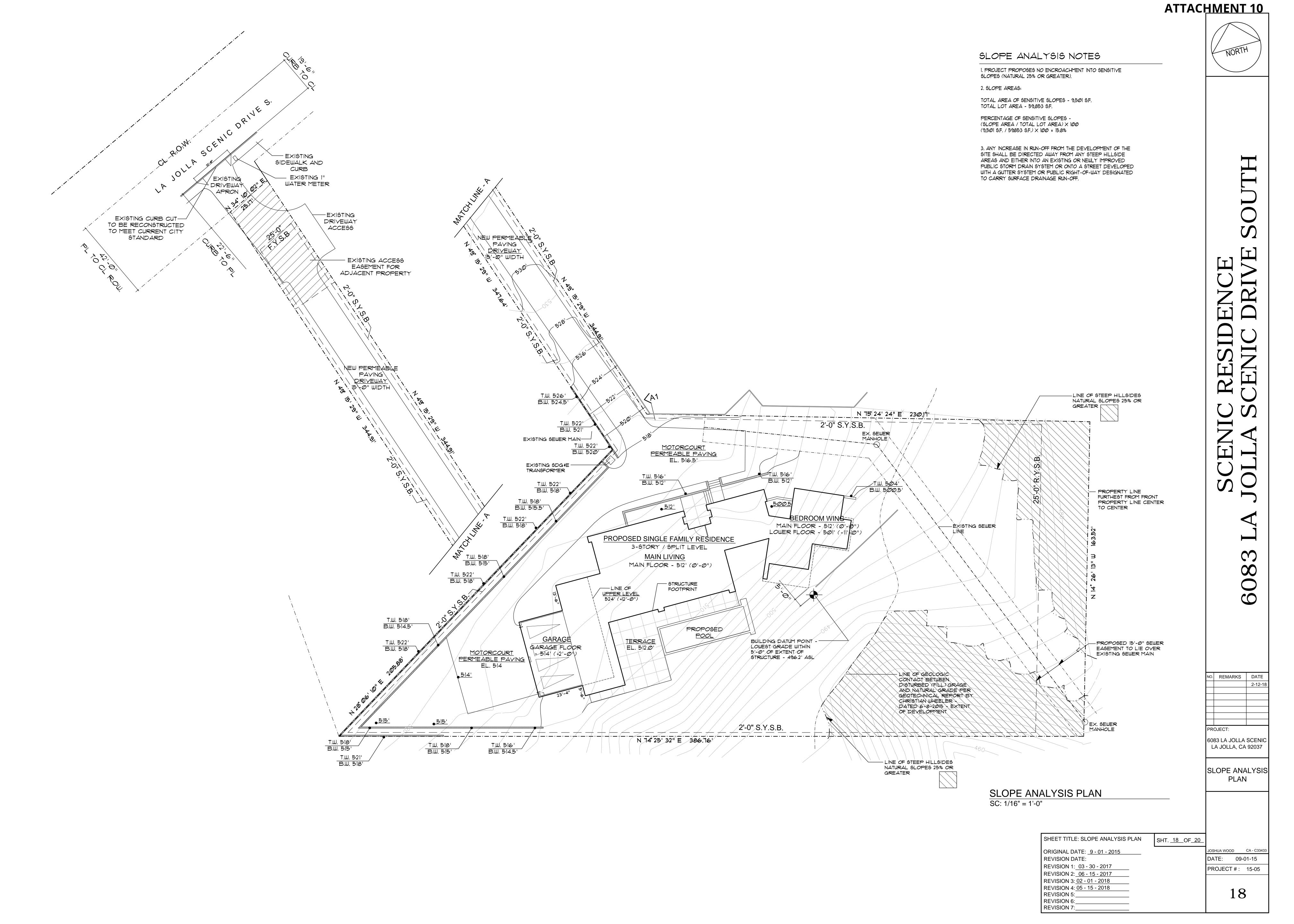
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REVISION DATE:

REVISION 5: \_\_ REVISION 6: \_\_ REVISION 7: \_\_

ORIGINAL DATE: 9 - 01 - 2015





NO.	REMARKS	DATE	
		2-12-18	
PR	OJECT:		

