

THE CITY OF SAN DIEGO

### Report to the Hearing Officer

| DATE ISSUED:    | September 11, 2019                              | REPORT NO. HO-19-090 |
|-----------------|---|----------------------|
| HEARING DATE:   | September 18, 2019                              |                      |
| SUBJECT:        | GRADY RESIDENCE CDP/SDP, Process Three Decision |                      |
| PROJECT NUMBER: | <u>572694</u>                                   |                      |
|                 |   |                      |

OWNER/APPLICANT: Tulip 1031 LLC, Owner James Alcorn, Architect/Agent

#### SUMMARY:

<u>Issue:</u> Should the Hearing Officer approve a Coastal Development and Site Development Permit to demolish an existing single-family dwelling unit and construct a new two-story, single-family dwelling unit over basement with an attached five car garage located at 7910 Saint Louis Terrace in the La Jolla Community Plan area?

#### Staff Recommendation:

- 1. Adopt Mitigated Negative Declaration No. 572694 and Adopt the Mitigation Monitoring and Reporting Program; and
- 2. Approve Coastal Development Permit No. 2023314; and
- 3. Approve Site Development Permit No. 2023315.

<u>Community Planning Group Recommendation</u>: On April 5, 2018, the La Jolla Community Planning Association voted 10-0-1 to recommend approval of the project with no conditions. (Attachment 7).

<u>La Jolla Shores Advisory Board:</u> On April 10, 2018, the La Jolla Shores Advisory Board voted 5-0 to recommend approval of the project (Attachment 7).

<u>Environmental Review</u>: Mitigated Negative Declaration, Report No. <u>572694</u>, has been prepared for the project in accordance with state of California Environmental Quality Act (CEQA) guidelines. A mitigation, monitoring and reporting program has been prepared and

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will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

#### BACKGROUND

The 0.149-acre project site is located at 7910 Saint Louis Terrace. The existing home on the project site was built in 1951, on the southwest corner of Saint Louis Terrace and Little Street, north of Torrey Pines Road, approximately three blocks east of the Pacific Ocean (Attachment 1). The surrounding properties are fully developed and form a well-established single-family residential neighborhood (Attachment 3).

The existing structure is more than 45 years old, requiring City staff to evaluate it for historic significance. Staff concluded the house is not significant nor eligible for historic designation under local, state or federal criteria. While the structure is not significant, the project site does contain an designated historical resource. Therefore, the project was reviewed for conformance with the Historical Resources Regulations. The development proposed encroaches less than 25 percent into the resources, therefore, it was determined by Development Services Department Staff to be a minor alteration of a historic resource and exempt from requiring an additional development permit pursuant to San Diego Municipal Code Section 143.0220(a).

The 6,517-square-foot project site is located in the SF Zone (Single Family Zone) of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), La Jolla Shores Archaeological Study Area, Residential Tandem Parking Overlay, Transit Area Overlay Zone and within the La Jolla Community Plan.

The proposal would demolish the existing home and construct a new 4,640-square-foot, two-story single-family dwelling unit over a 2,176-square foot basement with an attached five-car garage and guest quarters on a 6,517-square-foot property.

A Coastal Development Permit is required by the San Diego Municipal Code (SDMC) Section 126.0702 for the proposed demolition and construction on property within the Coastal Overlay Zone. A Site Development Permit is required by the SDMC Section 1510.0201(d) for major development within the La Jolla Shores Planned District.

#### DISCUSSION

The La Jolla Community Plan designates the site as Low density (5-9 DU/acre) residential land use (Attachment 1). The proposed residential use of the property is consistent with the density and use of this land use designation. The site does not contain any form of Environmentally Sensitive Lands.

The proposed new residence will be located within the previously developed portion of the property. Based on a submitted neighborhood survey of the existing development pattern and bulk and scale comparisons, the proposed residence was found to be in general conformity with setbacks and bulk and scale as encouraged by the La Jolla Shores Planned District Ordinance SF Zone. All surface drainage/run-off will be conveyed through a new drain system to Saint Louis Terrace. The project proposes to construct a new driveway with access toward the east to Saint Louis Terrace and close the existing driveway to the south. The project conforms to all development regulations of the La Jolla Shores Planned District Ordinance's SF Zone, along with the applicable regulations of the Coastal Overlay Zone.

The La Jolla Shores Planned District contains General Design Regulations, San Diego Municipal Code Section 1510.0301, which state that, "no structure shall be approved which is substantially like other structure located on an adjacent parcel. Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area." The proposed residence is designed to include painted steel trim and facia, with board formed concrete (natural) light exterior walls, natural Doug fir soffits, with power coated window frames and balcony rails, stone floors and decks which demonstrates conformance with the La Jolla Shores General Design Regulations. The project proposes 1,141 cubic yards of cut grading and 443 cubic yards of fill, with 698 cubic yards of export for the proposed basement area. The proposed residence will be approximately 29 feet in height, under the allowed 30-foot height limit.

The project site is located approximately three blocks south and east of the Pacific Ocean, and is directly northwest of Torrey Pines Road, which is a Scenic Roadway, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan (Attachment 10). A Scenic Roadway is defined as partially obstructed views over private properties and down public right of ways. The proposed development will not negatively impact this public view. The proposed development is centered in the middle of the project site, complying with the all the required building setbacks and the development stays within the allowed building envelope and under the maximum 30-foot height limit. The project site is not located within or adjacent to any other public view, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is not located between the ocean and the First Public Roadway (Spindrift Drive).

The project site is not identified as containing any form of pedestrian access by the La Jolla Community Plan and Local Coastal Land Use Plan (Attachment 11). Based on the review of the project's plans, conformance with public access and coastal public views the proposed redevelopment of this property was found to be in conformance with the La Jolla Community Plan and Local Coastal Land Use Plan.

#### CONCLUSION:

This proposed project is designed to comply with the development regulations of the La Jolla Shores Planned District's SF Zone, the Coastal and Beach Parking Impact Overlay Zone regulations, the identified public views and the Community Plan Residential Element recommendations to maintain character of La Jolla's residential areas. Staff supports a determination that the project is in conformance with the applicable sections of the San Diego Municipal Code and has provided draft findings and conditions of approval. Staff recommends the Hearing Officer adopt Mitigated Negative Declaration No. 572694, adopt Mitigation, Monitoring and Reporting Program, approve Coastal Development Permit No. 2023314 and Site Development Permit No. 2023315, as proposed.

#### **ALTERNATIVES**

- 1. Adopt Mitigated Negative Declaration No. 572694, Adopt Mitigation, Monitoring and Reporting Program, Approve Coastal Development Permit No. 2023314 and Site Development Permit No. 2023315, with modifications.
- Do not Adopt Mitigated Negative Declaration No. 572694, do not Adopt Mitigation, Monitoring and Reporting Program, Deny Coastal Development Permit No. 2023314 and Site Development Permit No. 2023315, if the findings required to approve the project cannot be affirmed.

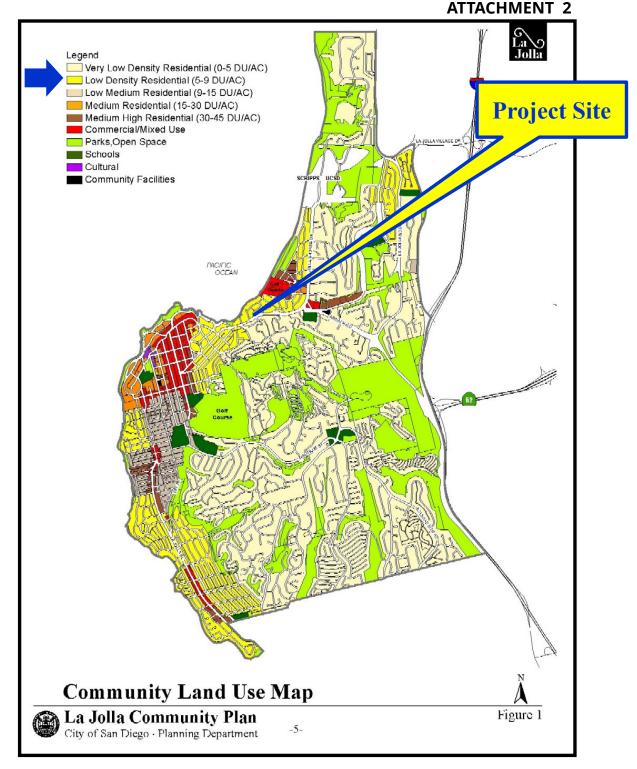
Respectfully submitted,

Glenn Gargas, 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. Environmental Resolution
- 7. Community Planning Group Recommendations
- 8. Ownership Disclosure Statement
- 9. Project Plans
- 10. La Jolla Community Plan Figure D Subarea D Coast Walk Visual Access
- 11. La Jolla Community Plan Figure C Subarea D Coast Walk Physical Access





Land Use Map

<u>GRADY RSIDENCE CDP/SDP – 7910 SAINT LOUIS TERRACE</u> PROJECT NO. 572694 La Jolla





# North

**ATTACHMENT 3** 

GRADY RESIDENCE CDP/SDP - 7910 SAINT LOUIS TERRACE PROJECT NO. 572694



#### HEARING OFFICER RESOLUTION NO. \_\_\_\_\_ COASTAL DEVELOPMENT PERMIT NO. 2023314 AND SITE DEVELOPMENT PERMIT NO. 2023315 GRADY RESIDENCE CDP/SDP - PROJECT NO. 572694 (MMRP)

WHEREAS, TULIP 1031, a California Limited Liability Company, Owners/Permittees, filed an application with the City of San Diego for a permit to demolish an existing dwelling unit and construct a new two-story single-family dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2023314 and 2023315), on portions of a 0.149-acre property;

WHEREAS, the project site is located at 7910 Saint Louis Terrace, in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, La Jolla Shores Archaeological Study Area, Residential Tandem Parking Overlay Zone, Parking Impact Overlay Zone (Beach & Coastal), Transit Area Overlay Zone, and within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as; Lots 70 and 71 of La Jolla Vista, City of San Diego, County of San Diego, State of California, according to map Thereof No. 1762, filed in the office of the County Recorder, San Diego County, August 1, 1923;

WHEREAS, on September 18, 2019, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2023314 and Site Development Permit No. 2023315, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2023314 and Site Development Permit No. 2023315:

#### **Coastal Development Permit - Section 126.0708**

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

The project site is currently developed with an existing, two-story residence. This project proposes to demolish the existing single-family dwelling unit and construct a new two-story single-family dwelling unit. The proposed structure will be sited in approximately the same location as the existing residential structure and will comply with all the of the required setbacks and lot coverage of the La Jolla Shores Planned District. The project site is located approximately three blocks from the Pacific Ocean coastline. The proposed project is contained within the existing legal lot area which will not encroach upon any existing or proposed physical access to the coast. The project site is not located within the First Public Roadway (Spindrift Drive/Paseo Dorado) and the Pacific Ocean.

The project site is located approximately three blocks south and east of the Pacific Ocean, and is directly northwest of Torrey Pines Road, which is a Scenic Roadway, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. A Scenic Roadway is defined as partially obstructed views over private properties and down public right of ways. The proposed development will not negatively impact this public view. The proposed development is centered in the middle of the project site, complying with the all the required building setbacks and the development stays within the allowed building envelope and under the maximum 30-foot height limit. The project site is not located within or adjacent to any other public view, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. Therefore, the proposed redevelopment will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Program Land Use Plan.

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

The project proposes to demolish an existing single-family dwelling unit and construct a new 4,640-square-foot, two-story, single family dwelling unit over a 2,176-square-foot basement with an attached five-car garage. The project site has been previously graded and is located within a residential neighborhood developed since 1951. Review of resource maps, aerial and street level photography shows that the project site does not contain any sensitive biological resources. The project site does not contain any sensitive riparian habitat or other identified habitat community. Furthermore, the project site does not contain, nor is it adjacent to, Multi-Habitat Planning Area (MHPA) designated lands. All surface drainage from the project will be conveyed to Saint Louis Terrace. The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology) and Tribal Cultural Resources and the City prepared a Mitigated Negative

Declaration (MND) No. 572694, in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology), to reduce the potential impacts to a level below significance. The project proposes 1,141 cubic yards of cut and 443 cubic yards of fill, for a total export of 698 cubic yards for the proposed basement area. Thus, this proposed redevelopment of an existing residence will not adversely affect Environmentally Sensitive Lands.

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

The proposed development to demolish an existing residence and construct a new, twostory residential dwelling unit located on a site which has a Low Density Residential (5-9 DU/AC) land use designation. This project has a density of 6.7 DU/AC, consistent with that designation. Based on the review of the project plans along with a setback and bulk/scale neighborhood survey of the surrounding development pattern, the design of the project was determined to be in general conformity with all of the applicable development regulations of the La Jolla Shores Planned District's SF-Zone and the Coastal Overlay Zone. The project site is located approximately three blocks south and east of the Pacific Ocean, and is directly northwest of Torrey Pines Road, which is a Scenic Roadway, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. A Scenic Roadway is defined as partially obstructed views over private properties and down public right of ways. The proposed development will not negatively impact this public view. The proposed development is centered in the middle of the project site, complying with the all the required building setbacks and the development stays within the allowed building envelope and under the maximum 30-foot height limit. The project site is not located within or adjacent to any other public view, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is not located in an area identified as containing Pedestrian Access. The Saint Louis Terrace and Little Street frontages will remain with improved public right-of-way. Project development will be fully contained within the existing legal lot area. Due to these factors the proposed residential dwelling unit redevelopment of this property is in conformity with the certified La Jolla Community Plan and the certified Local Coastal Program Land Use Plan and complies with all regulations of the certified Implementation Program.

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

The 6,517-square-foot site, currently developed with an existing residence, is located within an established residential neighborhood approximately three blocks from the Pacific Ocean coastline and is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The proposed redevelopment of the property will maintain the existing public right-of-way. Therefore, the project is in compliance with Chapter 3 of the California Coastal Act.

#### Site Development Permit - Municipal Code Section 126.0504

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

The project proposes to demolish an existing single-family dwelling unit and construction of a new 4,640-square-foot, two-story, single family dwelling unit over a 2,176-square-foot basement with an attached five-car garage in approximately the same location on the lot as the existing structure. The proposed project is located in an area identified as Low Density (5-9 DU/acre) residential within the La Jolla Community Plan (LJCP). The proposed residential use and density of 6.7 DU/AC of the property is consistent with the land use designation. The project site does not contain and is not adjacent to any public access identified by the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is located approximately three blocks south and east of the Pacific Ocean, and is directly northwest of Torrey Pines Road, which is a Scenic Roadway, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. A Scenic Roadway is defined as partially obstructed views over private properties and down public right of ways. The proposed development will not negatively impact this public view. The proposed development is centered in the middle of the project site, complying with the all the required building setbacks and the development stays within the allowed building envelope and under the maximum 30-foot height limit. Based on a submitted neighborhood survey of the existing development pattern and bulk and scale comparisons, the proposed residence was found to be in general conformity with setbacks and bulk and scale as encouraged by the La Jolla Shores Planned District Ordinance SF Zone. The proposed single-family dwelling unit is consistent with the SF Zone of the La Jolla Shores Planned District development regulations, allowed density and design recommendations. Thus, this single family residential dwelling unit redevelopment will not adversely affect the La Jolla Community Land Use Plan.

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

The proposed demolition of an existing single-family dwelling unit and construction of a new 4,640-square-foot, two-story, single family dwelling unit over a 2,176-square-foot basement with an attached five-car garage has been designed to comply with all of the applicable development regulations, including those of the SF Zone of the La Jolla Shores Planned District and the Coastal Overlay Zone.

The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology) and Tribal Cultural Resources and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology) and Tribal Cultural Resources, to reduce the potential impacts to a

level below significance. The environmental analysis did not find any significant impacts to public health and safety.

The project will not have any impact on the provision of essential public services. The proposed project will reconstruct the driveway to current standards and close the existing driveway. These public improvements will bring these elements in to conformance with current traffic and pedestrian safety standards and aid public health and safety. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare. Conditions of approval require the review and approval of all construction plans by staff prior to construction to determine the construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. Therefore, the project will not be detrimental to the public health, safety, and welfare.

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

The proposed demolition of an existing single-family dwelling unit and construction of a new 4,640-square-foot, two-story, single family dwelling unit over a 2,176-square-foot basement with an attached five-car garage, will comply with the development regulations. Based on the review of the project plans along with a setback and bulk/scale neighborhood survey of the surrounding development pattern, the design of the project was determined to be in general conformity with all of the applicable development regulations of the La Jolla Shores Planned District's SF-Zone and the Coastal Overlay Zone. There are no proposed variances or deviations to the development regulations of the Land Development Code. City staff also reviewed the drainage, lot coverage, building height, landscaping, public views, public access, and found that the project will comply with all of the required development regulations. Therefore, the proposed development will comply with the applicable regulations of the Land Development regulations of the Land Development regulations.

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

herein by this reference.

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

Officer, Coastal Development Permit No. 2023314/Site Development Permit No. 2023315, 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. 2023314 and 2023315, a copy of which is attached hereto

and made a part hereof.

Glenn R. Gargas Development Project Manager Development Services

Adopted on: September 18, 2019

IO#: 24007459

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: 24007459

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### COASTAL DEVELOPMENT PERMIT NO. 2023314 AND SITE DEVELOPMENT PERMIT NO. 2023315 **GRADY RESIDENCE CDP/SDP - PROJECT NO. 572694 MMRP** HEARING OFFICER

This Coastal Development Permit and Site Development Permit is granted by the Hearing Officer of the City of San Diego to TULIP 1031, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702 and 1510.0201. The 0.149-acre site is located at 7910 Saint Louis Terrace, in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay (Non-Appealable) Zone, Coastal Height Limitation Overlay Zone, La Jolla Shores Archaeological Study Area, Residential Tandem Parking Overlay Zone, Parking Impact Overlay Zone (Beach & Coastal), Transit Area Overlay Zone, and within the La Jolla Community Plan area. The project site is legally described as: Lots 70 and 71 of La Jolla Vista, City of San Diego, County of San Diego, State of California, according to map Thereof No. 1762, filed in the office of the County Recorder, San Diego County, August 1, 1923.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing residence and construct a new two-story over basement single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 18, 2019, on file in the Development Services Department.

The project shall include:

a. Demolition of an existing dwelling unit and construct a two-story, 4,640-square-foot single-family residence over a 2,176-square-foot basement with five car garage and guest quarters on a 0.149-acre property;

- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Fences, walls, patio, walk ways and lap pool; and

e. 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 October 3, 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.

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 572694, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 572694, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

#### Cultural Resources (Archaeology) and Tribal Cultural Resources

14. Prior to final inspection, but after completion of monitoring, the Owner/Permittee shall execute and record an easement acceptable to the Development Services Department which ensures preservation of the Important Archaeological Sites that are outside the allowable development area on the premises as shown on Exhibit "A", In accordance with SDMC section 143.0250(b). The easement shall include a legal description and a illustration of the premises showing the development area and the Important Archaeological Sites as shown on Exhibit "A".

#### **CLIMATE ACTION PLAN REQUIREMENTS:**

15. 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:**

16. The project proposes to export 698 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

17. The drainage system proposed for this development is private and subject to approval by the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the proposed curb outlet (D-25), existing planter curb, landscape and irrigation in the Saint Louis Terrace Right-of-Way.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the existing retaining wall, hardscape, landscape and irrigation in the Torrey Pines Road Right-of-Way.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the removal of the brick stairs from the Saint Louis Terrace Right-of-Way and restore parkway to original condition, satisfactory to the City Engineer.

22. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the removal of the bricks walkway and additional concrete pavement from the Torrey Pines Road Right-of-Way, and restore parkway to original condition, satisfactory to the City Engineer.

23. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 12 feet wide driveway per current City Standards, adjacent to the site on Saint Louis Terrace, satisfactory to the City Engineer.

24. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the closure of the non-utilized driveway with current City Standard curb & gutter and restore parkway to original condition, adjacent to the site on Torrey Pines Road, satisfactory to the City Engineer.

25. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing southeast curb ramp at the intersection of Saint Louis Terrace and Torrey Pines Road, per current city standards, satisfactory to the City Engineer.

26. Prior to the issuance of any construction permits, the Owner/Permittee shall dedicate and improve the triangular area at the southeast corner of the property, the corner of Saint Louis Terrace and Torrey Pines Road, per approved Exhibit "A", satisfactory to the City Engineer.

27. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Applicant must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

28. 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.

29. 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.

#### LANDSCAPE REQUIREMENTS:

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

31. 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.

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

#### PLANNING/DESIGN REQUIREMENTS:

33. Owner/Permittee shall maintain off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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

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.

#### **GEOLOGY REQUIREMENTS:**

36. 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.

37. 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 asgraded 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.

#### **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 September 18, 2019, by Resolution No.

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Permit Type/PTS Approval No.: CDP 2023314/SDP No. 2023315 Date of Approval: Sept. 18, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas Development Project Manager

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

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

TULIP 1031, LLC Owner/Permittee

Ву \_\_\_\_\_

Mr. Steven Grady Manager

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

RESOLUTION NUMBER R-\_\_\_\_\_

#### ADOPTED ON SEPTEMBER 18, 2019

WHEREAS, on November 16, 2017, James Alcorn submitted an application to the Development Services Department for a Site Development Permit (SDP) and Coastal Development Permit (CDP) for the 1834 Spindrift Residence Project

WHEREAS, the matter was set for a public to be conducted by the Hearing Officer of the City of San Diego; and WHEREAS, the issue was heard by the Hearing Officer on September 18, 2019, and WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 572694 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

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BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101 or City Clerk, 202 C Street, San Diego, CA 92101

BE IT FURTHER RESOLVED, that Development Services is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project

Ву:\_\_\_\_\_

Glenn Gargas, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

#### EXHIBIT A

#### MITIGATION MONITORING AND REPORTING PROGRAM

#### Site Development Permit and Coastal Development Permit

#### PROJECT NO. 572694

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 572694 shall be made conditions of Site Development Permit and Coastal Development Permit as may be further described below.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

#### A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that <u>the MMRP Conditions/Notes that apply ONLY to the</u> <u>construction phases of this project are included VERBATIM</u>, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

#### B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

#### 1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING

**ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

#### Qualified Archaeologist, Native American Monitor, and Qualified Paleontologist

#### Note:

Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

#### CONTACT INFORMATION:

a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200** 

b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360** 

**2. MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #516011 and /or Environmental Document # 516011, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

#### Note:

Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

**3. OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

#### None required

#### 4. MONITORING EXHIBITS

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show

the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

#### NOTE:

Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

#### 5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

| DOCUMENT SUBMITTAL/INSPECTION CHECKLIST |                          |                              |
|---|--------------------------|------------------------------|
| Issue Area                              | Document Submittal       | Associated                   |
|   |                          | Inspection/Approvals/Notes   |
| General                                 | Consultant Qualification | Prior to Preconstruction     |
|   | Letters                  | Meeting                      |
| General                                 | Consultant Construction  | Prior to Preconstruction     |
|   | Monitoring Exhibits      | Meeting                      |
| Cultural Resources                      | Monitoring Report(s)     | Archaeological/Historic Site |
| (Archaeology)                           |                          | Observation                  |
| Cultural Resources                      | Monitoring Report(s)     | Paleontological Site         |
| (Paleontology)                          |                          | Observation                  |
| Bond Release                            | Request for Bond Release | Final MMRP Inspections Prior |
|   | Letter                   | to Bond Release Letter       |

#### C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

#### ARCHAEOLOGICAL and TRIBAL CULTURAL RESOURCES MITIGATION

#### HISTORICAL RESOURCES ARCHAEOLOGICAL DATA RECOVERY PROGRAM

This project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site SDI-39 prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation consists of a Statistical Sample and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report *A Cultural Resources Study for 7910 St. Louis Terrace* (Brian Smith and Associates, September 2018). Preservation Plan for the project site includes capping

of all areas not impacted by grading and the ADRP. A protective easement shall be required over the lot to prevent future development-related intrusion into the archaeological site.

This project requires implementation of an ADRP to mitigate impacts to archaeological Site SDI-39. Data recovery will be performed following demolition of the existing structure and will be part of the demolition permit process. Data recovery work should be completed prior to the issuance of ANY construction permits, or the start of ANY construction if no permits are required, unless the consulting archaeologist and the Mitigation Monitoring Coordination (MMC) section of the City of San Diego Development Services Department (DSD) determine that construction permits may be issued because data recovery excavations are dependent upon grading work. The ADRP with Native American participation consists of the archaeological excavation of the entire intact portion of the site that will take place following the demolition and removal of all hardscape.

The 100.00 percent archaeological excavation of all intact cultural deposits and 100.00 percent controlled and monitored mechanical excavation of disturbed cultural deposits is required. All soils from both the archaeological excavations and the controlled mechanical excavations will be hydroscreened through fine-mesh screen to recover all cultural materials and any human remains. The ADRP shall be completed as outlined in this document. The elements of the MMRP are provided below:

- a. The area of development that must include archaeological monitoring and potentially data recovery (if intact deposits are encountered) is approximately 70 square feet.
- b. For the demolition permit and the process of removing the existing residence and hardscape, the archaeologist and Native American representative shall attend a preconstruction meeting with the applicant's representatives, the City's MMC, and the contractors. The protocols to be followed during demolition shall include archaeological and Native American monitoring whenever soil is disturbed.
- c. For the mitigation program, the governing protocol will be that all intact cultural deposits to be affected by grading, drilling, or excavation will be hand-excavated by archaeologists and then hydro-screened to provide the greatest opportunity to identify and recover human remains. All grading excavations within the disturbed midden deposits shall be closely monitored by an archaeologist and a Native American monitor to watch for cultural materials and possible human remains. All cultural soil, whether disturbed or intact, will be hydro-screened for maximum recovery of cultural materials and human remains.
- d. All field operations will include the participation of Kumeyaay Native American representatives as monitors. Because human remains have already been identified, this monitor may also be the Most Likely Descendent (MLD), or the MLD may be on-site independent of the Native American monitor.
- e. A laboratory program will be completed for all recovered cultural materials. All items in the collection will be subjected to standard laboratory procedures of cleaning, cataloging, data entry, and artifact analysis of: lithics; ceramics; faunal materials (marine and terrestrial species, including fish and sea mammals); seasonality; shell; lithic reduction; residue; radiocarbon dating; obsidian hydration and sourcing; shell beads; fishing equipment; and trade materials. Based upon the substantial quantity of all varieties of artifacts and ecofacts

from excavations in and around 7910 St. Louis Terrace, the projection can be made that the laboratory analysis will likely be exhaustive.

- f. Curation of all materials recovered during the ADRP, with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state, and federal standards and shall be permanently curated at an approved facility that meets the City's standards.
- g. ADRP provisions for the discovery of human remains shall be invoked in accordance with the California PRC and the Health and Safety Code. In the event that human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the MLD and the project archaeologist. Any potential human remains recovered during the ADRP will be directly repatriated to the MLD or MLD Representative at the location of the discovery.
- h. Disturbance of SDI-39 within the property cannot exceed the 25.00 percent encroachment level. No grading or excavations outside of the designated limits of construction will be permitted.
- i. Archaeological and Native American monitoring shall be conducted for all excavations and earthwork after completion of the ADRP and acceptance of a draft progress report for the program.
- j. Upon completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist and Native American monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

#### HISTORICAL RESOURCES ARCHAEOLOGICAL AND NATIVE AMERICAN MONITORING

#### 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 pre-construction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- 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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

#### I. Prior to Start of Construction

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search (0.25-mile radius) has been completed. Verification includes but is not limited to, a copy of a confirmation letter from South Coastal Information Center, or if the search was inhouse, 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.
  - 3. The PI may submit a detailed letter to MMC requesting a reduction to the 0.25-mile radius.
- B. PI Shall Attend Pre-Construction Meetings
  - Prior to beginning any work that requires monitoring; the Applicant shall arrange a Pre-Construction Meeting that shall include the PI; Native American consultant/monitor (where Native American resources may be impacted); Construction Manager (CM) and/or Grading Contractor; Resident Engineer (RE); Building Inspector (BI), if appropriate; and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Pre-Construction Meeting to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Pre-Construction Meeting, the Applicant shall schedule a focused Pre-Construction 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
    - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
    - b. The AME 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 that indicate site conditions such as depth of excavation and/or site graded to bedrock, which may reduce or increase the potential for resources to be present.

#### II. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
  - The Archaeological Monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources as identified on the AME. 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 AME.
  - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Sections III.B–C and IV.A–D shall commence.
  - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance postdating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
  - 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs 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 Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or Bl, 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.
  - 4. No soil shall be exported off site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
  - 1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource. If human remains are involved, the PI and Native American consultant/monitor shall follow protocol in this section.
    - 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.
    - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has been reviewed by the Native American

consultant/monitor, 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. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

#### III. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off site until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
  - 1. The Archaeological Monitor shall notify the RE or BI, as appropriate, the MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
  - 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate Discovery Site
  - 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
  - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
  - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains are determined to be Native American
  - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  - 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and Health and Safety Codes.
  - 4. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
  - 5. Disposition of Native American human remains will be determined between the MLD and the PI and if:

- a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; or
- b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
- c. In order to protect these sites, the Landowner shall do one or more of the following:
  - (1) Record the site with the NAHC
  - (2) Record an open space or conservation easement on the site
  - (3) Record a document with the County
- d. Upon the discovery of multiple Native American human remains during a grounddisturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5(c).
- D. If Human Remains are **NOT** Native American
  - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  - 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

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

- A. If night and/or weekend work is included in the contract, the following will occur:
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction 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 CSVR and submit to MMC via fax by 8 a.m. of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III, During Construction, and IV, Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, and IV, Discovery of Human Remains, shall be followed.

- d. The PI shall immediately contact MMC, or by 8 a.m. of 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 and/or weekend 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 previously 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 Historical Resources Guidelines (Appendix C/D) that describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final 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 Artifacts
  - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.
  - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  - 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification

- 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
- 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.
- 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV(5), Discovery of Human Remains.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

#### PALEONTOLOGICAL MONITORING PROGRAM

#### I. Prior to Permit Issuance

- A. Entitlements Plan Check
  - 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 inhouse, 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

- 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
  - 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 CSVR and submit to MMC via fax by 8AM on the next business day.

- Discoveries
  All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
- 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.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.



### La Jolla Community Planning Association

December 15, 2018

To: Jim Alcorn

Cc: Glenn Gargas

RE: Grady Residence---LJCPA Vote

On *December 6, 2018* at the Regular Meeting of the La Jolla Community Planning Association (LICPA) Trustees reviewed *The Grady Residence (Project #482904)* as an Action item on the Consent Agenda.

10.3 CDP and SDP for the construction of a new 2 story 4.640 square foot residence over a 2,170 square foot basement with garage and studio. The 0.149 acre site is located in the LJSPD-SF zone within the Coastal Overlay zone (Non Appealable) located at 7910 Saint Louis Terrace of the La Jolla Shores Planned District, within the La Jolla Community Plan area and Council District 1.

The LIPRC Motion is that findings can be made for a SDP and CDP regarding this project. Vote: 4-0-2.

The LJCPA voted on consent to approve this project 14-1-2.

Sincerely,

Bob Steck President, LJCPA

PO Box 889, La Jolla, CA 92038 • 858.456.7900 • http://www.LaJollaCPA.org • info@LaJollaCPA.org

## La Jolla Shores Planned District (LJSPD) Advisory Board Agenda Item Record

#### Project: PTS - PTS 572694 - Grady Residence - ACTION ITEM

Date: 10/15/18

Presenter: James Alcorn, (619) 701-8488

Address: 7910 St. Louis Terrace

APN: 346-454-0000

Item: B

#### **Description:**

Coastal Development and Site Development Permit for the construction of a new 2-story, 4,640sf residence over basement garage, 2,176sf basement, and adjacent lap pool on an existing 6,500sf lot. Project is seeking a recommendation of approval.

#### **Recommendation:**

A Minor Project-Process 1. Project conforms to the LJSPD as adopted by the City Council.

B. Major Project-Process 3. Project conforms to the LJSPD as adopted by the City Council

C. Denial. The project does not conform to the LJSPD as adopted by the City Council

D. Approval subject to the following modifications to ensure conformity to the LJSPD.

E. No recommendation due to a lack of four affirmative votes.

F. Concept Review Only\_\_\_\_\_

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|  |   | ed: Neighborhood Use Permit Coastal Development Permit<br>Planned Development Permit Conditional Use Permit<br>iver Land Use Plan Amendment • Other  |
| Project Title<br>GRADY RESID   | ENCE  | Project No. For City Use Only<br>572694  |
| Project Address:<br>7910 ST. LOUIS   |   | + Jolua, CA 92037  |
| Part I - To be completed when p  | roperty is held by Individual(  | s)   |
| pelow the owner(s) and tenant(s) (if a<br>who have an interest in the property, re<br>ndividuals who own the property). <u>A s</u>   | pplicable) of the above referenced<br>ecorded or otherwise, and state the<br>signature is required of at least on<br>of the San Diego Redevelopment A                       | with the intent to record an encumbrance against the property. Please list<br>I property. The list must include the names and addresses of all persons<br>a type of property interest (e.g., tenants who will benefit from the permit, all<br><u>e of the property owners</u> . Attach additional pages if needed. A signature<br>Agency shall be required for all project parcels for which a Disposition and<br>City Council. Note: The applicant is responsible for notifying the Project |
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Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.

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| Tol:p ie3l, LLC      Fowner    Tenant/Lessee      Street Address:    Tenant/Lessee      H3S Fiveware Ave    Street Address:      City/State/Zip:    City/State/Zip:      Phone No:    Fax No:      G1S - 491-9200    Fax No:      Name of Corporate Officer/Partner (type or print):    Name of Corporate Officer/Partner (type or print):      Title (type or print):    Title (type or print):      Signature :    Date:      Signature :    Corporate/Partnership Name (type or print):   | tinst<br>thers<br><del>2</del><br>s in<br>ct |  |
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| Higs Tvanner hve      City/State/Zip:      Phone No:      Fax No:      Fax No:      Phone No:      Fax No:      Name of Corporate Officer/Partner (type or print):      Name of Corporate Officer/Partner (type or print):      Title (type or print):      Manager      Signature :    Date:  |  |  |
| City/State/Zip:    City/State/Zip:      Phone ho:    Fax No:      Fax No:    Phone No:      Fax No:    Phone No:      Fax No:    Name of Corporate Officer/Partner (type or print):      Title (type or print):    Name of Corporate Officer/Partner (type or print):      Title (type or print):    Title (type or print):      Signature :    Date:      Signature :    Q      Q    Q      Q    Q      Corporate/Partnership Name (type or print):    Corporate/Partnership Name (type or print):  |  |  |
| Phone No:    Fax No:      Phone No:    Fax No:      Phone No:    Fax No:      Name of Corporate Officer/Partner (type or print):    Name of Corporate Officer/Partner (type or print):      Title (type or print):    Title (type or print):      Signature :    Date:   |  |  |
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| Title (type or print):    Title (type or print):      Signature :    Date:      Signature :    Signature :      Date:    Signature :      Date:    Corporate/Partnership Name (type or print):      Corporate/Partnership Name (type or print):    Corporate/Partnership Name (type or print):   |  |  |
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|  |  |  |
| Owner Tenant/Lessee Towner Tenant/Lessee   |  |  |
|  | <u></u>                                      |  |
| Street Address: Street Address:  |  |  |
| City/State/Zip: City/State/Zip:  |  |  |
| Phone No: Fax No: Phone No: Fax No:  |  |  |
| Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print):  |  |  |
| Title (type or print): Title (type or print):  |  |  |
| Signature : Date: Date: Date:  |  |  |
| Corporate/Partnership Name (type or print): Corporate/Partnership Name (type or print):  |  |  |
| Cowner Crenant/Lessee Cowner Crenant/Lessee  | Owner Tenant/Lessee                          |  |
| Street Address: Street Address:  |  |  |
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| Title (type or print): Title (type or print):  |  |  |
| Signature : Date: Signature : Date:  |  |  |





# GRADY RESIDENCE

7910 ST. LOUIS TERRACE LA JOLLA, CA 92037

## **PROJECT INFORMATION**

- APN: 346-454-00
- LOT SIZE 6500 SF
- LA JOLLA SHORES PLANNED DISTRICT "SF"
- EXISTING BUILDING BUILT 1951 NOT HISTORICAL
- DETERMINED 9/13/17 PTS # 570128
- GEOGRAPHIC HAZARD CATEGORY 27
- NO EASEMENTS
- OCCUPANCY CLASS R-3
- CONSTRUCTION TYPE: VB SPRINKLERED

| setbacks:    | NEIGHBORHOOD AVERAGE | PROPOSED |
|--------------|----------------------|----------|
| FRONT        | 15/16                | 15       |
| STREET SIDE  | 8/9                  | 10       |
| INTERIOR SID | DE 5/6.5             | 5        |
| REAR         | 10/7                 | 10       |
|              |                      |          |

• LEGAL DESCRIPTION: LOTS 70 & 71 OF LA JOLLA VISTA, CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, MAP NO. 1762 AT COUNTY RECORDER OFFICE AUGUST 1, 1923

• COASTAL HEIGHT LIMIT & PARKING IMPACT OVERLAY RESIDENTIAL TANDEM PARKING & TRANSIT AREA OVERLAY

• COASTAL ZONE (30FT HEIGHT LIMIT - 29FT PROPOSED)

## NORTH PERSPECTIVE VIEW FROM SAINT LOUIS TERRACE

## **OWNER INFORMATION**

TULIP 1031, LLC 7910 ST. LOUIS TERRACE LA JOLLA, CA 92037

## **PROJECT TEAM**

JAMES ALCORN, ARCHITECT, AIA 9736 CLAIBORNE SQUARE LA JOLLA, CALIFORNIA 92037

NERI LANDSCAPE ARCHITECTURE 928 HORNBLEND STREET, SUITE #3 SAN DIEGO, CALIFORNIA 92109

LANDMARK CONSULTING 9555 GENESEE AVENUE, SUITE 200 SAN DIEGO, CA 92121

### PROJECT SCOPE -**COASTAL DEVELOPMENT & SITE DEVELOPMENT PERMITS**

• REMOVE ALL STRUCTURES: 1821 SF RESIDENCE OVER 750 SF BASEMENT AND 540 SF GARAGE. COVERAGE = 2400 SF, LOT = 6500 SF, THEREFORE 2400 SF = .37 LOT COVERAGE. RETAINING WALLS AT NORTH AND WEST PROPERTY LINE TO BE RETAINED

• CONSTRUCT: 2 STORY, 4640 SF RESIDENCE OVER BASEMENT GARAGE AND STUDIO OF 2176 SF & ADJACENT LAP POOL. COVERAGE 3120 SF= .48 LOT COVERAGE ALLOWABLE LOT COVERAGE = .60

## SHEET LIST

| TS   | COVER PAGE & NO    |
|------|--------------------|
| C1   | SITE SURVEY        |
| C1.1 | 300' RADIUS SETBAG |
| A1   | LOWER LEVEL PLAN   |
| A2   | ENTRY LEVEL PLAN   |
| A3   | UPPER FLOOR PLAN   |
| A4   | ROOF PLAN          |
| A5   | ELEVATIONS         |
| A6   | EAST PERSPECTIVE & |
| L1.0 | LANDSCAPE DEVEL    |
| L1.1 | LANDSCAPE CONC     |

# **ATTACHMENT 9**



9736 Claiborne Square La Jolla, California 92037 619/701.8488

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ORTH PERSPECTIVE VIEW

ACK SITE PLAN

& SECTIONS LOPMENT PLAN ICEPT IMAGES

## Grady Residence PTS# 572694

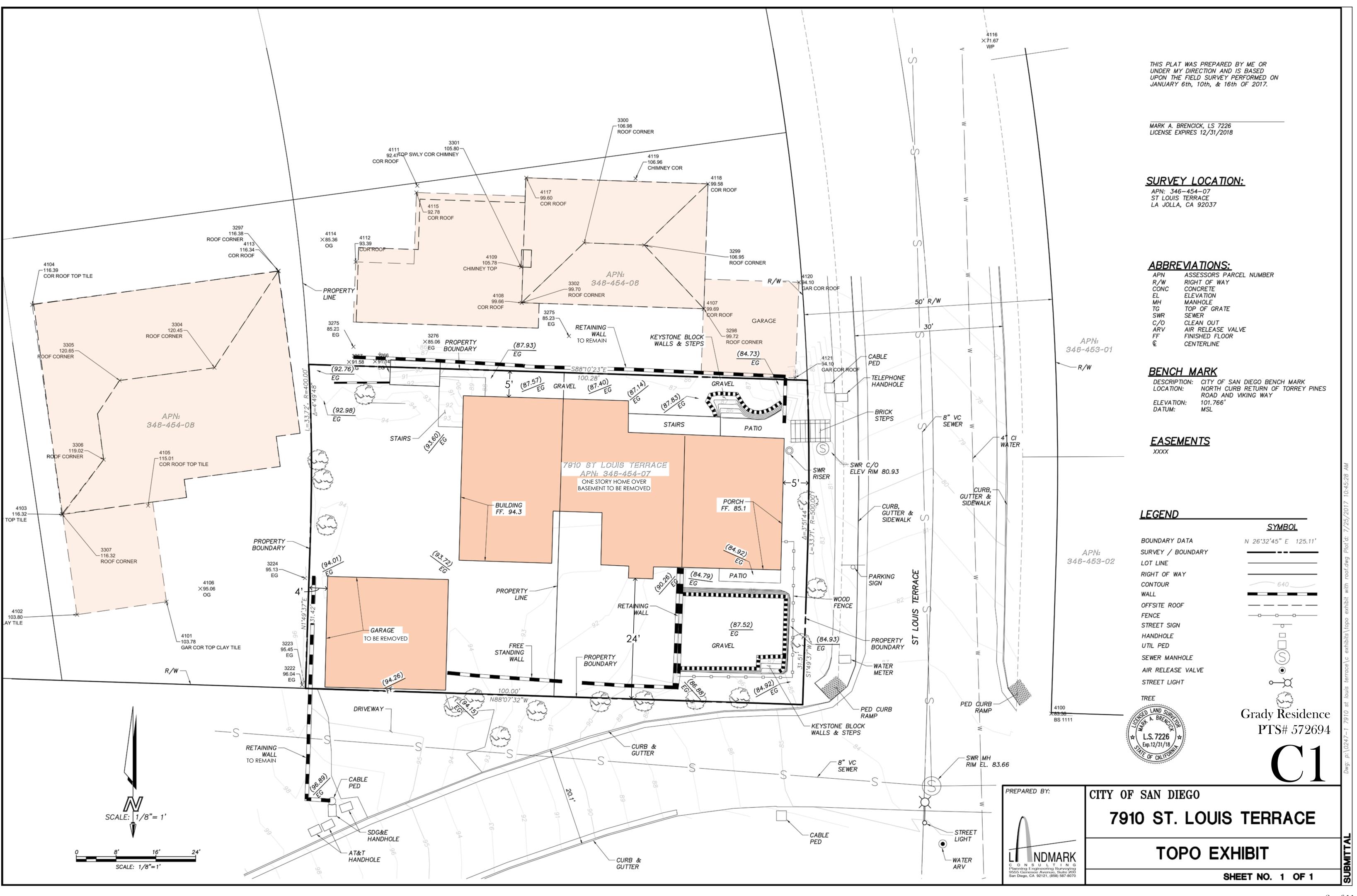
3 October, 2017



Cover Sheet



1 of 11





# 300' RADIUS SET-BACK SITE-PLAN

LEGEND NTS FRONT SET-BACK (10'-25') REAR YARD SET-BACK (8'-15') SIDE YARD SET-BACK (5' - 10') AVERAGE SET-BACK

# **ATTACHMENT 9**



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## Grady Residence **PTS**# 572694

3 October, 2017



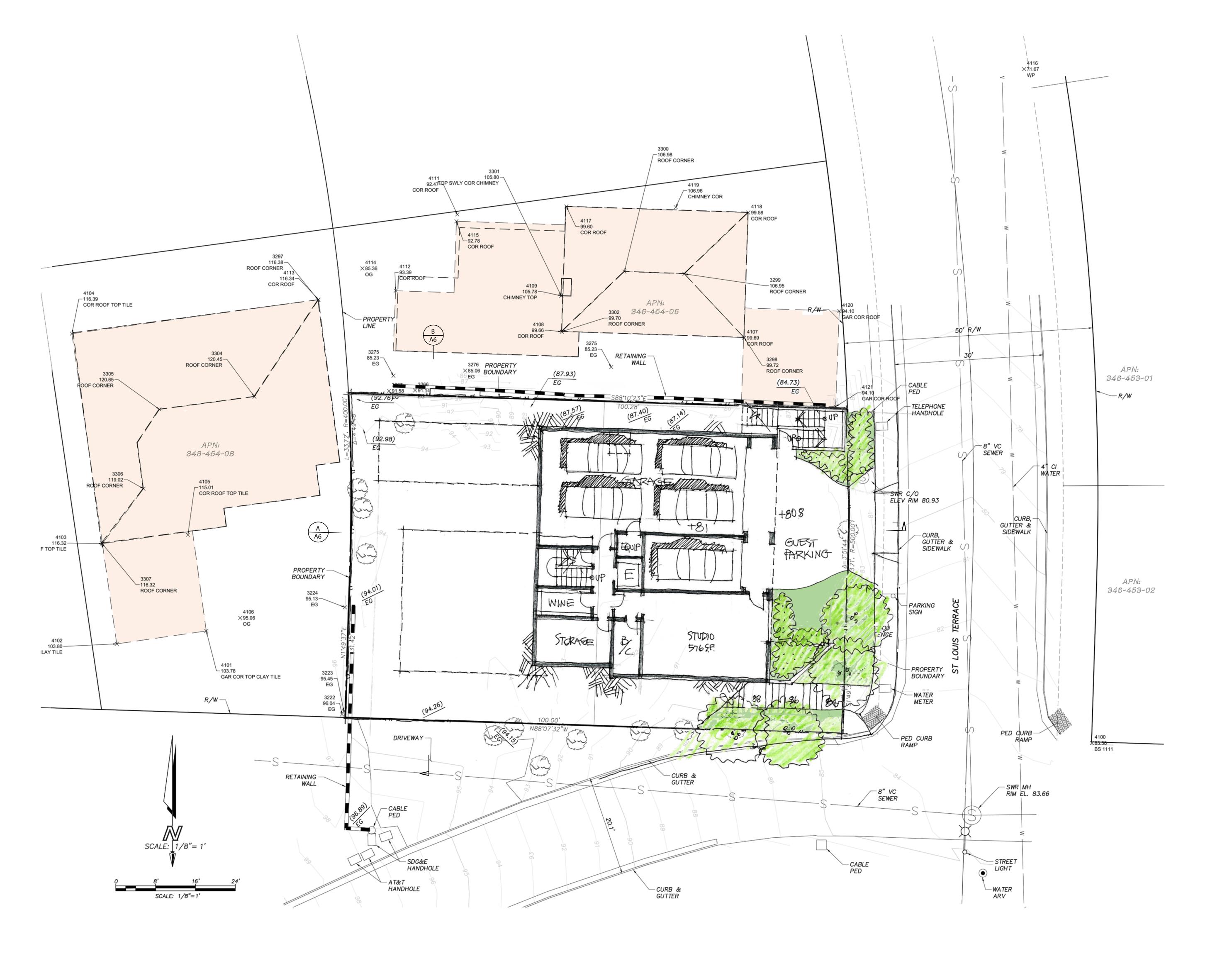
C1.1



AVG. REAR SET-BACK = 10'

AVG. SIDE SET-BACK = 5'

AVERAGE SET-BACK





9736 Claiborne Square La Jolla, California 92037 619/701.8488

# Frady Residence 7910 St. Louis Terrace La Jolla, California 92037

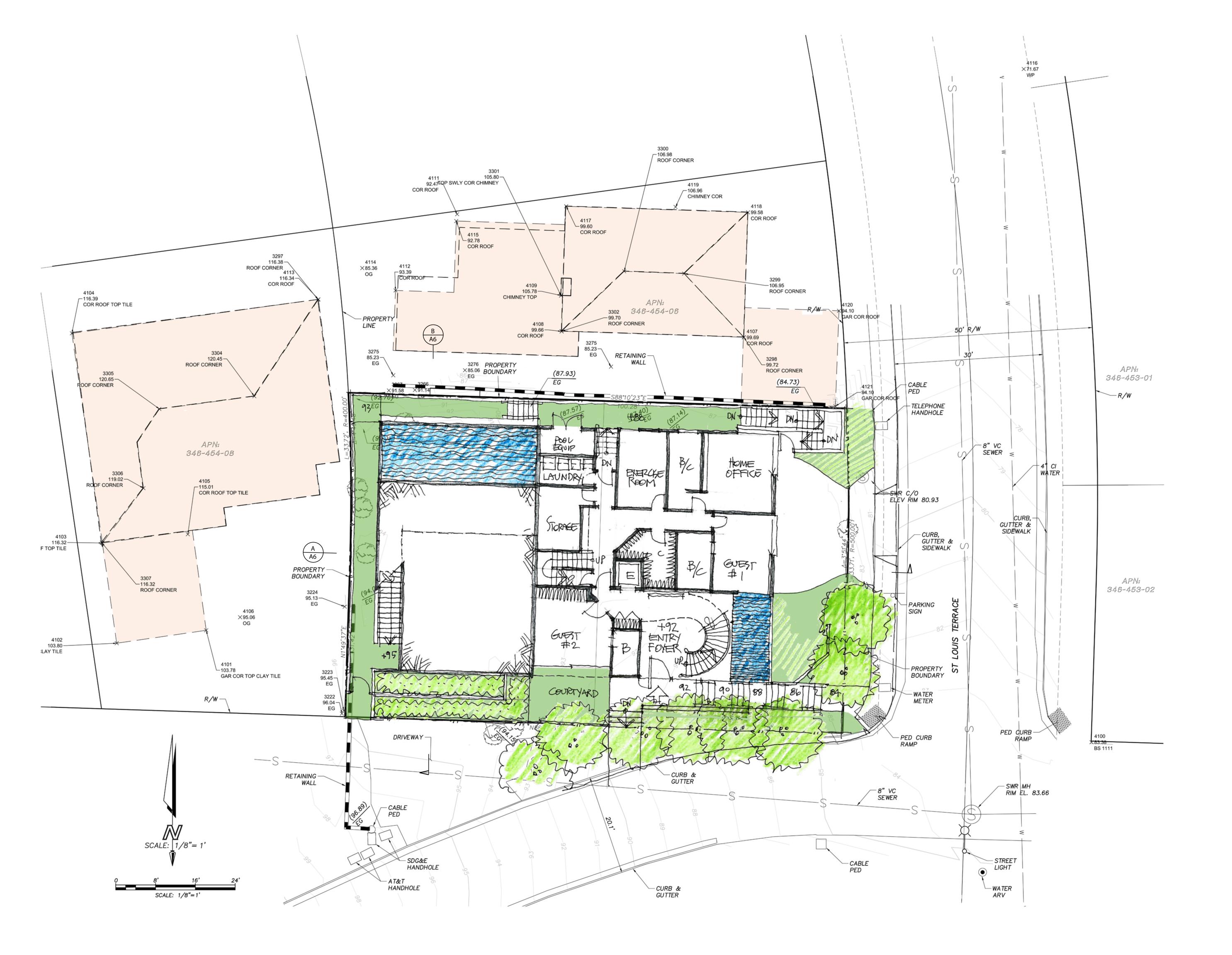
## Grady Residence PTS# 572694

3 October, 2017



Lower Level Plan







9736 Claiborne Square La Jolla, California 92037 619/701.8488

# Frady Residence 7910 St. Louis Terrace La Jolla, California 92037

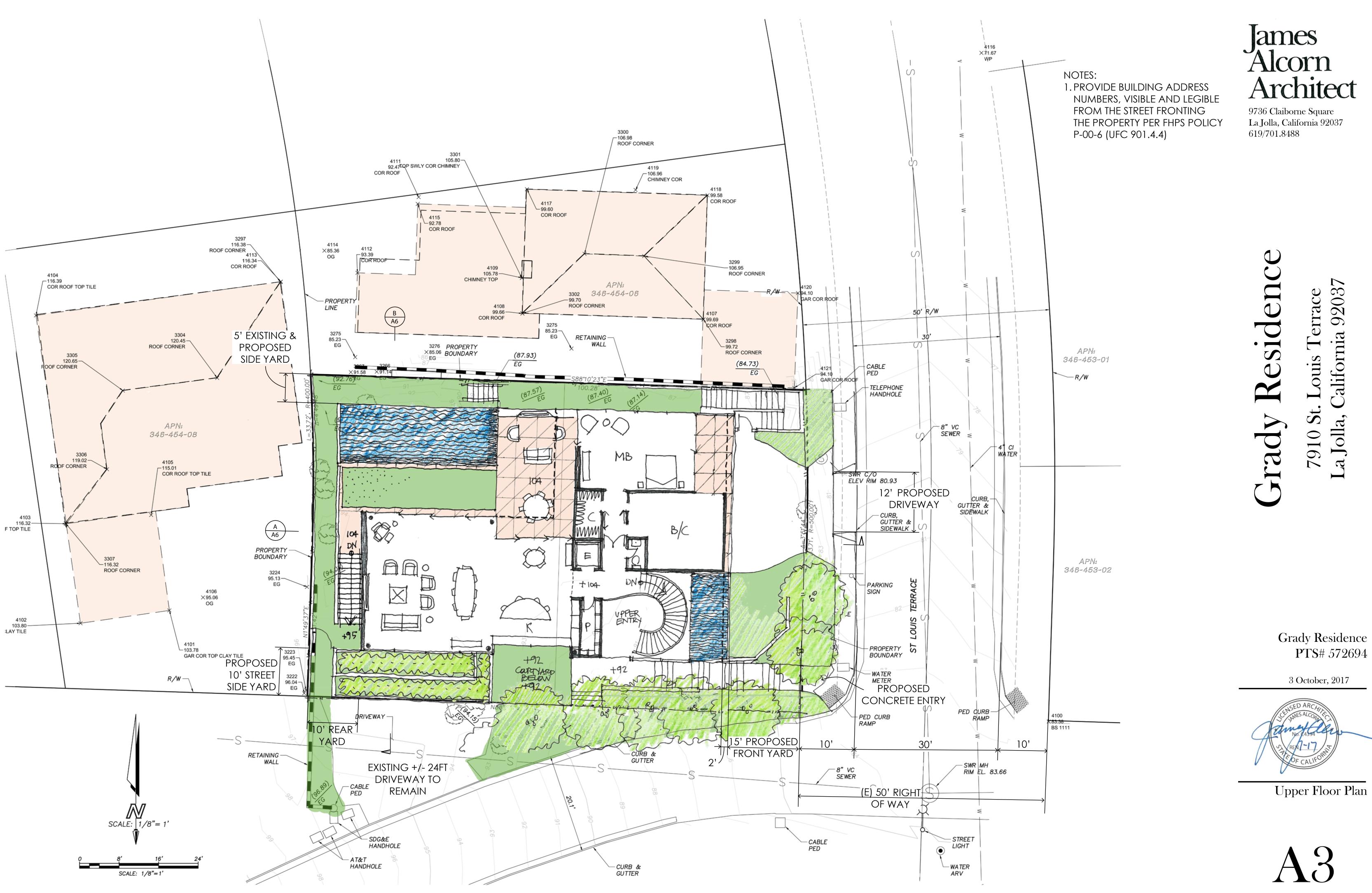
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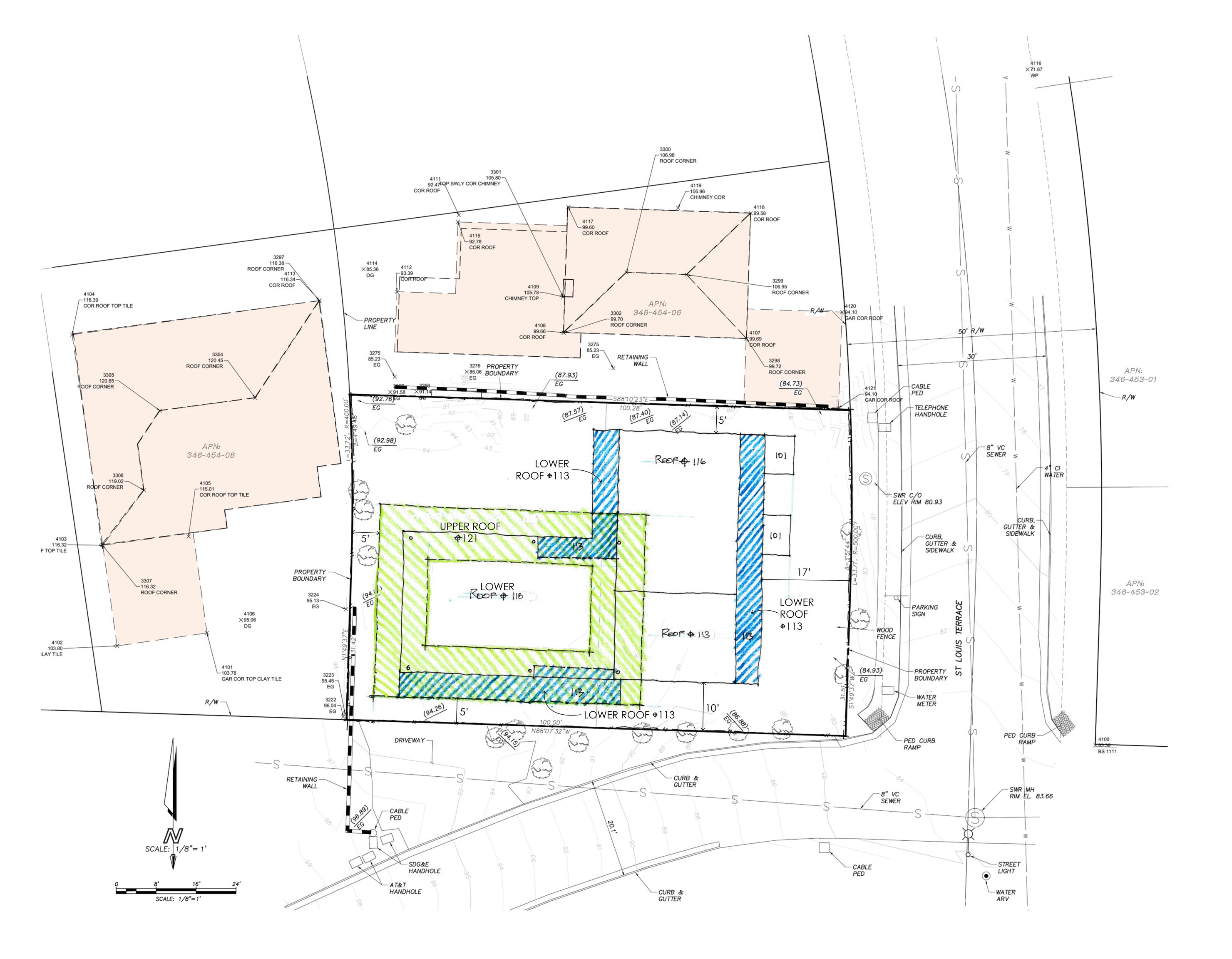
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Entry Level Plan









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# Frady Residence 7910 St. Louis Terrace La Jolla, California 92037

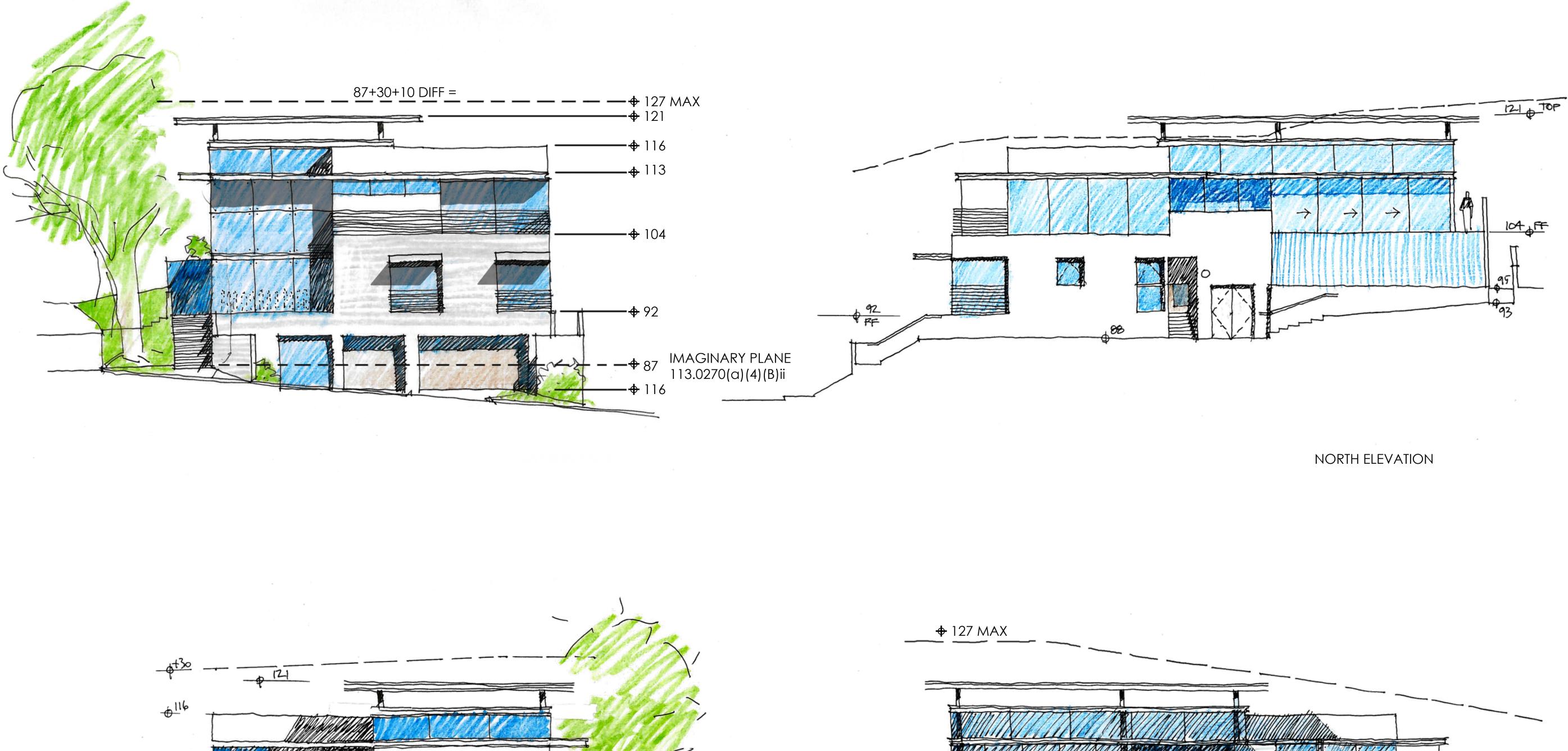
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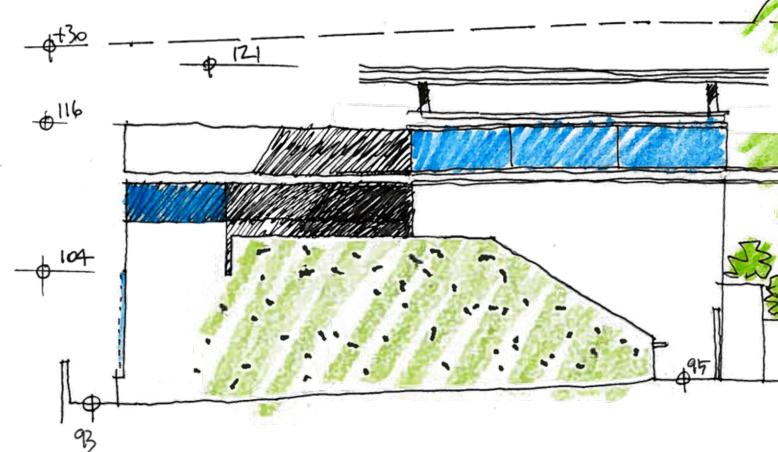
3 October, 2017



Roof Plan







WEST ELEVATION

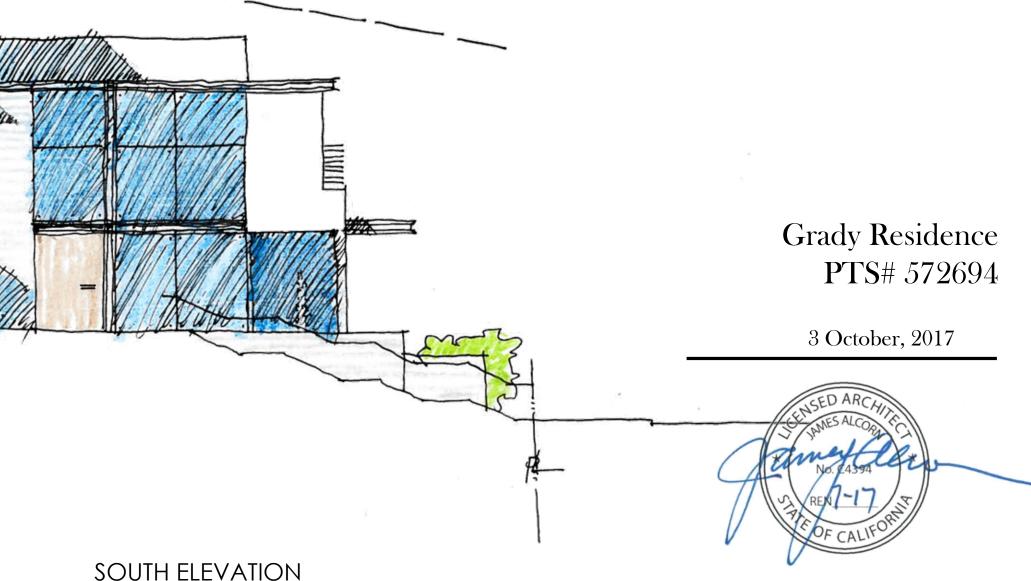


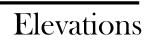
**ATTACHMENT 9** 

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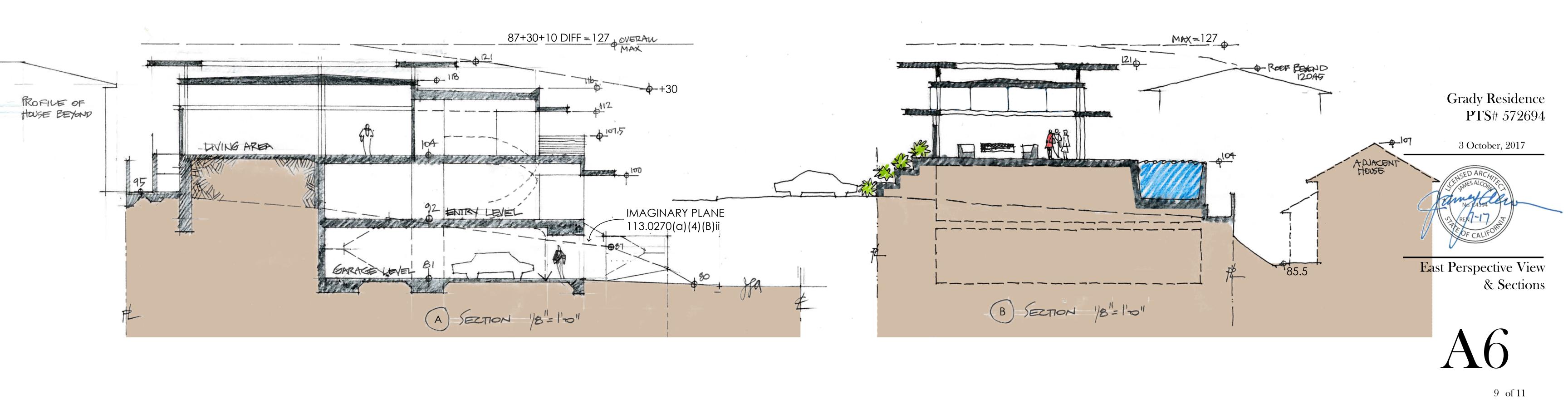






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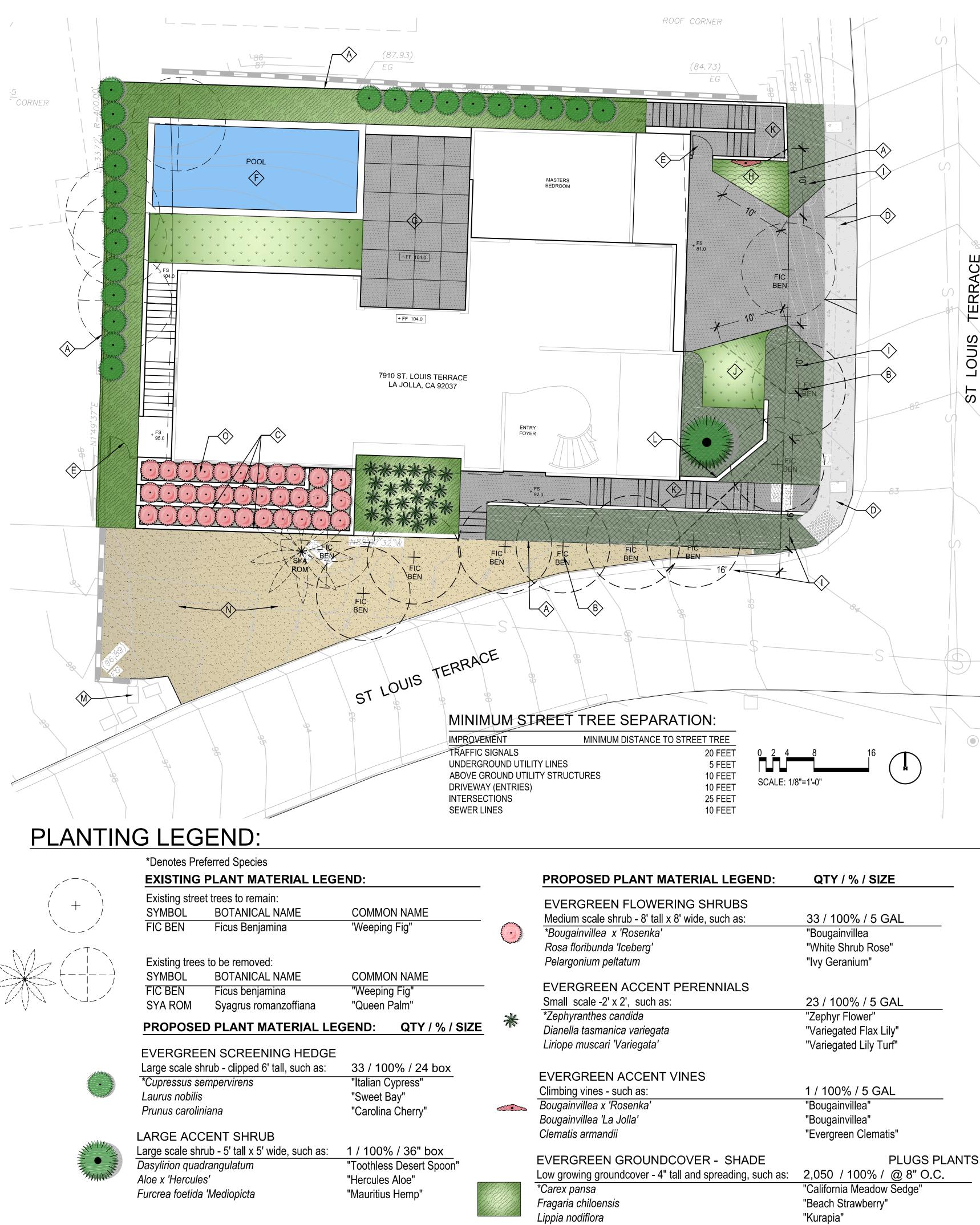
EAST PERSPECTIVE VIEW



**ATTACHMENT 9** 

9736 Claiborne Square La Jolla, California 92037 619/701.8488

# Frady Residence 7910 St. Louis Terrace La Jolla, California 92037



PLUGS PLANTS

## LA JOLLA SHORES PLANNED DISTRICT **ORDINANCE LANDSCAPE CALCULATIONS:**

MULTI FAMILY LANDSCAPE REQUIREMENTS LA JOLLA SHORES PLANNED DISTRICT ORDINANCE ALL OF THE LANDSCAPE TO MEET THE 30% AREA REQUIREMENT SHALL BE INSTALLED AS REQUIRED BY THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE [LDC 1510.0306(G)].

TOTAL PARCEL AREA: PLANTING AREA REQUIRED:

<u>6,500</u> S.F. <u>1,950</u> S.F. <u>(30%</u>)

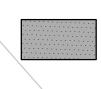
PLANTING AREA PROVIDED: EXCESS AREA PROVIDED:

<u>1,960</u> S.F. <u>(30.15%)</u> 10 S.F.

## HARDSCAPE LEGEND

## **PROPOSED HARDSCAPE MATERIAL LEGEND:**

HARDSCAPE PAVING 'A'



1,189 SF Non-porous paving such as: ntegral Color Concrete" "Integral Color Concrete with Exposed Aggregate Finish" "Uncolored Concrete with Enhanced Finish"

HARDSCAPE PAVING 'B' Permeable paving such as:

1,117 SF

LANDSCAPE KEY NOTES:

- A PROPERTY LINE, TYPICAL SYMBOL
- ⟨₿⟩ EXISTING (8) STREET TREES TO REMAIN
- C> TERRACED MASONRY PLANTER WALL
- EXISTING CONCRETE CITY SIDEWALK TO REMAIN
- E SIDEYARD GATE
- F POOL
- S POOL DECK
- VISIBILITY AREA NO OBSTRUCTION IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT
- ⟨J⟩ PLANTED BACK-OUT AREA
- ⟨k⟩ CONCRETE STEPS
- RETAINING WALL
- ⟨𝔅⟩ EXISTING UTILITIES TO REMAIN
- ⟨N⟩ DECOMPOSED GRANITE PAVING
- INSTALL 3" DEEP ORGANIC MULCH IN ALL PLANTING BEDS EXCEPT AT AREAS W/ GROUNDCOVER PLANTING

## LA JOLLA SHORES PDO NOTES:

1. IN THE SINGLE FAMILY ZONE, ALL OF THE PROPERTY NOT USED OR OCCUPIED BY STRUCTURES, UNPLANTED RECREATIONAL AREAS, WALKS AND DRIVEWAYS SHALL BE LANDSCAPED AND MAY INCLUDE NATIVE MATERIALS, AND IN NO CASE SHALL THIS LANDSCAPED AREA BE LESS THAN 30 PERCENT OF THE TOTAL PARCEL AREA. ALL LANDSCAPING AND IRRIGATION SHALL BE DEVELOPED IN CONFORMANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND DEVELOPMENT MANUAL 2. ALL LANDSCAPING SHALL BE COMPLETED WITHIN 6 MONTHS OF OCCUPANCY OR WITHIN ONE YEAR OF THE NOTICE OF COMPLETION OF A RESIDENCE. 3. ALL LANDSCAPED MATERIALS SHALL BE PERMANENTLY MAINTAINED IN A GROWING AND HEALTHY CONDITION INCLUDING TRIMMING AS APPROPRIATE TO THE LANDSCAPING MATERIAL.

## **PROPOSED PLANT MATERIAL LEGEND:**



ACCENT GROUNDCOVER - SHADE Low growing groundcover - 12" tall and spreading, such as: 75 / 100% / 5 GAL @ 3' O.C. \*Carissa macrocarpa 'Green Carpet' Ceanothus h. 'Yankee point'

## BIORETENTION



Low growing turf grass - 12" tall and spreading, such as: \*Carex pansa Paspalum vaginatum

## **TURF AREA**



Turf/Sedge Groundcover - 12" tall and spreading, such as: 317 / 100% / SOD \*Carex pansa Festuca rubra

• Decomposed Granite Paving

# **ATTACHMENT 9**

## GENERAL NOTES:

1. THE LANDSCAPE PLAN IS FOR GENERAL SITE REFERENCE ONLY. REFER TO OTHER CONSTRUCTION DOCUMENTS FOR COMPLETE SCOPE OF WORK.

2. BEFORE COMMENCING ANY SITE EXCAVATION, VERIFY LOCATIONS OF ALL EXISTING SITE UTILITIES, INCLUDING WATER SEWER, GAS AND ELECTRICAL LINES. FLAG OR OTHERWISE MARK ALL LOCATIONS AND INDICATE UTILITY TYPE.

3. GRADE SITE TO DIRECT GROUND WATER AWAY FROM BUILDING AND NEW ADDITIONS AND LANDSCAPE DRAINS SHALL BE INSTALLED AT LOW POINTS TO REDUCE RUNOFF CROSSING PATHS AND PAVING.

4. LOCATE REFUSE BIN AT APPROVED ON-SITE LOCATION. CONTRACTOR SHALL DISPOSE OF ALL SITE REFUSE AT CITY-APPROVED LOCATIONS.

5. ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS TO BE PLANTED WITH GROUND COVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.

ALL REQUIRED TREES SHALL HAVE AT LEAST ONE WELL DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET. ALL PROPOSED STREET TREE PALMS SHALL HAVE A MINIMUM OF 10' BROWN TRUNK HEIGHT (BTH)

PROPOSED LANDSCAPING SHALL NOT CONFLICT WITH EXISTING UTILITIES. 8. PROPOSED UTILITIES SHALL NOT CONFLICT WITH PROPOSED LANDSCAPING.

9. TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL

10. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION AND MAINTENANCE PERIOD. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION, DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT

11. THE PERMITTEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF WAY CONSISTENT WITH THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE

12. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE LA JOLLA SHORES PLANNED DISTRICT STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.

13. ALL REQUIRED LANDSCAPE SHALL BE MAINTAINED IN A DISEASE, WEED AND LITTER FREE CONDITION AT ALL TIMES. SEVERE PRUNING OR "TOPPING" OF TREES IS NOT PERMITTED UNLESS SPECIFICALLY NOTED IN THIS PERMIT

14. ANY MODIFICATIONS OR CHANGES TO THE "LANDSCAPE PLAN" AND EXISTING OR PROPOSED PLANT MATERIAL, AS SHOWN ON THE APPROVED EXHIBIT "A", LANDSCAPE DEVELOPMENT PLAN, IS PERMITTED PROVIDED THE RESULTING LANDSCAPE MEETS THE MINIMUM AREA REQUIREMENTS OF THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE

15. IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR FINAL INSPECTION.

## **IRRIGATION NOTE:**

1. ALL PLANTING AREAS SHALL BE IRRIGATED BY A DEDICATED. BACKFLOW-PREVENTED IRRIGATION SYSTEM, ACCORDING TO PLANT TYPE AND ENVIRONMENTAL EXPOSURE AND SHALL RECEIVE UNIFORM WATER COVERAGE BY MEANS OF A HIGH EFFICIENCY, AUTOMATICALLY CONTROLLED, ELECTRICALLY ACTUATED, UNDERGROUND PIPED SPRINKLER SYSTEM. FOR WATER CONSERVATION AND TO MINIMIZE EROSION. STATE OF THE ART LOW PRECIPITATION RATE SPRINKLER EQUIPMENT SHALL BE USED. IRRIGATION MAINLINE PIPING SHALL BE PVC PLASTIC (TYPE 1120) CLASS 315 PRESSURE PIPE AND LATERAL LINE PIPING SHALL BE SCHEDULE 40 NON-PRESSURE PIPE. PRESSURE LINES SHALL BE INSTALLED 18" DEEP. NON-PRESSURE LINES 12" DEEP. A MASTER VALVE AND FLOW SENSOR SHALL BE INSTALLED TO MINIMIZE DAMAGE IN THE CASE OF A VALVE FAILURE OR MAINLINE BREAK. A SEPARATE HOSE BIB MAINLINE SHALL BE INSTALLED UPSTREAM OF THE MASTER VALVE AND EACH HOSE BIB SHALL BE FITTED WITH AN ATMOSPHERIC VACUUM BREAKER.

2. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE. 3. EXISTING STREET TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE IRRIGATED BY A HOMEOWNER-FUNDED AND MAINTAINED, DEEP-WATERING, LOW-VOLUME BUBBLER,

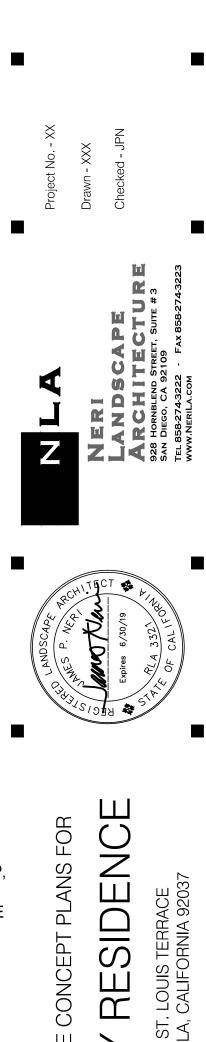
## DRAINAGE NOTES:

1. THE DRAINAGE SYSTEM FOR THIS PROJECT SHALL BE PRIVATE AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.

2. ALL DEVELOPMENT SHALL BE CONDUCTED TO PREVENT EROSION AND STOP SEDIMENT AND POLLUTANTS FROM LEAVING THE PROPERTY TO THE MAXIMUM EXTENT PRACTICABLE 3. ALL ROOF DRAINS AND FLATWORK SHALL DRAIN POSITIVELY INTO STORM DRAINAGE SYSTEM. SURFACE RUNOFF SHALL NOT DRAIN DIRECTLY INTO THE ADJOINING PROPERTY, AND CONSTRUCTION RUNOFF MAY NOT DRAIN INTO THE STORMWATER CONVEYANCE SYSTEM.

## QTY / % / SIZE

- "Natal Plum' 'Carmel Ceanothus'
- 50 SF / 100% / SOD "California Meadow Sedge" "Seashore Paspalum"
- "California Meadow Sedge" "Creeping Red Fescue"





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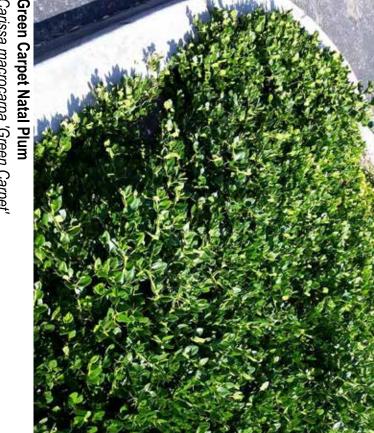


**Bougainvillea** Bougainvillea x 'Rosenka'

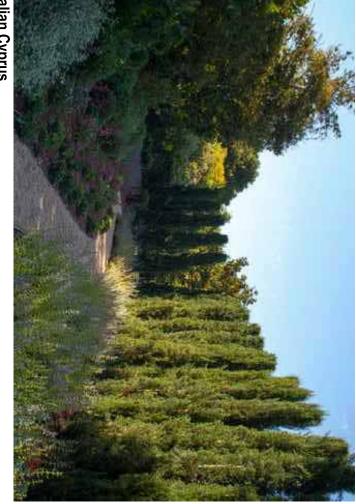






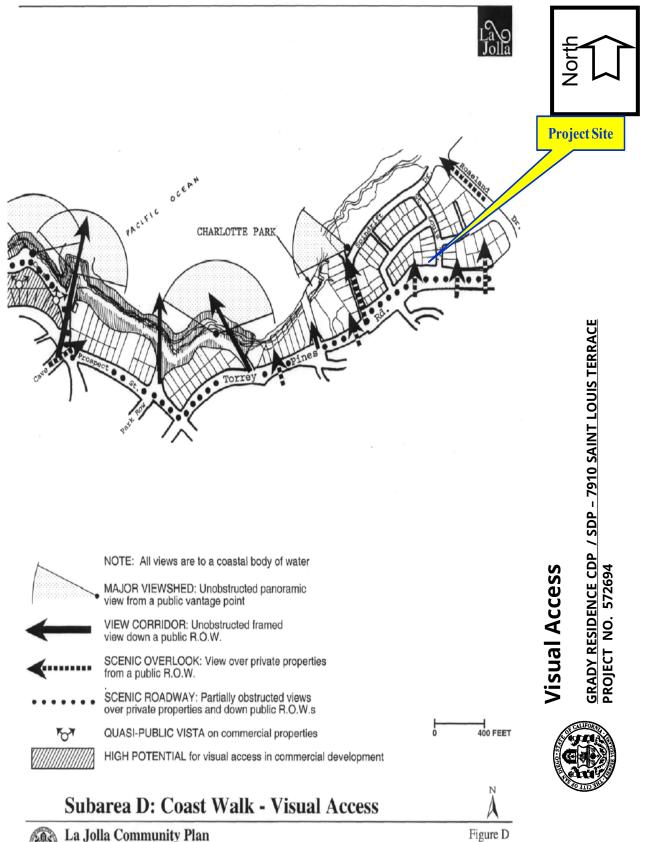






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