

#### THE CITY OF SAN DIEGO

#### Report to the Hearing Officer

DATE ISSUED: October 9, 2019 REPORT NO. HO-19-093

HEARING DATE: October 16, 2019

SUBJECT: RASTETTER CABANA, Process Three Decision

PROJECT NUMBER: <u>581185</u>

OWNER/APPLICANT: Rastetter Family Trust, Owner and Bokal & Sneed, Applicant

#### **SUMMARY**

<u>Issue</u>: Should the Hearing Officer approve the demolition of an existing dwelling unit and the construction of a new companion unit located at 303 Sea Lane within the La Jolla Community Planning area?

<u>Staff Recommendation(s)</u>: Approve an application for Coastal Development Permit No. 2053703 and Neighborhood Development Permit No. 2348112.

<u>Community Planning Group Recommendation</u>: On January 3, 2019, the La Jolla Community Planning Association (LJCPA) voted 14-0-1 to recommend approval of the proposed project with no conditions or recommendations.

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15332, In-Fill Development. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 23, 2019, and the opportunity to appeal that determination ended September 9, 2019.

#### **BACKGROUND**

The 0.36-acre project site is located at 303 Sea Lane, west of and north of Dunemere Drive, and south and west of Marine Street and Vista Del Mar Avenue. Immediately west of the project site is a beach. The project site is with the La Jolla Community Plan area, and is surrounded by single residential development, of varying architectural styles.

The project site is within the RS-1-7 base zone, and is designated for Low Density Residential in the La Jolla Community Plan (LJCP). The site is in the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, First Public Roadway, Parking Impact Overlay Zone (Beach Impact), Residential

Tandem Parking Overlay Zone, Sensitive Coastal Overlay Zone, and the Transit Priority Area. The existing dwelling unit is over 45 years old and was reviewed by City staff under Project No. 542618 to determine if the structure was eligible for designation. Staff concluded that the property is not eligible for designation.

#### **DISCUSSION**

The project proposes to demolish the existing single dwelling unit located at 303 Sea Lane and construct a 1,083-square-foot companion unit on the property, with the main house located at 310 Dunemere Drive, immediately south of the project site. A lot tie agreement is required, to tie this companion unit to the primary residence on Dunemere Drive.

The project requires a Coastal Development Permit (CDP) in accordance with San Diego Municipal Code (SDMC) Section 126.0702 for construction on property within the Coastal Overlay Zone. A Neighborhood Development Permit is required per SDMC Section 143.0915 for a deviation that is requested in accordance with SDMC Section 143.0920.

In addition to the new, single-story unit, the project site would be landscaped and hardscaped. Two off-street parking spaces are proposed, and while they are not required, it will help alleviate the usage of on-street parking in the Beach Parking Impact area. The project is seeking a deviation to maintain an existing curb cut larger than is allowed in the coastal area. The curb cut is currently 21 feet, where 12 is allowed. The curb cut is located on a street where on-street parking is prohibited. The intent of a smaller curb cut in this area is to maximize on-street parking, and since this is a red curb, there will be no impact to the on-street parking opportunities. Upgrades to the curb cut are required, to ensure it meets City standards.

Public access to the beach is provided directly from the Sea Lane right-of-way, which will not be altered wit this project. The community plan has identified a public view corridor down Sea Lane to the coast. The existing development includes solid walls along the northern edge of the property. Those walls will be reduced in height, which will enhance the view from the public street to the beach, ensuring conformity with the La Jolla Community Plan and Local Coastal Program Land Use Plan.

#### CONCLUSION:

This proposed project is designed to comply with the development regulations of RS-1-7 Zone, and all regulation of the overlay zones, with one deviation to the curb cut width. 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 approve Coastal Development Permit No.2053703 and Neighborhood Development Permit No. 2348112, as proposed.

#### **ALTERNATIVES**

1. Approve Coastal Development Permit No.2053703 and Neighborhood Development Permit No. 2348112, with modifications.

2. Deny Coastal Development Permit No.2053703 and Neighborhood Development Permit No. 2348112, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

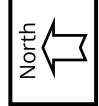
Martha Blake, Development Project Manager

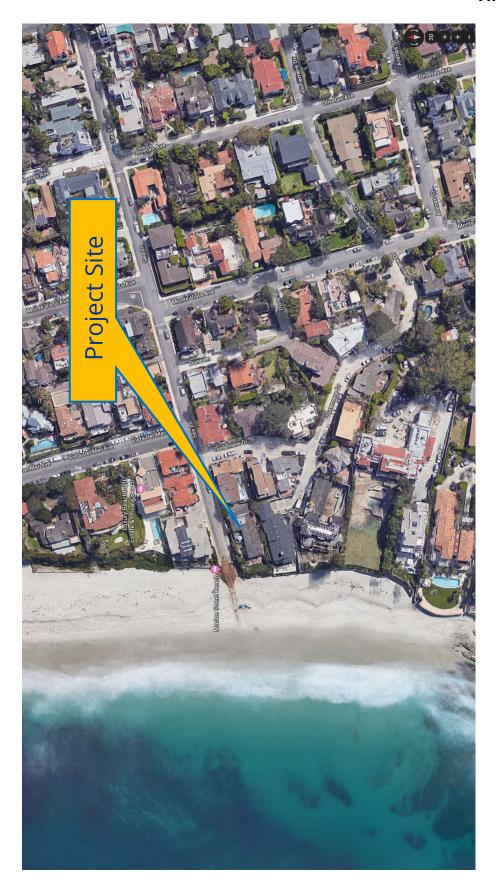
#### Attachments:

- 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 Exemption
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure Statement
- 9. Project Plans

#### **ATTACHMENT 1**

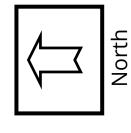


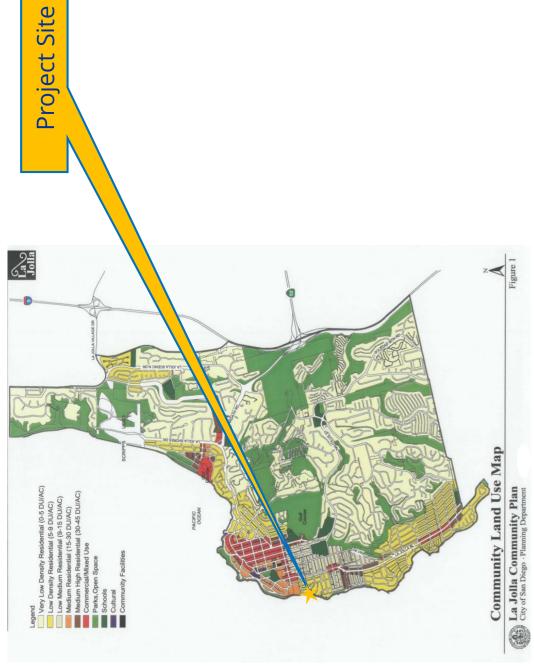






**Aerial Photo**Rastetter Cabana
PROJECT NO. 581185



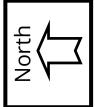


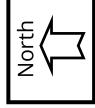
# Land Use Map

Rastetter Cabana PROJECT NO. 581185



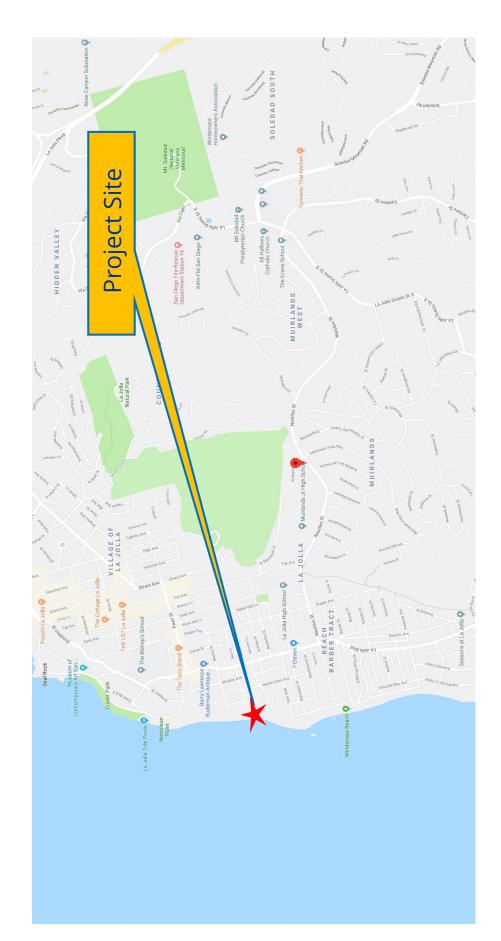
#### **ATTACHMENT 3**





## **Project Location Map** Rastetter Cabana PROJECT NO. 581185





HEARING OFFICER RESOLUTION NO. COASTAL DEVELOPMENT PERMIT NO. 2053703 and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2348112

#### **RASTETTER CABANA - PROJECT NO. 581185**

WHEREAS, the WILLIAM H. RASTETTER and MARISA GARD RASTETTER, TRUSTEES of the RASTETTER FAMILY TRUST, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing dwelling unit and construct a companion unit to the residence located at 310 Dunemere Drive (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2053703 and Neighborhood Development Permit No. 2348112, on portions of a 0.36-acre site;

WHEREAS, the project site is located at 303 Sea Lane in the RS-1-7 base zone of the La Jolla Community Plan;

WHEREAS, the project site is legally described as: a Portion of Playa de las Arenas; being in the first addition to south La Jolla, according to Map thereof No. 891, filed in the Office of the County Recorder of San Diego County, March 3, 1903;

WHEREAS, on August 23, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15332, In-Fill Development, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on October 16, 2019 the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2053703 and Neighborhood Development Permit No. 2348112, pursuant to the Land Development Code of the City of San Diego;

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. 2053703 and Neighborhood Development Permit No. 2348112:

#### **COASTAL DEVELOPMENT PERMIT FINDINGS - SAN DIEGO MUNICIPAL CODE SECTION 126.0708**

A. The proposed coastal development will not encroach upon any existing physical access way 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 proposes the demolition of an existing 3,355-square-foot single residential unit and the construction of a new, approximately 925-square-foot companion unit on a 0.36-acre site, located at 303 Sea Lane with the RS-1-7 zone, and with the Coastal Overlay Zone (appealable area), Coastal Height Limit, Beach Impact, Transit Priority Overlay, and Residential Tandem Parking Overlay areas within the La Jolla Community Plan area.

The project site is located immediately west of a beach that has public access from Sea Lane, a public street with sidewalks, and that access would not be altered with this proposal. No physical access routes are identified through the property, as the access exists from the public street. Sea Lane is a designated view corridor, per the La Jolla Community Plan and Local Coastal Program. The current development includes walls along the northern edge of the property, adjacent to the sidewalk. Portions of those walls will be altered with this permit by reducing the wall height and utilizing "see through" fencing, which will enhance the public view down Sea Lane to the ocean. Existing vegetation that encroaches into the view corridor will be removed, and new, low-growing vegetation would be used instead, to ensure the public views down Sea Lane are maintained. Additionally, the size of the new structure is substantially smaller than the existing structure, which may add to the view access to the beach from Sea Lane.

The project is also conditioned to require the property owner to grant a formal easement for public access and passive recreational use on the beach portions of the property, at the western edge of the property, west of existing rip-rap. This will ensure that the public access across the beach is not impeded, but does not alter how the beach itself is accessed.

No physical access routes are identified through the property in the Community Plan or Local Coastal Program Land Use Plan. Removing portions of walls and taller vegetation will allow greater view access down Sea Lane. An easement across the sandy beach at the western edge of the property is required with this permit. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public access way identified in a Local Coastal Program.

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

The project site does not contain any environmentally sensitive lands (ESL), but is adjacent to ESL (Coastal Beach). The entire project site has been graded and padded with artificial fill as a result of construction of the existing home and associated improvements on the property. No natural slopes, sensitive coastal bluff, or other environmentally sensitive areas will be adversely affected by the project.

This project is located in a developed, urban neighborhood. There are no watercourses, ESL, or Multi-Habitat Planning Area (MHPA) lands located on the site. Immediately to the west of the site is ESL in the form of Coastal Beach. The project is in conformance with all coastal beach regulation, and the project will not adversely affect the beach area. Specifically, the project has been designed to ensure all drainage from unimproved areas will be appropriately collected and discharged to reduce, control, and mitigate erosion.

Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands, as no such resources exist on or adjacent to the project site.

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

The 0.36-acre project site is located at 303 Sea Lane within the La Jolla Community Plan (LJCP) area, which designates the site for Low Density Residential (5 to 9 dwelling units per acre (du/ac)). The site is zoned RS-1-7 zone, which implements this land use designation, and the project proposes a new companion unit to an existing dwelling unit as allowed by the RS-1-7 zone. The project proposes the demolition of an existing single residential unit and the construction of a new companion unit, including a kitchen, one bedroom, bathroom, and living area. The unit is a companion unit to the single residential unit located at 310 Dunemere Drive (a 0.28-acre site), just south of the project site. A lot tie agreement is required for this project. The density of the proposed project would result in a density of 3 du/ac, which is below the land use designation of 5 du/ac.

The design of the project has been determined by City of San Diego Staff to be consistent with the Community Plan and all applicable City Codes. The Project meets the Guidelines for the Coastal Overlay and Coastal Height Limitation Overlay Zones and the proposed development would be consistent with the recommended residential uses prescribed by the LJCP and the underlying zone. The proposed development would also comply with all of the applicable development regulations of the Land Development and is consistent with the existing development pattern of the neighborhood.

Therefore, the proposed development proposal is consistent with the policies, goals, and objectives of the applicable land use plan, including the Local Coastal Program.

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

Dedicated and improved public access points to the Pacific Ocean and the sandy beach are located directly down Sea Lane, to the north via fully improved Marine Street, and to the south via an improved concrete pathway and stairs at the front of Vista de la Playa, consistent with the recommendations within the Certified LCP.

There will be no impact to public beach parking since the proposed Companion Unit will be providing two (2) off-street parking spaces. The proposed site improvement will not encroach beyond the legal lot area and there is no construction proposed that would adversely affect public access or the public right-of-way.

As required by the permit conditions, a Public Lateral Beach Access and Passive Recreational Easement will be recorded across the sandy beach area of the lot, west of the existing rip rap. As such, the westerly portion of the site which contains a sandy beach will be protected for public use.

Therefore, the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and all of the applicable provisions of the LCP (also see Findings 1 – 3 above, the SDP and NDP Findings).

#### **NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC Section 126.0404]**

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

Please refer to Coastal Development Permit Finding (C).

The 0.34-acre site is located at 303 Sea Lane, with the LJCP area, which designates the site for Low Density Residential (5 to 9 dwelling units per acre (du/ac)), and is zoned RS-1-7. This density and zoning allows for the proposed companion unit, consistent with land use plan and zone.

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

The 0.36-acre parcel is zoned RS-1-7 and designated Low Density (5 to 9du/ac) in the LJCP. The project site is located in a developed, urban area that is already served by utilities and emergency services. It will be developed in accordance with existing zoning for the site. The project proposes to maintain an existing, 21-foot driveway curb cut. This curb cut, where, the standard is 12 feet, will not interfere or impede access to or across the site related to any public health, safety, or welfare issues. No parking is permitted along Sea Lane,

The development has been designed in full accordance with the Land Development Code, and the construction will be required to observe all local, state, and federal laws related to

building safety, fire safety, and water quality. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The RS-1-7 zone has a minimum lot size per dwelling unit of 5,000 square feet. The companion unit will be located on a lot that is approximately 15,700 square feet, and the lot at 310 Dunemere Drive is approximately 12,200 square feet, therefore one dwelling unit plus companion unit meets the minimum lot size requirement. In addition, the project is in compliance with all applicable regulations of the LDC, including building height and lot coverage.

One deviation is requested to retain an existing 21-foot curb cut from Sea Lane to provide access to two off-street parking spaces. As the project is a companion unit that is located within a Transit Priority Area, no parking is required. However, the development is also with the Beach Parking Impact Overlay zone, and the existing on-street parking in the immediate neighborhood is limited. Sea Lane has no on-street parking, with the curbs painted red on both sides of the street. Therefore, this non-standard curb cut will also not take away any available or potential on-street parking, as that is prohibited. Therefore, the proposed development will comply with the regulations of the Land Development Code.

## <u>SUPPLEMENTAL FINDINGS - Affordable Housing, In-Fill Projects, or Sustainable Buildings</u> Deviation for NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC Section 126.0404]

1. The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable buildings opportunities.

The proposed infill project involving a Companion Unit, although much smaller than the surrounding homes will be compatible with the appearance and character of the surrounding neighborhood, and will provide a housing type not commonly available in this neighborhood. The architectural details of the Companion Unit will improve the aesthetic appeal of the site when viewed from Sea Lane and from along the coast, particularly by removing vegetation and walls, which will result in enhanced views to the coast along Sea Lane. Therefore, this in-fill project will provide a housing type unique to the neighborhood, while enhancing the public views to the coast.

2. Any proposed deviations are appropriate for the proposed location.

One deviation is proposed with this development: to allow a 21-foot wide curb cut, where a 12-foot curb cut is allowed. This curb cut is proposed on a street where on street parking is prohibited, and the curbs are painted red. The purposed of the smaller curb cut width in the Coastal area is maximize on-street parking availability. Given that no parking is allowed on the street at this location, there is no impact to on-street parking with a 21-foot curb cut. In addition, providing off-street parking for the companion unit will mean that those residents would not need to park on the street in an area with limited on-street parking. Therefore, the deviation is appropriate for the site.

**ATTACHMENT 4** 

E. 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. 2053703 and Neighborhood Development Permit No.

2348112 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form,

exhibits, terms and conditions as set forth in Coastal Development Permit No. 2053703 and

Neighborhood Development Permit No. 2348112, a copy of which is attached hereto and made a

part hereof.

Martha Blake

Development Project Manager

**Development Services** 

Adopted on: October 16, 2019

IO#: 24007512

#### **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: 24007512

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2053703 and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2348112

RASTETTER CABANA - PROJECT NO. 581185

HEARING OFFICER

This COASTAL DEVELOPMENT PERMIT NO. 2053703 and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2348112 is granted by the Hearing Officer of the City of San Diego to WILLIAM H. RASTETTER and MARISA GARD RASTETTER, TRUSTEES of the RASTETTER FAMILY TRUST, pursuant to San Diego Municipal Code [SDMC] Sections 126.0708 and 126.0404. The 0.36 -acre site is located at 303 Sea Lane in the RS-1-7 zone(s) of the La Jolla Community Plan area. The project site is legally described as: a Portion of Playa de las Arenas; being in the first addition to south La Jolla, according to Map thereof No. 891, filed in the Office of the County Recorder of San Diego County, March 3, 1903

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing dwelling unit and construct a new companion unit to a residence located at 310 Dunemere, subject to the City's land use regulations] described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 16, 2019, on file in the Development Services Department.

#### The project shall include:

- a. Demolition of an existing approximately 3,330-square-foot single dwelling unit, and the construction of a new, 925-square-foot companion unit, including a deviation to maintain an existing 21-foot-wide curb cut;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking with rolling gate;
- d. A reduction in wall height and vegetation along the northerly 8-foot wide front yard area adjacent to the property line and public sidewalk; 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 30, 2022.
- 2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
- 3. 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.
  - 4. 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.
  - 5. 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.
  - 6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
  - 7. 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.).
  - 8. 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.

- 9. 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.
- 10. 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.

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

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

12. 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:**

- 13. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing driveway with current City Standard Drawing SDG-162 adjacent to the site on Sea Lane, satisfactory to the City Engineer.
- 14. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet, catch basin, retaining wall, storm drain pipe, water meter in driveway in the public Right-of-Way/easement.
- 15. The project proposes to export 403 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.
- 16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 17. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 18. Prior to the issuance of any 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.
- 19. 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.

#### PLANNING/DESIGN REQUIREMENTS:

- 20. Owner/Permittee shall maintain a minimum of two 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.
- 21. 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.

- 22. Prior to the issuance of any construction permit, an easement shall be recorded along the sandy beach portion of the property (approximately 6,600 square feet) for public access and passive recreation use, as identified on Exhibit "A".
- 23. A companion unit shall not be used for a rental term of less than 30 consecutive days.
- 24. A companion unit may not be sold or conveyed separately from the primary dwelling unit.
- 25. Prior to issuance of the Building Permit, the owner of record shall enter into a Lot Tie Agreement that ties the subject lot (303 Sea Lane) to the adjacent lot to the south, addressed as 310 Dunemere Drive.
- 26. Prior to the issuance of any construction permit, the Owner/Permittee shall record an eight-foot-wide View Corridor Easement along the northerly front yard, the full length of the property, as shown on Exhibit "A" in accordance with SDMC Section 132.0403(b).
- 27. Open fencing and ground cover landscaping may be permitted in the visual corridor above the solid brick wall, as shown on Exhibit "A" provided such improvements and landscaping are at least 75% open to light.
- 28. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

#### **PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

- 29. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
- 30. Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
- 31. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

32. Prior to the issuance of any building permits, the Owner/Permittee shall finalize Water and sewer capacity charges. Capacity charges, as well as service and meter size, are determined by Water Meter data card which is completed during the building plan review process.

#### **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 October 16, 2019 and [Approved Resolution Number].

#### **ATTACHMENT 5**

Coastal Development Permit No. 2053703 Neighborhood Development Permit No. 2348112 Date of Approval: October 15, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Martha Blake
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.

[NAME OF COMPANY] Owner/Permittee
By NAME TITLE
[NAME OF COMPANY] Owner/Permittee
By NAME TITLE

NOTE: Notary acknowledgments must be attached per Civil Code

section 1189 et seq.



#### **NOTICE OF EXEMPTION**

**ATTACHMENT 6** 

TO:	X	RECORDER/COUNTY CLER P.O. BOX 1750, MS A-3 1600 PACIFIC HWY, ROO SAN DIEGO, CA 92101-2	З м 260	FROM:	CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101
		Office of Planning and 1400 Tenth Street, Roo Sacramento, CA 95814	ом 121		
PROJEC	T No.: 58	31185	Project Title: Rastette	er Cabana	CDP
PROJEC	T LOCATIO	ON-SPECIFIC: 303 Sea Lar	ne, La Jolla, CA 92037		
PROJEC	T <b>L</b> OCATION	ON-CITY/COUNTY: San Did	ego/San Diego		
family spaces	dwellin s and a	g unit and construct spa. The 0.36-acre	an 866 square-foot or	ne-bedroc RS-1-7 k	ment Permit to remove an existing single om dwelling unit with two on-site parking pase zone and the Coastal Overlay Zone trict 1.
NAME (	OF PUBLIC	AGENCY APPROVING PROJ	ECT: City of San Diego		
		N OR AGENCY CARRYING OU	858-405-859	95.	. Box 1401, Rancho Santa Fe, CA 92067,
( ) ( ) ( \sqrt{}	DECL EMER	STERIAL ARED EMERGENCY GENCY PROJECT GORICAL EXEMPTION: SECTIO	on 15332: In-Fill Develo		
neet policie limits as hal signific by all	of CEQ. the follons and a on a site bitat for cant effe required	A Guidelines. Section owing conditions: 1) the applicable zoning design of no more than 5 acressed rare, or ects relating to traffic, resultities and public se	15332 applies to project is consistent gnation and regulation res substantially surrout threatened species; 4 noise, air quality, or wa	cts that all with the s; 2) the unded by 4) approver ter quality	the exempt from CEQA pursuant to Section re characterized as in-fill development and applicable general plan and general plan proposed development occurs within citurban uses; 3) the project site has no value alof the project would not result in any; and 5) the site can be adequately served is listed in CEQA Guidelines Section 15003.
LEAD A	GENCY C	ONTACT PERSON: M. Brun	nette	` <b>T</b> :	elephone: (619) 446-5379
If filed 1. 2.		H CERTIFIED DOCUMENT OF NOTICE OF EXEMPTION BEE!	EXEMPTION FINDING. N FILED BY THE PUBLIC AGEN	ICY APPROV	ING THE PROJECT?

#### **ATTACHMENT 6**

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

MARK BRUNETTE, SENIOR PLANNER

SEPTEMBER 10, 2019

DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

( ) SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



#### La Jolla Community Planning Association

January 14, 2019

To: Martha Blake

Cc: Paul Vaughn, Matt Peterson

RE: Rastetter Cabana---LJCPA Vote

On *January 3, 2019* at the Regular Meeting of the La Jolla Community Planning Association (LJCPA) Trustees reviewed *Rastetter Cabana* as an Action item on the Consent Agenda.

10.1 Coastal Development Permit to remove existing single family house and construct an 866 sq. ft. one bedroom dwelling unit with two onsite parking spaces and spa at 303 Sea Lane. The 0.36 acre site is in the RS-1-7 base zone, Coastal (Appealable) overlay zone within the La Jolla Community Plan area, Council District 1.

**DPR Motion:** Findings can be made for a CDP to remove existing single family house and construct 866 square foot one bedroom dwelling unit with two onsite parking spaces and spa at 303 Sea Lane. Vote: 6-0-1.

The LJCPA voted on consent (14-0-1) to accept the recommendation of the DPR subcommittee.

Sincerely,

**Bob Steck** 

**President** 

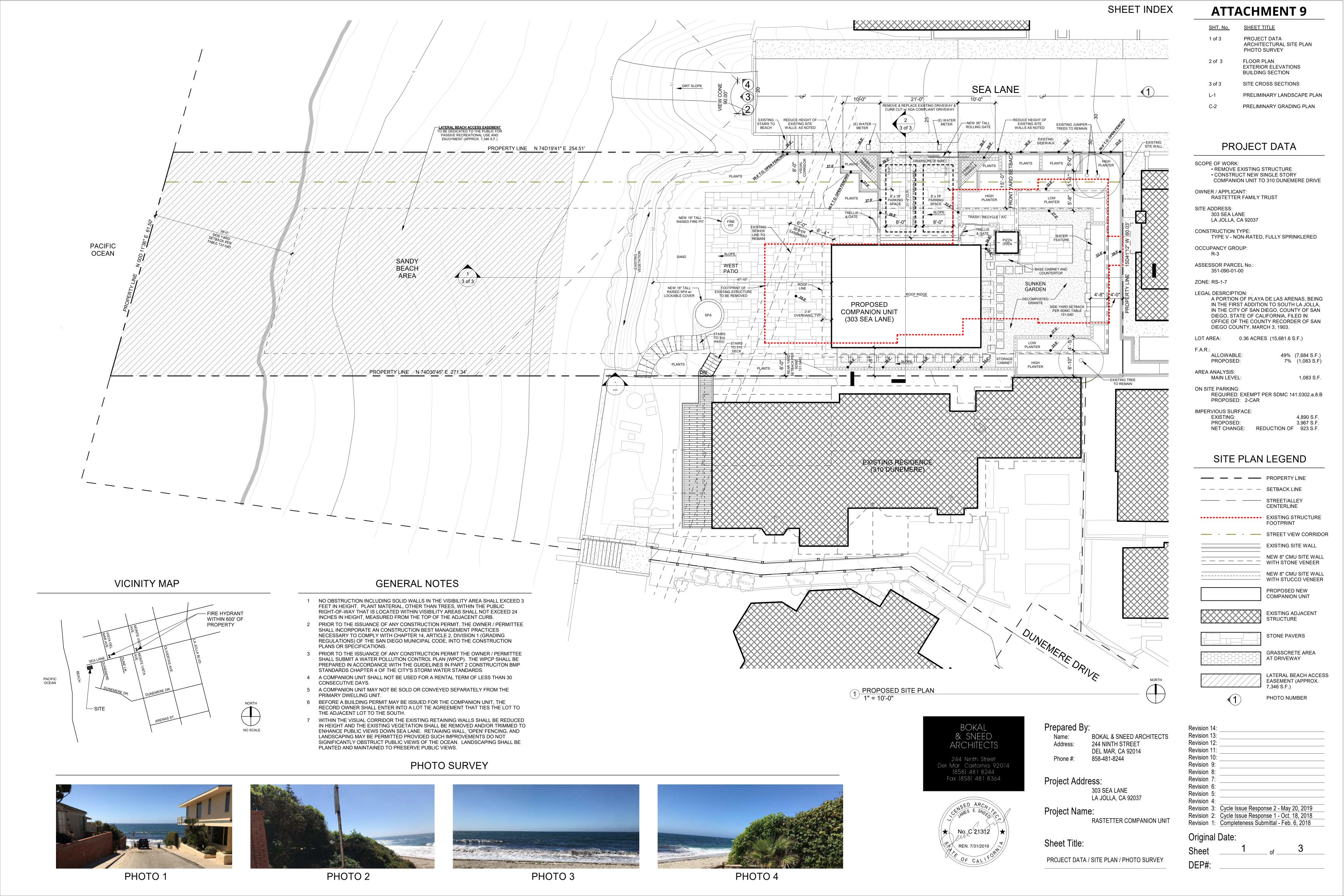
PO Box 889, La Jolla, CA 92038 ♦ 858.456.7900 ♦ http://www.LaJollaCPA.org ♦ info@LaJollaCPA.org

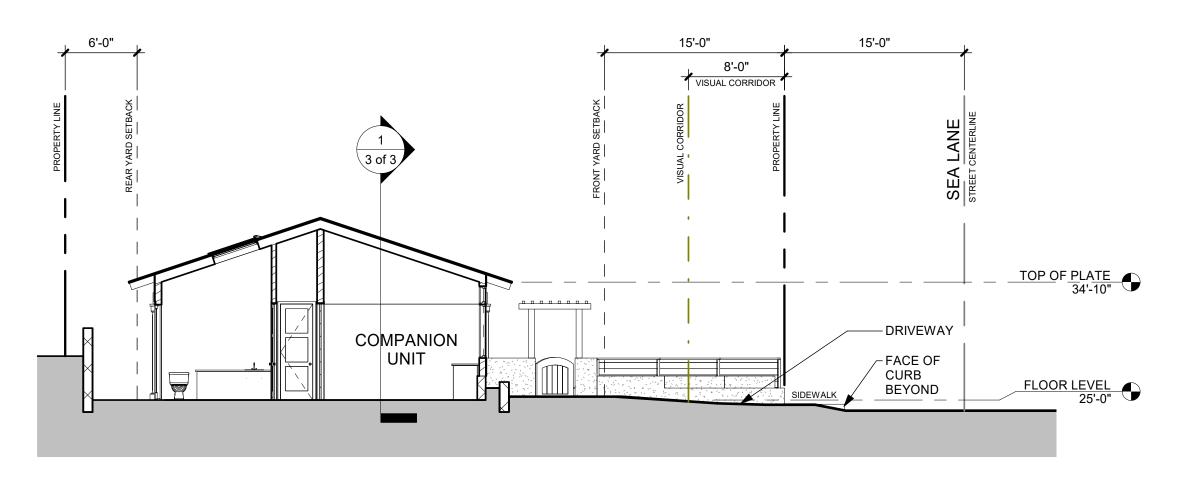


City of San Diego **Development Services** 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000

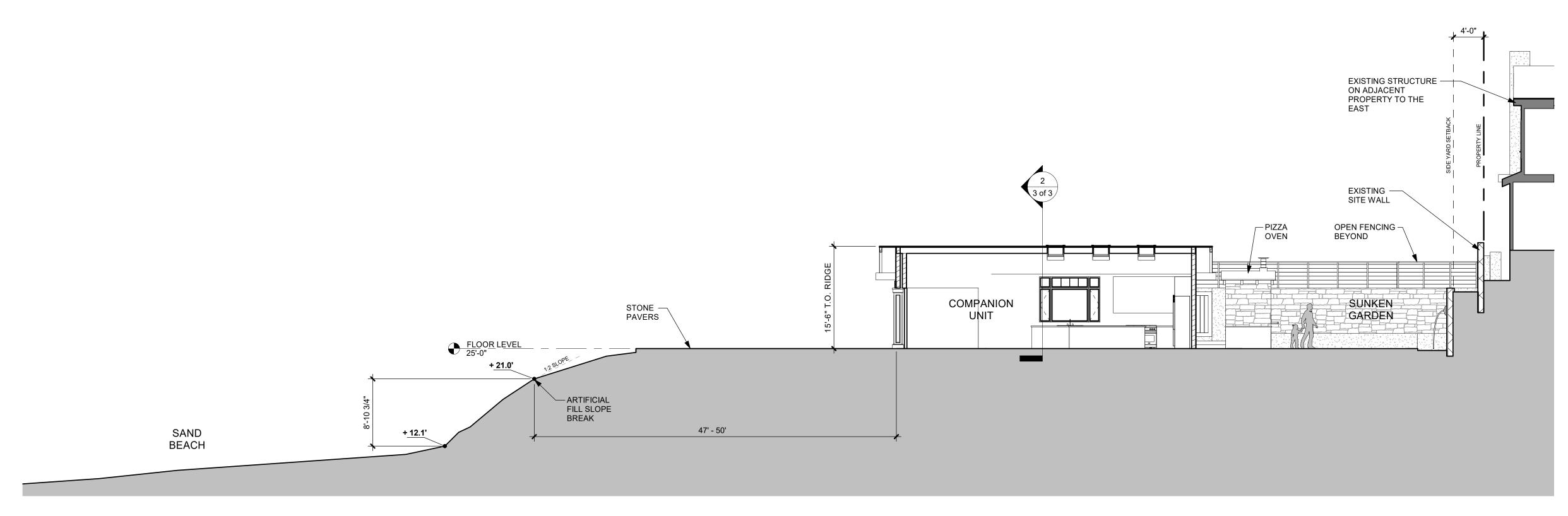
### Ownership Disclosure Statement

	Project No. For City Use Only
roject Title Rastetter Cabana	
roject Address:	
303 Sea Lane, La Jolla CA 92037	
rt I - To be completed when property is held by individu	ıal(s)
over will be filed with the City of San Diego on the subject propertion the owner(s) and tenant(s) (if applicable) of the above reference to have an interest in the property, recorded or otherwise, and state ividuals who own the property). A signature is required of at least method the Assistant Executive Director of the San Diego Redevelopment velopment Agreement (DDA) has been approved / executed by the sanger of any changes in ownership during the time the application of Project Manager at least thirty days prior to any public hearing promation could result in a delay in the hearing process.  Idditional pages attached Yes No	viedge that an application for a permit, map or other matter, as identified rry, with the intent to record an encumbrance against the property. Please list need property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, as tone of the property owners. Attach additional pages if needed. A signature ent Agency shall be required for all project parcels for which a Disposition and the City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to on the subject property. Failure to provide accurate and current ownership.  Name of Individual (type or print):
he Rastetter Family Trust, William Rastetter-Trustee	The Rastetter Family Trust Marisa Raste
X Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
treet Address: 10 Dunemers Drive Po Box 1401	Street Address:
ity/State/Zip: -a JoHa, CA 92037 Rancho Santa Fe, CP	City/State/Zin
	Phone No: Fax No:
hone No: 858 405 -8595 Fax No: 759 40	Phone No. Fax No:
Phone No: 858 405 -8595 858 759-40	Signature: Date:
hone No: 858 405-8595 858 759-40	014
Phone No: 858 405 -8595 858 759-40	Signature: Date:
B 5 8 4 0 5 - 8 5 9 5	Signature: Par First Date: 10/4/17
Ignature: Date: 10/6/17 Idame of Individual (type or print):	Signature: Par First Date: 10/4/17  Name of Individual (type or print):
Ignature:  Date:  Ignature of Individual (type or print):  Owner Tenant/Lessee Redevelopment Agency	Signature: Part 10/4/7  Name of Individual (type or print):    Owner   Tenant/Lessee   Redevelopment Agency
ignature:  Date:  Jo/6/17  Iame of Individual (type or print):  Owner Tenant/Lessee Redevelopment Agency  treet Address:	Signature: Part Date: 0/4/7  Name of Individual (type or print):  Owner Tenant/Lessee Redevelopment Agency  Street Address:
hone No: 858 405-8595	Signature: Date: 10/4/7  Name of Individual (type or print):  Owner Tenant/Lessee Redevelopment Agency  Street Address:  City/State/Zip:



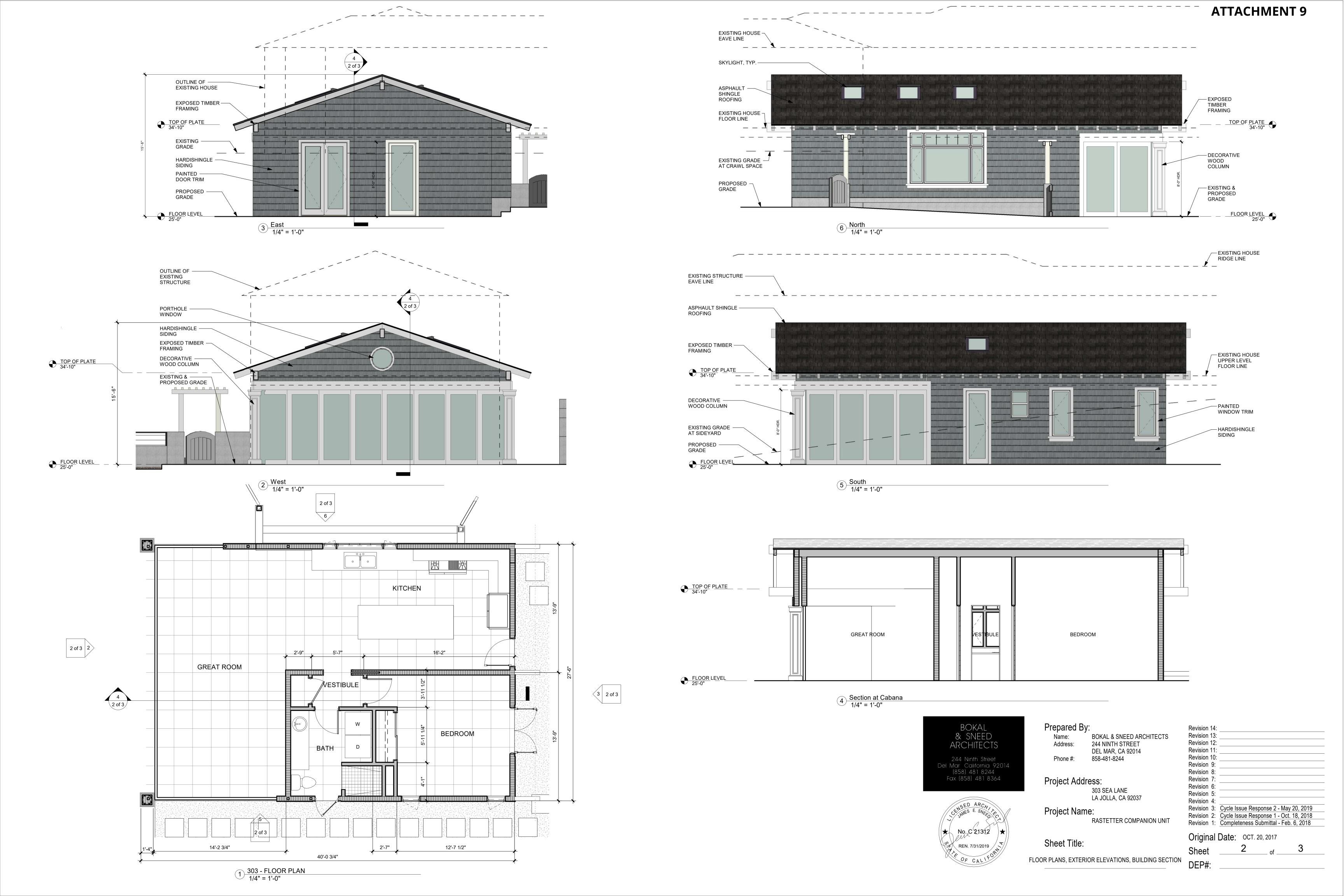


2 Site Section - NORTH-SOUTH
1/8" = 1'-0"



Site Section - EAST-WEST
1/8" = 1'-0"





HIBISCUS - PINK OR CREAM

IF PLAN IS LESS THAN 24" X 36" IT IS A REDUCED PRINT. REDUCE SCALE ACCORDINGLY.

PRELIMINARY LANDSCAPE PLAN

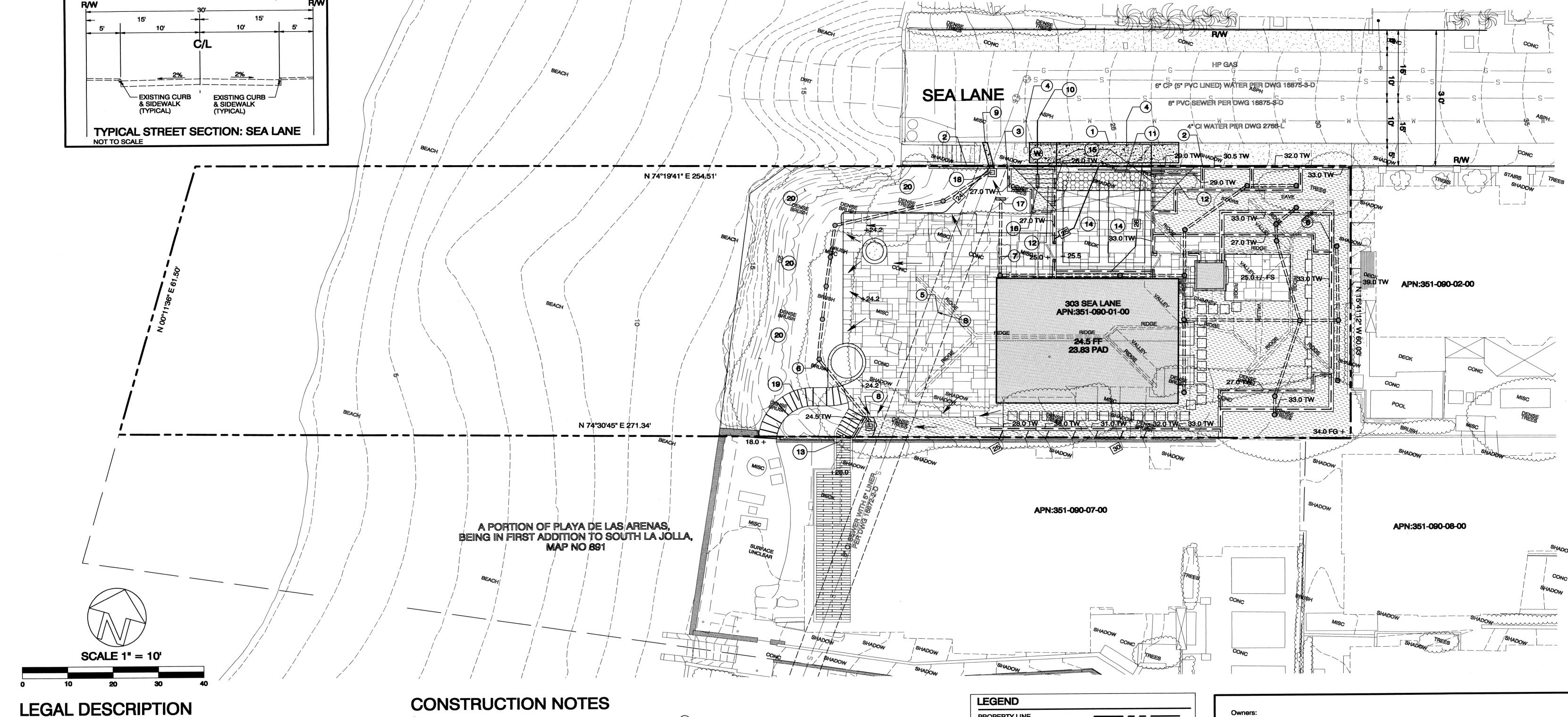
NOT FOR CONSTRUCTION

SHEET

( OF 1

L-1

SHEET



A PORTION OF PLAYA DE LAS ARENAS, BEING IN FIRST ADDITION TO SOUTH LA JOLLA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP THEREOF NO. 891, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MARCH 3, 1903. (SEE GRANT DEED FOR FULL DESCRIPTION).

## **APN / ADDRESS**

ASSESSOR'S PARCEL NUMBER: 351-090-01-00

303 SEA LANE LA JOLLA, CA 92037 ADDRESS:

## **BENCHMARK**

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE SOUTHEAST CORNER OF MONTE VISTA AVENUE AND SEA LANE. ELEVATION 56.74' MEAN SEA LEVEL (N.G.V.D. 1929).

## **NOTES**

- 1. UTILITIES SHOWN HEREON ARE FROM CITY OF SAN DIEGO RECORDS AND THEIR LOCATIONS ARE APPROXIMATE. NOT ALL UTILITIES MAY BE SHOWN. BEFORE ANY WORK TAKES PLACE CONTRACTOR SHALL HAVE ALL UTILITIES MARKED OUT AND SHALL USE SPECIAL CARE DURING CONSTRUCTION.
- 2. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM SURVEY BY CHRISTENSEN ENGINEERING & SURVEYING, DATED 05-16-17.
- 3. THE SUBJECT PROPERTY IS SERVED BY CITY OF SAN DIEGO SANITARY SEWER AND WATER MAINS.
- 4. SEE LANDSCAPE PLAN FOR HARDSCAPE INFORMATION
- 5. ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT SHALL BE REQUIRED FOR IMPROVEMENTS LOCATED OVER EXISTING SEWER EASEMENT ONSITE
- 6. THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.

- 1 REMOVE AND REPLACE EXISTING 21' NON STANDARD DRIVEWAY WITH ADA COMPLIANT DRIVEWAY PER SDG-161
- (2) EXISTING WALL TO REMAIN HEIGHT TO BE REDUCED
- 3 PROPOSED MASONRY WALL (TYP)
- 4) EXISTING WATER SERVICES TO BE KILLED
- 5) EXISTING SEWER LATERAL TO REMAIN
- 6) AREA DRAIN (TYPICAL)
- 7) PVC DRAIN (TYPICAL)
- 8 CATCH BASIN
- 9 MODIFIED (1' WIDE) CURB OUTLET PER D-25. Q100 = 0.27 CFS V100 = 2.3 FPS
- (10) PROPOSED 1" WATER SERVICE
- GRASSCRETE TYPE SURFACE TO TREAT RUNOFF FROM DRIVEWAY (OR EQUIV)
- (12) VISIBILITY TRIANGLE (TYPICAL)
- (UNDER SAME OWNERSHIP)
- (14) PARKING SPACES 8' X 18' (TYPICAL)
- 15 PORTION OF EX WALL TO BE REMOVED AND RELOCATED OUT OF VISIBILITY TRANGLE AS SHOWN (TYPICAL)
- (16) PROPOSED BACKFLOW PREVENTER (LESS THAN 36" IN HEIGHT)

- 17) 1' X 2' CURB TO ACT AS HEADWALL FOR DRAIN TO ALLOW RUNOFF TO FLOW OVER LANDSCAPING BEFORE ENTERING 1212 CATCH BASIN (ITEM # 18)
- 18)1212 CATCH BASIN TO COLLECT RUNOFF AND REPLACE STANDARD MANHOLE COVER IN STANDARD CURB OUTLET
- (19) STAIRS (ABOVE EXISTING GRADE)
- (20) EXISTING SLOPE AREA NOT TO BE DISTURBED

## **GRADING DATA**

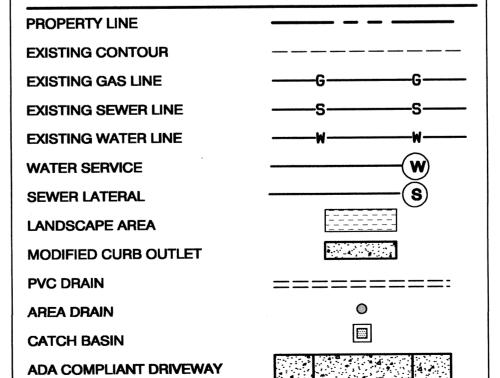
AREA OF SITE - 15,673 S.F.
AREA OF SITE TO BE GRADED: 6,600 SF
PERCENT OF SITE TO BE GRADED: 42.1%
AREA OF SITE WITH SLOPES GREATER THAN 25%: 0 S.F. ESL

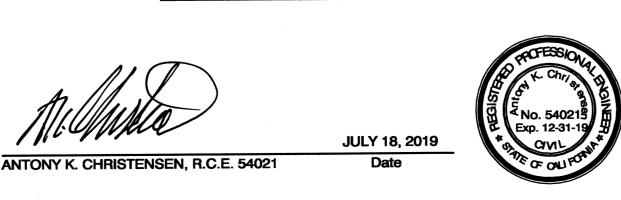
AMOUNT OF CUT - 468 C.Y. AMOUNT OF FILL - 65 C.Y. AMOUNT OF EXPORT - 403 C.Y. MAXIMUM FILL - 5' MAXIMUM CUT - 8' MAXIMUM HEIGHT OF FILL SLOPE - NONE MAXIMUM HEIGHT OF CUT SLOPE - NONE **RETAINING WALL:** 

TOTAL LENGTH: 440' MAX HEIGHT: 10'

EARTHWORK CALCULATIONS ARE APPROXIMATE TO FINISH SURFACE

EXISTING IMPERVIOUS AREA: 4,890 SF PROPOSED IMPERVIOUS AREA: 4,897 SF





## **RASTETTER FAMILY TRUST** P.O. BOX 1401 RANCHO SANTA FE, CA 92067 **CHRISTENSEN ENGINEERING & SURVEYING** 7888 SILVERTON AVENUE, SUITE "J" SAN DIEGO, CA 92126 PHONE (858) 271-9901 FAX (858) 271-8912 Revision 6: 07-18-19 ADD CITY NOTE 6 **Project Address** Revision 5: 07-07-19 REVISE DESIGN Revision 4: 05-08-19 REVISE DESIGN 303 SEA LANE **LA JOLLA, CA 92037 Revision 3: 02-13-19 ADD BFP**

PRELIMINARY GRADING PLAN

**RASTETTER COMPANION UNIT** 

Project Name:

Revision 2: 10-24-18 REVISE BASE

Original Date: OCTOBER 06, 2017

Revision 1: 10-02-18 REVISE DESIGN