



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: April 15, 2020 REPORT NO. HO-20-017

HEARING DATE: April 22, 2020

SUBJECT: 2677 Brookmead Lane CDP, Process Three Decision

PROJECT NUMBER: [630967](#)

OWNER/APPLICANT: YDNL LLC, Owner / James Alcorn Architecture, Applicant

SUMMARY:

Issue: Should the Hearing Officer approve a Coastal Development Permit for the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool on a vacant lot located at 2677 Brookmead Lane within the La Jolla Community Plan area?

Staff Recommendation: Approve Coastal Development Permit No. 2264343

Community Planning Group Recommendation: On August 1, 2019, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the project (Attachment 7).

Environmental Review: A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act guidelines. A Mitigation, Monitoring, and Reporting Program has been prepared and will be implemented to avoid or mitigate for potentially significant environmental effects that were identified in the environmental review process.

BACKGROUND

The project site is a vacant lot located at 2677 Brookmead Lane and is within the La Jolla Community Plan area (Attachment 1). In addition, the project site is located within the First Public Roadway and is approximately 1,650 feet from the Pacific Ocean. The surrounding properties are fully developed and consists of a well-established single-family residential neighborhood (Attachment 3).

The 1.28-acre site is in the RS-1-2 Zone, the Coastal (Appealable) Overlay Zone, the Coastal Height Limitation Overlay Zone, the Parking Impact Overlay Zone (Beach, Campus and Coastal Impact Areas), the Residential Tandem Parking Overlay Zone, and the Transit Priority Area. Pursuant to San Diego Municipal Code (SDMC) Section 126.0702(a), a Coastal Development Permit is required for all

coastal development of a premises within the Coastal Overlay Zone. In addition, projects within the appealable area of the Coastal Overlay Zone requires a Process Three decision, per SDMC Section 126.0707(b).

DISCUSSION

The project includes the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool. The project site is designated by the La Jolla Community Plan for very low density residential uses (0-5 dwelling units/acre). The project proposes one dwelling unit with a density of one dwelling unit per acre. Therefore, the project is consistent with the prescribed land use and density. In addition, the project was designed to comply with all of the development standards required by the underlying RS-1-2 Zone, including height, density, building setbacks, floor area ratio, and lot coverage. No deviations or variances are required.

There is no public view or coastal access from the project site, as identified in the La Jolla Community Plan and Local Coastal Land Use Plan. In addition, the project permit contains specific requirements to ensure compliance with the regulations of the Land Development Code. Permit requirements include implementation of a Mitigation, Monitoring, and Reporting Program to mitigate potentially significant environmental impacts, requiring the reconstruction of the existing driveway with a new 12-foot wide non-standard driveway, entering into an Encroachment Maintenance Removal Agreement for a 12-foot wide non-standard driveway located within the City's right-of-way, requiring approval of the proposed drainage system by the City Engineer, and implementing storm water construction best management practices (BMPs), including ongoing permanent BMP maintenance. In addition, the project site does not contain any sensitive biological resources, environmentally sensitive lands, and is not located within a coastal bluff, beach, or special flood area.

Staff has reviewed the proposal, including all the issues identified through the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan, and the adopted City Council policies and regulations of the Land Development Code. Therefore, draft findings and conditions to support project approval are presented to the Hearing Officer for consideration. Staff recommends that the Hearing Officer adopt Mitigated Negative Declaration No. 630967 with the Mitigation, Monitoring, and Reporting Program, and approve Coastal Development Permit No. 2264343 for the project.

ALTERNATIVES

1. Adopt Mitigated Negative Declaration No. 630967 and the Mitigation, Monitoring, and Reporting Program, and approve Coastal Development Permit No. 2264343 with modifications.
2. Do not adopt Mitigated Negative Declaration No. 630967 and the Mitigation, Monitoring, and Reporting Program, and deny Coastal Development Permit No. 2264343 if the findings required to approve the project cannot be affirmed.

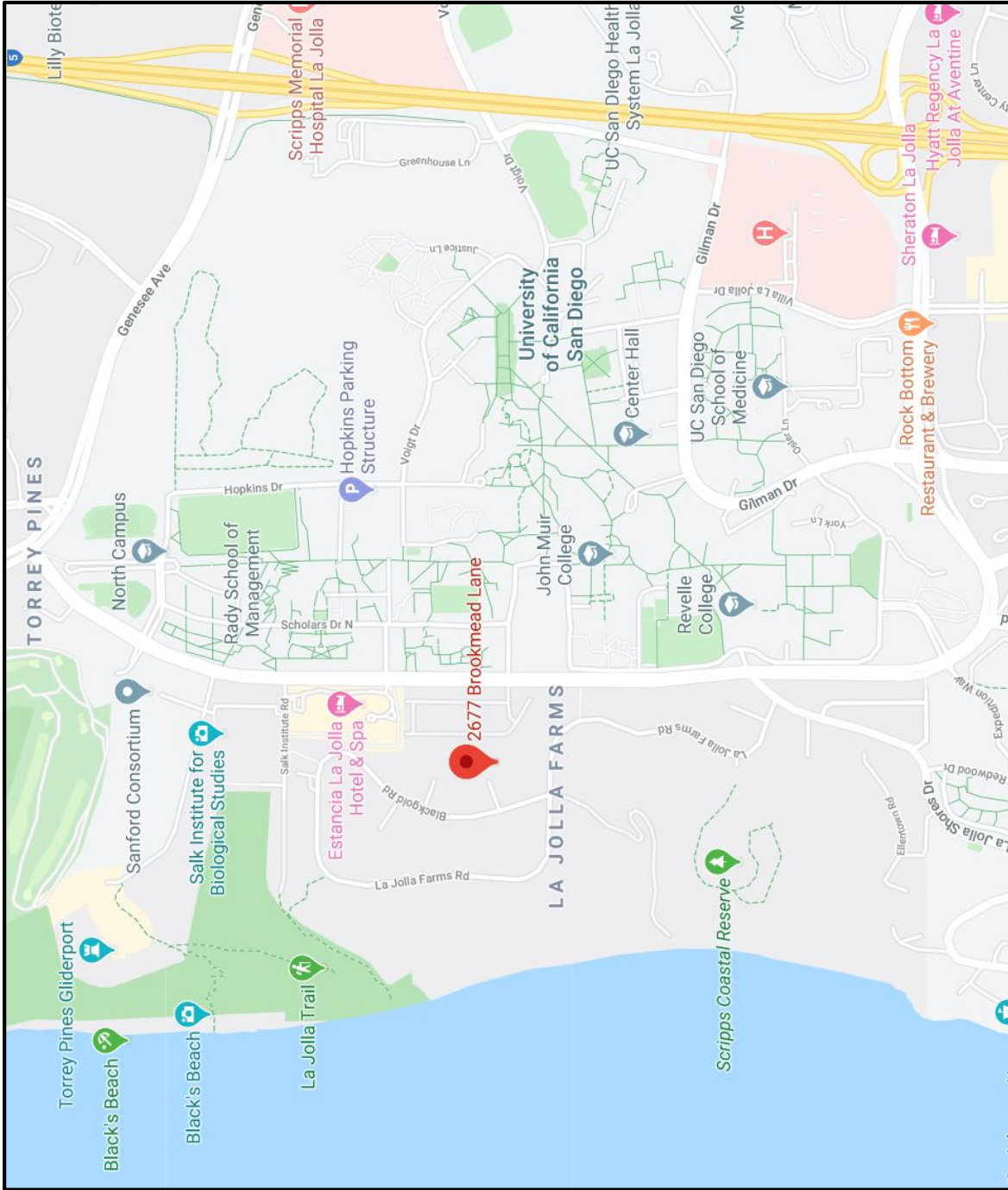
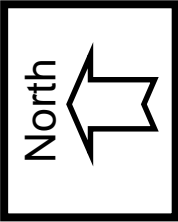
Respectfully submitted,



Xavier Del Valle, Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Environmental Resolution
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Community Planning Association Recommendation
8. Ownership Disclosure Statement
9. Project Plans

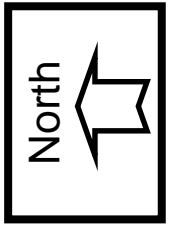


Project Location Map

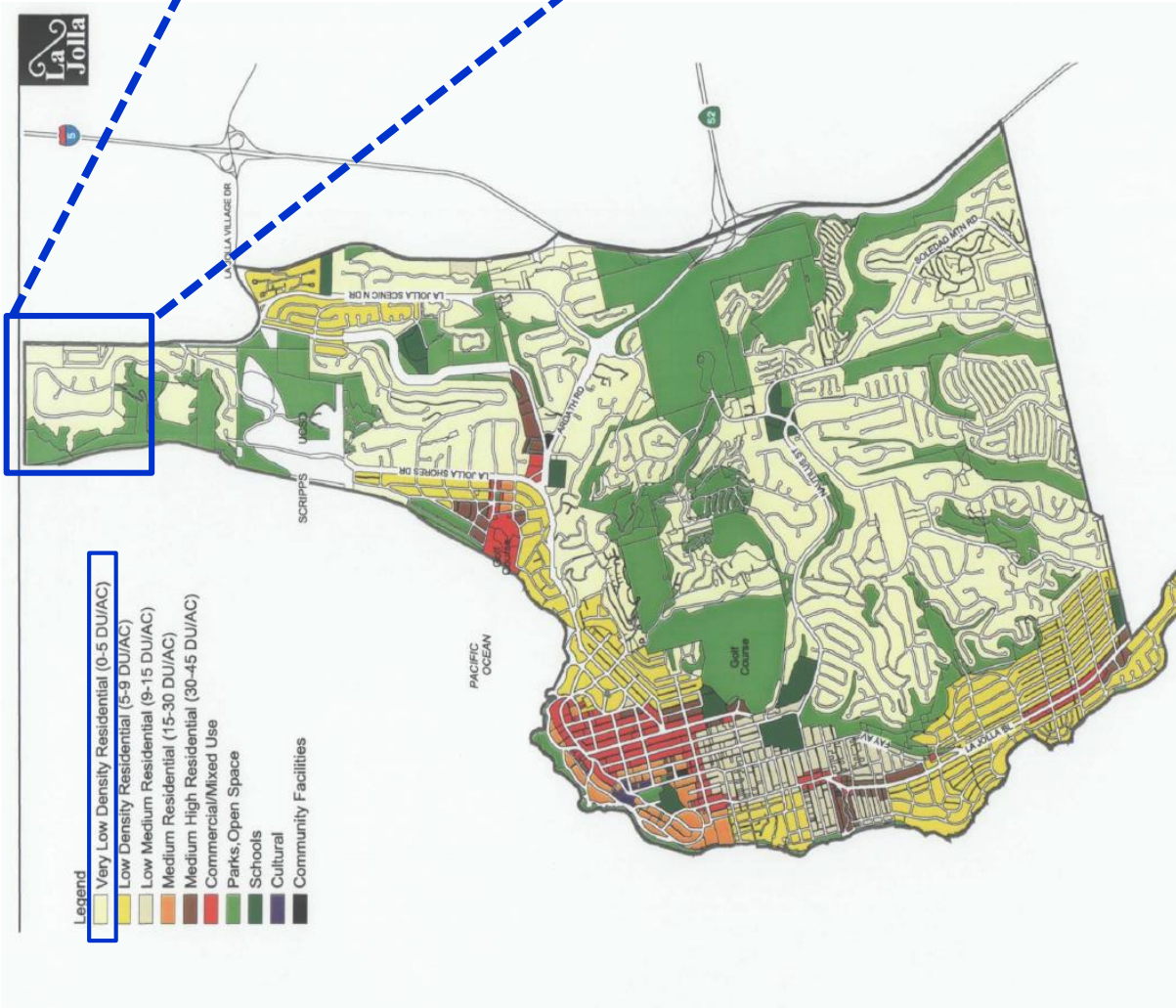
2677 Brookmead Lane.CDP

Project No. 630967 - 2677 Brookmead Lane





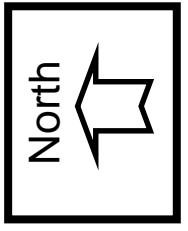
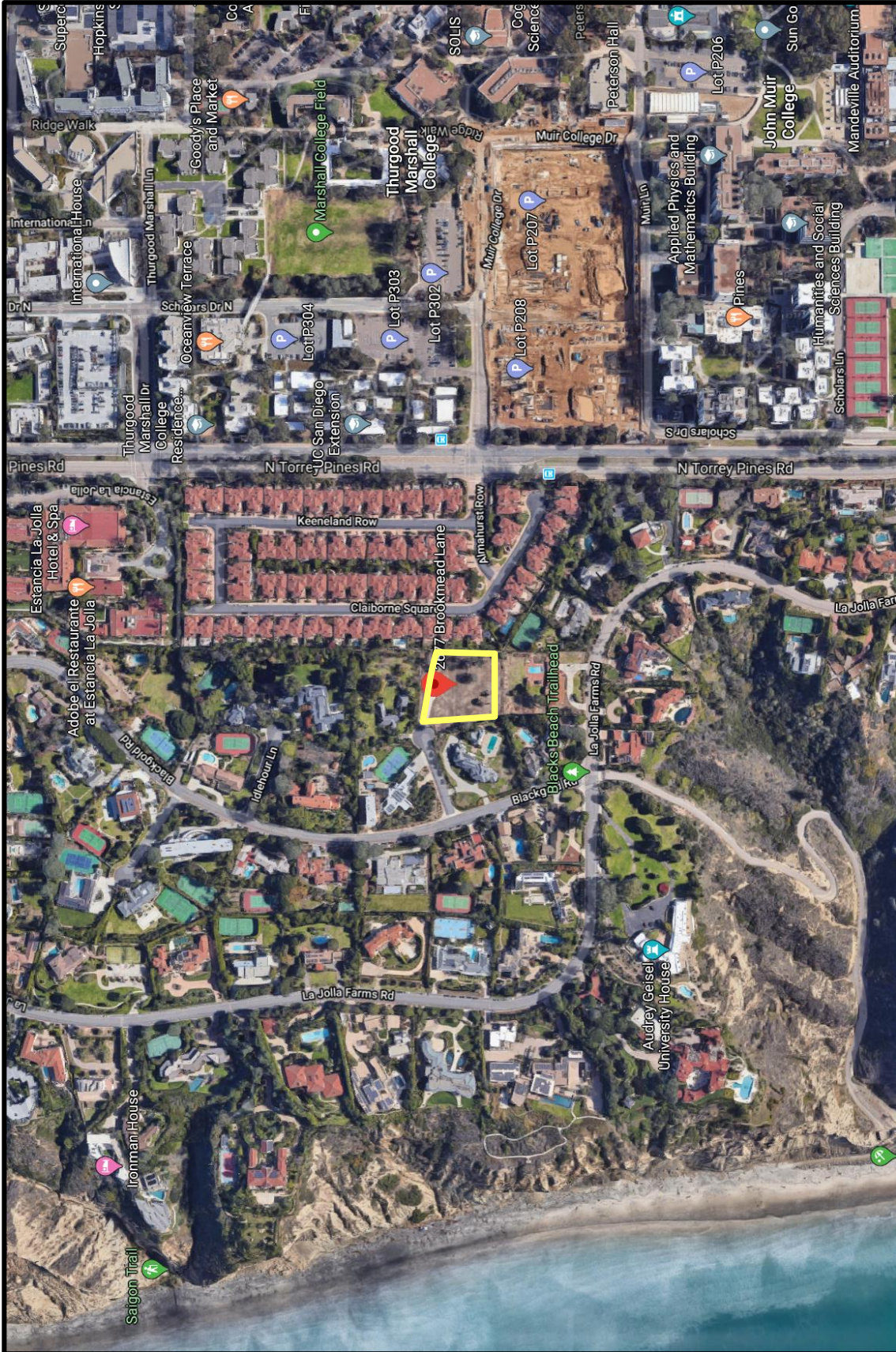
Project Site



Land Use Map

2677 Brookmead Lane.CDP
 Project No. 630967 - 2677 Brookmead Lane





Aerial Photograph

2677 Brookmead Lane CDP
Project No. 630967 - 2677 Brookmead Lane



RESOLUTION NUMBER R-_____

ADOPTED ON MARCH 18, 2020

WHEREAS, on March 18, 2020, YDNL, a California Limited Liability Company, submitted an application to the Development Services Department for a Coastal Development Permit (CDP) for the 2677 Brookmead Lane CDP (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on March 18, 2020; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 630967 (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.

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.

Attachment 4

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.

BE IT FURTHER RESOLVED, that Development Services Staff 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.

By: _____
Xavier Del Valle, Development Project Manager

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. 2264343

PROJECT NO. 630967

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. 630967 shall be made conditions of the 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 the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, 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:

<https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>
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
Qualified Native American Monitor

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) #630967 and /or Environmental Document #630967, 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.,

Attachment 4

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 Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to Preconstruction Meeting
Cultural Resources (Archaeology)	Monitoring Report(s)	Archaeology/Historic Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

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

HISTORICAL RESOURCES ARCHAEOLOGICAL and NATIVE AMERICAN MONITORING

I. **Prior to Permit Issuance or Bid Opening/Bid Award**

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, 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. Prior to Bid Award, 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.

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 (1/4-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 in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, 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 Precon Meetings 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 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. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

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.

The AME shall be based on the results of a site-specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

MMC shall notify the PI that the AME has been approved.

4. 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 age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
5. Approval of AME and Construction Schedule
After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which 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 Section 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 post-dating 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 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 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 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.

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, follow protocol in Section IV below.
 - 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) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM 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 Section 15064.5, 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.
 - (1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - 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.
 - (1). Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources - Pipeline Trenching and other Linear Projects in the Public Right-of-Way
- The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:
1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.

- c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. 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. Archaeological Monitor shall notify the RE or BI as appropriate, 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 provenience of the remains.
 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
 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 & 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:

Attachment 4

- a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, 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, the landowner shall reinter the human remains, and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
 - c. 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; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing 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., above.
- 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.

V. **Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM 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 the RE and MMC, or by 8AM 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 above shall apply, as appropriate.

VI. Post Construction

- A. 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) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE 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 as a result of 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 or Pipeline Trenching Discovery Process 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 via the RE for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE 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

Attachment 4

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.
- 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. 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 – Discovery of Human Remains, Subsection C.
 3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 5. 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 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 of the approved report.
 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.

HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2264343
2677 BROOKMEAD LANE PROJECT NO. 630967

WHEREAS, YDNL, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new residential single-family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2264343), on portions of a 1.28-acre site;

WHEREAS, the project site is located at 2677 Brookmead Lane and is in the RS-1-2 Zone, the First Public Roadway, the Coastal (Appealable) Overlay Zone, the Coastal Height Limitation Overlay Zone, the Parking Impact Overlay Zone (Beach, Campus and Coastal Impact Areas), the Residential Tandem Parking Overlay Zone, and the Transit Priority Area within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lot 53 of La Jolla Farms in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 3487, filed in the Office of the County Recorder of San Diego, August 9, 1956;

WHEREAS, on March 18, 2020, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2264343 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. 2264343:

A. **COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]**

1. **Findings for all Coastal Development Permits:**

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

The project site is a vacant lot located at 2677 Brookmead Lane and is within an established single-family residential area in the La Jolla Community Plan area. The project includes the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool. The project site is located within the First Public Roadway and is approximately 1,650 feet from the Pacific Ocean.

There is no public view or coastal access from the project site, as identified in the La Jolla Community Plan and Local Coastal Land Use Plan. In addition, the project complies with the community goals regarding public view preservation and enhancement since the project was designed to comply with all of the development standards required by the underlying RS-1-2 Zone, including height, density, building setbacks, floor area ratio, and lot coverage. There are no deviations or variances required. Therefore, the project 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 project will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

- b. **The proposed coastal development will not adversely affect environmentally sensitive lands; and**

The project site is a vacant lot located at 2677 Brookmead Lane and is within an established single-family residential area in the La Jolla Community Plan area. The project includes the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool. The project site does not contain any sensitive biological resources, environmentally sensitive lands, and is not located within a coastal bluff, beach, or special flood area. In addition, the project permit requires implementation of a Mitigation, Monitoring Program to mitigate potentially significant environmental impacts for cultural and tribal resources. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The project site is a vacant lot located at 2677 Brookmead Lane and is within an established single-family residential area in the La Jolla Community Plan area. The project includes the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool. The 1.28-acre site is designated by the La Jolla Community Plan for very low density residential uses (0-5 dwelling units/acre). The project proposes one dwelling unit with a density of one dwelling unit per acre. Therefore, the project is consistent with the prescribed land use and density.

There is no public view or coastal access from the project site, as identified in the La Jolla Community Plan and Local Coastal Land Use Plan. The project was designed to comply with all of the development standards required by the underlying RS-1-2 Zone, including height, density, building setbacks, floor area ratio, and lot coverage. No deviations or variances are required.

In addition, the project permit contains specific requirements to ensure compliance with the regulations of the Land Development Code. Permit requirements include reconstruction of the existing driveway with a new 12-foot wide non-standard driveway, entering into an Encroachment Maintenance Removal Agreement for a 12-foot wide non-standard driveway located within the City's right-of-way, requiring approval of the proposed drainage system by the City Engineer, and implementing storm water construction best management practices (BMPs), including ongoing permanent BMP maintenance. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The project site is a vacant lot located at 2677 Brookmead Lane and within an established single-family residential area within the La Jolla Community Plan area. The project includes the construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool. The project site is located with the First Public Roadway and is approximately 1,650 feet from the Pacific Ocean. There is no public view or coastal access from the project site, as identified in the La Jolla Community Plan and Local Coastal Land Use Plan. In addition, the project will be developed entirely within private property and will not adversely impact any public recreation opportunities. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

ATTACHMENT 5

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. 2264343 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. 2264343, a copy of which is attached hereto and made a part hereof.

Xavier Del Valle
Development Project Manager
Development Services

Adopted on: March 18, 2020

IO#: 24008185

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: 24008185

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2264343
2677 BROOKMEAD LANE PROJECT NO. 630967
HEARING OFFICER

This Coastal Development Permit No. 2264343 is granted by the Hearing Officer of the City of San Diego to YDNL, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 1.28-acre site is a vacant lot located at 2677 Brookmead Lane and is in the RS-1-2 Zone, the First Public Roadway, the Coastal (Appealable) Overlay Zone, the Coastal Height Limitation Overlay Zone, the Parking Impact Overlay Zone (Beach, Campus and Coastal Impact Areas), the Residential Tandem Parking Overlay Zone, and the Transit Priority Area within the La Jolla Community Plan area. The project site is legally described as: Lot 53 of La Jolla Farms in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 3487, filed in the Office of the County Recorder of San Diego, August 9, 1956.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new residential single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 18, 2020, on file in the Development Services Department.

The project shall include:

- a. Construction of an 11,100 square-foot single-family residence and attached garage, and tennis court and pool; and
- b. 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 April 2, 2023.
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 the Owner/Permittee signs and returns the Permit to the Development Services Department, and 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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. 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.

13. The mitigation measures specified in the MMRP and outlined in **MITIGATED NEGATIVE DECLARATION NO. 630967**, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in **MITIGATED NEGATIVE DECLARATION NO. 630967**, 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.

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. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing driveway with a new 12-foot wide non-standard driveway along Brookmead Lane, in a manner satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the 12-foot wide non-standard driveway located within the City's right-of-way (ROW), in a manner satisfactory to the City Engineer.

18. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

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

20. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, in a manner satisfactory to the City Engineer.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate into the construction plans or specifications, any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC.

22. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

23. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

24. Prior to issuance of any construction permits, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID No.) shall be submitted to the City of San Diego as a proof of

enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ, and a copy shall be submitted to the City.

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 March 18, 2020 and [Approved Resolution Number].

Permit Type/PTS Approval No.: Coastal Development Permit No. 2264343
Date of Approval: March 18, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Xavier Del Valle
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.

YDNL LLC
Owner/Permittee

By _____
Sean Levi
Owner

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

La Jolla Community Planning Association

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

Contact Us:

Mail: PO Box 889, La Jolla, CA 92038

Web: www.lajollacpa.org

info@lajollacpa.org

President: Tony Crisafi

Vice President: Matt Mangano

2nd Vice President: Dave Gordon

Secretary: Suzanne Weissman

Treasurer: Mike Costell

FINAL Minutes –

Regular Meeting | Thursday, 1 August 2019 – 6 p.m.

1.0 Welcome and Call to Order: 6:06 p.m. Tony Crisafi, President

This is a full agenda, recorded meeting therefore, the following rules will be enforced:

- Mobile devices off or on silent mode.
- All public and trustee comment will be addressed to the chair.
- Public and trustee comment will be limited to 2 minutes
- Comments will be directed to the project or matter using third person, singular or plural when they are addressed to the chair.
- Chair may ask for member votes. Please keep hands raised until the vote tally is announced.
- Upon consensus, Chair will close discussion and call for a motion
- Chair will switch order of trustee comment as per July, 2019 meeting request
- Please notify chair of any organized public presentation requests prior to meeting

Quorum Present: Brady, Costello, Crisafi, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

2.0 Adopt the Agenda

Neil: Modify Item 10.4 ,it should be DPR motion, not LJPRC

Motion: Adopt the agenda with modifications: (Brady/Mangano) **Vote:** 13-0-1: **Motion carries.**

In Favor: Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

Abstain: 1 (chair)

3.0 Meeting Minutes Review and Approval:

3.1 18 July 2019 – Regular meeting minutes:

Neil: Item 2, add Neil to In Favor vote, Item 11.0 add Neil to In Favor vote, remove Little, Item 11.1 add Neil to In Favor vote, remove Ish.

Motion: Approve minutes as corrected: (Gordon/Fitzgerald) **Vote:** 13-0-1: **Motion carries**

In Favor: Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

Abstain: 1 (chair)

4.0 Officer Reports:

4.1 Treasurer - Mike Costello's report

Beginning Balance as of 7/18/19		\$444.27
Income		
Collections	\$ 141.00	
CD Sales	<u>\$ 0</u>	
Total Income	\$ 141.00	
Expenses		
Agenda printing	\$ 92.49	
Total Expenses	<u>\$ 92.49</u>	
Net Income/(Loss)	\$ 58.51	
Ending Balance of 7/31/19		\$ 492.78

4.2 Secretary- Weissman

If you want your attendance recorded today, you should sign in at the back of the room. LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: www.lajollacpa.org/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March. You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. If you do not attend one meeting per year, your membership will expire. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at **three** LJCPA meetings in the preceding 12-month period. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a Trustee.

5.0 Elected Officials – Information Only

5.1 Council District 1: Councilmember Barbara Bry.

Rep: **Mauricio Medina**, 619-236-6611, mauriciom@sandiego.gov

Mauricio: With the passage of SB 946, the City of San Diego had to rescind its sidewalk vending and pushcart regulations. The sidewalk vending and pushcart ordinances were heard at the Economic Development and Intergovernmental Relations Committee last week. At that meeting there was discussion about district requirements vendors will have to adhere to in order to operate on city streets. For example, one can't be within 15 ft. of a scooter, bike rack, tree wells, the encroachment permit areas of the La Jolla Shores Boardwalk and the space between. Sidewalk vendors will be prohibited from the Cove to 200 Coast Blvd. We are still taking suggestions until the issue is heard before the entire Council in Sept. or Oct.

Kane: Does this include the Children's Pool? Yes.

Little: Why does the state need to address vendors and pushcarts; are the merchants associations fighting this? **Reply:** Some people at staff meetings expressed desire to recognize people who were relying economically on sidewalk vending, to decriminalize it and bring it out of the shadows. Vendors will be required to take out permits. We are working with merchant's associations to reconcile and accommodate them.

Kane: Give us an update on City's response to our scooter proposal. **Reply:** City staff reviewed and will start installing 40 corrals. A sheet showing locations was passed around. Get it Done App is slow to update like controlling an oil tanker. They are working on it. For now, make your requests as "other." Other questions have not been answered.

Weiss: What is the argument from the other council members who oppose Barbara Bry's proposal to ban the scooters until they can sort it out. I ask the LJCPA to do what the Shores Association did with the Deco Bikes and say NO. Get it Done App is great example of why we shouldn't do it now. I have seen scooters even in the disabled ramps which is so wrong; there is no way to enforce. Put it on the agenda for next month. The CPA did not *want* 40 corrals, they just have to live with them. What we're seeing is that no one is complying, enforcement has been difficult. **Reply:** Barbara Bry is calling for a moratorium to sort it out and see how to move forward. It has not come before the whole council yet; I can't speak for the others. It would be beneficial for this board to make recommendations to the other council districts and the Mayor's office. The experience and impacts in the beach communities are different than in other communities so it is important for other districts to hear it from a recognized community group.

Other comments: Scooters are stacked up in corrals, dumped all over, scooters are put there by companies, but there is no requirement for users to leave them there.

5.2 78th Assembly District: Assembly member Todd Gloria

Rep: **Mathew Gordon**, 645--3090 mathew.gordon@asm.ca.gov not present

5.3 39th Senate District: State Senator Toni Atkins, Senate President pro Tempore

Rep: **Chevelle Newell Tate**, 619-645-3133, Chevelle.Tate@sen.ca.gov - not present

6.0 President's Report – Information only unless otherwise noted

6.1 The Children's Pool SCR (PTS627990) appeal to City Council docketed for Sept 17, 2019 @ 2:00 PM

Costello: Will we have someone there?: **Crisafi:** I will be there; there will be others

6.2 Hershfield environmental appeal docketed for Sept 17, 2019

On agenda later.

7.0 Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

7.1 City of San Diego – Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov not present

7.2 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> or Robert Brown - not present

7.3 General Public - none

8.0 Non-Agenda Trustee Comment

Opportunity for trustees to speak on matters not on the agenda

Little:

1. Confirmed that two motions can be on floor at the same time, but they must be handled in the order they were entered.
2. For years we have allowed conditions on a motion and DSD said that was OK. But the experience is that the conditions are ignored by staff. We're fooling ourselves. When the project is built without the conditions included no one is happy and the CPA is criticized.
3. We need to clarify with the City about the situation of private meetings between trustees and applicants complying with the Brown act.

Crisafi: It takes a lot of coordination and communication to get information on the agenda. The Hershfield communications were documented through the mailbox. The information that was included in this month's and last month's packet would not have been available without communication with the applicant. The meetings with the Hershfields and their reps were approved by Marlon and he confirmed that the communications were proper. It is difficult to communicate at the full trustee level when there is a deadline set because of an appeal to decide whether to withdraw that appeal or continue to attend the appeal and produce arguments for the appeal representing the community.

Little: We need a ruling from Marlon. **Reply:** This information would not have been on the agenda if there were no way to communicate. It has been well documented through the mailbox.

Crisafi: There is no requirement to not allow conditions at the Shores PRC, but the problem is that they get ignored. DPR also does not prohibit conditions in their bylaws. A continuous cycle of review at the subcommittee level would be ideal, but that doesn't happen now.

Little: The issue is attaching a condition to the final motion to approve or not approve.

Crisafi: New forms for community groups to submit to DSD about votes on discretionary projects include a section on conditions both at subcommittee level and group level allowing communication with the planner and acknowledgment that changes are understood.

Mangano: Let's return to this when Marlon is present.

Fitzgerald: When we add conditions we put ourselves in the position of managing or modifying the project. Our role is to vote whether a project conforms or doesn't conform to the appropriate code. This was our policy adopted many years ago and it has served us well. We don't want to redesign projects from the floor.

Crisafi: We are dealing with individuals at DSD. Some planners communicate with the community groups better than others. No judgement intended here.

Costello: The Hearing Officer has no way to implement the conditions; they only consider the approval. The opportunity to deny a project is a bargaining chip that can be employed during the approval process; then the conditions become a part of the final approval.

Gordon: No requirement to not include conditions in the bylaws. Conditional approvals should be used judiciously but should not be ruled out as they can be useful at times.

Courtney: Code enforcement people have been dealing with people operating unlicensed board and care facilities that squeeze people into single family residential homes, often neglecting them. Please report if you see something like this in your neighborhood. Also I don't want to see Code Compliance charging permit fees for banners on overpasses. This could turn into another revenue generator for the City. Banners should be illegal to protect and preserve the natural beauty of La Jolla.

Ish: Trustee Rasmussen has had a heart transplant; he is now in ICU doing well, coming home Friday.

Neil: Costello, please clarify that you prefer to negotiate a change to a project during review and are opposed to attaching conditions. **Reply:** Yes

9.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

9.1 Community Planners Committee

<http://www.sandiego.gov/planning/community/cpc/index.shtml>- Dave Gordon

Mangano: This meeting was dominated by capital improvement plans which we prioritized and did right the first time several months ago. A city planner discussed a plan to create a grid for give and take policies for low income housing and higher density development to come before City Council 7/30.

Kane: Was there any discussion about scooters? We are hit here with issues that don't seem to be showing up in other communities.

Mangano: This was not discussed. This could be a useful tool to move our issues up the ladder and garner support so we are not alone as resisting entities.

Shannon: There is not a lot of acceptance for issues in the beach areas. Some of the others think of the beach communities as privileged or as play areas.

Gordon: There was overwhelming support against SB 50 and 330.

9.2 Coastal Access & Parking Board

Brady: This Board will meet this month. Last year when Costello made a presentation against short term rentals there was overwhelming support.

9.3 UC San Diego advisory Committee - no report

9.4 Hillside Drive Ad Hoc Committee – Diane Kane, Chair.

Kane: We met again shortly after our last meeting. We passed a number of issues to our council office because they will be meeting with city staff to come to some resolution. I don't know what happened but will meet with Barabra Bry in a few weeks to see where these issues stand. In the works are additional signage at the dip at Torrey Pines Road and Hillside Dr. Officer Christine Garcia did opine after a meeting with the City Attorney that trucks that get stuck there can be issued a ticket. Call 691-531-2000 to report stuck trucks and someone will come out and cite the driver.

9.5 Airport Noise Advisory Committee – Matthew Price – no meeting

9.6 Playa Del Norte Stanchion Committee no meeting

10.0 Consent Agenda – 10.1 – 10.4

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

10.1 – La Jolla Wine & Art Festival - Request for Temporary Street Closures on portions of Girard Ave, Wall Street, and Silverado Street for the 11th annual fundraiser event benefiting La Jolla Public Schools on Saturday and Sunday October 12-13, 2019

T&T Motion to approve Temporary Street Closures 8-0-0

10.2 – Manoogian Wedding Procession - Request for Temporary Street Closures on portions of Ivanhoe Ave and Prospect Street for brief wedding procession from Congressional Church to La Valencia Hotel the afternoon of Saturday September 14, 2019 (Claire Manoogian)

T&T Motion to approve Temporary Street Closures 7-1-0

10.3 – 2677 Brookmead Lane CDP Project No. 630967 (Process 3) Coastal Development Permit for the construction of a new single dwelling unit and attached garage for a total of 11,100 square feet of construction on a vacant lot located at 2677 Brookmead Lane. The 1.28 acre project site is located in the RS-1-2 zone and the Coastal (Appealable) Overlay Zone within the La Jolla Community Plan area and Council District 1.

DPR Motion: Findings can be made to approve and motion passes 6-0-1

10.4 – Bird Rock Condos – 5656 La Jolla Blvd CDP/TM Project No. 595139 (Process 3) Coastal Development Permit & Tentative Map for the creation of four residential condominium units under construction at 5656 La Jolla Boulevard. The 0.17 acre site is in Zone 4 of the La Jolla Planned District, Coastal (Non-Appealable) overlay zone within the La Jolla Community Plan Area. Council District 1.

DPR Motion: Findings can be made to approve and motion passes 4-1-1

See Committee minutes and/or agenda for description of projects, deliberations, and votes. Anyone may request a consent item be pulled for full discussion by the LJCPA.

Courtney: Pull item 10.2, doesn't think public streets should be closed for private groups.

Motion: Approve consent agenda with exception of item 10.2: (Mangano/Gordon) **Vote:** 14-0-1:

Motion Carries.

In Favor: Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

Abstain: 1 (chair)

The following agenda items are ACTION ITEMS unless otherwise noted, and may be de novo considerations. Prior actions by committees/boards are listed for information only.

11.0 – 11.3 LJCPA Review and Action Matters

11.0 – Proposed changes to be on the list for the SDMC 13th Code Revision re: Serial Permitting & Garage to Carport conversions. See attached information.

DPR Motion: Findings can be made to approve and motion passes 5-0-1 for the following:

Recommend to CPA the following code edits to SDMC 126.0704(a): Improvements to existing structures are exempt, except. (to add a new number following item number 5). "The demolition or removal of 50% or less of the exterior walls of the existing structures if the proposed application is received within 5 years of final inspection of a previous

50% exempt remodel on the same structure. An exemption will be allowed within the 5 year time frame if 50% of the exterior walls of the original structure (as it existed 5 years ago) will still remain.”

Draft #2 prepared by Dave Ish handed out: “Suggested additions to the San Diego Municipal Code: ‘Combination’ or ‘Serial’ Permitting.

Jackson: DPR motion is correct in the agenda, but not in your document.

Ish: Recommended two additions to the above DPR Motion:

1. 4th line after ‘inspection’ *and receipt of an occupancy permit for the entire house.*
2. Add to last line *but is subject to community review and the CDP process.*

Shannon: Are there other loopholes in this same issue that are not covered in this recommendation?

Ish: The original intent was to help homeowners remodel, but some developers have taken advantage by expanding the footprint of house with 1 permit and then go back and get a 2nd permit within a matter of months making a much larger house.

Little: Will DSD really check the records back 5 years when granting a new permit?

Crisafi: Require the applicant have records of prior remodels as part of proposed new application. DSD doesn’t typically retain floor plans or demolition plans with matrix of walls being demolished. Documentation of walls is not on the permit.

Ish: The walls are not reviewed; 2nd permit uses prior expanded walls as existing 50%.

Kane: How to enforce? City does not keep records. Brian Will at DPR wanted to make time frame between issuance of permits long enough so someone wouldn’t be encouraged to continue the process.

Jackson: Is what Dave is proposing a good idea? If it is a good idea, then we should approve it. Then make recommendations for enforcement. We shouldn't turn down a good idea because we haven't solved the enforcement problem.

Motion: LJCPA recommends the Code changes in the DPR motion with the two additions recommended by Dave Ish above. The recommendation is as follows:

“Improvements to existing structures are exempt, except the demolition or removal of 50% or less of the exterior walls of the existing structures if the proposed application is received within 5 years of final inspection and receipt of an occupancy permit for the entire house of a previous 50% exempt remodel on the same structure. An exemption will be allowed within the 5 year time frame if 50% of the exterior walls of the original structure (as it existed 5 years ago) will still remain but it is subject to community review and the CDP process.”

Mangano: This is a good idea, but we should refine the wording. We need to be careful with wording and how it will be received throughout the process.

Ish: This is going to be placed on the list for the 13th code update that will happen in the future. There is plenty of time for discussion and questions as this works its way through the update process.

(Neil/Costello) **Vote:** 14-0-1: **Motion carries:**

In Favor: Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

Abstain: 1 (chair)

Ish: DPR motion Garage to Carport: Recommend to CPA the following code edits to SDMC 113.0234(a)(6).

“The intent of this FAR exemption is to provide relief from FAR restrictions for a simple structure that provides overhead shelter for automobiles where the visual impact to the neighborhood is at a minimum. Carports shall be exempt from FAR if they are composed of a roof and posts only with a maximum 4 posts (up to 8”x8” each) and no walls or doors/gates, the carport may be attached on one side only to the main house, any other “open parking structure” is countable as FAR.” (Kane/Costello) Approved 5-0-1

Motion: Approve DPR recommended Code edits above. (Kane/Mangano) **Vote:** 14-0-1
Motion carries.

In Favor: Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

Abstain: 1 (chair)

11.1 – Micro Mobility Parking Corrals for La Jolla – City proposal for placement of numerous defined spaces within the public street for parking of dockless scooters and bicycles.

<https://www.latimes.com/opinion/story/2019-07-18/scooters-bird-uber-airbnb-tech-public-space>

T&T Motion to recommend to city installed micro-mobility corrals @ 81 locations and require city to have the owners & operators of the devices geo-fenced so that the rider is charged until device is left in a corral. Passes 6-3-0. Trustee action to not approve by motion/second/vote.

Crisafi: I would like the trustees to vote to confirm last month’s vote and dispose of this T & T motion.

Costello: Shouldn’t we be supporting Barbara Bry trying to do something about scooters until more effective enforcement is in place? Reference to article linked above: these companies are dumping things on our streets and the City is making it legal. Keep scooters off street.

Crisafi: Trustees should speak with authority on this matter maybe with another motion next month. Another motion tonight would be confusing and not authoritative.

Neil: Mayor is moving ahead regardless of what we do. With this motion we are not condoning the scooters, only controlling them. We have succeeded by bringing down to

only 40 corrals in La Jolla. In Little Italy there are many more; corrals only work if there are enough corrals.

Motion: Set aside T & T motion and confirm last month's motion regarding Micro Mobility Parking Corrals for La Jolla. (Neil/Brady) **Vote:** 10-2-3: **Motion carries.**

In Favor: Brady, Courtney, Gordon, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: Fitzgerald, Fremdling,

Abstain: Costello, Ish, Crisafi (Chair)

Costello: I am abstaining because we need to enforce the law as it currently is and not condone an illegal activity taking up our precious right of way which ADA people have fought for for so long.

11.2 – Hershfield Residence – CDP #2134597 & SDP #2134595 Project and environmental appeal. See attachments

Action Item: To ratify or retract the previous appeal to withdraw action on information presented by the LJCPA President & the applicant.

Crisafi: The motion last month was to withdraw the appeal with chair providing a hard plan on 8/1. The applicant presented a set of plans that is the documentation needed to enforce what was agreed upon last month to reduce high parapet by 4 ft., remove all hip roofs, to reduce lower roof parapet to the height of parapet that was presented to LJPRC.

Chandra Slavin, architect, passed around to trustees drawings corrected by the architect with red markings showing changes made and described changes:

- Reduced lower parapet to 338.58 MSL.
- Redlined all roof plans to make more official
- This markup shows lower roof parapet and removal of all hip roofs
- The City Planner took those docs to planning department and they approved as SCR.
- 7 ft. parapet behind garage on south elevation is also being lowered

Crisafi: There is a condition that they abide by this only if CC&R's expire. I don't think this is acceptable because there are other structures in this development with flat roofs, even though the CC&R's call for sloped roofs. If we do accept that condition, which some trustees have indicated willingness to accept, then I would withdraw the appeal. If you don't accept the condition, I would have to take to Barbara Bry's office and make the argument for the appeal to get that condition removed.

Jackson: I don't understand. As far as the city is concerned this is the plan. The CC&R's are irrelevant. **Crisafi:** Yes, unless Mr. Hershfield agrees to remove the condition that has been put on the title sheet of the plan. This agreement is contingent on the expiration of the CC&R's.

Slavin: This is the wording of the condition:

Roofline to be lowered 4ft. to 338.58 MSL, garage door to be 10 ft. high, both contingent on that certain declarations and restrictions dated Nov. 17, 1959, recorded in official records in San Diego . . . declaration expiring as scheduled on Dec. 31, 2019.

Discussion followed as to the meaning of this condition: If CC&R's don't expire, will they have no approved plans and will have to return to starting over from scratch? This is the plan the city approved with a condition. If condition is not met, there is no plan; they will have to come back here?

Slavin: This plan is in the record, but we can't submit it because it is contingent on CC&R's expiring.

Crisafi: If the appeal is withdrawn and the CC&R's don't expire, the original plan without the changes described above has been approved by the city and will be built. If and when the CC&R's expire the plan documented above will be submitted and treated as a Substantial Conformance. We have to trust that the CC&R's expire.

Slavin: My presentation from last time has not changed. A number of design modifications have been made to address the comments on the appeal.

- Removal of trellis
- Lighter color stucco
- Two hip roofs on lower part of the house removed.

Courtney: These changes do not address the biggest problems with this house. A 14,000 sq. ft. house in a neighborhood of 3 – 4,000 ft. houses. A huge basement cutting into the slope. We have a long history in the Shores of resisting increasing house sizes setting precedent (FAR creep) and changing neighborhood character.

Little: To neighbors -- Do you believe CC& R's will expire?

Faye Strum: neighbor, CC&R's have been renewed in the past. I don't know of anything now. I don't understand why applicant has put this condition. This is a huge house; with changes it is still 1 ft. higher than the current house. I and many neighbors are concerned about the size of the house, what is going to happen to the neighborhood. What about the appeal? **Little:** size of house is already approved; too late now to change.

Kane: Why let the CC&R's expire if you are concerned about the neighborhood character? **Slavin:** This house as designed meets all requirements of the CC&R's.

Gordon: We are not supposed to consider CC&R's; they are likely to expire; flat roofs are already in existence in neighborhood; bulk & scale is about how it looks from the street and these modifications make it more compatible. The taller structure is already approved by the city. The problems weren't just the size; it was also the austere look, the setbacks. We should support the withdrawal of the appeal.

Neil: Why is there no grading permit? **Slavin:** It is under the code limit for a grading permit. It was thoroughly reviewed by city engineers.

Motion: Based on changes incorporated by applicant since last meeting that are now part of the official record my motion is to confirm withdrawal with documented drawings dated 7/30/19 of roof plans, elevations and building sections, documented height limitations at 338.58 MSL upper roof parapet, lower parapet at 335.05 MSL above sea level. (Fitzgerald/Gordon) **Vote:** 13-1-1: **Motion carries.**

In Favor: Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: Courtney

Abstain: Crisafi (chair)

11.3 – La Jolla Childrens Pool sluice gates: Whether to open the sluice gates at the Childrens Pool to clean the sand and keep it from building up creating a hill

Merryweather: I am asking the CPA to approve a letter to the City of San Diego to clean the Childrens Pool, to investigate the opening of the sluice gates. Those gates were put into the wall with a purpose. Ellen Browning Scripps said, “I cannot build you this wall without these gates in it because without the gates you will end up with not a pool, but a hill of sand.” A manmade pool in the ocean was meant to be shared by children, swimmers, diver and seals. The City turned it into a shared use and it has become fouled by seal excrement. Maintenance has never been done by the City and it is time they do it by opening those gates.

Costello: The littoral current brings sand down the coast of southern California. It will fill with sand. The Childrens Pool was built with 4 sluice gates; one is now leaking. An EIR was written by the City with several plans to clean up the sand at Childrens Pool. None of the plans were implemented. Now is the time. It is simple to do and will solve a lot of problems.

Little: I move to write a letter requesting the City to open the sluice gates.

Kane: I did an exhaustive study of the Childrens Pool. Tests were done; there was no evidence that there were sluice gates to open. They were never open. There are openings in the wall that are plugged with concrete. Opening these things is not a simple task plus there is 7 ft. of sand built up to move out.

Mangano: Infrastructure for sluice gates is not there; only a hole that was filled with concrete during construction. Ask Melinda to send a draft letter through the CPA email to look at next time. It would be an infrastructure project more difficult than just punching a hole in the wall.

I would also note that the Childrens Pool is in submittal for a national historic designation. The pool as an entity and area on the national scale. It is a benefit to keep this close to La Jolla and not let the City of SD take control when we ask them to foot a large project.

Kane: We support an authentic rehabilitation of the Childrens Pool inserting sluice gates that were never there, to make them functional and to return the pool to its original function.

Crisafi: Would the maker of the motion accept that a letter be crafted and be brought back to the trustees for vote next time?

Little: I believe there are sluice gates that have been plugged so I won't change my motion.

Motion: (repeat) Write a letter to City of San Diego to open sluice gates at Childrens Pool: (Little/Brady) **Vote:** 8-5-2; **Motion carries.**

In Favor: Brady, Costello, Fremdling, Ish, Little, Neil, Shannon, Weissman

Opposed: Courtney, Fitzgerald, Gordon, Jackson, Kane,

Abstain: Mangano, Crisafi (chair)

Motion: Craft a letter recommending to the City to pursue making the sluice gates work to flush the Pool: (Gordon/Courtney) **Vote:** 8-3-2, **Motion carries.**

In Favor: Brady, Costello, Courtney, Fremdling, Gordon, Mangano, Shannon, Weissman

Opposed: Fitzgerald, Kane, Neil

Abstain: Ish, Crisafi (chair)

XX. Adjourn 8:44 p.m. to next regular LJCPA Meeting: Thursday, September 5, 2019 at 6:00 pm.



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

Ownership Disclosure Statement

FORM

DS-318

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: 2677 BROOKMEAD LANE **Project No. For City Use Only:** _____

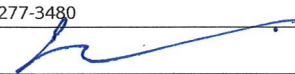
Project Address: 2677 Brookmead Lane, La Jolla, California 92037

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

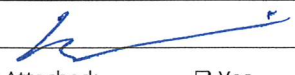
Corporation Limited Liability -or- General - What State? California Corporate Identification No. 200622310066
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Sean Levi Owner Tenant/Lessee Successor Agency
 Street Address: 1560 Soledad Avenue
 City: La Jolla State: CA Zip: 92037
 Phone No.: 619-277-3480 Fax No.: _____ Email: seanlevisd@gmail.com
 Signature: X  Date: _____
 Additional pages Attached: Yes No

Applicant

Name of Individual: Sean Levi Owner Tenant/Lessee Successor Agency
 Street Address: 1560 Soledad Avenue
 City: La Jolla State: CA Zip: 92037
 Phone No.: 619-277-3480 Fax No.: _____ Email: seanlevisd@gmail.com
 Signature: X  Date: _____
 Additional pages Attached: Yes No

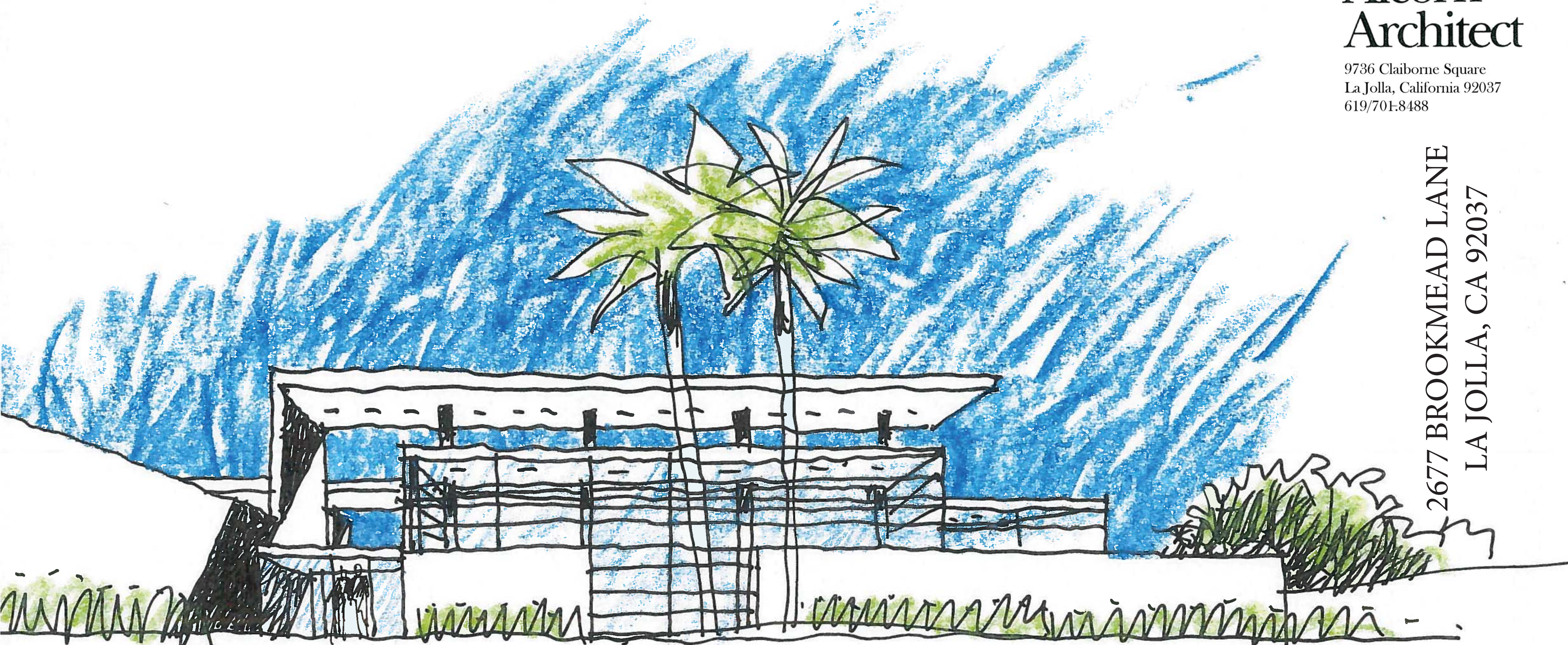
Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: Yes No

James Alcorn Architect

9736 Claiborne Square
 La Jolla, California 92037
 619/701-8488

2677 BROOKMEAD LANE
 LA JOLLA, CA 92037



ENTRY VIEW FROM NORTH

25 February 2019
 08 March 2019

PROJECT INFORMATION

SCOPE COASTAL DEVELOPMENT PERMIT: CONSTRUCT 4 BEDROOM SINGLE FAMILY HOME WITH GARAGING FOR 6 CARS & TENNIS COURT, SWIMMING POOL AND SPA

LEGAL DESCRIPTION : Lot 6 of La Jolla Farms, City of San Diego, County of San Diego, Map No. 11990

APN : 342-072-06

BUILDING SIZE : HOME 9500SF + GARAGE 1600SF =11,100 SF

LOT SIZE : 1.28 ACRES (55,757 SF)

COASTAL ZONE : (30 ft Height limit)

OCCUPANCY : Class R-3

CONSTRUCTION TYPE : VB Sprinkled

ZONE : RS 1-2

SETBACKS PROPOSED : Front 44', Side 12'/88', Rear 36'

ALLOWABLE FAR : 0.45

PROPOSED FAR : 0.20

PROJECT TEAM

James Alcorn Architect AIAE
 8736 Claiborn Sq.
 La Jolla, CA 92037

Christian Engineering & Surveying
 7888 Silverton Ave, Suite "J"
 San Diego, CA 92125

Jim Neri Landscape Architect
 928 Hornblend St Suite #3
 San Diego, CA 92109

SHEET LIST

- TS Project Info/North Perspective view
- C-1 Site Survey
- A.1 Site Plan
- A.2 Floor Plan
- A.3 Sections
- A.4 East and West Elevation
- A.5 Roof Plan and South Elevation
- L1 Conceptual Landscape Plan
- L2 Conceptual Planting Plan
- L3 Landscape Notes
- L4 Hydrozone Map
- L5 Landscape Images

VICINITY MAP



NOTE :

- CLOSEST TRANSIT STOP IS MILES AWAY ON LA JOLLA SHORES DRIVE.
- PROVIDE ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET PER FHPS POLICY P-00-6 (UFC 901.4.4)



TS

TOPOGRAPHIC MAP



SCALE: 1" = 32.1'

RELOCATE 24' CURB CUT FOR DRIVEWAY

LOT 55

50'

BROOKMEAD LANE

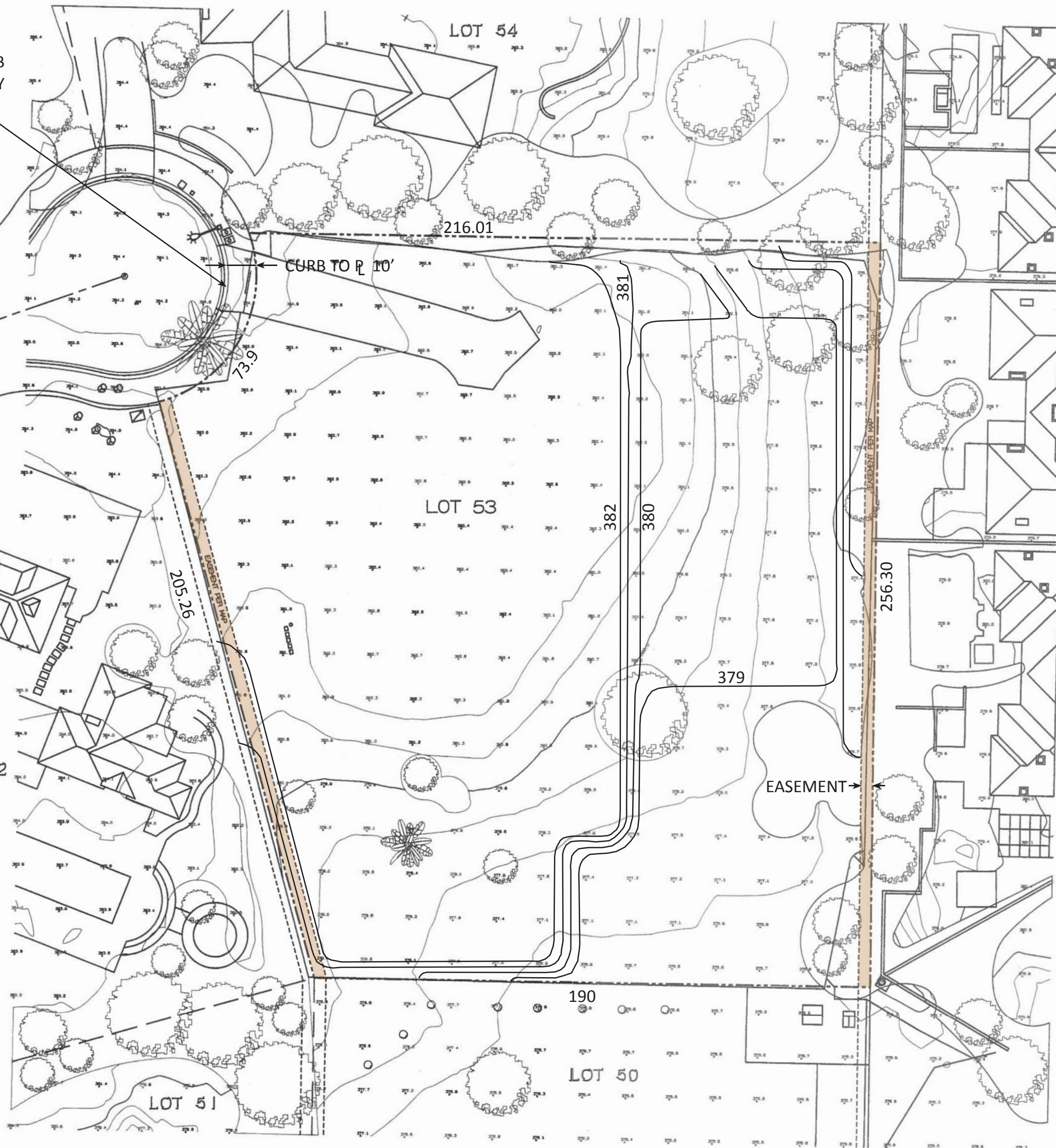
LOT 54

LOT 53

LOT 52

LOT 51

LOT 50



LEGAL DESCRIPTION

LOT 53 OF LA JOLLA FARMS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3467, FILED IN THE OFFICE OF THE COUNTY OF SAN DIEGO COUNTY, AUGUST 9, 1956.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE NORTHWEST CORNER OF LA JOLLA SHORES DRIVE AND CAMINO DEL COLLADO. ELEVATION 48.76' MEAN SEA LEVEL (N.G.V.D. 1929).

NOTES

- EASEMENTS, AGREEMENTS, DOCUMENTS AND OTHER MATTERS WHICH AFFECT THIS PROPERTY MAY EXIST, BUT CANNOT BE PLOTTED. TITLE REPORT NOT PROVIDED.
- THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN THE FIELD. PRIOR TO ANY EXCAVATION UTILITY COMPANIES WILL NEED TO MARK-OUT THE UTILITY LOCATIONS.
- THE ADDRESS FOR THE SUBJECT PROPERTY IS 2670 BROOKMEAD LANE, LA JOLLA, CA 92037.
- THE ASSESSOR PARCEL NUMBER FOR THE SUBJECT PROPERTY IS 342-072-06.
- THE AREA OF THE SUBJECT PROPERTY IS 1.28 ACRES.

Patrick F. Christensen
PATRICK F. CHRISTENSEN, P.L.S. 7208

12-02-18
Date



Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING
7888 SILVERTON AVENUE, SUITE "J"
SAN DIEGO, CA 92125
PHONE (858)271-9901 EMAIL: CEANDS@AOL.COM

Project Address:

2677 BROOKMEAD LANE
LA JOLLA, CA 92037

- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2:
- Revision 1:

Project Name:

YDLN LLC

Original Date: DECEMBER 2, 2018

Sheet Title:

TOPOGRAPHIC MAP

Sheet 1 Of 1

DEPN

CE & S CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS PLANNERS
7888 SILVERTON AVENUE, SUITE "J", SAN DIEGO, CALIFORNIA 92126
TELEPHONE (858)271-9901 EMAIL: CEANDS@AOL.COM

NOTE :

- PROPOSED GRADES BY ARCHITECT.

JN 2018-146

C-1

James Alcorn Architect

9736 Claiborne Square
La Jolla, California 92037
619/701-8488

2677 BROOKMEAD LANE
LA JOLLA, CA 92037

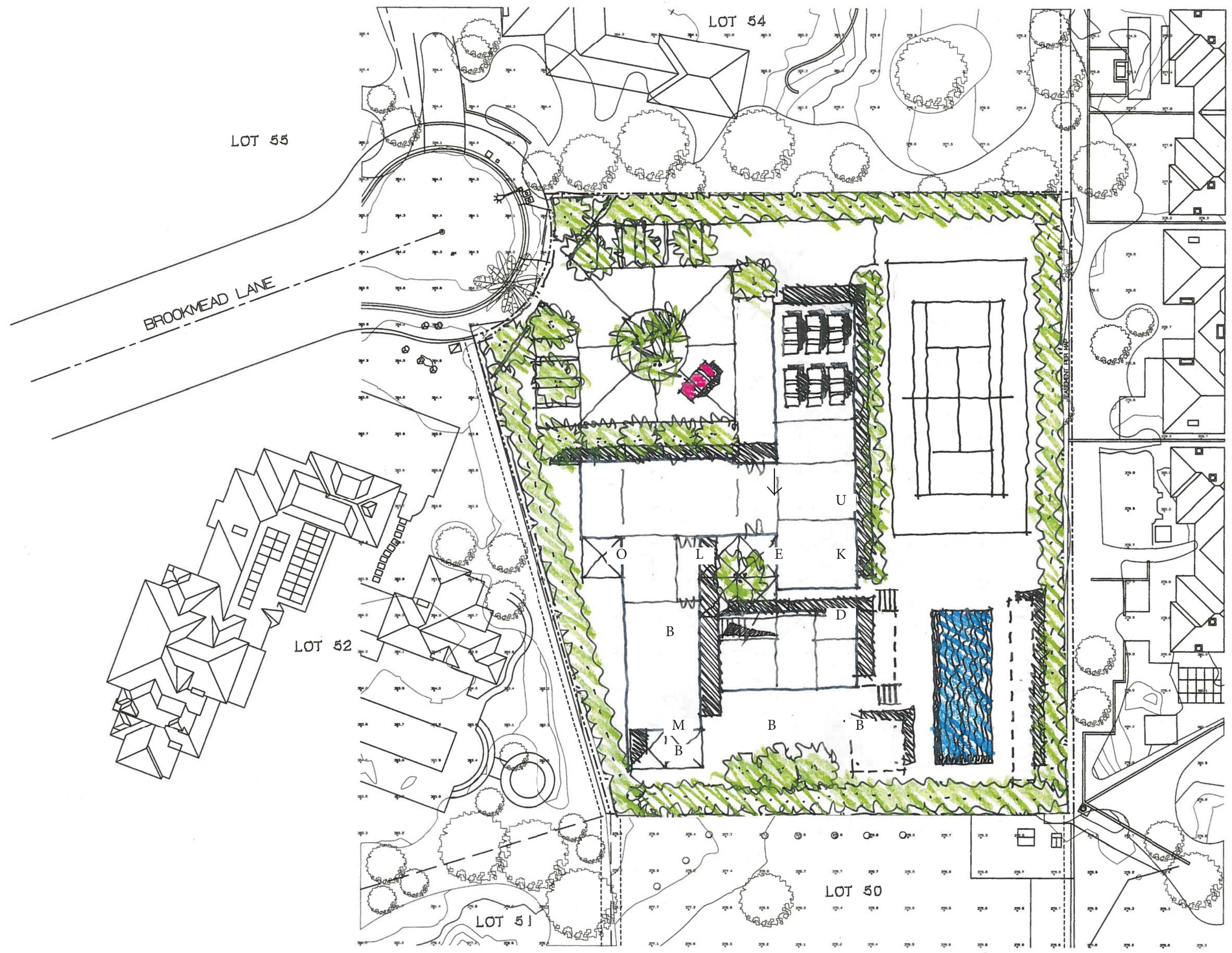
25 February 2019
08 March 2019



SITE PLAN

A.1

OF 12



SCALE: 1" = 32'

James Alcorn Architect

9736 Claiborne Square
La Jolla, California 92037
619/701-8488

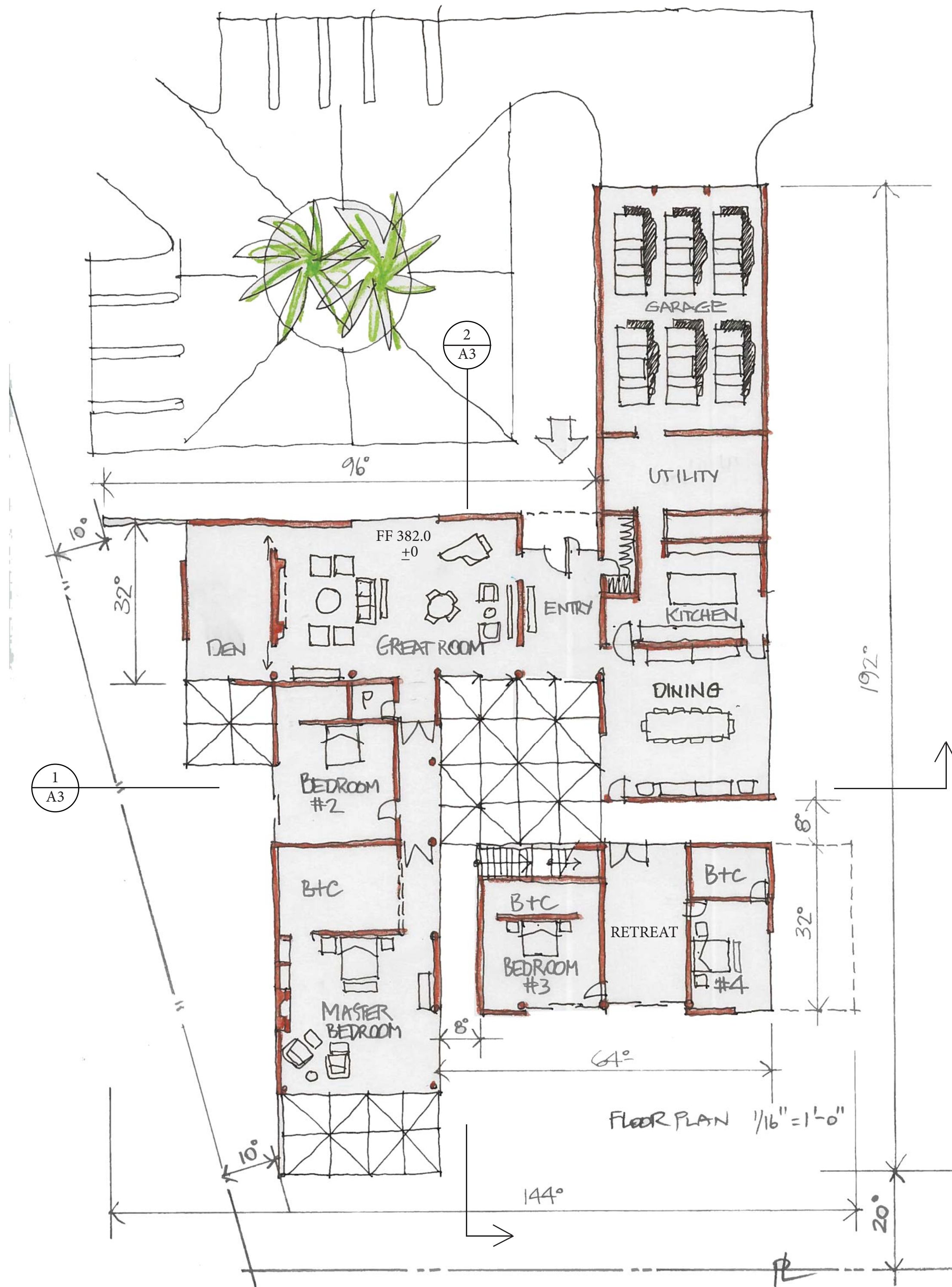
2677 BROOKMEAD LANE
LA JOLLA, CA 92037

25 February 2019
08 March 2019



FLOOR PLAN

A.2



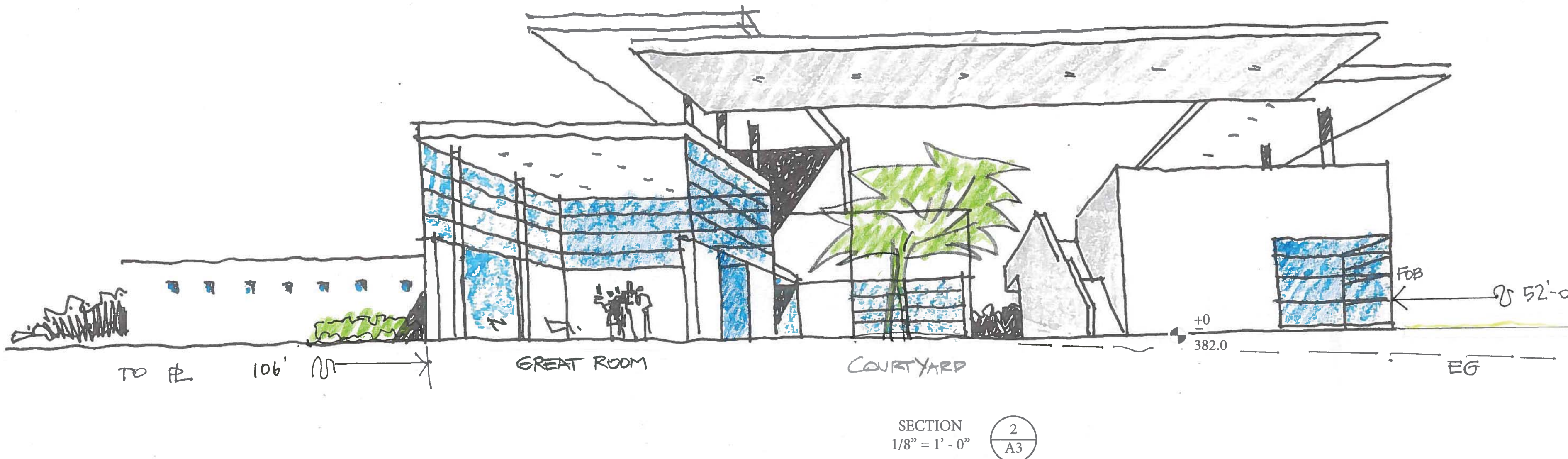
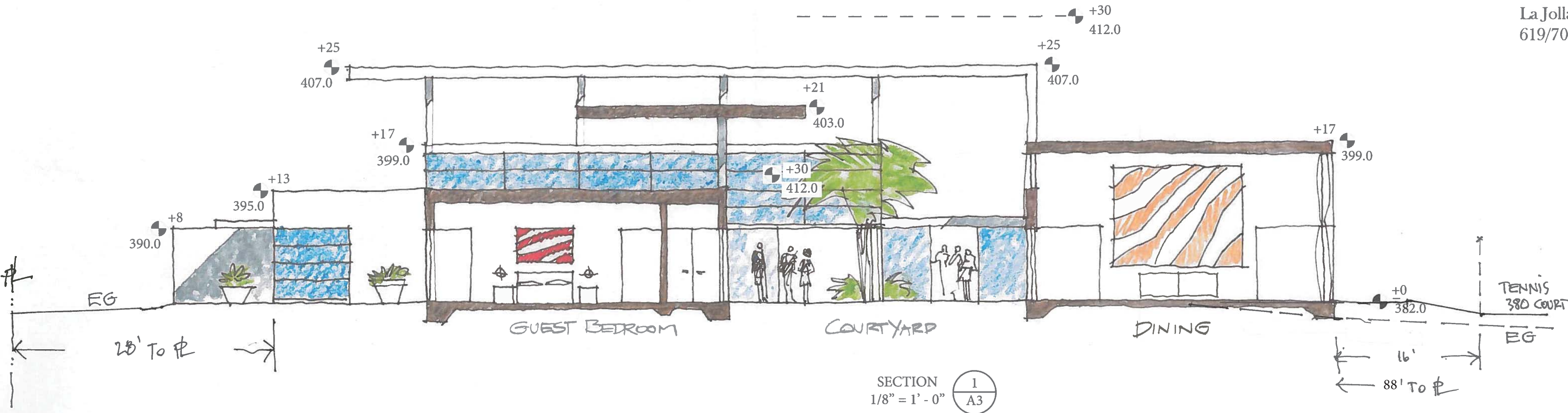
1/16" = 1'-0"

James Alcorn Architect

9736 Claiborne Square
La Jolla, California 92037
619/701-8488

2677 BROOKMEAD LANE
LA JOLLA, CA 92037

25 February 2019
08 March 2019



BUILDING SECTIONS

A.3

James Alcorn Architect

9736 Claiborne Square
La Jolla, California 92037
619/701-8488

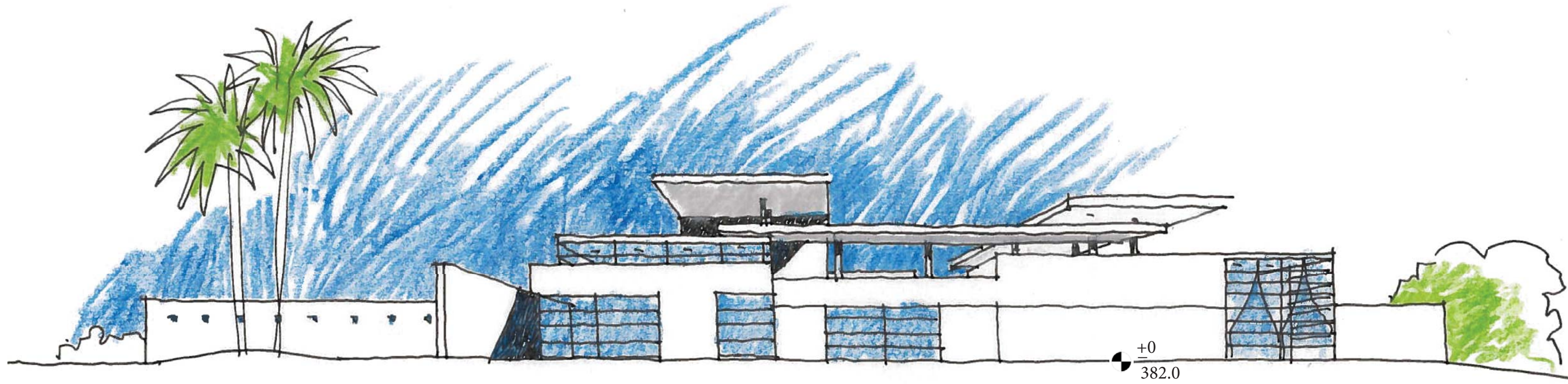
2677 BROOKMEAD LANE
LA JOLLA, CA 92037

25 February 2019
08 March 2019

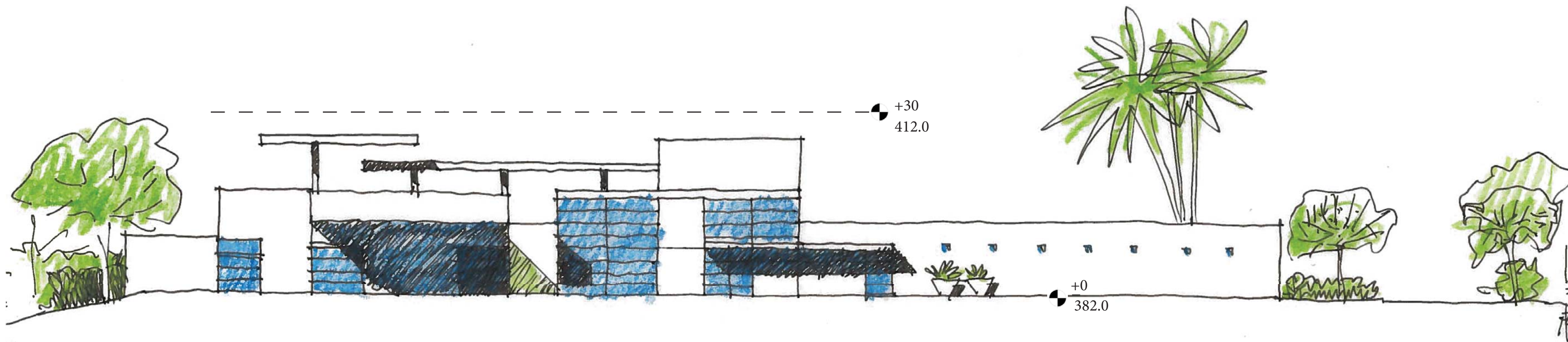


WEST ELEVATION
EAST ELEVATION

A.4

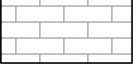
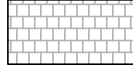

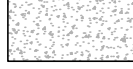


WEST ELEVATION
1/16" = 1' - 0"

















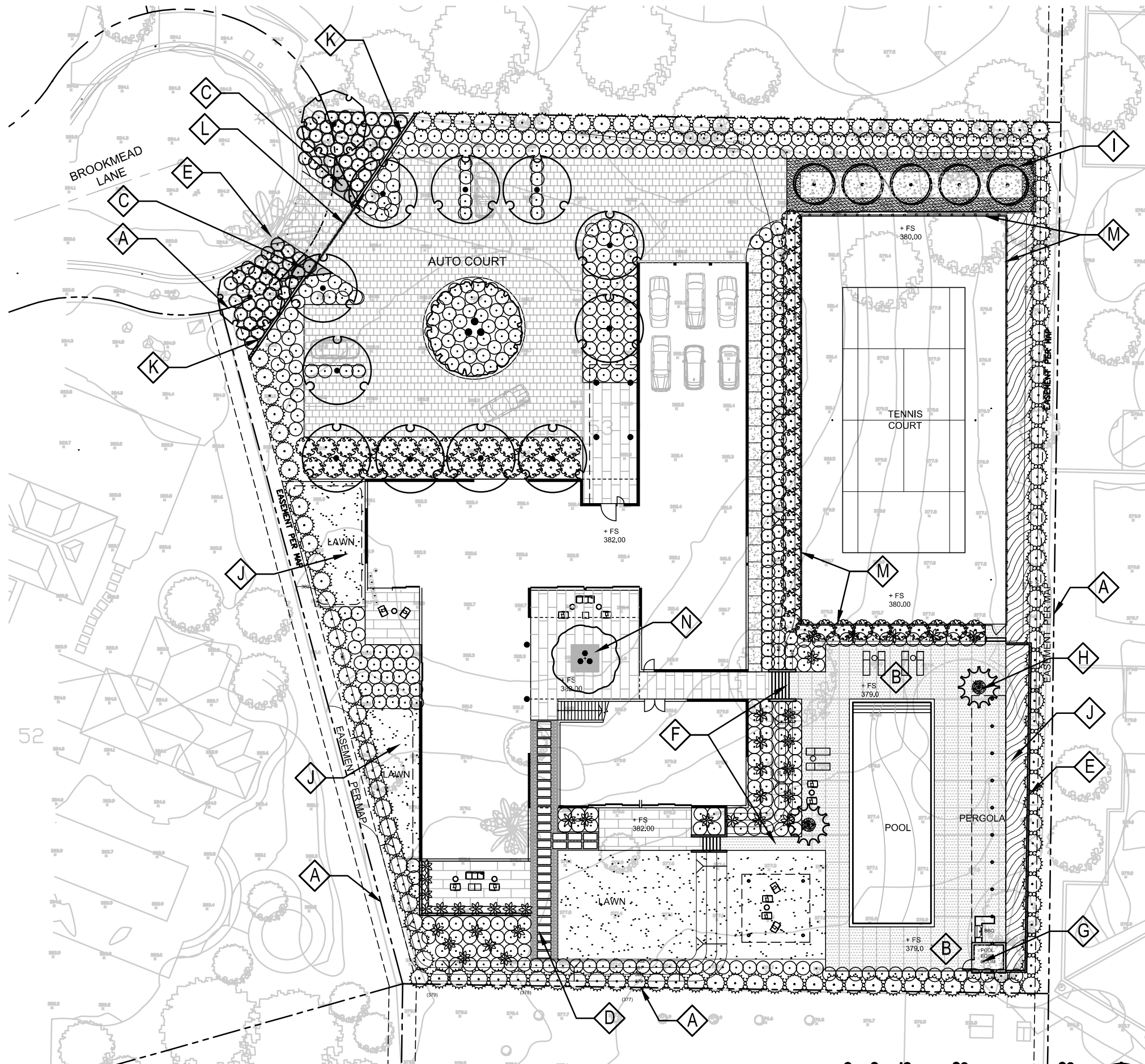
EAST ELEVATION
1/16" = 1' - 0"

PROPOSED HARDSCAPE MATERIAL LEGEND:

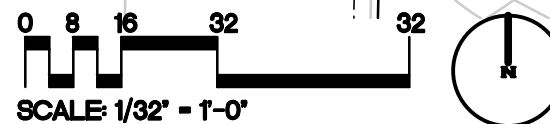
	HARDSCAPE PAVING 'A' Pedestrian Permeable Paving : 2,925 SF "Concrete Pavers" "Stone Pavers"
	HARDSCAPE PAVING 'B' Vehicular Permeable paving such as: 6,967 SF "Concrete Pavers" "Precast Concrete Pavers"
	HARDSCAPE PAVING 'C' Pedestrian Non-Permeable paving such as: 3,754 SF "Integral Colored Concrete with Sand Finish"
	HARDSCAPE PAVING 'D' Pedestrian Non-permeable paving such as: 500 SF "Uncolored Concrete with Sand Finish"

LANDSCAPE KEY NOTES:

-  PROPERTY LINE, TYPICAL SYMBOL
-  POOL DECK
-  10' VISIBILITY AREA AT DRIVEWAY. NO OBSTRUCTION IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT.
-  2'x4' CONCRETE STEPSTONES IN ROCK PEBBLES
-  EXISTING PALM TREE TO BE REMOVED
-  CONCRETE STEPS
-  POOL EQUIPMENT ROOM
-  PLANTER POT
-  DECOMPOSED GRANITE PAVING
-  BIORETENTION
-  6' HIGH MASONRY WALL
-  SLIDING GATE
-  10' HIGH CHAINLINK FENCE AT TENNIS COURT
-  TREE GRATE

















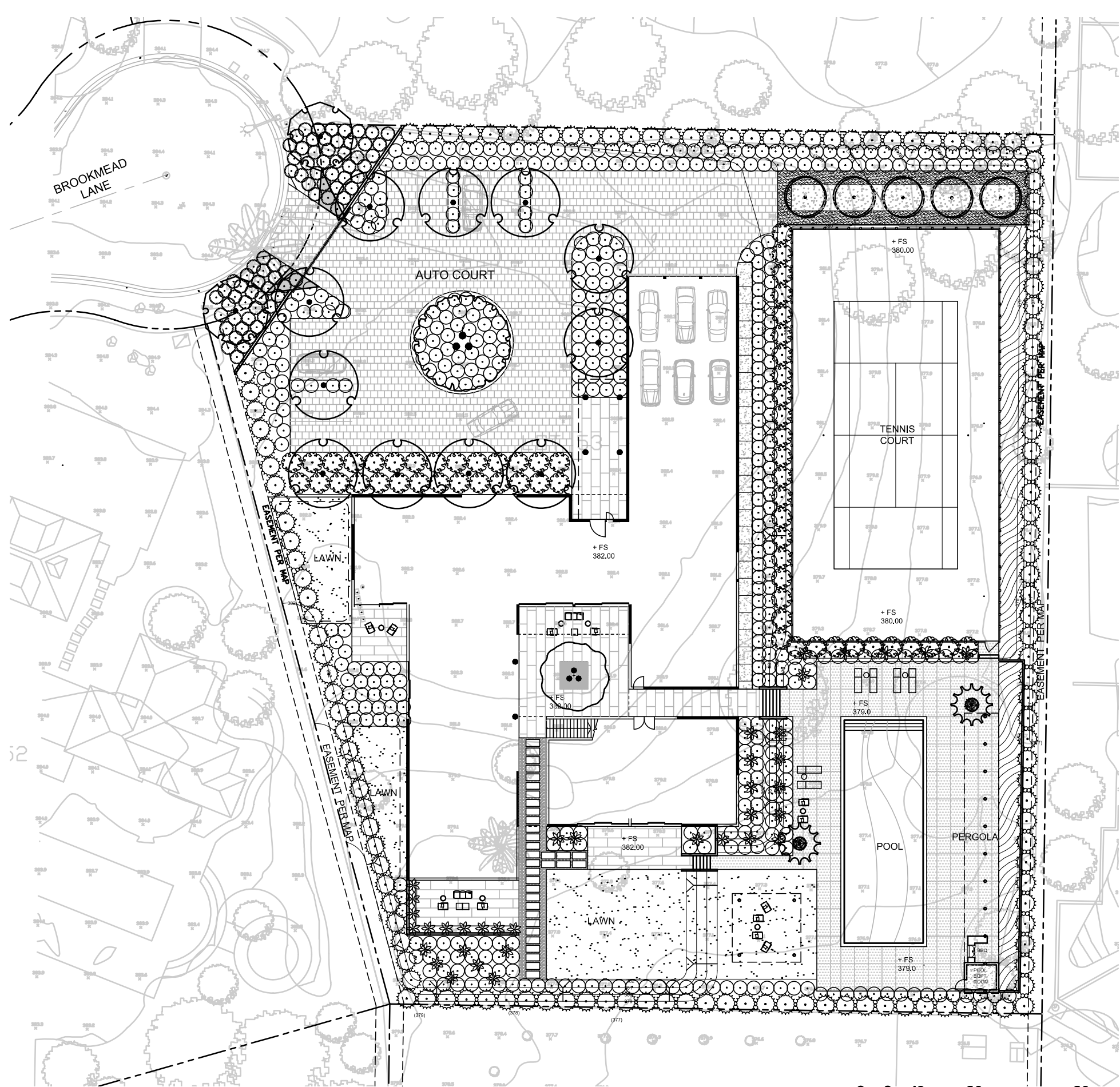
CONCEPTUAL LANDSCAPE PLAN



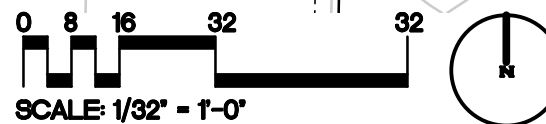
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PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	WUCOLS	QTY	
	Aloe x 'Hercules' Hercules Aloe	24"box	LOW	2	
	Ceratonia siliqua Carob Tree	24"box	MODERATE	2	
	Citrus sp Citrus	24"box	MODERATE	5	
	Leptospermum laevigatum Tea Tree Multi-Trunk	36"box	LOW	1	
	Metrosideros excelsa New Zealand Christmas Tree	24"box	MODERATE	11	
	Quercus agrifolia Coast Live Oak Multi-Trunk	60"box	VERY LOW	1	
SHRUBS	BOTANICAL / COMMON NAME	SIZE	WUCOLS	QTY	
	Agave x 'Blue Flame' Blue Flame Agave	5 gal	LOW	37	
	Cotoneaster dammeri 'Lowfast' Lowfast Bearberry Cotoneaster	5 gal	LOW	473	
	Lantana montevidensis 'Alba' White Trailing Lantana	5 gal	LOW	76	
	Pittosporum tenuifolium 'Silver Sheen' Tawhiwhi	15 gal	MODERATE	59	
	Podocarpus gracilior Fern Pine	15 gal	MODERATE	138	
	Tradescantia pallida 'Purple Heart' Purple Queen Spiderwort	5 gal	MODERATE	10	
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	WUCOLS	SPACING	QTY
	Juncus patens California Gray Rush	1 gal	LOW	12" o.c.	1,604
	Paspalum vaginatum Seashore Paspalum	sod	HIGH		3,472 sf



CONCEPTUAL PLANTING PLAN



GENERAL NOTES

1. 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.
2. 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.
3. ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH ORGANIC MULCH TO A MINIMUM DEPTH OF 3 INCHES. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.
4. PROPOSED LANDSCAPING SHALL NOT CONFLICT WITH EXISTING UTILITIES.
5. 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.
6. IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE WITHIN 30 DAYS.
7. EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK SHALL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
 - A. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
 - B. STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
 - C. A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
 - D. ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.
8. TRANSPLANTED TREES SHALL BE GUARANTEED FOR ONE-YEAR BY THE TRANSPLANTING CONTRACTOR, WHO SHALL BE RESPONSIBLE FOR ALL ASPECTS OF THE SALVAGING, TRANSPORTING, STORAGE, IRRIGATION, & MAINTENANCE OPERATIONS. ANY VARIATION IN THESE RESPONSIBILITIES SHALL BE APPROVED BY THE OWNER IN WRITING.
9. THE CONTRACTOR SHALL CONTINUOUSLY MAINTAIN ALL BOXED TREES AND SHRUBS UNTIL THEY ARE TRANSPLANTED AND A PERMANENT IRRIGATION SYSTEM HAS BEEN INSTALLED.
10. AMEND ALL PLANTING AREAS, INCLUDING LAWN, WITH 'DR. EARTH MOTHERLAND' ALL PURPOSE PLANTING MIX AT A RATE OF 18 LBS PER 1000 SQUARE FEET.
11. ACTUAL PLANTING SHALL BE PERFORMED DURING THOSE PERIODS WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE IN ACCORDANCE WITH LOCALLY ACCEPTED HORTICULTURAL PRACTICE.
12. QUANTITIES FOR PLANT MATERIALS ARE SHOWN FOR CONVENIENCE ONLY, AND NOT GUARANTEED. CHECK AND VERIFY COUNT AND SUPPLY SUFFICIENT NUMBER TO FULFILL THE GRAPHIC INTENT OF DRAWINGS. CERTIFY ANY CLARIFICATIONS WITH THE LANDSCAPE ARCHITECT.
13. LOCATE ALL PLANTS PER THE DIRECTION OF THE LANDSCAPE ARCHITECT.
14. THE CONTRACTOR SHALL INSTALL A NEW IRRIGATION SYSTEM TO BE CONTROLLED BY A SOLID STATE IRRIGATION CONTROLLER. THE CONTRACTOR SHALL MAINTAIN COMPLIANCE WITH THE MANUFACTURER'S INSTRUCTIONS FOR PROPER GROUNDING, INSTALLATION AND USE. THE CONTRACTOR SHALL PROVIDE POWER TO THE CONTROLLER. FINAL CONTROLLER LOCATION TO BE APPROVED BY THE OWNER.
15. THE NEW IRRIGATION SYSTEM DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTING AREAS ACCORDING TO PLANT TYPES AND EXPOSURE. TEST IRRIGATION SYSTEM STATION BY STATION AND ADJUST ALL VALVES, HEADS, AND STATION RUN TIMES AS NECESSARY. THE CONTRACTOR SHALL PROVIDE HEAD-TO-HEAD COVERAGE THROUGHOUT ALL PLANTING AREAS. ALL EQUIPMENT SHALL BE INSTALLED IN PLANTING AREAS.

MINIMUM STREET TREE SEPARATION:

IMPROVEMENT	MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS (STOP SIGN)	20 FEET
UNDERGROUND UTILITY LINES (EXCEPT SEWER)	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET
SEWER LINES	10 FEET

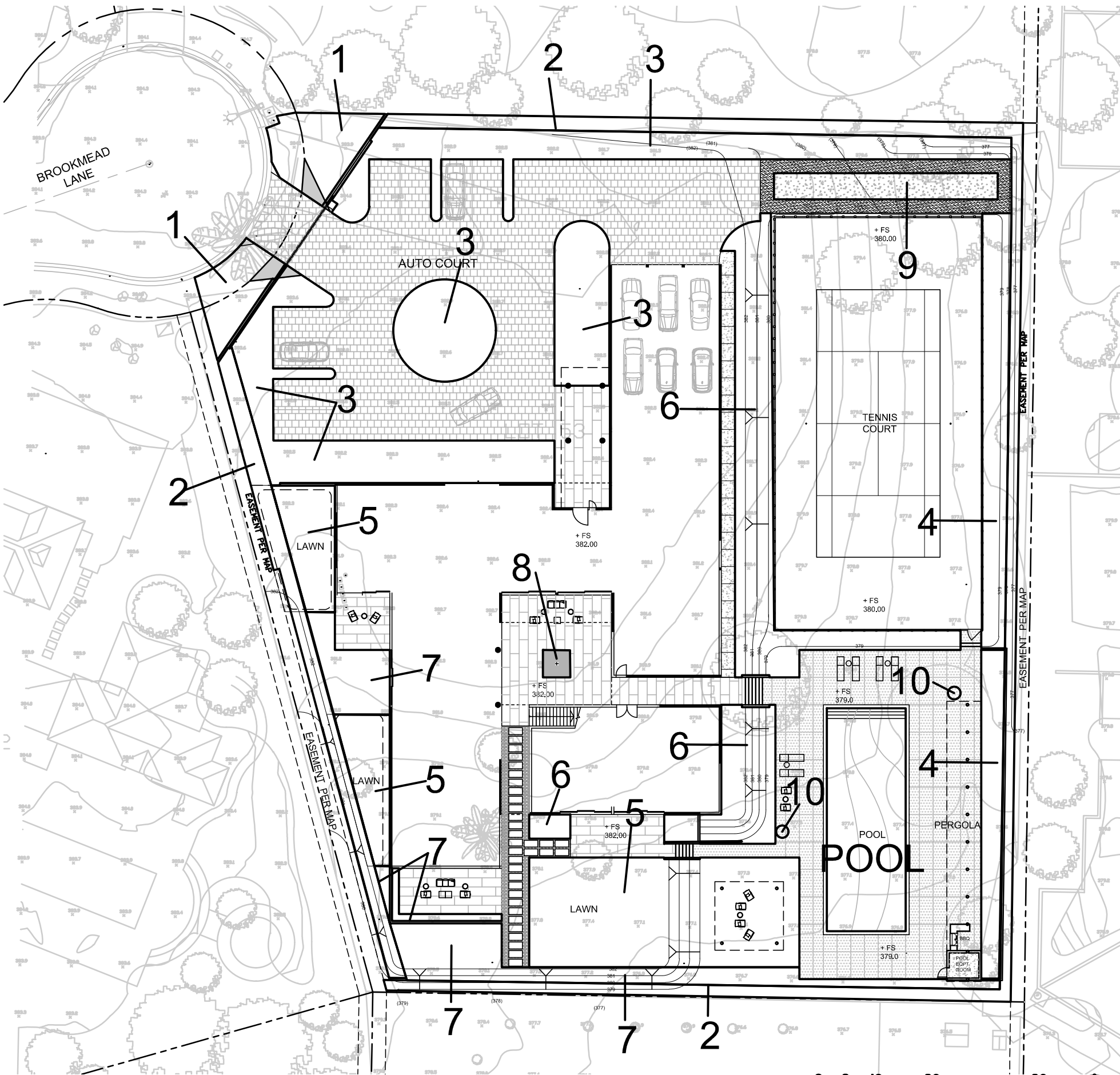
LANDSCAPE NOTES



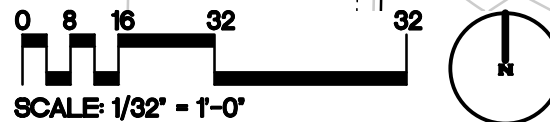
NERI LANDSCAPE ARCHITECTURE
 928 HORNBLEND STREET, SUITE # 3
 SAN DIEGO, CA 92109
 858 / 274-3222
 WWW.NERILA.COM

L3

DATE: 2/25/19



HYDROZONE MAP



Attachment 9 MAXIMUM APPLIED WATER ALLOWANCE

$$\text{MAXIMUM APPLIED WATER ALLOWANCE (MAWA)} = \text{ET}_0 \times 0.62 \times [(\text{ETAF} \times \text{LA}) + ((1 - \text{ETAF}) \times \text{SLA})]$$

WHERE:

ET_0 = EVAPOTRANSPIRATION = 41

ETAF = ET ADJUSTMENT FACTOR = 0.55 FOR RESIDENTIAL, 0.45 FOR NON-RESIDENTIAL

LA = TOTAL LANDSCAPE AREA (SF) = 18,679 SF

SLA = SPECIAL LANDSCAPE AREA (SF) = 1,495 SF

MAWA = $41 \times 0.62 \times [(0.55 \times 18,679) + ((1 - 0.55) \times 0)] = 291,858 \text{ GAL/YR}$

ETWU = 226,329 GAL/ YEAR

ESTIMATED TOTAL WATER USE

REGULAR LANDSCAPE AREAS

HYDROZONE	PLANT FACTOR	IRRIGATION METHOD	HYDROZONE AREA IN S.F.	IRRIGATION EFFICIENCY	ETAF (PF/IE)	ETAF X HA	GAL/ YR.	% L.A.
1	0.1	SPRAY	1000	.75	0.133	133.333	3,307	5.0%
2	0.4	DRIP	3,050	.81	0.494	1506.173	37,353	15.1%
3	0.1	SPRAY	4,725	.75	0.133	629.161	15,603	23.4%
4	0.1	SPRAY	1,516	.75	0.133	202.133	5,013	7.5%
5	0.7	SPRAY	3,471	.75	0.933	3239.600	80,342	17.2%
6	0.4	SPRAY	2,695	.75	0.533	1437.333	35,646	13.4%
7	0.1	SPRAY	1,637	.75	0.133	218.267	5,413	8.1%
8	0.1	DRIP	64	.81	0.123	7.901	196	0.3%
9	0.4	DRIP	500	.81	0.494	246.914	6,123	2.5%
10	0.4	DRIP	21	.81	0.494	10.370	257	0.1%

REGULAR LANDSCAPE AREA TOTAL	18,679	7631.2	189,253	92.6%
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SPECIAL LANDSCAPE AREAS

POOL	1,495	1.0	1.0	1,495	37,076	7.4%
SPECIAL LANDSCAPE AREAS TOTAL	1,495			1,495	37,076	
ESTIMATED TOTAL WATER USE					226,329	100%

COMPLIANCE STATEMENT

I AM FAMILIAR WITH THE REQUIREMENTS FOR LANDSCAPE AND IRRIGATION PLANS CONTAINED IN CALIFORNIA CODE OF REGULATIONS TITLE 23, DIVISION 2, CHAPTER 2.7, SECTIONS 490 ET. SEQ. I HAVE PREPARED THIS PLAN IN COMPLIANCE WITH THOSE REGULATIONS. I CERTIFY THAT THE PLAN IMPLEMENTS THOSE REGULATIONS TO PROVIDE EFFICIENT USE OF WATER.

James P. Neri
 JAMES P. NERI
 NERI LANDSCAPE ARCHITECTURE
 LICENSED LANDSCAPE ARCHITECT, RLA#3321

02/25/2019
 DATE

NLA
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Ceratonia siliqua
Carob Tree (Street Tree)



Aloe x 'Hercules'
Hercules Aloe



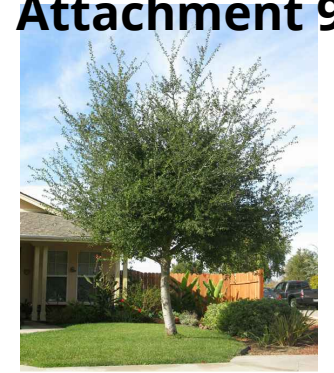
Citrus sp.
Citrus



Leptospermum laevigatum
Tea Tree



Metrosideros excelsa
New Zealand Christmas Tree



Quercus agrifolia
Coast Live Oak



Agave x 'Blue Flame'
African Tulip Tree



Cotoneaster dammeri 'Lowfast'
Lowfast Bearberry Cotoneaster



Juncus patens
California Gray Rush



Lantana montevidensis 'Alba'
White Trailing Lantana



Pittosporum tenuifolium 'Silver Sheen'
Tawhiwhi



Podocarpus gracilior
Fern Pine



Tradescantia pallida 'Purple Heart'
Purple Queen Spiderwort



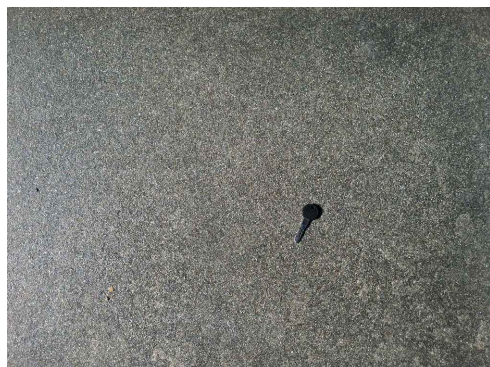
Paspalum vaginatum
Seashore Paspalum



Pedestrian Permeable Pavers



Vehicular Permeable Pavers



Pedestrian Colored Concrete Paving



Pedestrian Uncolored Concrete Paving

LANDSCAPE IMAGES



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