

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED:	October 10, 2018	REPORT NO. HO-18-090
HEARING DATE:	October 17, 2018	
SUBJECT:	PRICE/COHEN RESIDENCE CDP/SDP, Process	Three Decision
PROJECT NUMBER:	<u>565738</u>	
OWNER/APPLICANT:	Lena B. Price Revocable Trust and Thomas M	Cohen Revocable Trust
ownellovit eleviti.	Owners	

Bruce Peeling, Architect/Agent

SUMMARY:

<u>Issue:</u> Should the Hearing Officer approve a Coastal Development and Site Development Permit to demolish an existing single-family dwelling unit and construct a new two-story, single family dwelling unit with an attached two car garage located at 2045 Lowry Place in the La Jolla Community Plan area?

<u>Staff Recommendation</u>: APPROVE Coastal Development Permit No. 2000194 and Site Development Permit No. 2000195.

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

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

<u>Environmental Review</u>: Mitigated Negative Declaration, Report No. 565738, has been prepared for the project in accordance with state of California Environmental Quality Act (CEQA) guidelines. A mitigation, monitoring and reporting program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

BACKGROUND

The existing home on the project site was built in 1959, along the east side of Lowry Place, northeast of Roseland Drive, approximately three blocks east of the Pacific Ocean (Attachment 1). The surrounding properties are fully developed and form a well-established single dwelling unit residential neighborhood (Attachment 3). As the existing structure is more than 45 years old staff evaluated it and concluded it is not significant, and not eligible for historic designation under local, state or federal criteria.

The 5,805-square-foot project site is located in the SF Zone (Single Family Zone) of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay, Transit Area Overlay Zone and within the La Jolla Community Plan. The proposal would demolish the existing home and construct a new 3,749-square-foot, two-story single-family dwelling unit with an attached, two-car garage on a 5,805-square-foot property. A Coastal Development Permit is required by the San Diego Municipal Code (SDMC) Section 126.0702 for the proposed demolition and construction on property within the Coastal Overlay Zone. A Site Development Permit is required by the SDMC Section 1510.0201(d) for major development within the La Jolla Shores Planned District.

DISCUSSION

The La Jolla Community Plan designates the site as Low density (5-9 DU/acre) residential land use (Attachment 1). The proposed residential use of the property is consisted with that land use designation. The site does not contain any form of Environmentally Sensitive Lands. The proposed new residence will be located within the previously developed portion of the property. Based on a submitted neighborhood survey of the existing development pattern and bulk and scale comparisons, the proposed residence was found to be in general conformity with setbacks and bulk and scale as encouraged by the La Jolla Shores Planned District Ordinance SF Zone. All surface drainage/run-off will be conveyed through an existing drain system to Lowry Place. The project proposes to retain an existing shared driveway with the adjacent property to the north. Portions of the driveway will need to be reconstructed to current standards and a Joint Use Driveway/Mutual Access Agreement will be required to be recorded as a permit condition. The project conforms to all development regulations of the La Jolla Shores Planned District Ordinance's SF Zone, along with the applicable regulations of the Coastal Overlay Zone.

The La Jolla Shores Planned District contains General Design Regulations, San Diego Municipal Code Section 1510.0301, which state that, "no structure shall be approved which is substantially like other structure located on an adjacent parcel. Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area." The proposed residence is designed to include painted wood trim and facia, with stucco and wood siding exterior walls with aluminum clad wood windows and a pitched composition shingled roof, which demonstrates conformance with the La Jolla Shores General Design Regulations. The project proposes nine cubic yards of cut grading and zero cubic yards of fill, with nine cubic yards of export. The proposed residence will be approximately 24 feet, 10 inches in height, under the allowed 30-foot height limit.

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The project site is located approximately three blocks east of the Pacific Ocean, and is not located within or adjacent to a public view, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is not located between the ocean and the First Public Roadway (Spindrift Drive/Paseo Dorado).

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

CONCLUSION:

This proposed project is designed to comply with the development regulations of the La Jolla Shores Planned District's SF Zone, the Coastal and Beach Parking Impact Overlay Zone regulations, the identified public views and the Community Plan Residential Element recommendations to maintain character of La Jolla's residential areas. Staff supports a determination that the project is in conformance with the applicable sections of the San Diego Municipal Code and has provided draft findings and conditions of approval. Staff recommends the Hearing Officer approve Coastal Development Permit No. 2000194 and Site Development Permit No. 2000195, as proposed.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 2000194 and Site Development Permit No. 2000195, with modifications.
- 2. Deny Coastal Development Permit No. 2000194 and Site Development Permit No. 2000195, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Glenn Gargas, Development Project Manager

Attachments:

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





Project Location Map

PRICE/COHEN RESIDENCE CDP/SDP – 2045 LOWRY PLACE PROJECT NO. 565738



ATTACHMENT 1





Land Use Map

PRICE/COHHEN RSIDENCE CDP/SDP – 2045 LOWRY PLACE PROJECT NO. 565738 La Jolla







Aerial Photo

PRICE/COHEN RESIDENCE CDP/SDP – 2045 LOWRY PLACE PROJECT NO. 565738



HEARING OFFICER RESOLUTION NO. _____ COASTAL DEVELOPMENT PERMIT NO. 2000194/SITE DEVELOPMENT PERMIT NO. 2000195 PRICE/COHEN RESIDENCE CDP/SDP - PROJECT NO. 565738 (MMRP)

WHEREAS, Lena B. Price, Trustee of the Lena B. Price Revocable Trust and Thomas M. Cohen, Trustee of the Thomas M. Cohen Revocable Trust, Owners/Permittees, filed an application with the City of San Diego for a permit to demolish an existing dwelling unit and construct a new two-story single-family dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2000194 and 2000195), on portions of a 0.133-acre property;

WHEREAS, the project site is located at 2045 Lowry Place, in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay, Transit Area Overlay Zone and within the La Jolla Community Plan;

WHEREAS, the project site is legally described as; All that portion of Lot 1286 of the Pueblo Lands of San Diego, County of San Diego, State of California, according to Map by James Pascoe in 1870, a copy of which said map was filed in the Office of the County Recorder, November 14, 1921, and is known as Miscellaneous Map No. 36;

WHEREAS, on October 17, 2018, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2000194/Site Development Permit No. 2000195, 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. 2000194/Site Development Permit No. 2000195:

Coastal Development Permit - Section 126.0708

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

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

The project site is located on the east side of Lowry Place, mid-block, and there is no identified public view on or adjacent to the project site, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. As the proposal will meet all setback requirements, the proposed home will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the La Jolla Local Coastal Program land use plan. Therefore, the proposed redevelopment will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

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

The previously graded project site is currently developed with a single-family dwelling unit and within a residential neighborhood developed since 1959. Review of resource maps, aerial and street level photography shows that the project site does not contain any sensitive biological resources. The project site does not contain any sensitive riparian habitat or other identified habitat community. Furthermore, the project site does not contain, nor is it adjacent to, Multi-Habitat Planning Area (MHPA) designated lands. The project proposes to demolish the existing single-family dwelling unit and construct a new, two-story singlefamily dwelling unit with an attached two-car garage in approximately the same location on the lot as the existing residence. All surface drainage from the project may have a significant environmental effect on Historic Resources (Archaeology) and Tribal Cultural Resources and the City prepared a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology), to reduce the potential impacts to a level below significance. The project site was previously graded and redevelopment of this site proposes nine cubic yards of cut and no fill, for a total export of nine cubic yards. Thus, this proposed redevelopment of an existing residence will not adversely affect Environmentally Sensitive Lands.

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

The proposed development to demolish an existing residence and construct a new, twostory residential dwelling unit is located on a site which has a Low Density Residential (5-9 DU/AC) land use designation. Based on the review of the project plans along with a setback and bulk/scale neighborhood survey of the surrounding development pattern, the design of the project was determined to be in general conformity with all of the applicable development regulations of the La Jolla Shores Planned District's SF-Zone and the Coastal Overlay Zone. The project site is located approximately three blocks from the coastline with no identified public view on or adjacent to the subject property, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is not located in an area identified as containing Pedestrian Access. The Lowry Place street frontage will remain with improved public right-of-way. Project development will be fully contained within the existing legal lot area. Due to these factors the proposed residential dwelling unit redevelopment of this property is in conformity with the certified La Jolla Community Plan and the certified Local Coastal Program Land Use Plan and complies with all regulations of the certified Implementation Program.

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

The 5,805-square-foot site, currently developed with an existing residence, is located within an established residential neighborhood approximately two blocks from the Pacific Ocean coastline and is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The proposed redevelopment of the property will maintain the existing public right-of-way. Therefore, the project is in compliance with Chapter 3 of the California Coastal Act.

Site Development Permit - Municipal Code Section 126.0504

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

The project proposes to demolish an existing single-family dwelling unit and construction of a new 3,749-square-foot, two-story, single family dwelling unit with an attached two-car garage in approximately the same location on the lot as the existing structure. The proposed project is located in an area identified as Low Density (5-9 DU/acre) residential within the La Jolla Community Plan (LJCP). The proposed residential use of the property is consistent with the land use designation. The project site does not contain and is not adjacent to any identified public access or any identified public views identified by the La Jolla Community Plan and Local Coastal Land Use Plan. Based on a submitted neighborhood survey of the existing development pattern and bulk and scale comparisons, the proposed residence was found to be in general conformity with setbacks and bulk and scale as encouraged by the La Jolla Shores Planned District Ordinance SF Zone. The proposed single-family dwelling unit is consistent with the SF Zone of the La Jolla Shores Planned District development regulations, allowed density and design recommendations. Thus, this single family residential dwelling unit redevelopment will not adversely affect the La Jolla Community Land Use Plan.

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

The proposed demolition of an existing single-family dwelling unit and construction of a new 3,749-square-foot, two-story, single family dwelling unit with an attached two-car garage has been designed to comply with all of the applicable development regulations, including those of the SF Zone of the La Jolla Shores Planned District and the Coastal Overlay Zone. The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology) and Tribal Cultural Resources and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology) and Tribal Cultural Resources, to reduce the potential impacts to a level below significance. The environmental analysis did not find any significant impacts to public health and safety. The project will not have any impact on the provision of essential public services. The proposed project will reconstruct the driveway to current standards and close a non-utilized portion of the existing driveway. These public improvements will bring these elements in to conformance with current traffic and pedestrian safety standards and aid public health and safety. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare. Conditions of approval require the review and approval of all construction plans by staff prior to construction to determine the construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. Therefore, the project will not be detrimental to the public health, safety, and welfare.

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

The proposed demolition of an existing single-family dwelling unit and construction of a new 3,749-square-foot, two-story, single family dwelling unit with an attached two-car garage, will comply with the development regulations. Based on the review of the project plans along with a setback and bulk/scale neighborhood survey of the surrounding development

pattern, the design of the project was determined to be in general conformity with all of the applicable development regulations of the La Jolla Shores Planned District's SF-Zone and the Coastal Overlay Zone. There are no proposed variances or deviations to the development regulations of the Land Development Code. City staff also reviewed the drainage, lot coverage, building height, landscaping, public views, public access, and found that the project will comply with all of the required development regulations. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

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. 2000194/Site Development Permit No. 2000195, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 2000194 and 2000195, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas Development Project Manager Development Services

Adopted on: October 17, 2018

IO#: 24007406

fm 7-17-17

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24007406

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2000194/SITE DEVELOPMENT PERMIT NO. 2000195 PRICE/COHEN RESIDENCE - PROJECT NO. 565738 (MMRP) HEARING OFFICER

This Coastal Development Permit No. 2000194/Site Development No. 2000195 is granted by the Hearing Officer of the City of San Diego to Lena B. Price, Trustee of the Lena B. Price Revocable Trust and Thomas M. Cohen, Trustee of the Thomas M. Cohen Revocable Trust, Owners/Permittees, pursuant to San Diego Municipal Code [SDMC] section 126.708 and 1510.0201. The 0.133-acre site is located at 2045 Lowry Place, in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay, Transit Area Overlay Zone and within the La Jolla Community Plan. The project site is legally described as: All that portion of Lot 1286 of the Pueblo Lands of San Diego, County of San Diego, State of California, according to Map by James Pascoe in 1870, a copy of which said map was filed in the Office of the County Recorder, November 14, 1921, and is known as Miscellaneous Map No. 36;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish a single-family residence and construct a new, two-story, single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 17, 2018, on file in the Development Services Department. The project shall include:

- a. Demolition of an existing residence and construction of a two-story, 3,749-square-foot single-family dwelling unit on a 0.133-acre property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Fences, walls, planters and patios; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in

accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 1, 2021.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 565738, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 565738, 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:

Historic Resources (Archaeology) and Tribal Cultural Resources

CLIMATE ACTION PLAN REQUIREMENTS:

14. 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:

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

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

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the planter and Tree/Landscape over 30 inches and irrigation in the Lowry Place Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private driveway pavement in the Lowry Place Right-of-Way.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing driveway (20-feet-wide) per current City Standards, adjacent to the site on Lowry Place.

20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of all the non-utilized portions of the existing driveway with current City Standard sidewalk, curb and gutter, adjacent to the site on Lowry Place.

21. Prior to the issuance of any building permits, the Owner/Permittee shall obtain and record a Joint Use Driveway/Mutual Access agreement between the properties sharing the existing driveway adjacent to site on Lowry Place.

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

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

LANDSCAPE REQUIREMENTS:

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

25. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

26. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

PLANNING/DESIGN REQUIREMENTS:

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

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

30. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

GEOLOGY REQUIREMENT:

31. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on October 17, 2018, by Resolution No.

Permit Type/PTS Approval No.: CDP No. 2000194 & SDP No. 2000195 Date of Approval: October 17, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas Development Project Manager

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

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

Lena B. Price Revocable Trust, dated Nov. 9, 2001 Owner/Permittee

By_

Lena B. Price Trustee

Thomas M. Cohen Revocable Trust, dated July 6, 2007 Owner/Permittee

By_

Thomas M. Cohen Trustee

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

RESOLUTION NUMBER R-____ PRICE/COHEN RESIDENCE – PROJECT NO. 565738 ADOPTED ON OCTOBER 17, 2018

WHEREAS, on September 28, 2017, Lena B. Price, Trustee of the Lena B. Price Revocable Trust and Thomas M. Cohen, Trustee of the Thomas M. Cohen Revocable Trust, submitted an application to the Development Services Department for a Coastal Development Permit and Site Development Permit for the Price/Cohen Residence CDP/SDP (Project); and

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

WHEREAS, the issue was heard by the Hearing Officer on October 17, 2018; and WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 565738 (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.

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:

Glenn R. Gargas

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Coastal Development Permit and Site Development Permit

PROJECT NO. 565738

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.565738 shall be made conditions of Coastal Development Permit and Site Development Permit as may be further described below.

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

- 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.
- 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:

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

- 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) No. 565738 and /or Environmental Document No. 565738 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.

Not Applicable

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

	DOCUMENT SUBMITTAL/INSP	ECTION CHECKLIST
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Tribal Cultural Resources	Archaeology Reports	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 (Archaeology)

I. Prior to Permit Issuance

A. Entitlements Plan Check

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

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

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

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. Identify Areas to be Monitored

a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native

American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

- 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) 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) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**

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

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 provenance of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;

b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,

c. In order to protect these sites, the Landowner shall do one or more of the following:

(1) Record the site with the NAHC;

(2) Record an open space or conservation easement on the site;

(3) Record a document with the County.

d. Upon the discovery of multiple Native American human remains during a 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 contract1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

c.

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.

Potentially Significant Discoveries

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

d. The PI shall immediately contact MMC, or by 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. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis,

special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Tribal Cultural Resources

Impacts to Tribal Cultural Resources would be reduced to below a level of significance with implementation of mitigation measures outlined under Historical Resources (Archaeology).

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



La Jolla Community Planning Association

Date: April 24, 2018

To: Glenn Gargas

Cc: Bruce Peeling

RE: Price/Cohen Residence

On April 5, 2018 at the Regular Meeting of the La Jolla Community Planning Association (LJCPA) Trustees reviewed the Price/Cohen Residence Project (#565738) as an Action item.

13.0 Coastal Development Permit and Site Development Permit for a demolition of an existing 2,432 gross sf area single story residence and construction of a new 3,749 gross sf two story residence containing 1,562 sf on the main level, 1,367 sf on the upper level, 604 sf of garage and storage space and a 190 sf deck. The new FAR will be 0.61. The new residence will consist of 3 bedrooms, 4 bathrooms, and a 2 car garage. Maximum proposed height not to exceed 24' 9 1/2". The site is located at 2045 Lowry Place within the Coastal Overlay Zone (non-appealable area), in the LJSPD-SF zone(s) of the La Jolla Shores Planned District Area within Council District 1.

The LJCPA voted to approve this project, 10-0-1

Sincerely,

Bob Steck President

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

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

Project: PTS 565738 - Price Cohen Residence SDP/CDP - ACTION ITEM

Item: B

Date: 4/16/18

Presenter: Bruce Peeling, brucepeelingaia@me.com, (619) 517-7400

Address: 2045 Lowry Place

Description: Demolition of an existing 2,432sf single-story residence and construction of a new 3,684sf two-story residence (includes garage areas).

Recommendation:

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

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

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

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

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

Concept Review Only_

F.

Board Signatures

Trustee	Approve		Disapprove/Abstain
Dolores Donovan			
Dan Goese	Khan Sto	rese	
Jane Potter	VILLE Pot	ter	
Susanne Weissman	Sygannelite	form	
Andrea Moser	Shalla P	Mon	
Herbert Lazerow	The		
Absentees:		4	Jan Hocse Chairperson

	ATTACHMENT 8
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) requeste Neighborhood Development Permit Variance Tentative Map Vesting Tentative Map Map Wai	
Project Title PRICE COHEN REMODEL	Project No. For City Use Only 565738
Project Address: 2045 LOWRY PLACE, LA JOLLA, CA 92037	
Part I - To be completed when property is held by Individual(s	
By signing the Ownership Disclosure Statement, the owner(s) acknowledge above, will be filed with the City of San Diego on the subject property, w below the owner(s) and tenant(s) (if applicable) of the above referenced who have an interest in the property, recorded or otherwise, and state the individuals who own the property). A signature is required of at least one from the Assistant Executive Director of the San Diego Redevelopment Ag Development Agreement (DDA) has been approved / executed by the C Manager of any changes in ownership during the time the application is b the Project Manager at least thirty days prior to any public hearing on the information could result in a delay in the hearing process.	ith the intent to record an encumbrance against the property. Please list property. The list must include the names and addresses of all persons type of property interest (e.g., tenants who will benefit from the permit, all of the property owners. Attach additional pages if needed. A signature gency shall be required for all project parcels for which a Disposition and bity Council. Note: The applicant is responsible for notifying the Project eing processed or considered. Changes in ownership are to be given to
Additional pages attached Tyes X No	
Name of Individual (type or print): Lena //:ce Towner Tenant/Lessee Redevelopment Agency	Name of Individual (type or print): Thomes M. Cohen Fowner Tenant/Lessee Redevelopment Agency
Street Address: 2045 Lowry PL. City/State/Zip:	Street Address: 2045 Lowry PL.
Phone No: 913- 645-8555 Fax No:	Phone No: 913-226-1001 Fax No:
Signature : Hendrice T-18-17	Signature: The Coke 2/18/17
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No: Signature : Date:	Phone No: Fax No: Signature : Date:

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



BY USING THESE PERMITT WORK SPECIFIED HEREIN, THE STATEMENT OF SPECI CITY OF SAN DIECO FOR TESTING AND OFF SITE FA SPECIAL INSPECTIONS AN

SETBACKS: (NEIGHBORHOOD GENERAL CONFORMITY)

÷ 5,805 S.F. LOT AREA = .63 F.A.R.

2 DECK DRAINS DEPOSITING INTO LANDSCAPING ARE NOTED ON THE SITE PLAN. THERE ARE NO ROOF DRAINS.

AS THERE IS NO CHANGE PROPOSED FOR THE EXISTING GRADE. THE PROJECT WILL NOT REQUIRE MODIFYING THE EXISTING DRAINAGE PATTERN. THE AREA OF ROOF HAS BEEN REPUCED. AND THERE WILL BE A **REDUCTION** IN IMPERMEABLE AREA BY 35%.

- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERNIT THE OWNER/ PERNITTE SHALL INCORPORATE ANY CONSTRUCTION BEST AMANAGEM PRACTICES NECESSARY TO COMPUT WITH CHAPTER 14. ARTICLE 2. DIVISION 1 (GRADINC REGULATIONS) OF THE SAN DIECO MUNICIPAL CO INITO THE CONSTRUCTION PLANE OS PSPECIFICATIONS.

619-517-7400 SURVEY:

A QUICK SURVEY 2163 WOODLAND HEIGHTS GLEN ESCONDIDO, CALIFORNIA 92026 760-525-0694 SURVEY DATE 05-10-2017

DEVELOPMENT

SITE ADDRESS 2045 LOWRY PLACE LA JOLLA, CALIFORNIA 92037

LENA PRICE & THOMAS COHEN

ARCHITECT BRUCE PEELING, ARCHITECT

SAN DIEGO, CALIFORNIA 92106

SUMMARY

2045 LOWRY PLACE LA JOLLA, CALIFORNIA 92037

3538 INEZ STREET

OWNERS

BENCHMARK

LOWRY TERRACE AND PASEO DORADO N.2508 E.16908 ELEV. 11.223 MSL DATUM MAP NO.15745 1286 PER MAP NO. 36

LEGAL DESCRIPTION MM0036 LOT 12 86 PARCEL PER ROS 9010 IN

APN: 346-482-04

CLASSIFICATION TYPE OCCUPANCY GROUP TYPE V-B SPRINKLERED R-3, U-1

ZONE:

N-APP-2 COASTAL HEIGHT LIMITATION, COASTAL OVERLAY, VERY HIGH FIRE HAZARD SEVERITY ZONE, PARKING IMPACT OVERLAY ZONE. (BEACH & COASTAL) RESIDENTIAL TANDEM PARKING OVERLAY ZONE, TRANSIT AREA OVERLAY ZONE & TRANSIT PRIORITY AREA.

F.A.R.: 0.63

LOT SIZE: 5,805 S.F.

PROJECT HEIGHT:

24'-10" (SEE NORTH ELEVATION SHEET 3) GOVERNING CODES

2016 CALIFORNIA RESIDENTIAL CODE

2016 CALIFORNIA ELECTRICAL CODE

2016 CALIFORNIA GREEN BUILDING CODE

2016 CAUFORNIA MECHANICAL CODE

2016 CALIFORNIA PLUMBING CODE

2016 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS 2016 CALIFORNIA BUILDING CODE

2016 CALIFORNIA FIRE CODE

EXISTING AND PROPOSED USE SINGLE FAMILY RESIDENCE

CONSTRUCTION RECORD

ORIGINAL BUILDING COMPLETED IN 1959 REMODELED IN 1993 GEOLOGIC CATEGORY

IMPERVIOUS AREA EXISTING 5,394 S.F. PROPOSED 4,132 S.F.

REQUIRED PERMITS / APPROVALS

(CDP) COASTAL APPEALABLE, COASTAL HEIGHT (SDP) SITE DEVELOPMENT PERMI

SHEET INDEX

- 1. EXISTING & PROPOSED SITE PLANS, NOTES
- FLOOR AND ROOF PLANS
- 3. ELEVATIONS AND SECTIONS
- 4. ELEVATIONS
- 5. LANDSCAPE CONCEPT PLAN
- 6 TOPOGRAPHIC SURVEY

1	2	3 4	
5	6	7	
pared B	ly:	_	Revision 7:
me:	BRUCE PEELING, AR	CHITECT	Revision 6:
dress:	3538 INEZ STREET SAN DIEGO, CA. 91 619-517-7400	206	Revision 5:
ail:	bpaia@cox.net		Revision 4:
			Revision 3:
ject Add	dress		Revision 2:

2045 LOWRY PLACE

LA JOLLA, CALIFORNIA 92037 PRICE-COHEN RESIDENCE

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em

Sheet Title: SITE, GRADING AND DRAINAGE PLAN

05-24-2018 03-08-2018 Revision 1 11-27-2017 Original Date: Sheet 1 OF 7

DEP #

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ATTACHMENT 9

ARCHITECT

BRUCE PEELING

PRICE-COHEN

RESIDENCE

bpaia#cox.net 3538 inez Street San Diego, Ca. 921 619.517.7400

7. STORM WATER & BMP FORMS

RESIDENCE DECKS 170

1.434 ---



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ARCHITECT Bruce Peeling 3538 Inez Sinee. San Dieyz, Ca. 9/106 P. 619/224-8575 F. 619-224-871 PRICE-COHEN RESIDENCE

05-24-2018 Revision 2: 03-08-2018 11-27-2017 Original Date: 2 OF 7 Sheet DEP =_

ATTACHMENT 9







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03-26-2018
03-26-2018

ATTACHMENT 9











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Project Address 2045 LOWRY PLACE LA JOLLA, CALIFORNIA 92037 Project Name: PRICE-COHEN RESIDENCE

Sheet Title: ELEVATIONS

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evision 7:	



EXISTING SITE LANDSCAPE PLAN

ATTACHMENT 9

PROPOSED PLANTING AND PERMEABLE AREA

	4 010 S.F.	TOTAL IMPERVIOUS AREA	69%
C==3	588 S.F.	ROOF OVERHANG	
	1,483 S.F.	NON-PERMEABLE PAVING AREAS AND SIT	EWALLS
	1,992 S.F.	AREA OF PROPOSED STRUCTURES	
		EXISTING RESIDENCE	

-		dentified frequency data and a second second second second	
Hard and	1,795 S.F.	PLANTING AND PERMEABLE AREA	31%
12225			

5,805 S.F. TOTAL SITE AREA

LANDSCAPE NOTES:

TANDARDSAND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS ALL OF THE LANDSCAPE TO MEET THE ION AREA REQUIRMENT SHALL BE INSTALLED AS REQUIRED HALL BE INSTALLED AS REQUIRED BY THE LANDLA SHORES PLANNED DISTRICT ORDINANCE. LOC IS LISOJOHING PROBE TO THAIL INSERTION.

RUNOFF MUST BE ROUTED TO LANDSCAPE AREAS OR PLANTER BOXES PRIOR TO

DECK DRAIN AND OUTFLOW

OTAL DISTURBANCE AREA = 5,805 S.F. NISTING IMPERVIDUS AREA = 5,194 S.F. ROPOSED IMPERVIDUS AREA = 4,010 S.F.

MAWA = (40.0) X (0.62) X (0.7 X 1,751) = (40.0 X 62) = 24.6 X (0.7 X 1,751) = 1,256 20.4 X 1276 = 30,400 GALLONS PERYEAR

ETWU = (40.0) X (0.62) X (0.5 X 1,751 X 75) = 16,300 GALLONS

GRADING DATA

TOTAL AMOUNT OF SITE TO BE CRADED. 110 S.F.

PERCENT OF TOTAL SITE CRADED 2%

AMOUNT OF QUI RECYCLED NIW STRUCTURAL FOOTINGS (2: DHP) AMOUNT OF RUE RECY

MAXIMUM HEIGHT OF IC SCOPES (2)

MAXIMUM HEICHT OF CUT SLOPES: 0

AMOLINT OF EXPORT SOIL 9 CY

NEW SITE RETAINING WALLS 0

EXISTING PLANTING AND PERMEABLE AREA

	5,394 S.F.	TOTAL IMPERVIOUS AREA	93%
2223	0 S.F.	ROOF OVERHANG	
	2,962 S.F.	EXISTING NON-PERMEABLE PAVING ARE	AS AND SITE WALLS
	2,432 S.F.	AREA OF EXISTING STRUCTURES	

411 S.F. PLANTING AND PERMEABLE AREA 7%

5,805 S.F. TOTAL SITE AREA



Prepared By:

 Name:
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Project Address 2045 LOWRY PLACE LA JOLLA, CALIFORNIA 92037 Project Name: PRICE-COHEN RESIDENCE

Sheet Title: LANDSCAPE CONCEPT PLAN

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