THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: August 15, 2012 REPORT NO. HO 12- 069

ATTENTION: Hearing Officer

SUBJECT: TONG RESIDENCE
PTS PROJECT NUMBER - 280468

LOCATION: 961 La Jolla Rancho Road

APPLICANT: Mr. Kenneth Tong, Owner (ATTACHMENT 10) / Mr. Albert Morone, Architect / Consultant

SUMMARY

Issue: Should the Hearing Officer approve an Extension of Time to previously approved Coastal Development Permit No. 139245 and Site Development Permit No. 141335 to demolish an existing residence and construct a new, split-level, single family residence within the La Jolla Community Plan area?

Staff Recommendation – APPROVE Extension of Time Permit No. 985084.

Community Planning Group Recommendation – On July 10, 2012, a subcommittee of the La Jolla Community Planning Association voted to recommend denial of the proposed Extension of Time and requested design changes to the project. The applicant did not agree to the requested design changes, believing that they were not due to a change in circumstance, not health or safety related and outside the scope of an Extension of Time request. The applicant requested that the group finalize their recommendation and forward it to the City. The La Jolla Community Planning Association is still in the process of forwarded their formal recommendation of denial.

Environmental Review: A California Environmental Quality Act (CEQA) Exemption was prepared for the original Kelly Residence project (Project No. 48764), which was before the City of San Diego Planning Commission and approved on June 19, 2008, by Resolution No. 4416- PC. The project was reviewed and determined that in accordance with (CEQA) Guidelines Section 15162(a): (1) No substantial changes are proposed to the project which would alter the previous Exemption determination; (2) No substantial changes occur with respect to the circumstances under which the project is undertaken that would alter the previous Exemption determination; and (3) There is no new

information of substantial importance that was not known and could not have been known at the time the previous Exemption.

BACKGROUND

On June 19, 2008, the Planning Commission denied an appeal and approved Coastal Development Permit No. 139245 and Site Development Permit No. 141335, Project No. 48764, known as the Kelly Residence at that time. Those permits were set to expire June 19, 2012. On May 11, 2012, the applicant applied for an Extension of Time. The project site is located 961 La Jolla Rancho Road, in the SF-1-4 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone and within the La Jolla Community Plan area.

DISCUSSION

The present application is requesting an Extension of Time to the previously approved Kelly Residence project. The time allowed in the original development permit to construct the Kelly Residence project has expired. No changes to the originally approved project are proposed.

The project proposes to demolish the existing residence and construct an approximate 6,796 square foot split level single family residence with a three car garage and swimming pool on an 18,100 square-foot property. The lot's eastern portion has been fully disturbed by the past development and is relatively level. The western portion of the lot slopes off toward the west, containing a vegetated portion, which appears to be non-native vegetation and is not mapped as sensitive vegetation. The proposed new residence is to be located within the disturbed portion of the site. The submitted slope analysis determined that there would be no further encroachment into steep slopes. During the project's original review with City staff, the applicant modified the project to conform to all of the development regulations of the RS-1-4 Zone and the Environmentally Sensitive Lands Regulations.

The project site is located in an area with potential intermittent or partial vista views, as identified within the La Jolla/La Jolla Shores Local Coastal Program. The project was modified to include a 6 foot wide view corridor along the north side yard setback area and a 20 foot wide view corridor along the south setback area. A condition of the original permit (Attachment 8) requires that a view corridor easement be recorded on the property prior to building permit issuance, in order to preserve these identified public views. The proposed new structure does not impact any of the identified public vantage point(s) and the project design was found to be in conformance with the La Jolla/La Jolla Shores Local Coastal Program. The proposed structure, meets the development setbacks and height limit required by the underlying zone. Vehicular access to the property will be provided from the existing street at the front of the property along La Jolla Rancho Road, with an existing 16 foot wide driveway. The existing streetscape adjacent to the project, from a pedestrian standpoint will remain unaltered.

CONCLUSION

Staff has reviewed the proposed Extension of time and determined the project would not place adjacent residents of the proposed development, or immediate community, in a condition dangerous to their health or safety. In addition, the project would comply with all state and federal laws without any new conditions being added to the approval. Staff has provided draft findings supporting EOT approval (Attachment 6). Staff recommends the Hearing Officer approve the proposed Extension of Time permit as proposed (Attachment 7).

ALTERNATIVE

1. Approve Extension of Time No. 985084, with modifications.

2. Deny Extension of Time No. 985084, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Glenn R. Gargas, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan (Full set of plans to the Hearing Officer)
6. Draft EOT Resolution with Findings
7. Draft EOT Permit with Conditions
8. Copy of Recorded (existing) Permit
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Copy of Public Notice

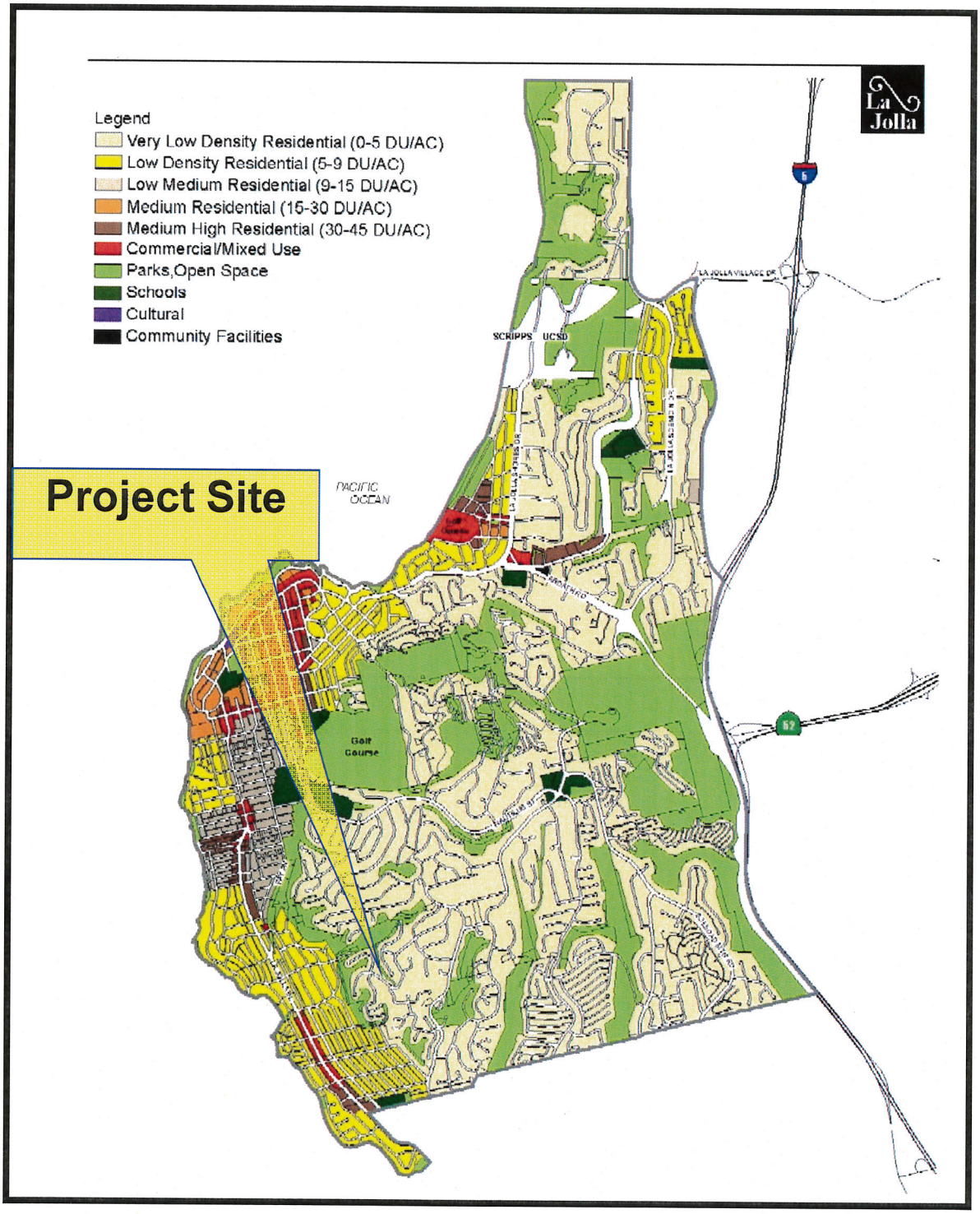
Aerial Photo

961 LA JOLLA RANCHO ROAD – TONG RESIDENCE

PROJECT NUMBER 280468

North

ATTACHMENT 1



Land Use Map

961 LA JOLLA RANCHO ROAD – TONG RESIDENCE

PROJECT NUMBER 280468

North

Project Location Map

961 LA JOLLA RANCHO ROAD – TONG RESIDENCE

PROJECT NUMBER 280468

North

ATTACHMENT 3

PROJECT DATA SHEET

PROJECT NAME:	Tong Residence EOT – Project No. 280468
PROJECT DESCRIPTION:	Extension of Time to previously approved CDP and SDP to demo an existing residence and construct an approximate 6,796 square foot single family residence on an 18,100 square foot property.
COMMUNITY PLAN AREA:	La Jolla
DISCRETIONARY ACTIONS:	Extension of Time Permit.
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential (0-5 DUs per acre)

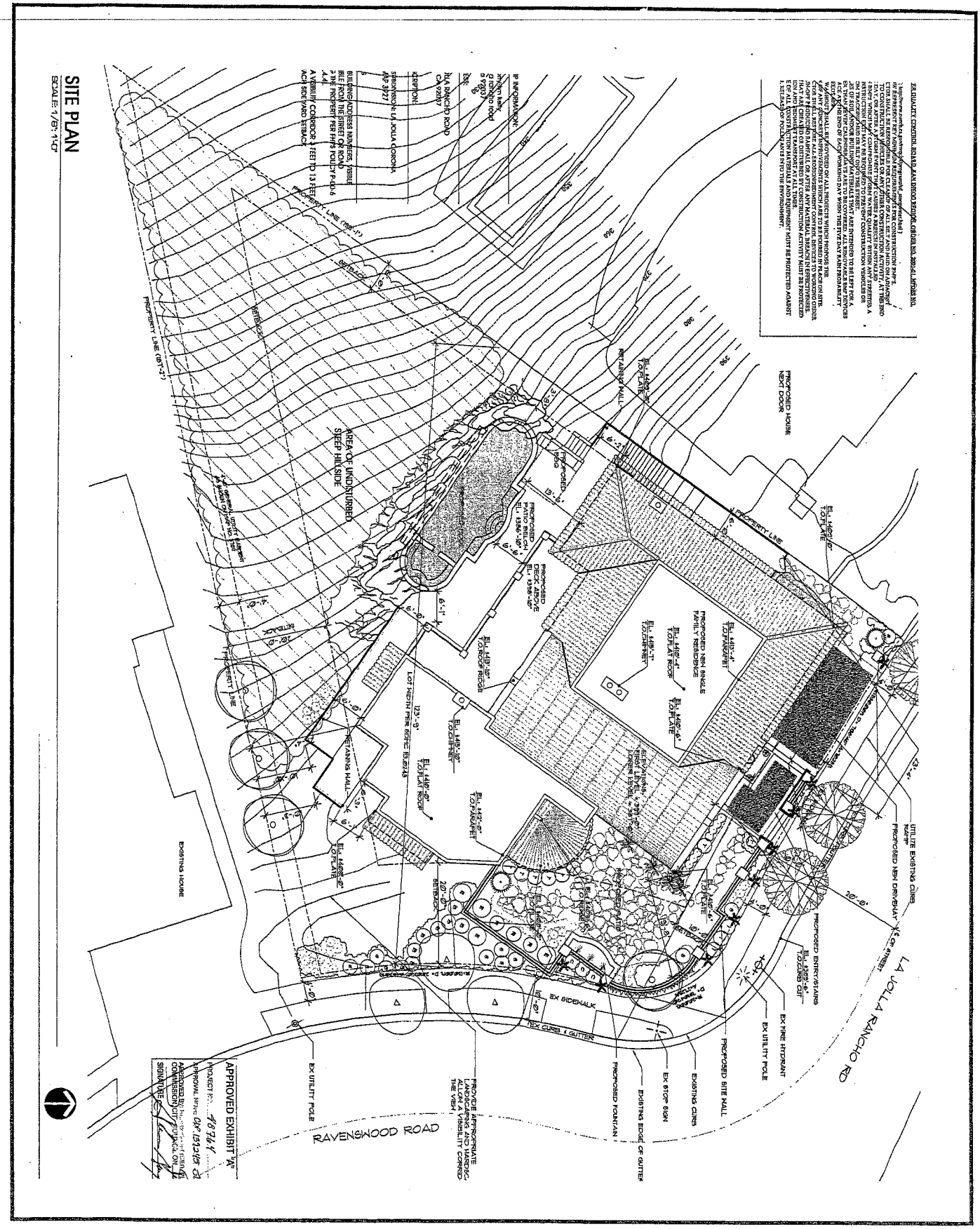
ZONING INFORMATION:

ZONE: RS-1-4 Zone
HEIGHT LIMIT: 30-Foot maximum height limit.
LOT SIZE: 10,000 square-foot minimum lot size – existing lot 18,100 sq. ft.

FLOOR AREA RATIO: 0.46
FRONT SETBACK: 20 feet
SIDE SETBACK: 6 feet
STREETSIDE SETBACK: 20 feet
REAR SETBACK: 20 feet
PARKING: 2 parking spaces required.

ADJACENT PROPERTIES:	**LAND USE DESIGNATION & ZONE**	**EXISTING LAND USE**
NORTH:	Very Low Density Residential; RS-1-4 Zone	Single Family Residence
SOUTH:	Very Low Density Residential; RS-1-4 Zone	Single Family Residence
EAST:	Very Low Density Residential; RS-1-4 Zone	Single Family Residence
WEST:	Very Low Density Residential; RS-1-4 Zone	Single Family Residence
DEVIATIONS OR	None.	

VARIANCES REQUESTED:	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 10, 2012, the La Jolla Community Planning Association Subcommittee voted to recommend denial of this project and requested design changes. The applicant did not agree to the changes and requested that the group finalize/forward their denial recommendation to the City. The formal denial recommendation from the group has not been received by the City.



SITE PLAN

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

HEARING OFFICER RESOLUTION NO. _____
EXTENSION OF TIME TO COASTAL DEVELOPMENT PERMIT NO. 139245 AND SITE DEVELOPMENT PERMIT NO. 141335
TONG RESIDENCE - PROJECT NO. 280468

WHEREAS, Mr. Kenneth Tong, an Individual, Owner/Permittee, filed an application with the City of San Diego for a three-year Extension of Time to Coastal Development Permit No. 139245 and Site Development Permit No. 141335, for the demolition of an existing residence and construct a new single family residence with an attached three-car garage and swimming pool. The project site is located at 961 La Jolla Rancho Road, in the RS-1-4 Zone, Coastal Zone (non-appealable), Coastal Height Limitation Overlay Zone and within the La Jolla Community Planning area. The property is legally described as Lot 112, La Jolla Corona Estates, Map No. 3927; and

WHEREAS, all associated permits shall conform to the previously approved Exhibit "A" and conditions on file with the Development Services Department pursuant to Coastal Development Permit No. 139245 and Site Development Permit No. 141335, Project No. 48764, with the exception of the expiration date; and

WHEREAS, the activity is covered under the previous Environmental Categorical Exemption, pursuant to Article 19, Section 15303, "New Construction or Conversion of Small Structures" of the California Environmental Quality Act; and

BE IT FURTHER RESOLVED, by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Extension of Time No. 985084, for Coastal Development Permit No. 139245 and Site Development Permit No. 141335:

1. The project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety.

   The project proposes no changes to the approved Coastal Development Permit or Site Development Permit for redevelopment of this site for a new single family residence. The proposed new residence is to be located within the disturbed portion of the site, primarily where the existing home is located. The Environmental Analysis Section of the City of San Diego, as lead agency, determined that this proposed project was categorically exempt under the California Environmental Quality Act, pursuant to Article 19, Section 15303, "New Construction or Conversion of Small Structures". This environmental analysis did consider potential negative impacts to public health, safety and welfare with no negative impacts found or identified. The demolition of an existing residence and construction of a new single family residence with an attached garage would therefore not be detrimental to the public health, safety and welfare of the occupants or the immediate community.

2. There are no changed circumstances which would affect the project's consistency with the Local Coastal Program.

   The proposed development to demolish an existing single family residence and construction of a new single family residence is located on a site which has a Low Density Single Family Residential land use designation. During environmental review, it was determined that the project was categorically exempt under the CEQA Guidelines. The project design was also determined to

be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, Environmentally Sensitive Lands Regulations and Coastal Overlay Zone. The project site is located adjacent to an intermittent or partial vista public view as identified within the La Jolla/La Jolla Shores Local Coastal Program. The project includes measures to preserve the public view down each side yard setback area through a recorded view easement. The view easements will preserve the public view down each side yard setback was found to bring the project into conformance with the La Jolla/La Jolla Shores Local Coastal Program. Due to these factors the proposed single family residence was found to be consistent and in compliance with the City of San Diego adopted La Jolla Community Plan and the certified La Jolla/La Jolla Shores Local Coastal Program.

3. No new condition is required to comply with state or federal law.

   The project proposes no changes to the approved Coastal Development Permit or Site Development Permit for redevelopment of this site for a new single family residence. The project proposes the demolition of an existing residence and construction of an approximate 6,796 square foot single family residence with an attached three car garage and a swimming pool on a 18,100 square foot property. No new conditions were required to comply with state or federal law.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Extension of Time No. 985084 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Extension of Time No. 985084, a copy of which is attached hereto and made a part hereof.
PASSED AND ADOPTED BY THE HEARING OFFICER OF THE CITY OF SAN DIEGO, CALIFORNIA, ON AUGUST 15, 2012.

By _____

Glenn R. Gargas
Development Project Manager
Development Services Department

24002672

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

JOB ORDER NUMBER: 24002672

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EXTENSION OF TIME NO. 985084
EXTENSION OF TIME TO COASTAL DEVELOPMENT PERMIT NO. 139245 AND SITE DEVELOPMENT PERMIT NO. 141335
TONG RESIDENCE – PROJECT NO. 280468
HEARING OFFICER

This Extension of Time No. 985084 is a three-year Extension of Time to previously approved Coastal Development Permit No. 139245 and Site Development Permit No. 141335, and is hereby granted by the Hearing Officer of the City of San Diego to Mr. Kenneth Tong, an Individual, Owner/Permittee, pursuant to San Diego Municipal Code Section 126.0111. The 18,100 square foot site is located at 961 La Jolla Rancho Road, in the RS-1-4 Zone, Coastal Zone (non-appealable), Coastal Height Limitation Overlay Zone and within the La Jolla Community Planning area. The property is legally described as Lot 112, La Jolla Corona Estates, Map No. 3927;

Subject to the terms and conditions set forth in this Permit, and previously approved Coastal Development Permit No. 139245 and Site Development Permit No. 141335, permission is granted to Mr. Kenneth Tong, Owners/Permittees to demolish an existing residence and construct a new single family residence with an attached three-car garage and swimming pool, described and identified by size, dimension, quantity, type, and location on the previously approved exhibits [Exhibit "A"] and conditions on file in the Development Services Department. The original project Coastal Development Permit No. 139245 and Site Development Permit No. 141335 approved by the Planning Commission on June 19, 2008, is hereby extended as indicated within this permit until June 19, 2015.

The project shall include:

a. A three year extension of time for the previously approved Coastal Development Permit No. 139245 and Site Development Permit No. 141335, Project No. 48764.

STANDARD REQUIREMENTS:

1. This permit must be utilized prior to June 19, 2015, which does not exceed thirty-six (36) months from the expiration date of the original permit. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit.

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. No further Extension of Time may be granted pursuant to SDMC Section 126.0111(a).

4. Construction plans shall be in substantial conformity to Exhibit "A," per the previously approved Exhibits and conditions on file with Development Services for Coastal Development Permit No. 139245 and Site Development Permit No. 141335, Project No. 48764, Recorded with the County of San Diego Recorder on August 13, 2008, Document No. 2008.0433060, with the exception of the expiration dates. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

5. 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].

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 development 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 §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 August 15, 2012, by Resolution No. _____.

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3319

COASTAL DEVELOPMENT PERMIT NO. 139245 AND SITE DEVELOPMENT NO. 141335
KELLY RESIDENCE – PROJECT NO. 48764
PLANNING COMMISSION

This Coastal Development Permit No. 139245 and Site Development Permit No. 141335 are granted by the Planning Commission of the City of San Diego to Mr. Thomas Waters and Mrs. Jennifer Waters, Joint Tenants, OwnerPermittee, pursuant to San Diego Municipal Code [SDMC] section 126.0701 and 126.0501. The 18,100 square-foot site is located at 961 La Jolla Rancho Road in the RS-1-4 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone and within the La Jolla Community Plan Area. The project site is legally described as Lot 112, La Jolla Corona Estates, Map No. 3927;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing residence and construct a new single family residence with an attached three-car garage and swimming pool, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 19, 2008, on file in the Development Services Department.

The project shall include:

a. Demolition of an existing single family residence and construct an approximate 6,796 square foot single family residence with an attached three car garage and a swimming pool on a 18,100 square foot property;

b. Landscaping (planting, irrigation and landscape related improvements);

c. Off-street parking (three car garage);

d. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s),

conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

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. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the

City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

11. The applicant 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, including, but not limited to, any 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

ENGINEERING REQUIREMENTS:

12. 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 San Diego Municipal Code, into the construction plans or specifications.

13. 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 Appendix E of the City's Storm Water Standards.

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

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

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for landscaping in both streets and for a D-25 curb outlet in Ravenswood Road, all satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the installation of a curb ramp at the corner of LJ Rancho Road and Ravenswood Road and a D-25 curb outlet on Ravenswood Road, all satisfactory to the City Engineer. This work shall be shown on the grading plan and included in the grading permit.

LANDSCAPE REQUIREMENTS:

18. Prior to issuance of construction permits for grading, the Permittee or Subsequent Owner shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

19. Prior to issuance of construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft 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.

20. Prior to issuance of any construction permits for buildings; the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.

21. Prior to Final Inspection, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

22. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

23. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual; Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

24. 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, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Final Landscape Inspection.

25. Prior to issuance of construction permits for grading, the Permittee or Subsequent Owner shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat and/or MHPA, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the City of San Diego's Land Development Manual, Landscape Standards are prohibited.

PLANNING/DESIGN REQUIREMENTS:

26. No fewer than two (2) off-street parking spaces shall be maintained 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 Development Services Department.

27. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a

regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.

28. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

29. A topographical survey conforming to the provisions of the Municipal/Land Development Code 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 regulations of the underlying zone. The cost of any such survey shall be borne by the permittee.

30. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

31. All fences and retaining walls shall comply with the San Diego Municipal Code Section 142.0301.

32. 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.

33. Any portion of proposed fencing within the side yard setback (easement area) above three feet shall be maintained 75% open.

34. Prior to the issuance of construction permits for the proposed single-family residence, the Owner/Permittee shall record a Deed Restriction preserving a visual corridor a minimum 6 feet wide along the northern side yard setback and a minimum of 20 feet along the southern side yard setback of the proposed structure, in accordance with the requirements of the San Diego Municipal code Section 132.0403 (b). The proposed roof eave, patio deck and guard rail are allowed to encroach into the southern side setback as depicted on Exhibit A. Open fencing and landscaping may be permitted within this visual corridor, provided such improvements do not significantly obstruct public views of the ocean.

INFORMATION ONLY:-

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.

- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on June 19, 2008, by Resolution No. 4416- PC.

PLANNING COMMISSION
RESOLUTION NO. 4416 - PC
COASTAL DEVELOPMENT PERMIT NO. 139245 AND SITE DEVELOPMENT PERMIT NO. 141335
KELLY RESIDENCE – PROJECT NO. 48764

WHEREAS, Mr. Thomas Waters and Mrs. Jennifer Waters, Joint Tenants, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing residence and construct a new single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 139245 and 141335), on portions of a 18,100 square-foot property;

WHEREAS, the project site is located at 961 La Jolla Rancho Road in the RS-1-4 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, of the La Jolla Community Plan Area;

WHEREAS, the project site is legally described as Lot 112, La Jolla Corona Estates, Map No. 3927;

WHEREAS, on June 19, 2008, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 139245 and Site Development Permit No. 141335 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 19, 2008.

FINDINGS:

Coastal Development Permit - Section 126.0708

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

The 18,100 square foot project site is currently developed with an existing single family residence. The development proposes to demolish an existing residence and construct a split-level single family residence in approximately the same location on the lot as the existing residence, and the project site is located approximately one mile from the coastline. The proposed single family residential development 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 located adjacent to an identified intermittent or

partial vista public view as identified within the La Jolla/La Jolla Shores Local Coastal Program. The project includes a permit condition to preserve the public view down each side yard setback area through the recording of a view easement. The addition of the view easements to preserve the public view down each side yard setback was found to bring the project into compliance with the La Jolla/La Jolla Shores Local Coastal Program. The project site is situated along La Jolla Rancho Road, within a well established, fully developed, single family residential neighborhood. The proposed new single family residence meets the development setbacks and height limit required by the underlying zone and the proposed development will preserve the identified public view.

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

The 18,100 square foot project site is currently developed with a single family residence, and contains environmentally sensitive lands, a natural steep slope area (approx. 21.7 % of the site) toward the western portion of the property. Site drainage from the proposed improved areas of the project site is designed to drain predominately toward the public street. The project's permit includes a condition requiring a Water Pollution Control Plan to be reviewed and approved by the City Engineer in order to meet the City's Storm Water Standards prior to construction permit issuance. The environmental review process determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) Guidelines. The project proposes grading to approximately 48 percent of the site, primarily within the area of the existing residence which was previously disturbed, and will not result or propose any further encroachment into 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; and**

The proposed development to demolish an existing single family residence and construction of a new single family residence is located on a site which has a Low Density Single Family Residential land use designation. During environmental review, it was determined that the project was categorically exempt under the CEQA Guidelines. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, Environmentally Sensitive Lands Regulations and Coastal Overlay Zone. The project site is located adjacent to an intermittent or partial vista public view as identified within the La Jolla/La Jolla Shores Local Coastal Program. The project, through a permit condition, includes measures to preserve the public view down each side yard setback area through a recorded view easement. The addition of the view easements to preserve the public view down each side yard setback was found to bring the project into conformance with the La Jolla/La Jolla Shores Local Coastal Program. Due to these factors the proposed single family residence was found to be in compliance with the City of San Diego adopted La Jolla Community

Plan and the Progress Guide, the certified Local Coastal Program Land Use Plan and General Plan.

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 18,100 square foot site, currently developed with an existing residence, is located within a well developed residential neighborhood approximately one mile from the coastline. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the re-development of this site. The proposed single family residential project is designed to take access off the existing public street, with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will be improved or remain unaltered.

Site Development Permit - Municipal Code Section 126.0504

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

The proposed demolition of a single family residence and construction of a split-level single family residence with an attached garage to total approximately 6,796 square-feet of gross floor area will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the plan's Low Density Residential land use designation, the development regulations of the RS-1-4 Zone, allowed density, and design recommendations. The project site is located adjacent to a public view as identified within the La Jolla/La Jolla Shores Local Coastal Program. The project includes a condition to preserve the public view down each side yard setback area through a recorded view easement. The addition of the view easements to preserve the public view down each side yard setback was found to bring the project into compliance with the La Jolla/La Jolla Shores Local Coastal Program. Due to these factors the proposed single family residential re-development of the site was found to be in compliance with the City of San Diego adopted La Jolla Community Plan and the Progress Guide, the certified Local Coastal Program Land Use Plan and General Plan.

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

The proposed demolition of a single family residence and construction of a split-level single family residence with an attached garage for a total of approximately 6,796 square-feet of gross floor area on an 18,100 square-foot property has been designed to comply with all of the applicable development regulations, including those of the RS-1-4 Zone.

The western portion of the lot, approximately 21.7% of the site, slopes toward the west, containing a vegetated portion, which appears to be non-native and is not mapped as sensitive vegetation by the City's Resource Maps. This sloped portion of the site is not connected to a larger canyon or open space system and does not require fire protection from a brush management plan. During environmental review, it was determined that the project would not have a significant environmental effect, which included an analysis of the project's potential impact on public health and safety, and was found to be categorically exempt from environmental review under CEQA Guidelines. The construction of a new single family residence with an attached garage would therefore 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.

The proposed demolition of a single family residence and construction of a split-level single family residence with an attached garage, to total approximately 6,796 square-feet of gross floor area, will comply with the development regulations of the RS-1-4 Zone, the Environmentally Sensitive Lands Regulations and the Local Coastal Program for the La Jolla Community Plan area. The site contains an area identified as natural steep slopes located on the western half of the property. The project proposes grading to approximately 48 percent of the site, primarily within the area of the existing residence, the eastern portion, and will not result or propose any further encroachment into Environmentally Sensitive Lands. Due to these factors the proposed single family residential re-development of the site was found to be in compliance with all of applicable development regulations, specifically those of the RS-1-4 Zone, the Environmentally Sensitive Lands Regulations and the Coastal Overlay Zone.

Supplemental Findings--Environmentally Sensitive Lands

1. **The site is physically suitable for the design and sitting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands;**

The 18,100 square-foot project site is currently developed and partially graded with a single-family residence. However, the site does contain environmentally sensitive lands, steep slopes located along the western edge of the site (approximately 21.7 % of the property). The project was designed to locate the proposed residence within the previously graded area on the eastern half of the site and away from the steep slopes to the west. The environmental review determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be categorically exempt from environmental review under CEQA Guidelines. The project proposes grading to approximately 48 percent of the site, primarily within the area of the existing residence and will not result or propose any further encroachment into Environmentally Sensitive Lands. The steep slope area located along the western edge of the site (approximately 21.7 % of the property) will remain un-altered and natural.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;**

The proposed demolition of a single family residence and construction of a split-level single family residence will be located on the portion of the site that has previously been disturbed by past grading and the existing single family structure. However, the site does contain environmentally sensitive lands, steep slopes along the western portion (approximately 21.7%) of the property. The project was designed to locate the proposed structure to the east and away from the steep slopes with the intent to reduce any impacts to the steep slope area. This western portion of the lot contains vegetation, which appears to be non-native and is not mapped as sensitive vegetation by the City's Resource Maps. This sloped portion of the site is not connected to a larger canyon or open space system and does not require fire protection from a brush management plan. Site drainage from the proposed improved areas of the project site is designed to drain predominantly toward the public street. The project's permit includes a condition requiring a Water Pollution Control Plan to be reviewed and approved by the City Engineer in order to meet the City's Storm Water Standards prior to construction permit issuance. The project review also included the review of a Geotechnical Investigation Report, prepared by Southern California Soils and Testing, which concluded that the site was suitable for the proposed development, provided that the recommendations stated in the report are followed. Conformance to the recommendations of the geology report will be implemented during plan check of the construction documents. The environmental review determined that the project would not have a significant environmental effect on environmentally sensitive lands, which included analysis of the natural land form, risk from geologic and erosional forces and flood hazards, and the project was found to be categorically exempt from environmental review under CEQA Guidelines.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands;**

The 18,100 square-foot project site is currently developed and partially graded with a single-family residence. However, the site does contain environmentally sensitive lands, steep slopes along the western portion of the site (approximately 21.7 % of the site). The project was designed to restrict the graded area and to locate the proposed structure to the eastern portion of the site and away from the natural steep slope area. Site drainage from the proposed improved areas of the project site is designed to drain predominately toward the public street and away from the environmentally sensitive lands. The project's permit includes a condition requiring a Water Pollution Control Plan to be reviewed and approved by the City Engineer in order to meet the City's Storm Water Standards prior to construction permit issuance. The environmental review determined that the project would not have a significant environmental effect on environmentally sensitive lands and the project was found to be categorically exempt from environmental review under CEQA Guidelines.

4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan;**

The project site is not located in or adjacent to the City's Multiple Species Conservation Program Area and thus is not subject to those regulations.

5. **The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and**

The 18,100 square foot project site is located approximately one mile from the coastline. The proposed re-development of the site and construction of a new split level single-family home includes a grading plan design with drainage control measures to direct drainage predominately to the drain outlets within Public Street's drainage system. The project's permit includes a condition requiring a Water Pollution Control Plan to be reviewed and approved by the City Engineer in order to meet the City's Storm Water Standards prior to construction permit issuance. Due to the project's drainage design, limited size, and distance from the coast line, it is not expected that the project will contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.**

The 18,100 square-foot project site is currently developed and partially graded with a single-family residence. However, the site does contain environmentally sensitive lands, steep slopes along the western portion of the site (approximately 21.7% of the site). The project was designed to reduce the graded area and to locate the proposed structure to the east in the area of past disturbance and away from the steep slopes. The environmental review, determined that the project would not have a significant environmental effect on environmentally sensitive lands and the project was found to be categorically exempt from environmental review under CEQA Guidelines. The designed project avoids any potentially significant environmental effects to environmentally sensitive lands to a level below significance and no mitigation measures were found to be required or needed.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 139245 and Site Development Permit No. 141335 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 139245 and Site Development Permit No. 141335, a copy of which is attached hereto and made a part hereof.

_____

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: June 19, 2008

Job Order No. 42-3319

cc: Legislative Recorder, Planning Department

Gargas, Glenn

From: Alexis Knepp [alexis@alcornbenton.com]
Sent: Thursday, August 02, 2012 5:47 PM
To: Gargas, Glenn
Cc: 'Tony Crisafi'; 'Michelle Meagher'
Subject: RE: Tong Res. EOT - Project No. 280468 - 961 La Jolla Rancho Road

Per Albert's request, at our last DPR meeting this project was on the agenda for a vote (without the applicant present), but was passed over accidentally (since the applicant was not present).

I don't know about his contact with the CPA. I will put this project on the agenda for August 14, in which (I assume) the project will not be approved. Then it will need to go to CPA in September (probably without the applicant present!).

The owner is unwilling to make changes to the project.

Alexis Knepp
Alcorn & Benton Architects
7757 Girard Avenue
La Jolla, California 92037
858.459.0805

From: Gargas, Glenn [mailto:GGargas@sandiego.gov]
Sent: Thursday, August 02, 2012 5:14 PM
To: 'Alexis Knepp'
Cc: 'Tony Crisafi'; 'Michelle Meagher'
Subject: RE: Tong Res. EOT - Project No. 280468 - 961 La Jolla Rancho Road

Alexis,

Thank You for the update.

It is my understanding from the applicant, Albert Morone of BM Studios that your Permit Subcommittee recommended Denial of this EOT (project) back on July 10th. He had told me that he expected (and somehow asked for) the whole or regular CPA meeting to recommend denial as well. So I think that the applicant expected that to have occurred already.

Do you know what day this month that might occur?

This applicant wants to move forward to a Hearing Officer Hearing as soon as he can. Thanks Again!

From: Alexis Knepp [mailto:alexis@alcornbenton.com]
Sent: Thursday, August 02, 2012 2:22 PM
To: Gargas, Glenn
Cc: 'Tony Crisafi'; 'Michelle Meagher'
Subject: RE: Tong Res. EOT - Project No. 280468 - 961 La Jolla Rancho Road

Glenn,

This project has not been before the CPA. They will probably have their Final Review with the DPR this month.

Alexis Knepp
Alcorn & Benton Architects
7757 Girard Avenue
La Jolla, California 92037
858.459.0805

From: Tony Crisafi [mailto:tcrisafi@islandarch.com]
Sent: Thursday, August 02, 2012 1:16 PM
To: Gargas, Glenn; Michelle Meagher
Cc: alexisknepp@sbcglobal.net
Subject: RE: Tong Res. EOT - Project No. 280468 - 961 La Jolla Rancho Road

Hi Glenn,

I cannot find it and Michelle will return on Monday so I hope that is not too late for a response. I have included Alexis at Paul Benton's office in case the project is on queue for DPR to set it on agenda for this month.

Tony Crisafi, RA
LEED-AP

ISLAND ARCHITECTS
7626 Herschel Ave La Jolla, CA. 92037
P:858-459-9291 F:858-456-0351
tcrisafi@islandarch.com | www.islandarch.com

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From: Gargas, Glenn [mailto:GGargas@sandiego.gov]
Sent: Wednesday, August 01, 2012 6:17 PM
To: Michelle Meagher
Cc: Tony Crisafi
Subject: Tong Res. EOT - Project No. 280468 - 961 La Jolla Rancho Road

Michelle,

Do you happen to have the formal La Jolla CPA recommendation/vote on this project?

My understanding is they made a recommendation on it within the past 5 or 4 weeks. Please let me know – Thank You!

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2197 / Virus Database: 2437/5172 - Release Date: 08/02/12

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

Ownership Disclosure Statement

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 E.O.T.

Project Title
TONG RESIDENCE

Project No. *For City Use Only*
280-468

Project Address:
961 LA JOLLA RANCHO ROAD, 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 that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of **all** persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):
KENNETH TONG
☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
7132 SOLARA DRIVE
City/State/Zip:
CARLSBAD, CA 92011
Phone No: 760.889.0233 Fax No:
Signature : Date:

Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

ATTACHMENT 11

THE CITY OF SAN DIEGO

DATE OF NOTICE: Aug. 1, 2012

NOTICE OF PUBLIC HEARING
HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	**August 15, 2012**
TIME OF HEARING:	**8:30 A.M.**
LOCATION OF HEARING:	**Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101**
PROJECT TYPE:	**EXTENSION OF TIME / CEQA EXEMPTION / PROCESS THREE**
PROJECT NO:	**280468**
PROJECT NAME:	**TONG RESIDENCE EOT**
APPLICANT:	**Albert Morone**
COMMUNITY PLAN AREA:	La Jolla
COUNCIL DISTRICT:	**District One**
CITY PROJECT MANAGER:	**Glenn Gargas, Development Project Manager**
PHONE NUMBER/E-MAIL:	**(619) 446-5142 / ggargas@sandiego.gov**

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for an **Extension of Time for Coastal Development Permit 139245 and Site Development Permit 141335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 square foot Single Dwelling Unit with attached 3 car garage on a 18,100 square foot property. The project site is located at 961 La Jolla Rancho Road in the RS-1-4 Zone, Coastal Zone (non-appealable), Coastal Height Limitation Overlay Zone and within the La Jolla Community Plan area.**

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on March 14, 2005 and the opportunity to appeal that determination ended March 28, 2005.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at

(619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.
Internal Order Number: 24002672.

Revised 04/08/10 HRD