

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	November 21, 2012	REPORT NO. HO 12-083
ATTENTION:	Hearing Officer	
SUBJECT:	VALLECITOS RESIDENCE PTS PROJECT NUMBER: 284055	
LOCATION:	2351 Vallecitos	
APPLICANT/ OWNER:	Island Architects/Butterfly Trust	

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve a request to demolish an existing 2,664-square-foot single-family residence and construct a new 5,013-square-foot, single-family residence on a 0.44-acre parcel located at 2351 Vallecitos in the La Jolla Community Plan area?

<u>Staff Recommendation(s)</u> - APPROVE Site Development Permit No. 999977 and Coastal Development Permit No. 999976.

<u>Community Planning Group Recommendation</u> – On September 18, 2012, the La Jolla Shores Advisory Board voted 4-0 to recommend approval of the project with no recommendations or conditions. On October 4, 2012, the La Jolla Community Planning Association voted 8-5-2 to recommend approval of the project with no recommendations or conditions (Attachment 9).

<u>Environmental Review</u> - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (New Construction or Conversion of Small Structures), which allows for the construction of limited numbers of new facilities, including a single-family residence (Attachment 7). None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore the exemption is applicable to the proposed project. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 11, 2012, and the opportunity to appeal that determination ended November 12, 2012.

BACKGROUND

The 0.44-acre project site is currently developed with a 2,664-square-foot, one-story, singlefamily residence built in 1952. The property is located at 2351 Vallecitos on the south side of Vallecitos between Calle Del Cielo and La Jolla Shores Drive, within the La Jolla Community Plan, which designates the site for very-low density single-family development at a rate of 0-5 dwelling units per acre. The site is located in the SF Zone of the La Jolla Shores Planned District Ordinance (LJSPDO) area, which allows for single-family development. The site is also located in the non-appealable area 2 of the Coastal Zone and the 30-foot maximum Coastal Height Limit Overlay Zone.

The site is bordered by existing single-family development on all sides. Onsite elevations range from approximately 71 feet above mean sea level (AMSL) at the northwest corner of the site along Vallecitos to approximately 88 feet AMSL at the southeast corner of the site at the rear property line. The majority of the site is a level graded building pad at approximately 85 feet AMSL. The topography along Vallecitos generally slopes down from east to west, creating a terraced effect with single-family homes located on flat pads and perimeter slopes/retaining walls at the edges of the properties.

A historic review of the existing single-family home was conducted by staff in March 2012. Staff determined that the site does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board Criteria.

DISCUSSION

The applicant is requesting the approval of a Site Development Permit and Coastal Development Permit to demolish an existing 2,664-square-foot, one-story, single-family residence built in 1952 and construct a 5,013-square-foot, one-story, single-family home with attached three-car garage. The existing driveway location on Vallecitos will remain the access point for the site.

The structure design includes flat and slightly pitched hipped-roof elements with a maximum overall height of 26'-4" to the chimney, with the majority of the structure under 15 feet in height. As designed the project complies with the 30-foot Coastal Height Limit Overlay Zone and LJSPDO requirements. The proposed lot coverage of 31% complies with the 60% maximum allowed.

The LJSPDO does not contain quantifiable development standards such as building setbacks and floor area ratio. Instead, the LJSPDO contains language in the General Design regulations which references the character of the area and design principles. Staff has determined that the project as proposed is compatible with the surrounding development and complies with the LJSPDO General Design regulations. The proposed residence would not impact any view corridors, viewsheds or scenic overlooks identified within the La Jolla/La Jolla Shores Local Coastal Program. The intermittent or partial vista views identified in the Local Coastal Program from the Vallecitos right-of-way would not be impacted by the project.

The proposed grading would include 115 cubic yards of soil cut at a maximum depth of seven feet and 1,250 cubic yards of fill at a maximum depth of eight feet, requiring 1,135 cubic yards of fill. A terraced retaining wall running along the west side yard and a portion of the front and rear yards would be constructed at a maximum height of 6.5 feet for the lower section and 1.5 feet for the upper section. Landscape screening is proposed for both upper and lower wall sections.

The LJSPDO Section 1510.0201 requires the approval of a La Jolla Shores Planned District Permit, processed as a Site Development Permit in accordance with Process 3, for new development such as the proposed single-family residence. A Coastal Development Permit is required for the proposed development as the site is located within the Coastal Zone. In order to approve the requested permits the decision maker must make the required findings for each permit (Attachment 5).

Staff has determined that all of the required findings can be affirmed to approve the project. Both the La Jolla Community Plan and the SF zone of the LJSPDO designate the site for singlefamily development. Therefore, the proposed single-family home would be consistent with the Community Plan land use designation and the SF Zone allowed uses. The project has been designed in accordance with the development regulations of the LJSPDO and applicable sections of the City of San Diego Land Development Code. The applicant is not requesting a deviation or variance from any of the development regulations.

Staff has determined that the proposed project would be compatible with the surrounding singlefamily neighborhood. The project's contemporary architectural style is characterized by extensive use of glass and articulation in the massing to break up the bulk and scale of the structure while providing visual interest. The exterior materials include a light neutral Santa Barbara stucco finish with wood accents. The one-story design maintains a low profile on the building pad with the majority of the structure under 15 feet in height and the proposed setbacks are compatible with the surrounding development.

CONCLUSION

Staff has reviewed the proposed Site Development Permit and Coastal Development Permit and determined the project is consistent with the LJSPDO, the applicable Coastal Development regulations and the City of San Diego Land Development Code. Staff recommends that the Hearing Officer approve the requested permits.

ALTERNATIVES

- 1. Approve Site Development Permit No. 999977 and Coastal Development Permit No. 999976, with modifications.
- 2. Deny Site Development Permit No. 999977 and Coastal Development Permit No. 999976, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Paul Godwin, Development Project Manager

Attachments:

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





Aerial Photo <u>Vallecitos Residence – 2351 Vallecitos</u> PROJECT NO. 284055

North

ATTACHMENT 1

ATTACHMENT 2







Project Location Map

<u>Vallecitos Residence – 2351 Vallecitos</u> PROJECT NO. 284055



PROJECT DATA SHEET

INUJ	ECI DAIA S.			
PROJECT NAME:	Vallecitos Residence, Project No. 284055			
PROJECT DESCRIPTION:	Demolition of an existing 2,664-square-foot single-family residence and construction of a new, 5,013-square-foot, one-story, single-family residence at 2351 Vallecitos.			
COMMUNITY PLAN AREA:	La Jolla			
DISCRETIONARY ACTIONS:	Site Development Permit and Coastal Development Permit			
COMMUNITY PLAN LAND USE DESIGNATION:	Single-family development (0-5 dwelling units per acre.).			
FLOOR AREA RATIO: 0.2 FRONT SETBACK: 30 SIDE SETBACK: 64 STREETSIDE SETBACK: No REAR SETBACK: 25	feet proposed feet proposed of applicable	no subarvision proposed		
	parking spaces required			
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Single-Family Residential; SF	Single-Family Residential		
SOUTH:	Single-Family Residential; SF	Single-Family Residential		
EAST:	Single-Family Residential; SF	Single-Family Residential		
WEST:	Single-Family Residential; SF	Single-Family Residential		
DEVIATIONS OR VARIANCES REQUESTED:	None			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On October 4, 2012, the La Jolla Community Planning Association voted 8-5-2 to recommend approval of the project with no recommendations or conditions			

HEARING OFFICER RESOLUTION NO. ???? SITE DEVELOPMENT PERMIT NO. 999977 AND COASTAL DEVELOPMENT PERMIT NO. 999976 VALLECITOS RESIDENCE - PROJECT NO. 284055

WHEREAS, BUTTERFLY TRUST, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing 2,664-square-foot residence and construct a 5,013-square-foot, onestory, single-family residence with three-car garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 999977 and 999976), on portions of a 0.44-acre site;

WHEREAS, the project site is located at 2351 Vallecitos, in the SF Zone of the La Jolla Shores Planned District Ordinance, within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lot 20 of La Jolla Del Norte, Map No. 2701, filed September 20, 1950;

WHEREAS, on November 21, 2012, the Hearing Officer of the City of San Diego considered Site Development Permit No. 999977 and Coastal Development Permit No. 999976 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on October 11, 2012, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated November 21, 2012.

FINDINGS:

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 proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The property is separated from the coast by La Jolla Shores Drive and three other cross streets. The Local Coastal Program land use plan does not identify any existing or proposed coastal accessways, public viewsheds, view corridors or scenic overlooks on or adjacent to the property. The project site is bordered by existing single-family development on all sides.

Due to the positioning of the site in relation to the existing development, its distance from the coast and lack of public views identified in the Local Coastal Program, there would be no impact on public views or coastal access.

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

The proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The design complies with the applicable development regulations of the La Jolla Shores Planned District Ordinance and the Land Development Code. The project site is currently developed with a single-family home and is located in an urban single-family neighborhood. The site does not contain nor is adjacent to the Multiple Habitat Planning Area or any environmentally sensitive lands. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, which allows for the construction of limited numbers of new facilities, including a single-family residence. Therefore, the proposed coastal development would 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 project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The development of a new single-family home at this site complies with the single-family land use designation and density of the La Jolla Community Plan/Local Coastal Program land use plan. The project design complies with the Local Coastal Program land use plan. La Jolla Shores Planned District Ordinance and the applicable regulations of the Land Development Code, including parking, height, setbacks, lot coverage and public improvements. No variance or deviation is requested with this action.

Staff reviewed the existing single-family home built in 1952 for historical significance and determined it does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board Criteria. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, which allows for the construction of limited numbers of new facilities, including a single-family residence. Therefore, the proposed coastal development would conform to the certified Local Coastal Program land use plan and comply with the 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 proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The project site is not located between the nearest public road and the sea, as it is separated from the coast by La Jolla Shores Drive and three other cross streets. Therefore, the public access and public recreation policies of Chapter 3 of the California Coastal Act would not be adversely affected by this project.

Site Development Permit - Section 126.0504

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

The proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The La Jolla Community Plan designates the site for single-family development. The property is located in the SF Zone of the La Jolla Shores Planned District Ordinance area, which also allows for single-family development. Therefore, the proposed demolition of an existing single-family home and the development of a new single-family home at this site would not adversely affect the applicable land use plan.

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

The proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The proposed development complies with the La Jolla Shores Planned District Ordinance and the applicable regulations of the Land Development Code, including land use, parking, height, setbacks, lot coverage and public improvements. No variance or deviation is requested with this action. The project must obtain all applicable construction permits and comply with relevant building and safety codes. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, which allows for the construction of limited numbers of new facilities, including a single-family residence. Therefore, the proposed development would not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed project would demolish a 2,664-square-foot, one-story, single-family residence and construct a 5,013-square-foot, one-story, single-family residence with three-car garage on a 0.44-acre site within a developed single-family neighborhood. The La Jolla Community Plan designates the site for single-family development. The property is located in the SF Zone of the La Jolla Shores Planned District Ordinance, which also allows for single-family development. The project design complies with the La Jolla Shores Planned District Ordinance and the applicable regulations of the Land Development Code, including land use, parking, height, setbacks, lot coverage and public improvements. No variance or deviation is requested with this action. The project design is compatible with the size, bulk and scale of the surrounding single-family development.

Staff reviewed the existing single-family home built in 1952 for historical significance and determined it does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board Criteria. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, which allows for the construction of limited numbers of new facilities, including a single-family residence. Therefore, the proposed development complies with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 999977 and Coastal Development Permit No. 999976 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 999977 and 999976, a copy of which is attached hereto and made a part hereof.

Paul Godwin Development Project Manager Development Services

Adopted on: November 21, 2012

Internal Order No. 24002802

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

INTERNAL ORDER NUMBER: 24002802

DRAFT SITE DEVELOPMENT PERMIT NO. 999977 COASTAL DEVELOPMENT PERMIT NO. 999976 VALLECITOS RESIDENCE - PROJECT NO. 284055 HEARING OFFICER

This Site Development Permit No. 999977 and Coastal Development Permit No. 999976 is granted by the Hearing Officer of the City of San Diego to the Butterfly Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702 (Coastal Development Permit) and 126.0502 (Site Development Permit). The 0.44-acre site is located at 2351 Vallecitos in the SF Zone of the La Jolla Shores Planned District Ordinance, in the La Jolla Community Plan area. The project site is legally described as: Lot 20 of La Jolla Del Norte, Map No. 2701, filed September 20, 1950.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing single-family residence and construct a new single-family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 21, 2012, on file in the Development Services Department.

The project shall include:

- a. The demolition of an existing, 2,664-square-foot, one-story, single-family residence built in 1952 and the construction of a new 5,013-square-foot, one-story, single-family home with attached three-car garage.
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and

d. 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 December 5, 2015.

2. 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.

3. 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.

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

5. 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.).

6. 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.

7. 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.

8. All of the conditions contained in this Permit have been considered and were determinednecessary 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.

9. 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.

ENGINEERING REQUIREMENTS:

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

11. 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 Municipal Code into the construction plans or specifications.

12. 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.

13. The drainage system for this project shall be private and will be subject to approval by the City Engineer.

14. 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.

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal agreement from the City Engineer for the existing wall, steps and driveway located within Vallecitos right of way.

16. The Owner/Permittee and Successors in interest will be responsible for any onsite grading and improvements (e.g., retaining walls) to accommodate a possible future sidewalk project in the public right-of-way along the property frontage on Vallecitos, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

17. Prior to issuance of a grading or building permit, the Owner/Permittee shall submit a site/plot plan consistent with the plans submitted for a building permit showing the required 30% landscaped area in a crosshatch pattern and labeled "Landscape Area Diagram".

18. The following note shall be provided on the "Landscape Area Diagram": All of the landscape to meet the 30% area requirement shall be installed as required by the La Jolla Shores Planned District Ordinance prior to final inspection".

19. Any modifications or changes to the "Landscape Area Diagram" and existing or proposed plant material, as shown on the approved Exhibit 'A' Landscape Concept Plan, is permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores Planned District Ordinance.

20. The Owner/Permittee or subsequent owner shall be responsible for the maintenance of all landscape consistent with the Landscape Standards. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

21. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

PLANNING/DESIGN REQUIREMENTS:

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

23. 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.

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

GEOLOGY REQUIREMENTS:

25. 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.

26. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

INFORMATION ONLY:

- The issuance of this discretionary 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 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 November 21, 2012, and [Approved Resolution Number].

Site Development Permit No.: 999977 Coastal Development Permit No.: 999976 Date of Approval: November 21, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Paul Godwin Development Project Manager

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

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

[NAME OF COMPANY] Owner/Permittee

By

NAME TITLE

[NAME OF COMPANY] Owner/Permittee

By_

NAME TITLE

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

NOTICE OF EXEMPTION

ATTACHMENT 7

(Check one or both)

- TO: <u>X</u>RECORDER/COUNTY CLERK P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422
- FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH 1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814

PROJECT TITLE/ NO.: VALLECITOS RESIDENCE / 284055

PROJECT LOCATION-SPECIFIC: 2351 Vallectios, San Diego, CA 92037

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Applicant is requesting a Coastal Development Permit and a Site Development Permit for the demolition of an existing single-dwelling residence and subsequent construct of a 4,900-square-foot single-dwelling residence. Additionally, the project would construct various site improvements, which includes associated hardscape and landscaping. The 0.44-acre project site is located at 2351 Vallecitos in the SF Zone, the Coastal Overlay Zone (Non-appealable Area 2), the Coastal Height Limit Overlay Zone, the Parking Impact Overlay Zone, and designated single family residential (very low density 0-5 dwelling units per acre) within the La Jolla Shores Planned District (LJSPD) Ordinance of the La Jolla Community Plan and Local Coastal Program area. (LEGAL DESCRIPTION: Lot 20 of Map No. 2701).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Butterfly Trust, 4445 Eastgate Mall, Suite 400, San Diego, CA, 92121, (858) 362-8500.

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL (SEC. 21080(b)(1); 15268)
- () DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
- () EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- (X) CATEGORICAL EXEMPTION: 15303 (New Construction or Conversion of Small Structures)
- () STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined that the project would not have the potential for causing a significant effect on the environment in that the project would not involve an expansion of the current use. The project meets the criteria set forth in CEQA Section 15303 that allows for new construction. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

LEAD AGENCY CONTACT PERSON: E. Shearer-Nguyen

Telephone: (619) 446-5369

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. Has a notice of exemption been filed by the public agency approving the project?
 () Yes
 () No

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

SR. PLANNER. SIGNATURE/TITLE

October 11, 2012 DATE OF PROJECT APPROVAL

CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



Date of Notice: October 11, 2012

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

Internal Order No. 24002802

PROJECT NAME/NUMBER: VALLECITOS RESIDENCE / 284055

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 2351 Vallectios, San Diego, CA 92037

PROJECT DESCRIPTION: Applicant is requesting a Coastal Development Permit and a Site Development Permit for the demolition of an existing single-dwelling residence and subsequent construct of a 4,900-square-foot single-dwelling residence. Additionally, the project would construct various site improvements, which includes associated hardscape and landscaping. The 0.44-acre project site is located at 2351 Vallecitos in the SF Zone, the Coastal Overlay Zone (Non-appealable Area 2), the Coastal Height Limit Overlay Zone, the Parking Impact Overlay Zone, and designated single family residential (very low density 0-5 dwelling units per acre) within the La Jolla Shores Planned District (LJSPD) Ordinance of the La Jolla Community Plan and Local Coastal Program area. (LEGAL DESCRIPTION: Lot 20 of Map No. 2701).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department Decision.

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15303 (New Construction or Conversion of Small Structures).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined that the project would not have the potential for causing a significant effect on the environment in that the project would not involve an expansion of the current use. The project meets the criteria set forth in CEQA Section 15303 that allows for new construction. Furthermore, the exceptions listed in CEQA Section 15300.2 would not

ATTACHMENT 7

apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER:	Paul Godwin
MAILING ADDRESS:	1222 First Avenue, MS-302, San Diego CA 92101
PHONE NUMBER:	(619) 446-5190

On October 11, 2012 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 15 business days from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



T 8



















	LA JOLLA SHORES PLANNED DISTRICT						
á,	Aprilant: Butterfly Trust Date: Deter 18, 2012						
	To: Planning Director From: La Jolla Shores Planned District Advisory Board Subject: Proposal Within La Jolla Shores Planned District						
	The La Jolla Shores Planned District Advisory Board has reviewed the applicant for: <u>Project 15</u> <u>consistent with the PDO For</u> <u>Moss cent + Proportion + USE OF Marching</u>						
	- + Situh OF BUILDING.						
· •	A. Approval because of conformity to criteria and design standards adopted by the City Council						
	B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)						
	C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.						
	D. Denial because of lack of four affirmative votes.						
	Approving Item: Board Signatures Disapproving Item:						
	MP Manthese						
I,	Absentees: Regard						





LA IOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org Regular Meeting – 04 October 2012

Attention:	Paul Godwin	
	City of San Diego	

Project: 2351 Vallecitos Residence 2351 Vallecitos Residence PN: 284055

Motion: Findings can be made to approve the project as Vote: 8-5-2 conforming to the La Jolla Shores Planned District Ordinance.

Submitted by:

Joe LaCava, Vice President La Jolla CPA 04 October 2012 Date

		ATTACHMENT 10
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Owne	ership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) request Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map Wa	Planned Development Permit	Conditional Use Permit
Project Title		Project No. For City Use Only
2351 Vallecitos Residence		284055
Project Address:		# _3
2351 Vallecitos, La Jolla CA		
Part I - To be completed when property is held by Individual	(s)	
above, will be filed with the City of San Diego on the subject property, below the owner(s) and tenant(s) (if applicable) of the above reference 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 or from the Assistant Executive Director of the San Diego Redevelopment Development Agreement (DDA) has been approved / executed by the Manager of any changes in ownership during the time the application is the Project Manager at least thirty days prior to any public hearing on information could result in a delay in the hearing process. Additional pages attached Yes No Name of Individual (type or print):	d property. The list must include the e type of property interest (e.g., tenaine of the property owners. Attach and Agency shall be required for all projective City Council. Note: The applicant i being processed or considered. Ch	names and addresses of all persons nts who will benefit from the permit, all dditional pages if needed. A signature ect parcels for which a Disposition and s responsible for notifying the Project anges in ownership are to be given to ovide accurate and current ownership
Uri Feldman/Butterfly Trust	Name of individual (type of)	print).
X Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Less	ee Redevelopment Agency
Street Address:	Street Address:	
4445 Eastgate Mall, Suite 400 City/State/Zip:	City/State/Zip:	
San Diego, CA 92121		
Phone No: Fax No: (858)362-8500	Phone No:	Fax No:
Signature : Date:5/31/12	Signature :	Date:
Name of Individual (type or print):	Name of Individual (type or	print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lesse	e Redevelopment Agency
Street Address:	Street Address:	
City/State/Zip:	City/State/Zip:	
Phone No: Fax No:	Phone No:	Fax No:
Signature : Date:	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.