



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 4, 2015 REPORT NO. PC-15-051

ATTENTION: Planning Commission, Agenda of June 11, 2015

SUBJECT: APPEAL OF THE DEVELOPMENT SERVICES DEPARTMENT  
DECISION TO APPROVE THE HLJH CDP. PROJECT NO.  
393983. Process Two.

LOCATION: 820 Rushville Street

APPLICANT: Dominique Houriet

### SUMMARY

**Issue(s):** Should the Planning Commission approve or deny an appeal of the Development Services Department decision to approve the development of a 2,549 square foot, two-story single family residence with a 458 square foot attached garage located at 820 Rushville Street within the La Jolla Community Plan area?

**Staff Recommendation** - Deny the appeal and Approve Coastal Development Permit No. 1383419.

**Community Planning Group Recommendation** - The La Jolla Community Planning Association, on January 5, 2015, voted 11:0:1 to recommend denial of the project.

**Environmental Review** - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 5, 2015 and the opportunity to appeal that determination ended March 19, 2015.

**Fiscal Impact Statement** - No fiscal impact. All costs associated with processing the application are recovered through a deposit account funded by the applicant.

**Code Enforcement Impact** - None.

**Housing Impact Statement** - No housing impact. The project would replace a single family structure with the same and be consistent with the land use designation of the La Jolla Community Plan.

## **BACKGROUND**

The property is located within the La Jolla Community Plan area. The La Jolla Community Plan Land Use map indicates the site is designated for Low Medium Residential development at a density range of 9-15 dwelling units per acre (Attachment 1). The site is located at 820 Rushville Street in the RM-1-1 Zone (Attachment 2).

The property is currently developed with a single family structure in an urbanized area on a site with no sensitive biological or cultural resources (Attachment 3). Additionally, Historic staff reviewed the existing structure for its potential as a historic resource and determined the house is not eligible for designation. The single family structure was constructed in 1909 at another location and relocated in 1944 to the existing site. The structure was altered by additions to the front and rear, and does not meet local designation criteria as an individually significant resource under any adopted HRB Criteria.

All issues identified by staff review were resolved in January, 2015. On March 20, 2015 the Development Services Department approved the Coastal Development Permit No. 1383419.

## **DISCUSSION**

### **Project Description**

The HLJH project (Project) proposes to demolish an existing single family residence and detached accessory structure and to construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage (Attachment 4). The 0.092 acre site is in the RM-1-1 Zone and Coastal Overlay Zone within the La Jolla Community Plan area in Council District 1. The plans submitted by the applicant indicate the project would comply with all requirements of the San Diego Municipal Code relevant to the proposal. No deviations or variances are requested or are required to approve the Project.

### **Required Approvals**

The Project site is located within the Coastal Overlay Zone and as such a Coastal Development Permit is required for development on the property.

### **Appeal filed by La Jolla Community Planning Association**

**Issue 1:** Findings not supported.

**Staff Response:** Draft findings were prepared supporting approval of the Coastal Development

Permit by the Development Services Department. These findings are provided herein addressed to the Planning Commission as Attachment 7.

The adopted La Jolla Community Plan designates this site for residential use and the Project is consistent with this use. The Project as proposed conforms to a number of goals included in the Residential Element of the La Jolla Community Plan (adopted 2004). These goals include:

- Provide a high quality residential environment in La Jolla that respects its relationship to the sea, to hillsides and to open space.
- Promote the development of a variety of housing types and styles in La Jolla.
- Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures

The Project is designed to exemplify high quality residential architecture. The design utilizes high quality construction materials, the juxtaposition of form, geometric shapes, colors, and the horizontal and vertical relationship of line and sophistication of simplicity. Furthermore, the Project would contribute toward creating a harmonious visual relationship between new and older structures because it is consistent with the bulk and scale of other surrounding high quality single family residential homes in the neighborhood and community.

The Design Principle section of the La Jolla Community Plan states: "Within the limitations implied above, originality and diversity in architecture are encouraged. The theme 'unity with variety' shall be a guiding principle. Unity without variety means simple monotony; variety by itself is chaos. No structure shall be approved which is substantially like any other structure located on an adjacent parcel. Conversely, no structure would be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area." The Project would be harmonious with many of the homes in the surrounding community as well as the immediate neighborhood.

According to the Community Character section of the Residential Element: "Single dwelling unit residential development in La Jolla covers a spectrum of densities and architectural styles and expressions. One of the more critical issues associated with single dwelling unit development is the relationship between the bulk and scale of infill development to existing single dwelling units. New construction of single dwelling unit homes have tended to be larger in size than the traditional development in some neighborhoods."

The Project would create a development compatible with the existing residential scale of the surrounding neighborhood by constructing a structure less than the maximum height limit allowed, and would be compatible with the existing bulk and scale of the surrounding newer single family residences. By complying with the height limits and surrounding scale, the Project would promote good design and would create harmonious visual relationship and transitions between new and older structures in the neighborhood.

The Project would conform to the landscape and streetscape guidelines as identified in the residential element of the La Jolla Community Plan and in Appendix E of the La Jolla Community Plan. The La Jolla Community Plan recommends the application of minimum side and rear yard setback requirements to achieve a separation between structures from adjacent properties in order to prevent a wall effect along the street face as viewed from the public right-of-way. Furthermore, side yard setbacks should be incrementally increased for wider lots. The Project would implement these recommendations by complying with all required setbacks. Therefore, in consideration of all the foregoing, the proposed development would conform with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

No additional information was provided by the La Jolla Community Planning Association to elaborate upon the issues cited in their appeal.

Appeal filed by Yarka Ondricek

Issue 1: The HLJH, 820 Rushville Project, is inconsistent with the highlighted portions of the LJ Community Plan and Local Coastal Program Land Use Plan, August 2014 (as required by the Municipal Code).

Staff Response: Draft findings were prepared supporting the approval of the Coastal Development Permit No. 1383419 by the Development Services Department. These findings are provided herein addressed to the Planning Commission as Attachment 7. Please also refer to the staff response to the appeal filed by the La Jolla Community Planning Association issue number 1 above.

Issue 2: The HLJH, 820 Rushville Project, is inconsistent with the highlighted portions of SDMC Chapter 15, Article 9 – La Jolla Planned District

Staff Response: The site at 820 Rushville is zoned RM-1-1, a zone of the San Diego Municipal Code Section 131.0406, et al. The site is not within the boundary of the La Jolla Planned District and the regulations of the San Diego Municipal Code Section 159.0101, et al, do not apply to this site or project.

Issue 3: The HLJH, 820 Rushville Project, is inconsistent with the Neighborhood Character of the established neighborhood homes.

Staff Response: Draft findings were prepared supporting the approval of the Coastal Development Permit No. 1383419 by the Development Services Department. These findings are provided herein addressed to the Planning Commission as Attachment 7. Please also refer to the staff response to the appeal filed by the La Jolla Community Planning Association issue number 1 above.



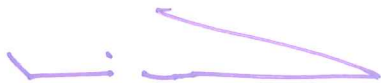
## Conclusion

Staff has reviewed the proposed project and all issues identified through that review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to deny the appeal and support approval of the project (Attachment 7) and draft conditions of approval (Attachment 8). Staff recommends the Planning Commission deny the appeal and approve Coastal Development Permit No. 1383419.

## ALTERNATIVES

1. **Deny the appeal and Approve Coastal Development Permit No. 1383419, with modifications.**
2. **Grant the appeal and Deny Coastal Development Permit No. 1383419, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake  
Assistant Deputy Director  
Development Services Department



John S. Fisher  
Development Project Manager  
Development Services Department

VACCHI/JSF

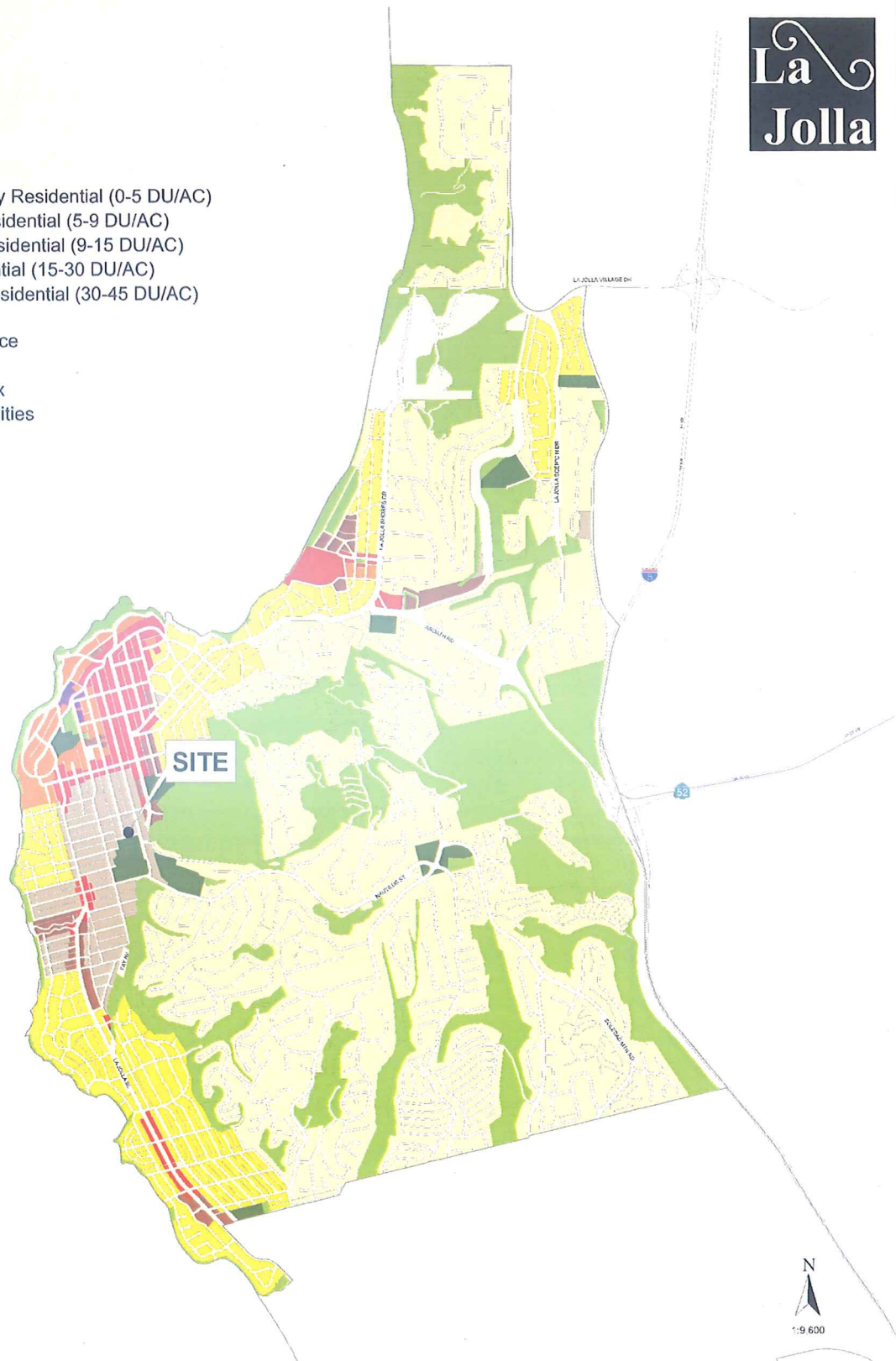
## Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Project Plans
5. Appeal of La Jolla Community Planning Association, dated April 3, 2015
6. Appeal of Yarka Ondricek, dated April 7, 2015
7. Draft Permit Resolution with Findings
8. Draft Permit with Conditions
9. Environmental Exemption
10. Community Planning Group Recommendation
11. Project Data Sheet



**Legend**

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial
- Parks, Open Space
- Schools
- Cultural Complex
- Community Facilities



## Community Land Use Map



**La Jolla Community Plan**  
City of San Diego Planning Department



To see all the details that are visible on the screen, use the "Print" link next to the map.

*SITE*

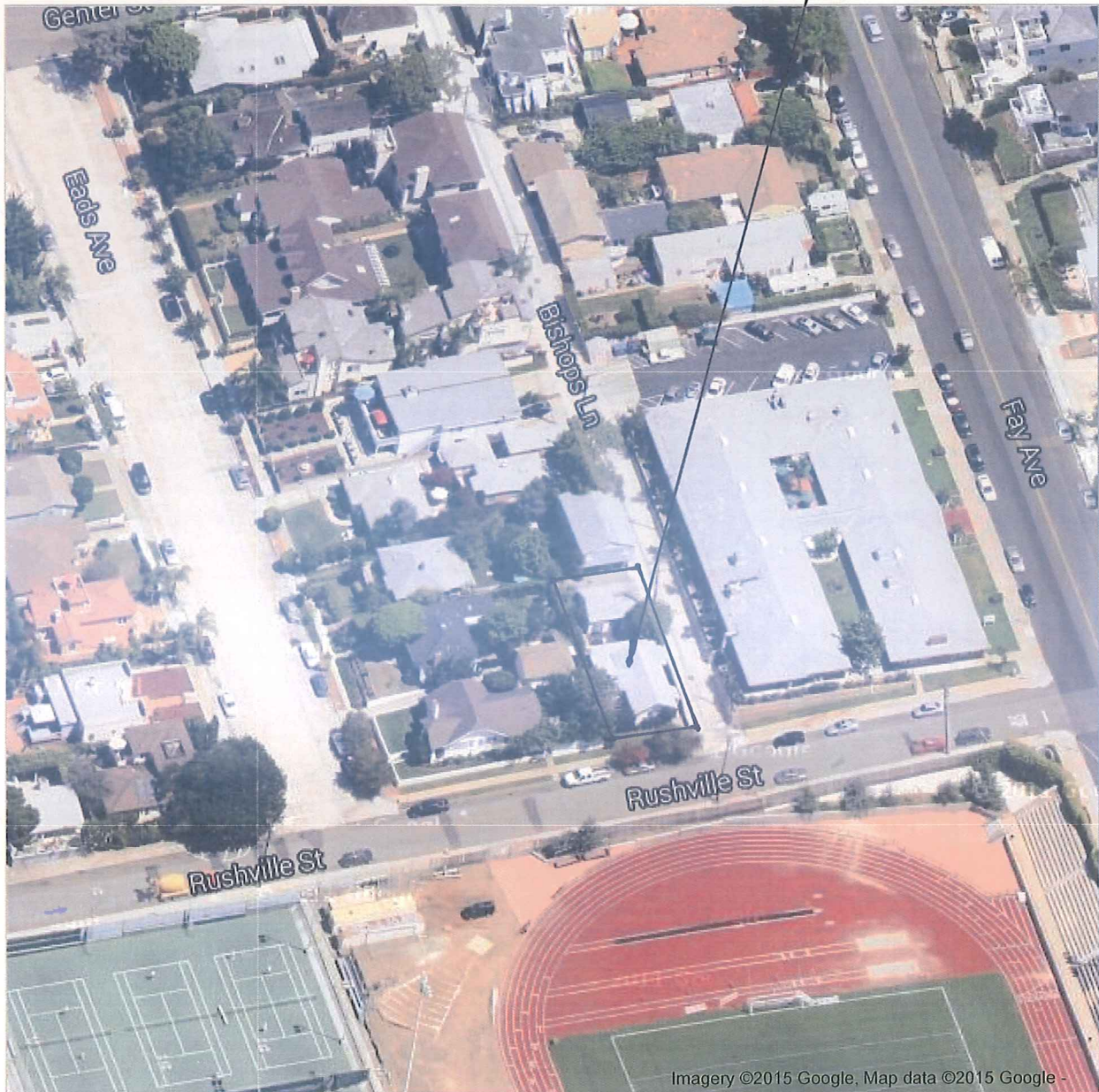




ATTACHMENT 3

To see all the details that are visible on the screen, use the "Print" link next to the map.

Google





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1051 johnson ave. san diego, ca 92103



**REVISIONS:**  
01/13/2015

**NOT FOR  
CONSTRUCTION**

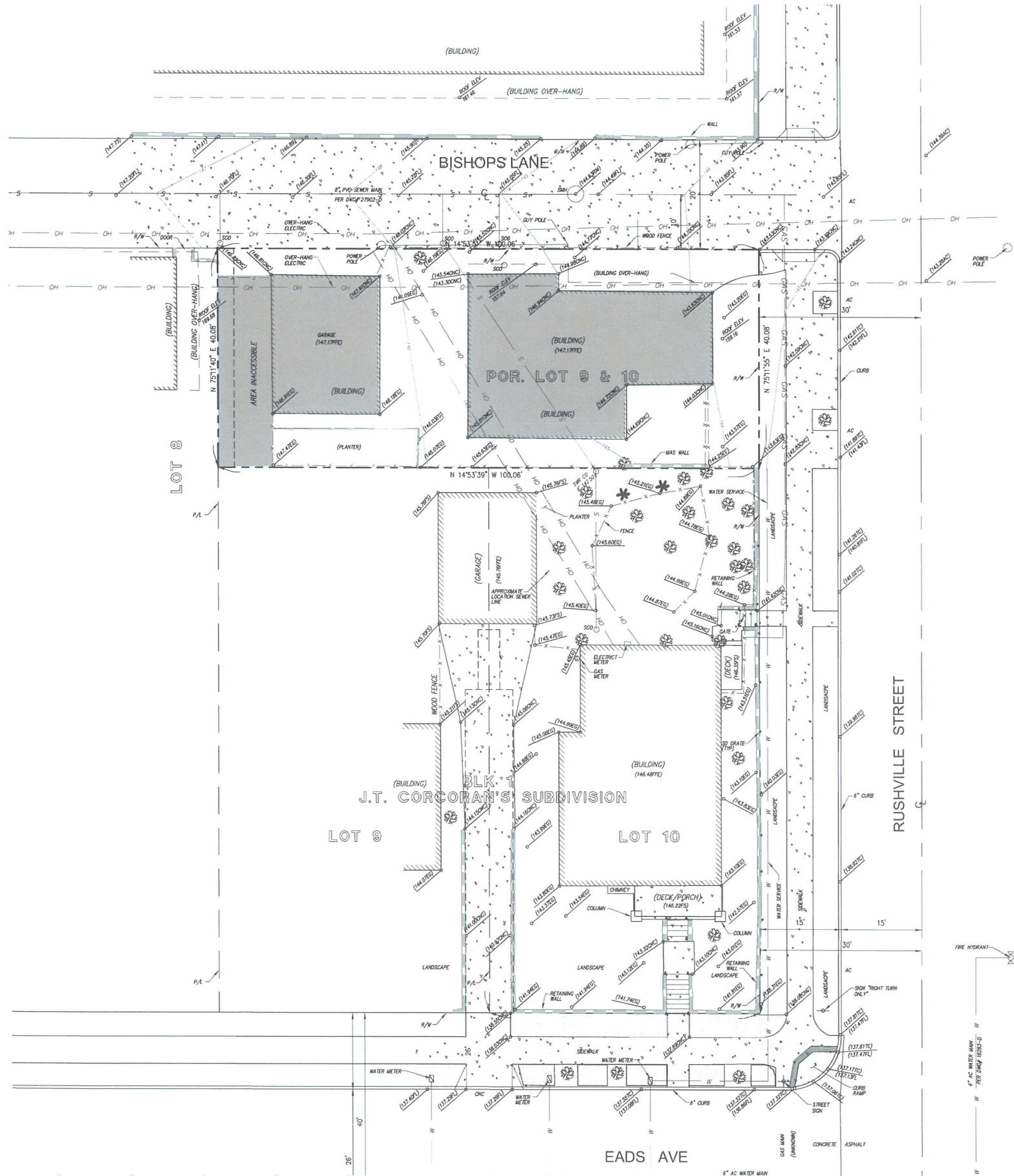
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TYPE: COASTAL DEV SUBM

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SUBMITTAL DATE: 11/10/14  
SHEET 01 OF 14





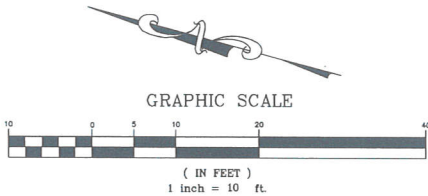
LEGEND

SYMBOL	DESCRIPTION
---	INDICATES PROPERTY BOUNDARY
----	CONCRETE SURFACE
W	WATER MAIN
S	SEWER MAIN
G	GAS MAIN
OH	OVER-HEAD ELECTRIC LINE
SC	SEWER CLEAN OUT
SMH	SEWER MANHOLE
Tree symbol	TREE

ABBREVIATIONS

AC	ASPHALT
CL	CENTER LINE
CNC	CONCRETE
ELEV	ELEVATION
FL	FLOW LINE
FFE	FINISH FLOOR ELEVATION
P/L	PROPERTY LINE
R/W	RIGHT OF WAY
TC	TOP OF CURB

*DW Good*  
DENNIS W. GOOD  
STATE OF: CALIFORNIA  
LICENSED LAND SURVEYOR NO. 8084 (EXPIRES 12/31/2017)



NOTES  
THE BOUNDARY SHOWN ON THESE PLANS IS NOT NECESSARILY THE RESULT OF A BOUNDARY SURVEY BY K & S ENGINEERING. PROPERTY LINES SHOWN HEREON ARE APPROXIMATE ONLY. A BOUNDARY SURVEY MAY RESULT IN ALTERNATIVE LOCATIONS FOR THE PROPERTY LINES.

**K & S ENGINEERING, INC.**  
Planning • Engineering • Surveying  
7801 Mission Center Court, Suite 100 San Diego, CA 92108  
(619) 296-5565 Fax: (619) 296-5564

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1031 Johnson Ave. San Diego, CA 92103



**BENCH MARK**  
DESCRIPTION: NE BRASS PLUG  
LOCATION: RUSHVILLE STREET AND EADS AVENUE  
ELEVATION: 137.372  
DATUM: MEAN SEA LEVEL.

**TOPOGRAPHICAL SURVEY MAP**  
ADDRESS: 820 RUSHVILLE STREET  
LA JOLLA, CA 92037  
APN: 351-172-11

**LEGAL DESCRIPTION**  
FOR LOT 9 & 10  
BLK 1  
J.T. CORCORAN'S  
SUBDIVISION BLK 20  
J.G. ADDITION  
LA JOLLA PARK

**PREPARED FOR:**  
ALLAN  
HANSEN  
**DATED:** MAY 29, 2014  
**SHEET NO:** 1  
**OF:** 1

PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

**R3.0**

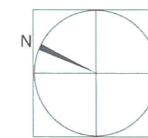
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**TOPOGRAPHIC SURVEY**

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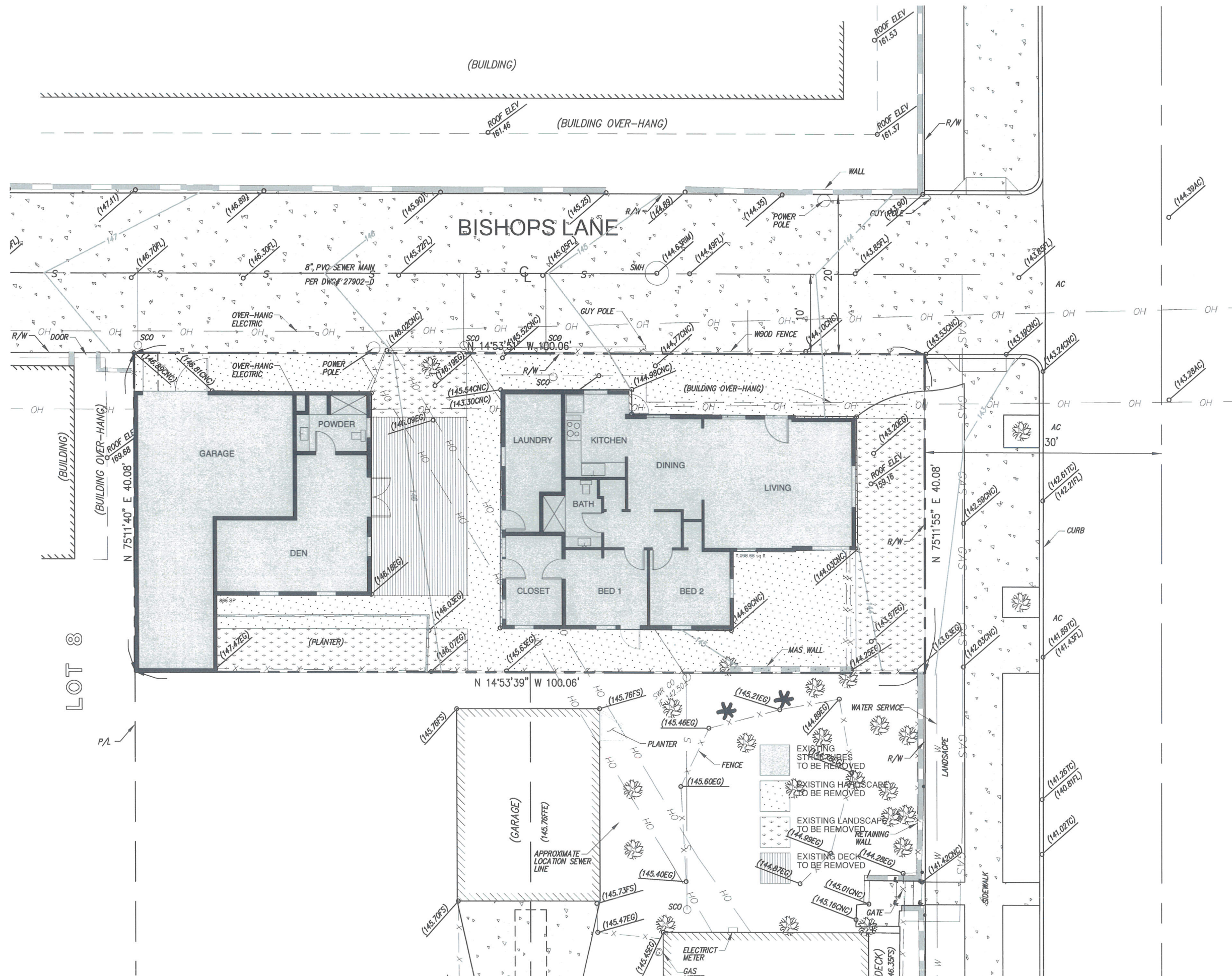
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DEMO PLAN

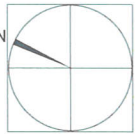
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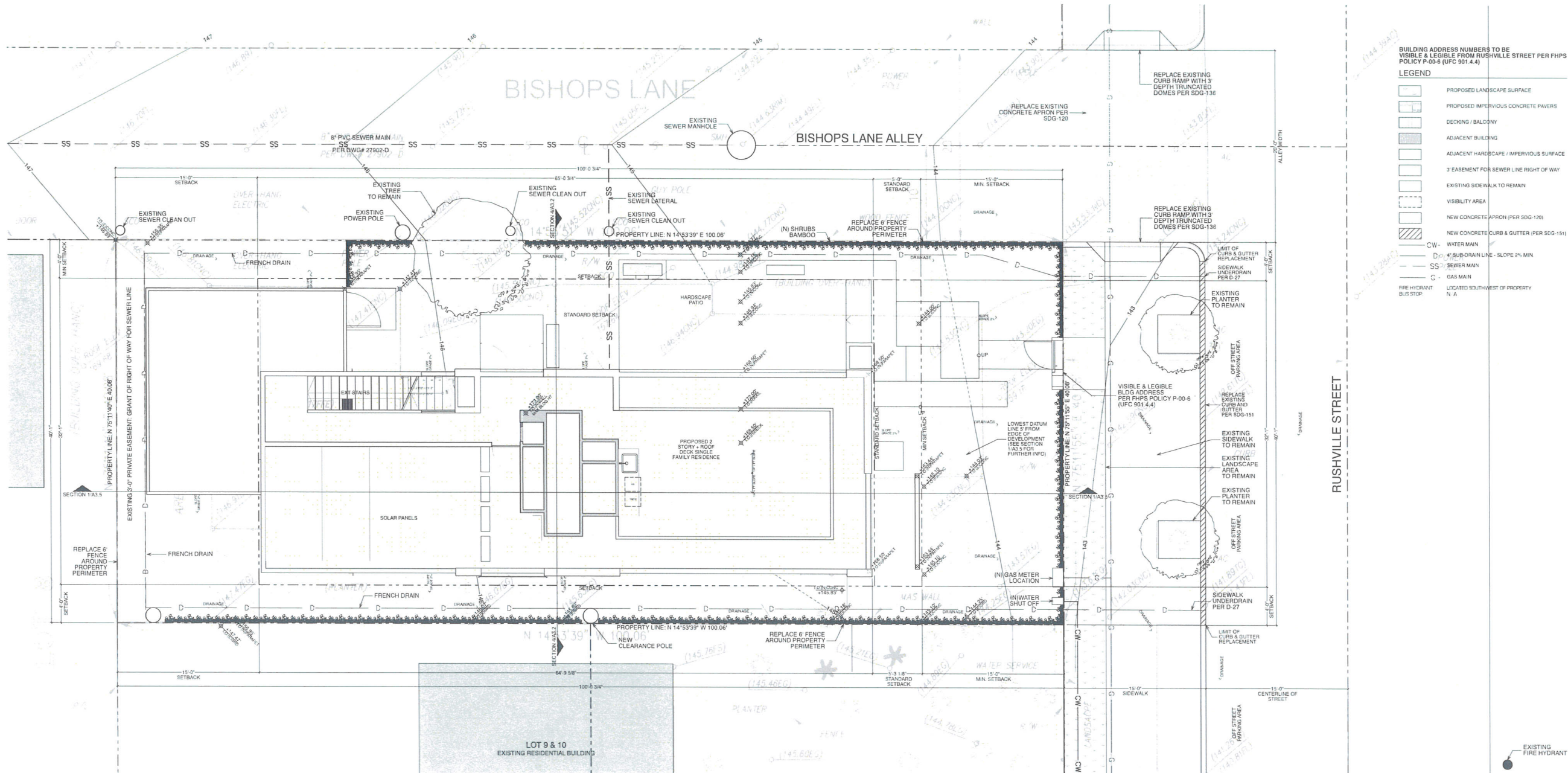




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820 RUSHVILLE STREET  
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+145.83' BLDG FINISH PAD ELEVATION

1 SITE PLAN 3/16" = 1'-0"

#### STORMWATER POLLUTION CONTROL BMP NOTES

**CONCRETE WASHOUT**  
CONTRACTOR SHALL ESTABLISH AND USE AN ADEQUATELY SIZED CONCRETE WASHOUT AREA TO CONTAIN WASHOUT WASTES ON SITE. IT IS ILLEGAL TO WASH CONCRETE, SLURRY, MORTAR, STUCCO, PLASTER AND THE LIKE INTO THE STORMWATER CONVEYANCE SYSTEM OR ANY RECEIVING WATER. CONTRACTOR SHALL POST A SIGN DESIGNATING THE WASHOUT LOCATION.

**CONSTRUCTION SITE ACCESS**  
A STABILIZED CONSTRUCTION SITE ACCESS SHALL BE PROVIDED FOR VEHICLES EGRESS AND INGRESS TO PREVENT TRACKING OF DIRT OFF SITE. THIS SHALL INCLUDE USING MATERIAL SUCH AS GRAVEL AND/OR CORRUGATED STEEL PANELS/PLATES.

**CONSTRUCTION VEHICLES**  
A SPECIFIC AREA AWAY FROM GUTTERS AND STORM DRAIN SHALL BE DESIGNATED FOR CONSTRUCTION VEHICLES PARKING, VEHICLE REFUELING, AND ROUTINE EQUIPMENT MAINTENANCE. ALL MAJOR REPAIRS SHALL BE MADE OFF-SITE.

**EROSION CONTROL**  
EROSION CONTROL MUST BE PROVIDED FOR ALL ERODIBLE SURFACES. SLOPED SURFACES ESPECIALLY SHALL BE PROTECTED AGAINST EROSION BY INSTALLING EROSION RESISTANT SURFACES SUCH AS EROSION CONTROL MATS, APPROPRIATE GRASS COVER, VEGETATION, AND ROCKS/FIBER MATRIX.

**NOTES**  
1. NO EXCAVATION AND GRADING ACTIVITIES ARE ALLOWED DURING WET WEATHER.  
2. OVERHEAD LINES SHALL BE CONSTRUCTED TO A MINIMUM 10' CLEARANCE ABOVE THE CONSTRUCTION SITE.  
3. CONTRACTOR SHALL PROTECT CHANNELS AGAINST EROSION USING PERMANENT AND TEMPORARY EROSION CONTROL MEASURES.  
4. REMOVE EXISTING VEGETATION ONLY WHEN ABSOLUTELY NECESSARY. LARGE PROJECTS SHALL BE CONDUCTED IN PHASES TO AVOID UNNECESSARY REMOVAL OF THE NATURAL GROUND COVER. DO NOT REMOVE TREES OR SHRUBS UNNECESSARILY. THEY HELP DECREASE EROSION.  
5. TEMPORARY VEGETATION MUST BE PLANTED ON SLOPES OR WHERE CONSTRUCTION IS NOT IMMEDIATELY PLANNED FOR EROSION CONTROL. PLANTINGS SHALL BE PROVIDED BY PLANTING FAST-GROWING ANNUAL AND PERENNIAL GRASSES TO SHIELD AND BIND THE SOIL.  
6. PLANT PERMANENT VEGETATION AS SOON AS POSSIBLE. ONCE EXCAVATION AND GRADING ACTIVITIES ARE COMPLETE.  
7. WATER USAGE FOR DUST CONTROL SHALL BE MINIMIZED.

**ON-SITE CONSTRUCTION MATERIAL STORAGE**  
WETTED MATERIALS SHALL BE COVERED IN A SECURE PLACE TO PREVENT SEEPAGE AND SPILLAGE. CONTRACTOR SHALL STORE THESE PRODUCTS WHERE THEY WILL STAY DRY OUT OF THE RAIN. CONTRACTOR SHALL PROVIDE SECONDARY CONTAINMENT FOR ALL FUEL STORED ON SITE. GUMMERS OR REDUCE POLLUTION OF STORMWATER FROM STOCKPILES KEPT ON-SITE. STOCKPILES MAY INCLUDE SOIL, PACKING MATERIALS, ASPHALT, CONCRETE, AGGREGATE BASE, ETC. STOCKPILES SHALL BE LOCATED AWAY FROM CONCENTRATED STORMWATER FLOWS AND STORMWATER FLOWS. STOCKPILES SHALL BE COVERED OR PROTECTED WITH SOIL STABILIZATION MEASURES AND PROVIDED WITH A TEMPORARY SEGMENTED BARRIER AROUND THE PERIMETER AT ALL TIMES.

#### FIRE DEPARTMENT NOTES

APPROVED NUMBERS AND/OR ADDRESSES SHALL BE PLACED ON ALL NEW AND EXISTING BUILDINGS AND AT APPROPRIATE ADDITIONAL LOCATIONS AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROADWAY FRONTING THE PROPERTY FROM EITHER DIRECTION OF APPROACH. SAID NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND AND SHALL MEET THE FOLLOWING MINIMUM STANDARDS AS TO SIZE: 4" HIGH WITH 3/8" STROKE FOR RESIDENTIAL BUILDINGS. (CFC SECTION 503.6.1 AMENDMENT)

**GATES, ALL GATES OR OTHER STRUCTURES OR DEVICES WHICH COULD OBSTRUCT FIRE ACCESS** HEADWAYS OR OTHER OBSTACLES TO EMERGENCY OPERATIONS, AND PROHIBITED UNLESS THEY ARE MAINTAINED WHERE APPLICABLE TO PREVENT SOIL EROSION ON SITE. EROSION CONTROL MEASURES (E.G. SILT FENCING, FIBER ROLLS, DETERMINED BARRIERS) MUST BE IN PLACE TO PREVENT EROSION AND FIRM LEAVING SITE MATERIALS MANAGEMENT BMP MUST ALSO BE FOLLOWED TO ENSURE NO CONTACT OF HAZARDOUS MATERIALS WITH MATERIALS THAT MAY CONTRIBUTE TO WATER QUALITY. (CFC SECTION 503.6.1 AMENDMENT)

**PORTABLE TOILETS MUST BE IN GOOD WORKING ORDER AND CHECKED FREQUENTLY FOR LEAKS.** CONTRACTOR SHALL PROVIDE SECONDARY CONTAINMENT AND LOCATE PORTABLE TOILETS AWAY FROM STORMWATER INLETS ON PAVED SURFACES.

**ALL CONSTRUCTION DEBRIS SHALL BE KEPT AWAY FROM THE STREET, GUTTER, AND STORMWATER.** CONTRACTOR MUST ROUTINELY CHECK AND CLEAN UP MATERIAL THAT MAY HAVE TRAVELED AWAY FROM CONSTRUCTION SITE.

**A FIRE UNDERGROUND PULSH OPERATOR SHALL BE REQUIRED AT FINAL INSPECTION.**

**A HYDRO INSPECTION OF THE FIRE SPRINKLER SYSTEM IS REQUIRED PRIOR TO FRAME INSPECTION.** ONLY THE NEW PIPING SHALL BE TESTED.

#### ENGINEERING NOTES

**UTILITY**  
ALL UTILITIES SERVING THIS SITE SHALL BE INSTALLED UNDERGROUND.

**CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP)**  
EROSION CONTROL MEASURES (E.G. ROCKED FIBER MATRIX, VEGETATIVE COVER, JUTE MATTING) MUST BE MAINTAINED WHERE APPLICABLE TO PREVENT SOIL EROSION ON SITE. EROSION CONTROL MEASURES (E.G. SILT FENCING, FIBER ROLLS, DETERMINED BARRIERS) MUST BE IN PLACE TO PREVENT EROSION AND FIRM LEAVING SITE MATERIALS MANAGEMENT BMP MUST ALSO BE FOLLOWED TO ENSURE NO CONTACT OF HAZARDOUS MATERIALS WITH MATERIALS THAT MAY CONTRIBUTE TO WATER QUALITY. (CFC SECTION 503.6.1 AMENDMENT)

**POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP)**  
CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. BMP MEASURES SHALL BE MAINTAINED ON THE SITE PLAN. MOST COMMON MEASURES ARE DESIGNATED TURF AREAS, WHICH RECEIVE ROOF DRAINS AND RUNOFF FROM IMPAVED AREAS, TURF AND LANDSCAPED AREAS THAT ARE DESIGNATED FOR BMPs SHALL BE DESIGNATED IN PLANS AND A NOTE PLACED ON PLANS PRIORITIZING MODIFICATION OR REMOVAL OF THE BMP LANDSCAPE AREAS WITHOUT A CITY PERMIT. GRADING IMPROVEMENT PLAN/PERMIT IS A SEPARATE RIGHT OF WAY PERMIT IS APPROVED FOR THE PROJECT SITE, IT SHALL SUPERSEDE ALL GRADING, DRAINAGE, ON-SITE, OFF-SITE, AND STORM WATER BEST MANAGEMENT PRACTICE IMPROVEMENTS CONTAINED IN THESE PLANS IN THE EVENT OF CONFLICT.

#### ADDITIONAL NOTES

PRIOR TO THE ISSUANCE OF A 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 PLAN OR SPECIFICATION.

PRIOR TO THE ISSUANCE OF A 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 MANAGEMENT PRACTICE IMPROVEMENTS CONTAINED IN THESE PLANS IN THE EVENT OF CONFLICT.

#### BUILDING INFORMATION

**BLDG TYPE** 2 LEVELS + ROOF DECK TYPE V  
**APN** 361-173-11-03  
**ZONING** RM-1-1, COASTAL COMMISSION / RESIDENTIAL ZONING  
**LOT AREA** 4010 SF  
**F.A.R. (ALLOWED)** 75 (3008 SF ALLOWED)  
**F.A.R. (PROPOSED)** 74 (3027 SF PROPOSED)  
**LOT COVERAGE** 29% (GROUND LEVEL FOOTPRINT = 1,180 SF)  
**PROJECT DESCRIPTION** PROPOSED CONSTRUCTION OF A 2 STORY + ROOF DECK SINGLE FAMILY RESIDENCE + GARAGE  
**SITE ADDRESS** 820 RUSHVILLE ST. LA JOLLA, CA 92037  
**LEGAL DESCRIPTION** ELY 43 FT LOTS 9 & 10 BLK. 1 TR 1387  
**MAX. OUT. FILL** (OUTSIDE BLDG FOOTPRINT) 6.50 (0.00) YARDS, OUT  
**MAX. OUT. DEPTH** (OUTSIDE BLDG FOOTPRINT) 3' 0"

ALL PUBLIC IMPROVEMENTS FOR THIS PROJECT WILL BE BY A SEPARATE RIGHT OF WAY PERMIT. RIGHT OF WAY PERMIT MUST BE OBTAINED PRIOR TO BUILDING APPROVAL.

#### GRADING QUANTITIES (OUTSIDE BLDG FOOTPRINT)

CUT 0.00 CU. YDS.  
FILL 0.00 CU. YDS.  
CUT/EXPORT 0.00 CU. YDS.  
FILL/IMPORT 0.00 CU. YDS.

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#### SITE PLAN

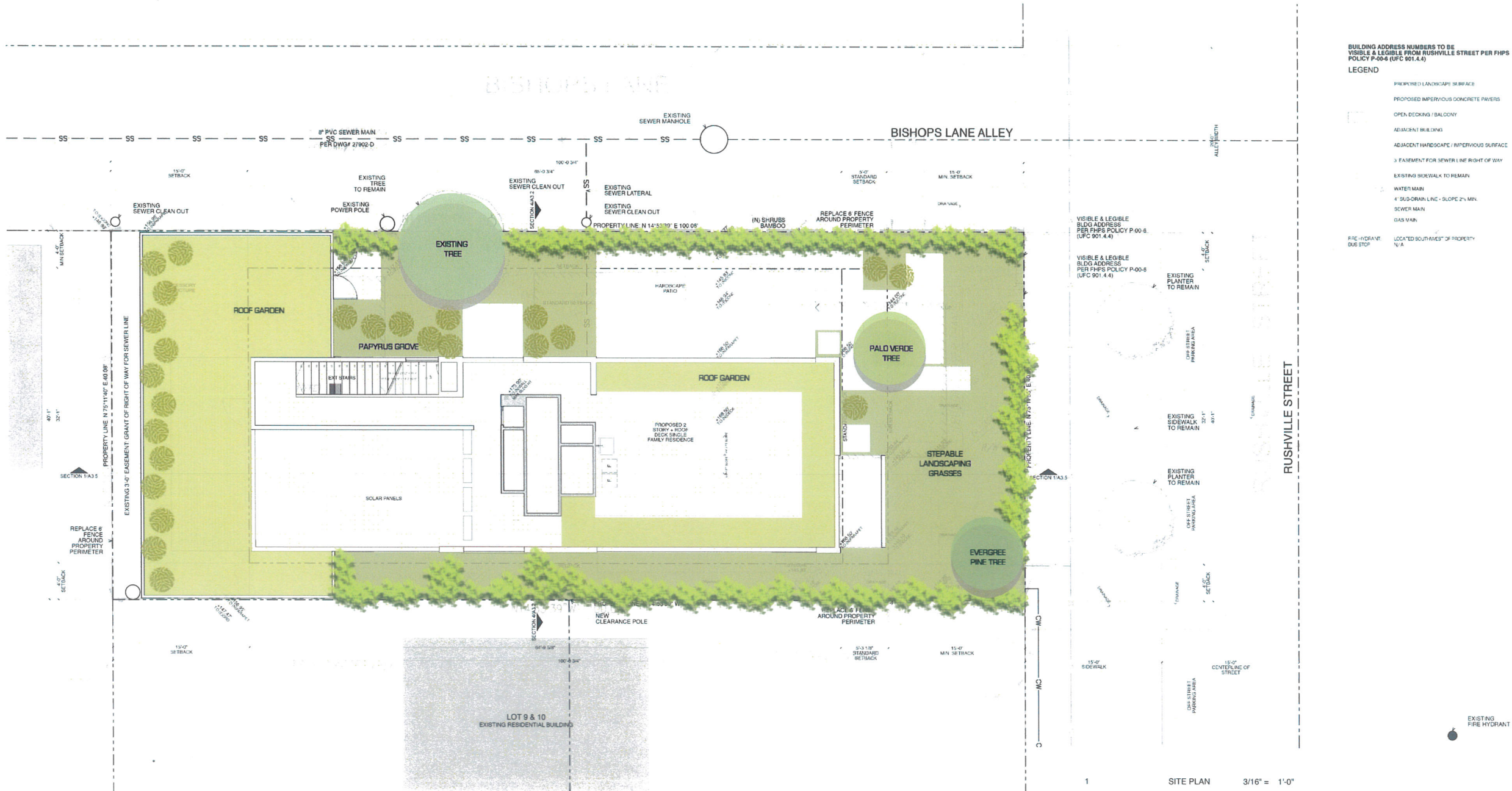
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LANDSCAPE LEGEND



ROOFTOP PLANTER  
MEXICAN FEATHER  
GRASS & GRAVEL

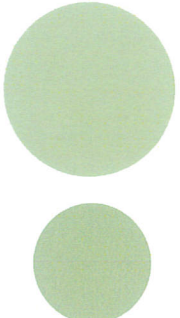


LANDSCAPE GRASS  
DYMONDIA MARGARETAE  
SILVER CARPET



PITOSPORUM TENIFOLIUM  
DROUGHT RESISTANT PLANT

CYPERUS PAPYRUS  
PLANT



EXISTING  
MAGNOLIA TREE

EVERGREEN  
PINE TREE



PALO VERDE TREE

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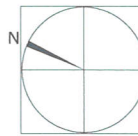
LANDSCAPE  
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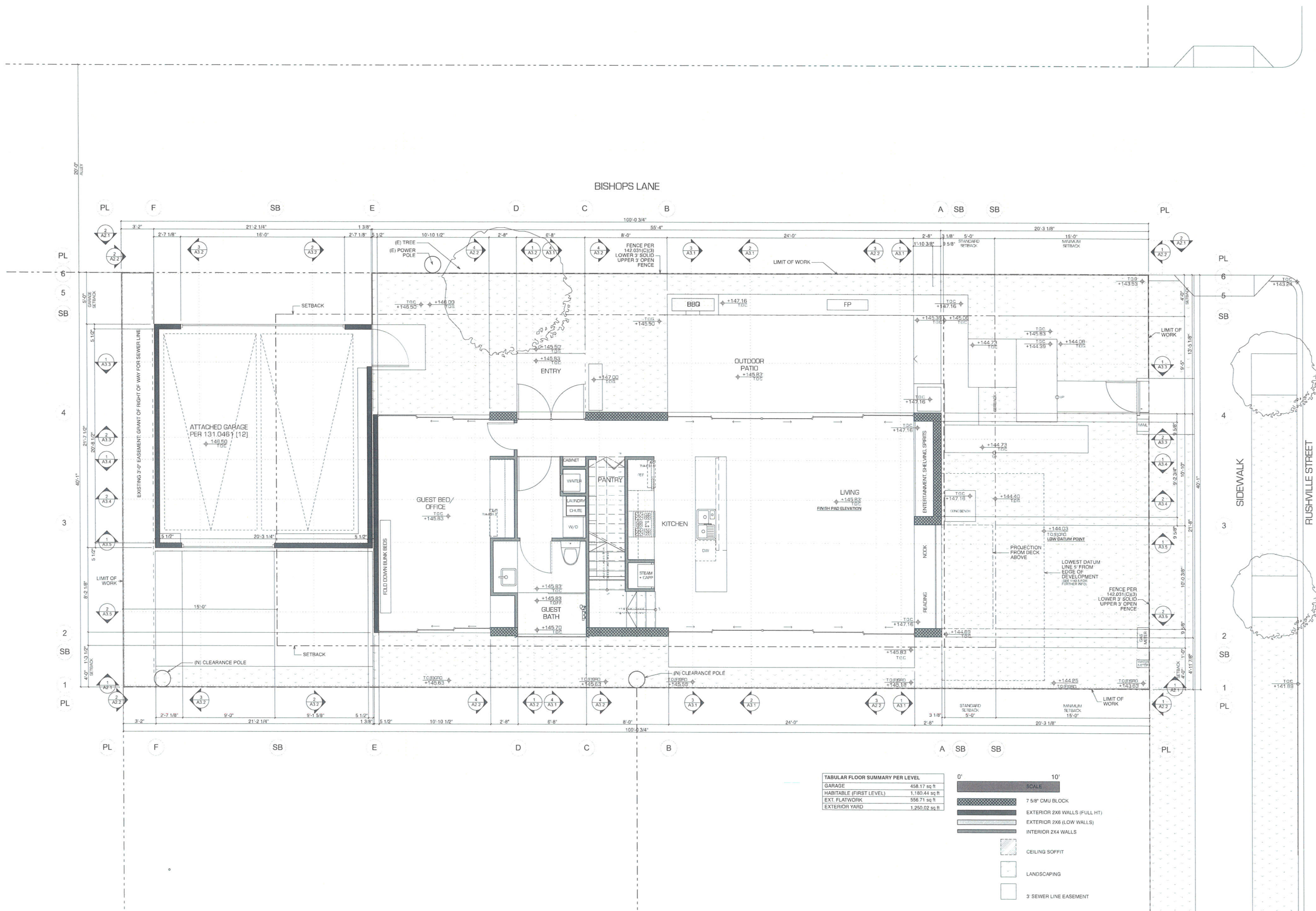
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FIRST FLOOR  
PLAN

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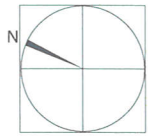
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SUBMITTAL DATE: 11/10/14  
SHEET 05 OF 14



TABULAR FLOOR SUMMARY PER LEVEL	
GARAGE	458.17 sq ft
HABITABLE (FIRST LEVEL)	1,180.44 sq ft
EXT. FLATWORK	556.71 sq ft
EXTERIOR YARD	1,250.02 sq ft

0'	10'
SCALE	
	7.5\"/>
	EXTERIOR 2X6 WALLS (FULL HT)
	EXTERIOR 2X6 (LOW WALLS)
	INTERIOR 2X4 WALLS
	CEILING SOFFIT
	LANDSCAPING
	3\"/>



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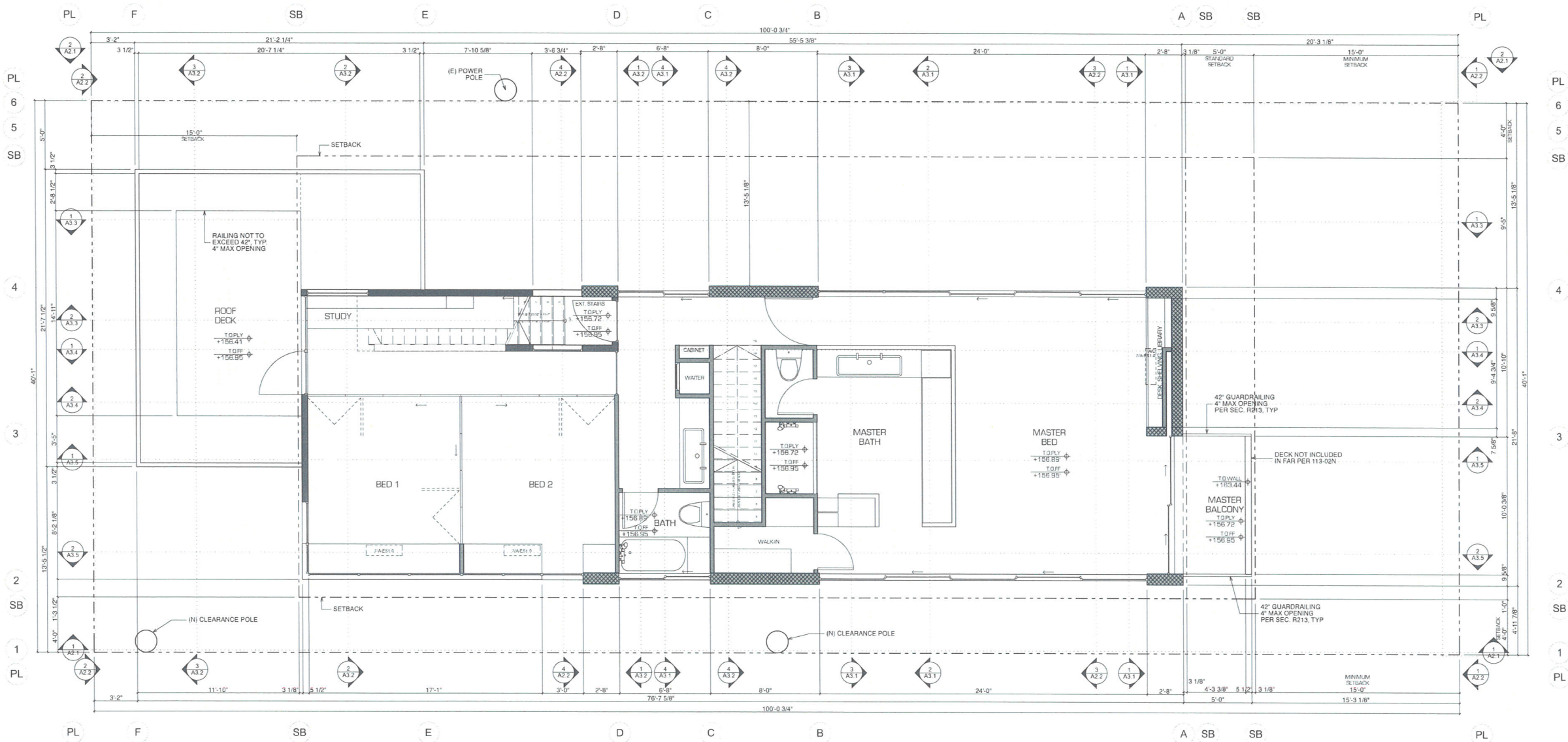
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CONSTRUCTION

SECOND  
FLOOR PLAN

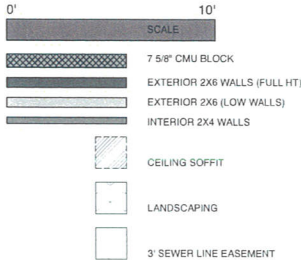
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TYPE: COASTAL DEV SUBM

A1.2

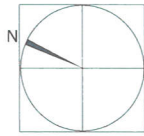
SUBMITTAL DATE: 11/10/14  
SHEET 06 OF 14



TABULAR FLOOR SUMMARY PER LEVEL	
HABITABLE (SECOND LEVEL)	1,368.78 sq ft
MASTER DECK	50.16 sq ft
NORTH DECK	122.32 sq ft
ROOF GARDEN	186.82 sq ft







[oo-d-a] studio, inc.  
1051 johnson ave. san diego, ca 92103

HLH  
820 RUSHVILLE STREET  
LA JOLLA, CA 92037



REVISIONS:	
01/13/2015	

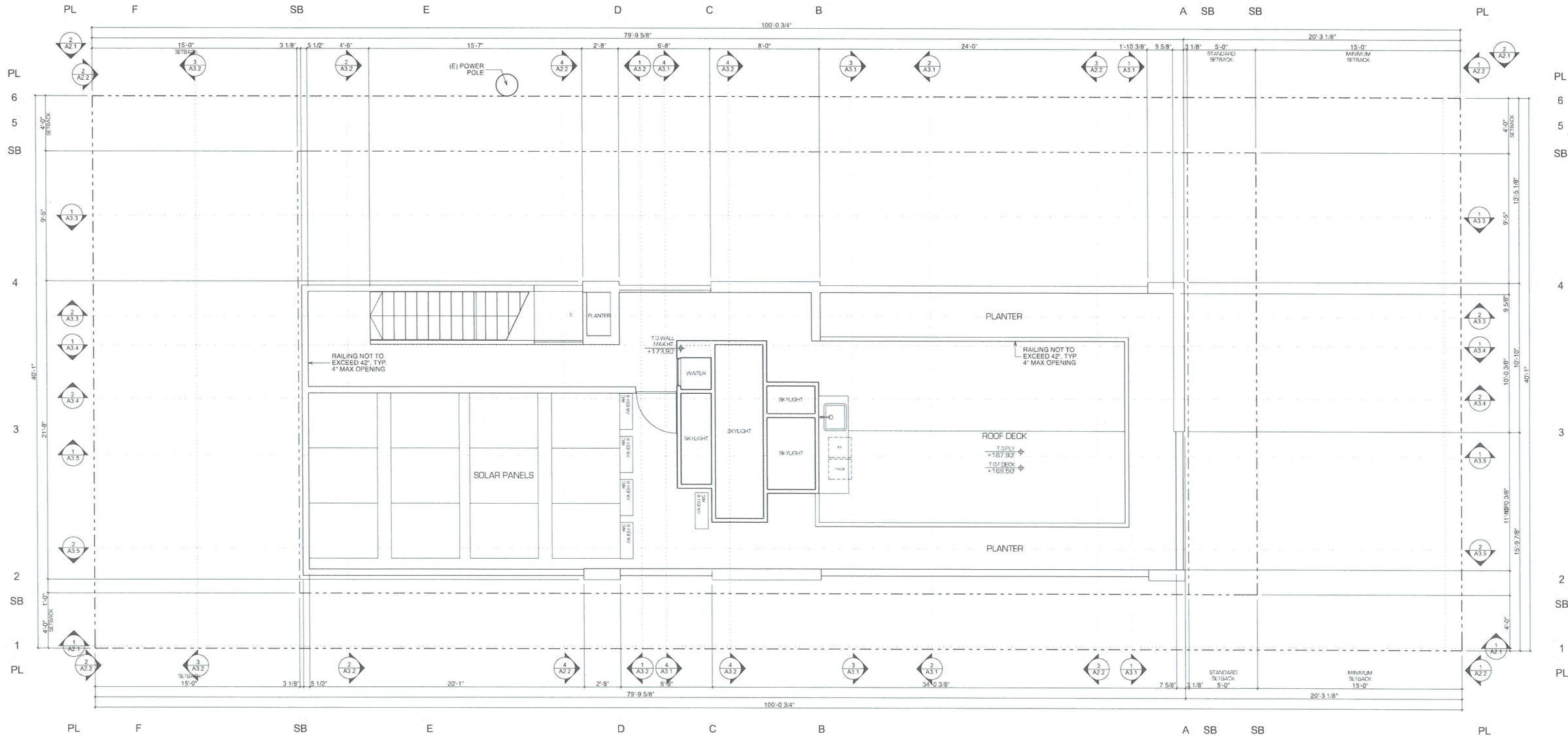
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CONSTRUCTION

ROOF PLAN

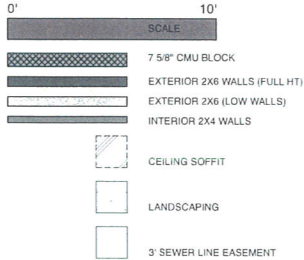
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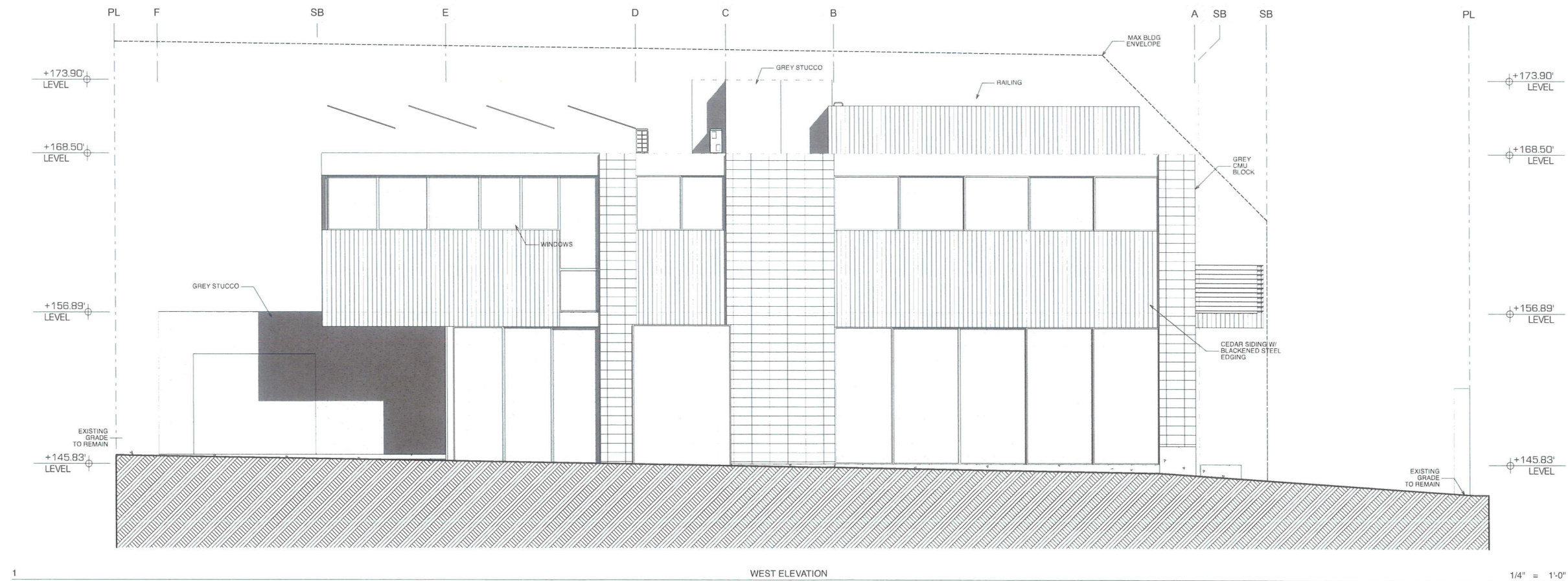
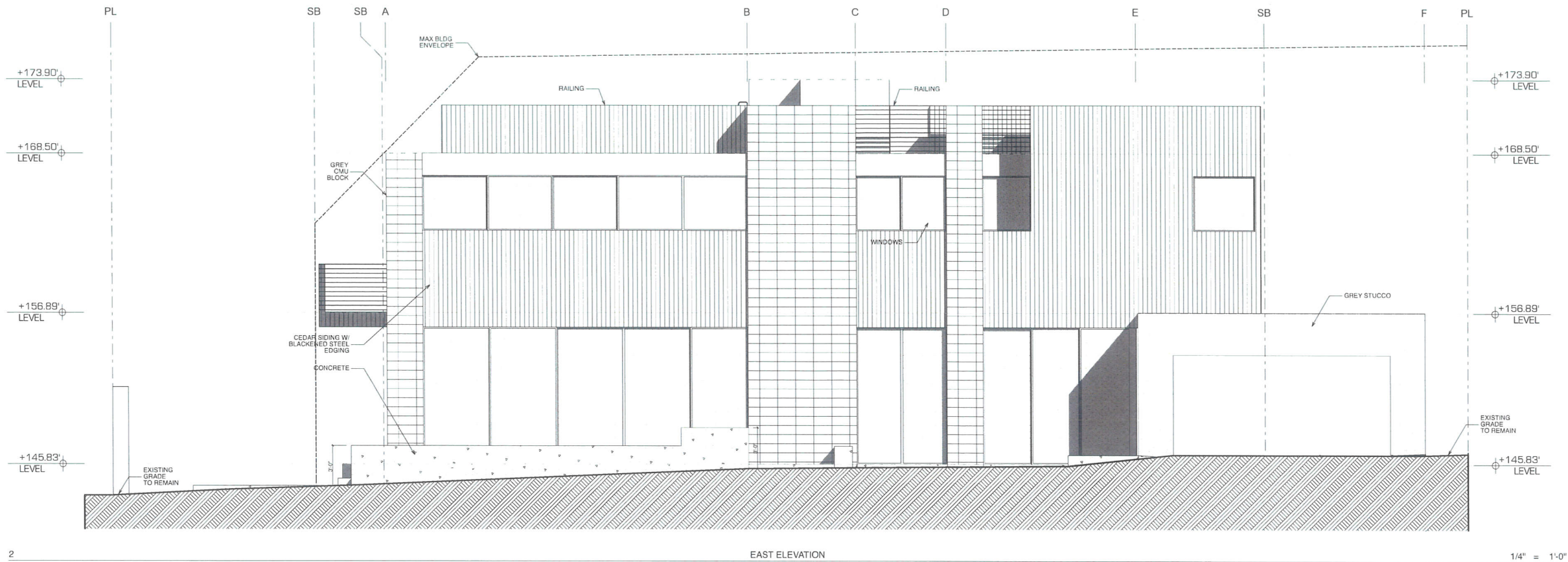
SUBMITAL DATE: 11/10/14  
SHEET 07 OF 14



TABULAR FLOOR SUMMARY PER LEVEL	
ROOF DECK	468.36 sq ft
EXTERIOR STAIR	80.77 sq ft
ROOF PLANTER, GRAVEL	632.35 sq ft







[oo-d-a] studio, inc.  
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ELEVATIONS

PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

A2.1

SUBMITTAL DATE: 11/10/14  
SHEET 08 OF 14



[oo-d-a] studio, inc.  
1051 JOHNSON AVE. SAN DIEGO, CA 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037



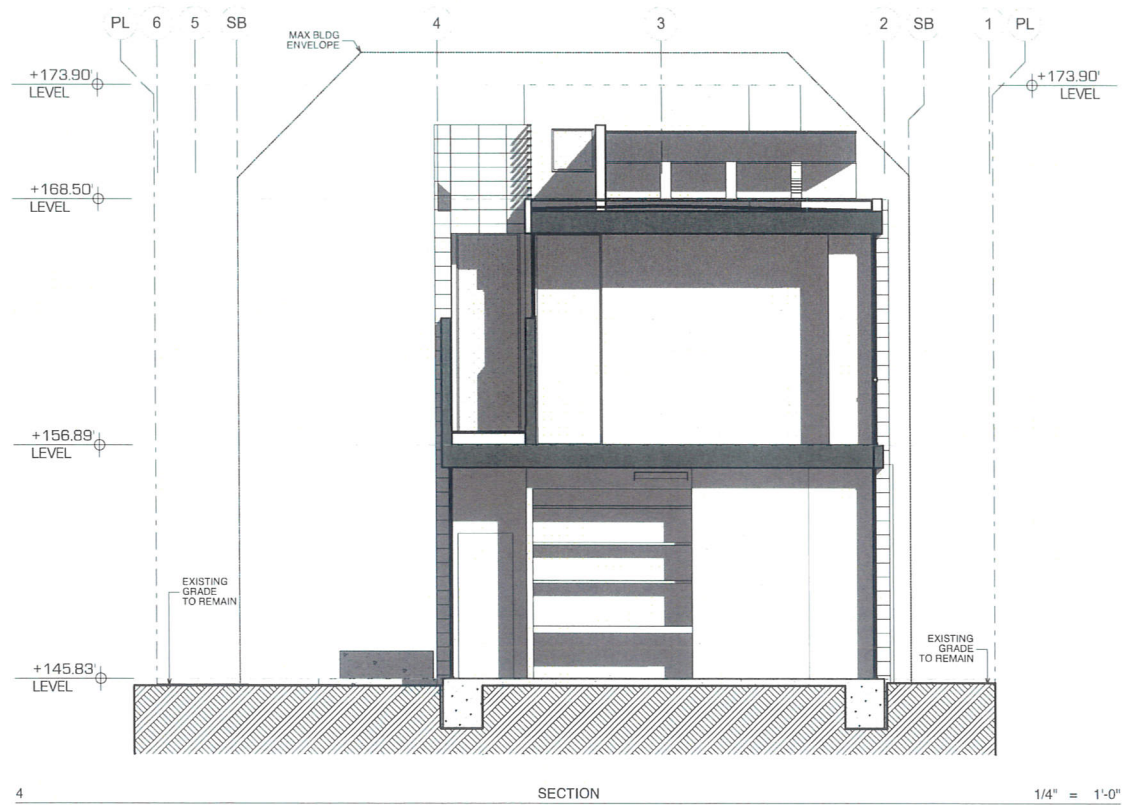
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CONSTRUCTION  
ELEVATIONS

PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

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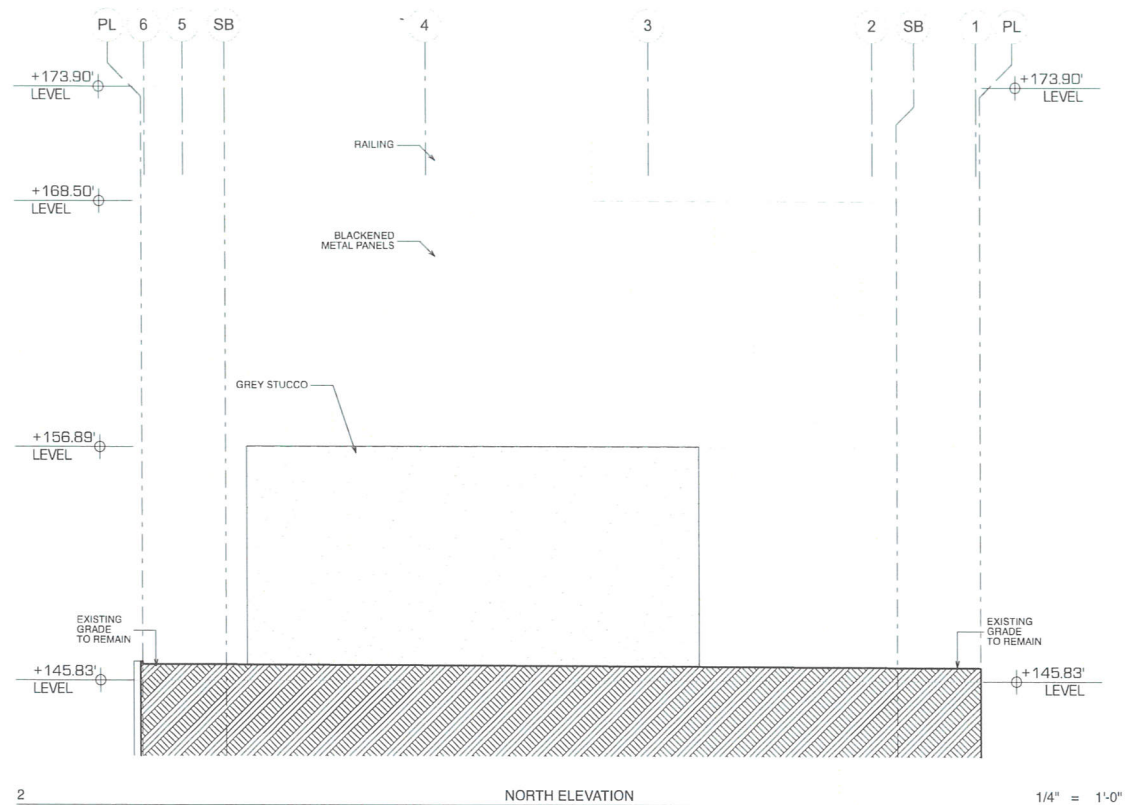
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SHEET 09 OF 14



4

SECTION

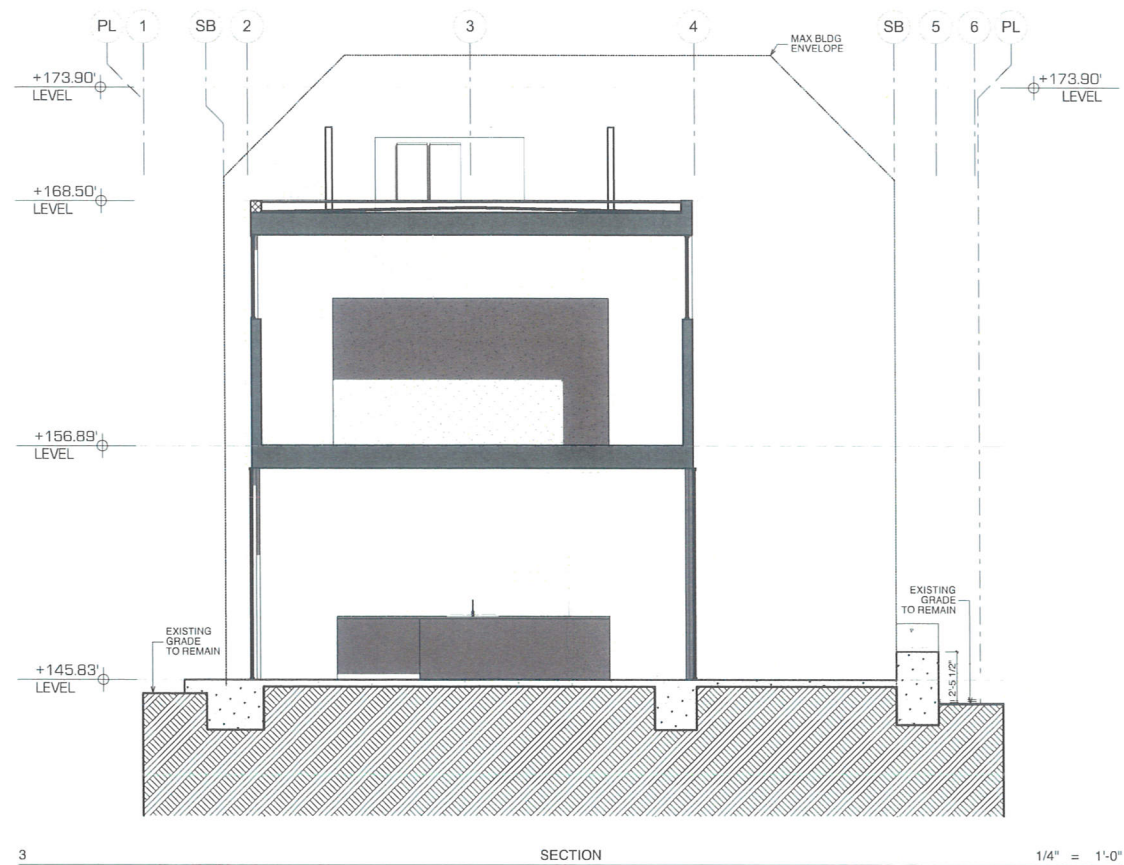
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2

NORTH ELEVATION

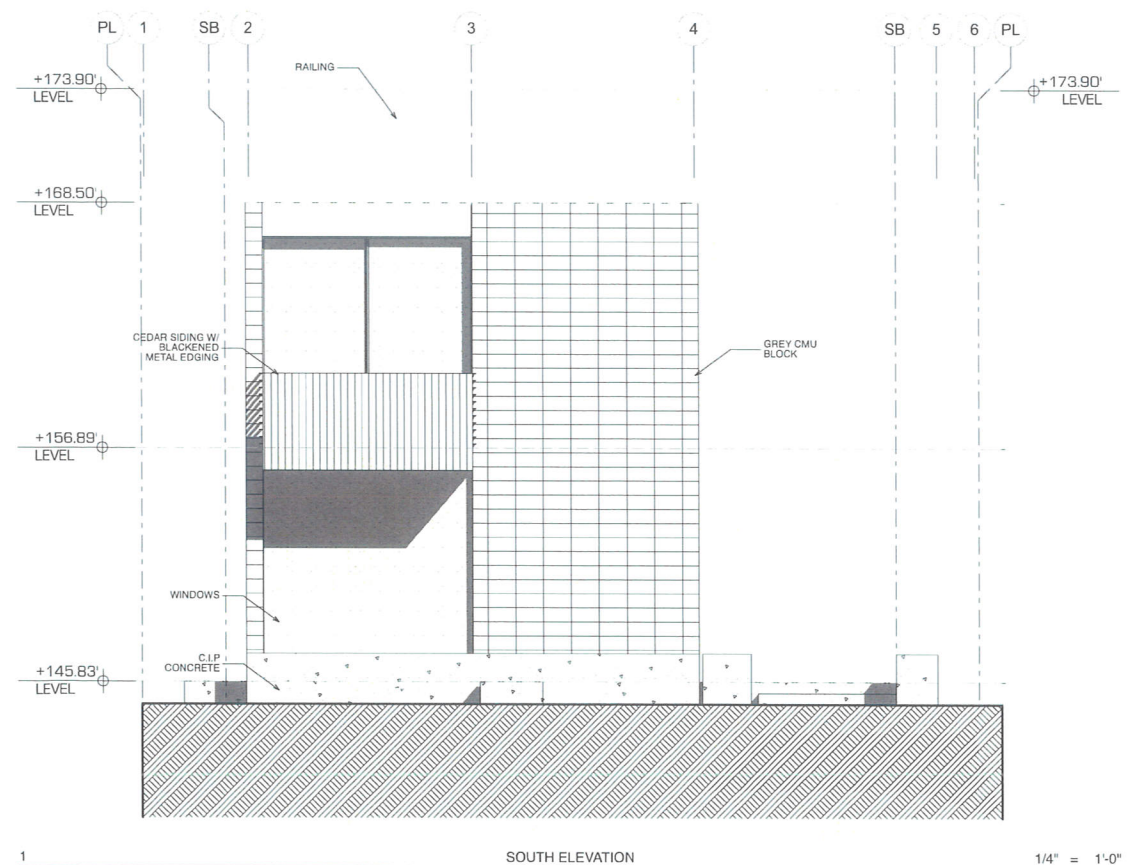
1/4" = 1'-0"



3

SECTION

1/4" = 1'-0"



1

SOUTH ELEVATION

1/4" = 1'-0"



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1051 johnson ave. san diego, ca 92103

HLH  
820 RUSHVILLE STREET  
LA JOLLA, CA 92037



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01/13/2015

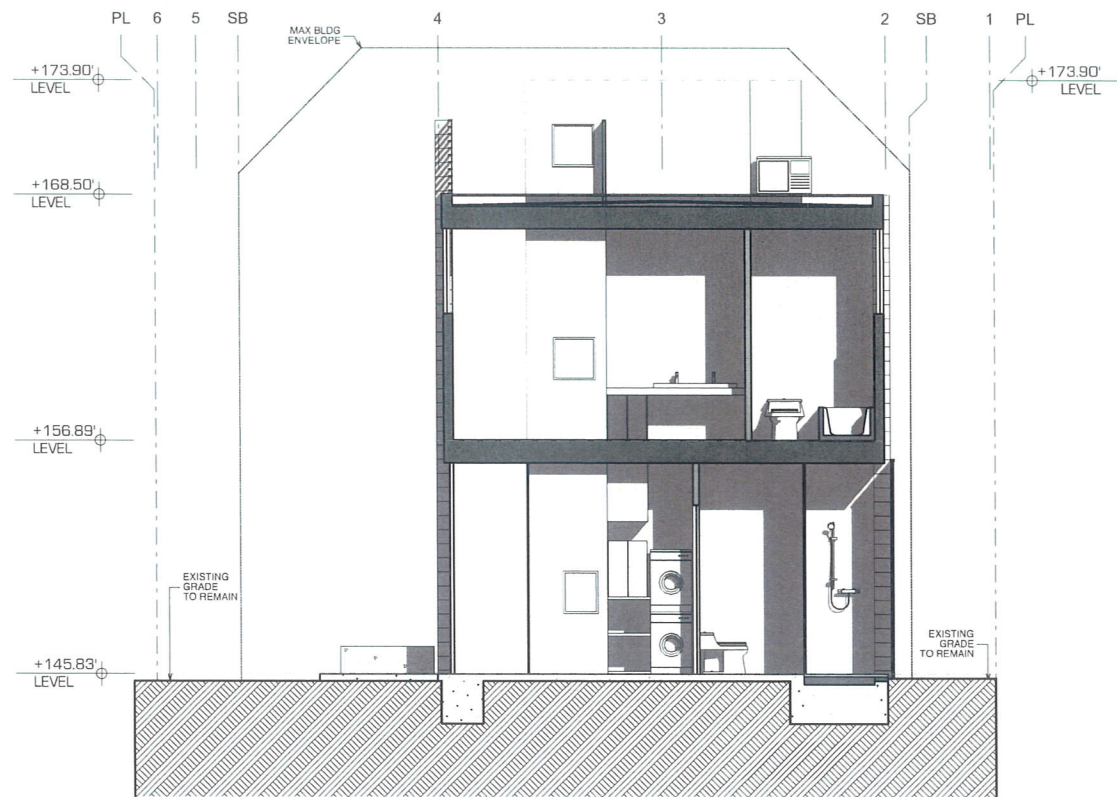
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SECTION

PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

A3.1

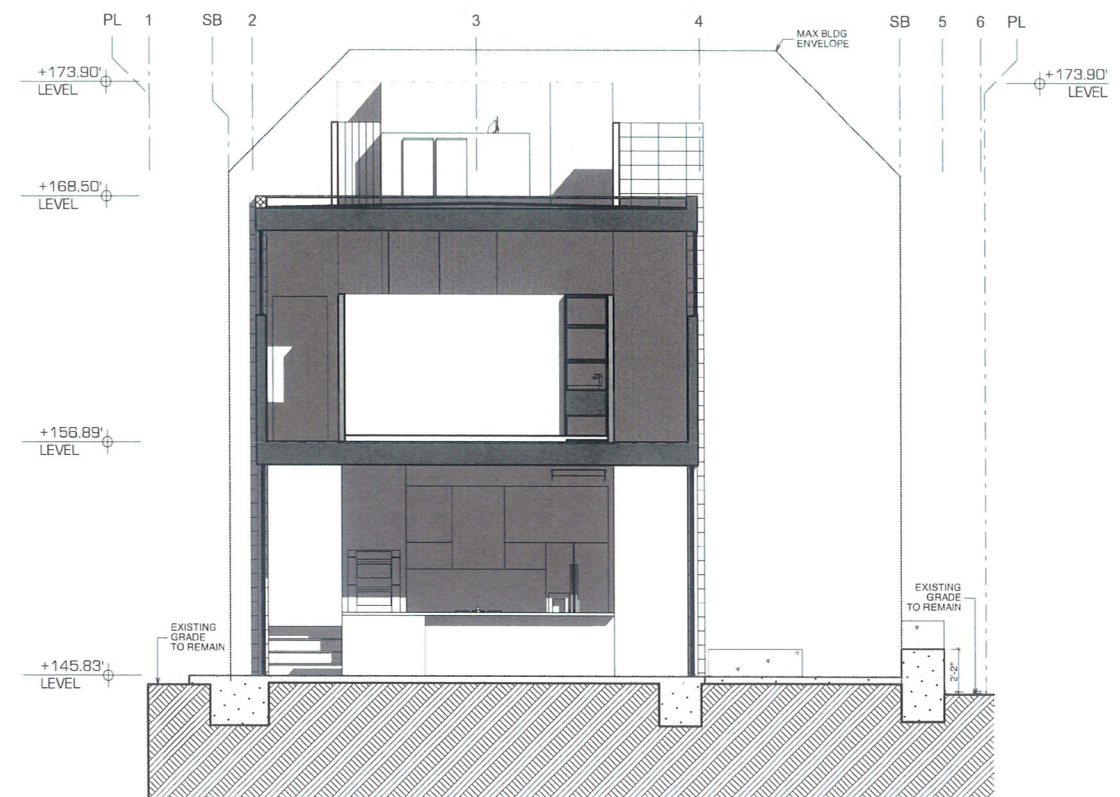
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SHEET 10 OF 14



4

SECTION

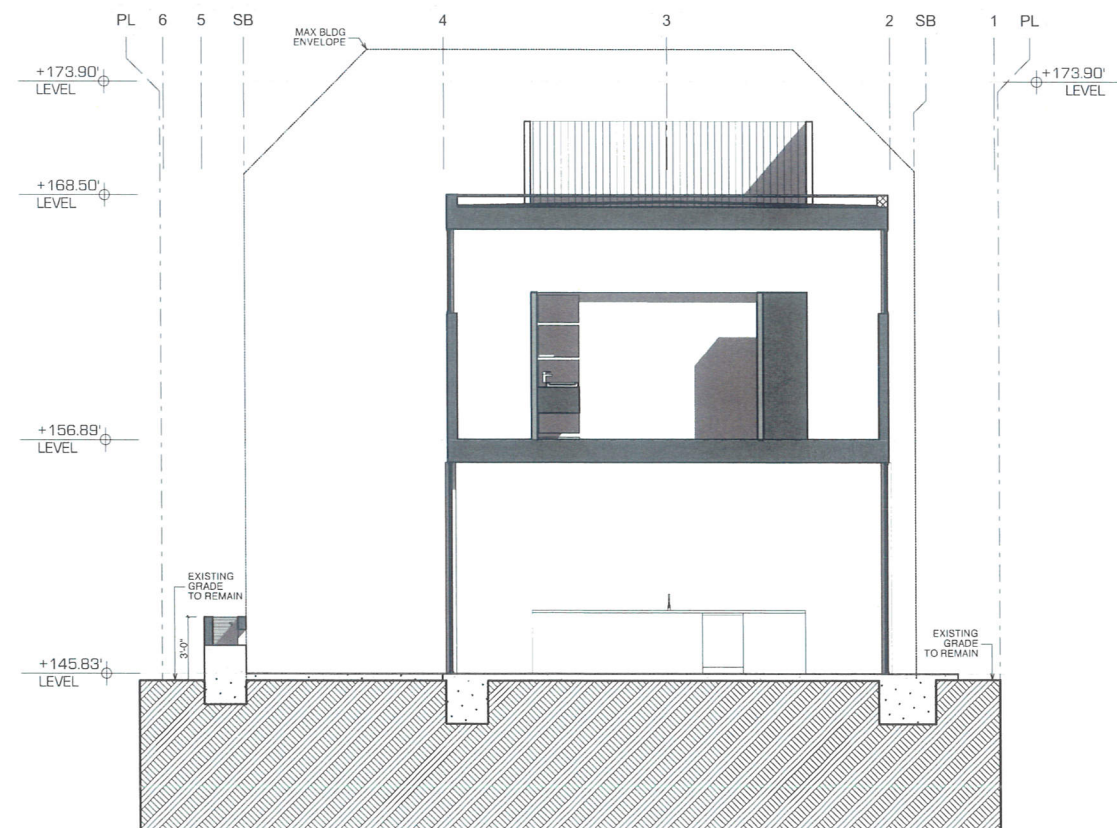
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2

SECTION

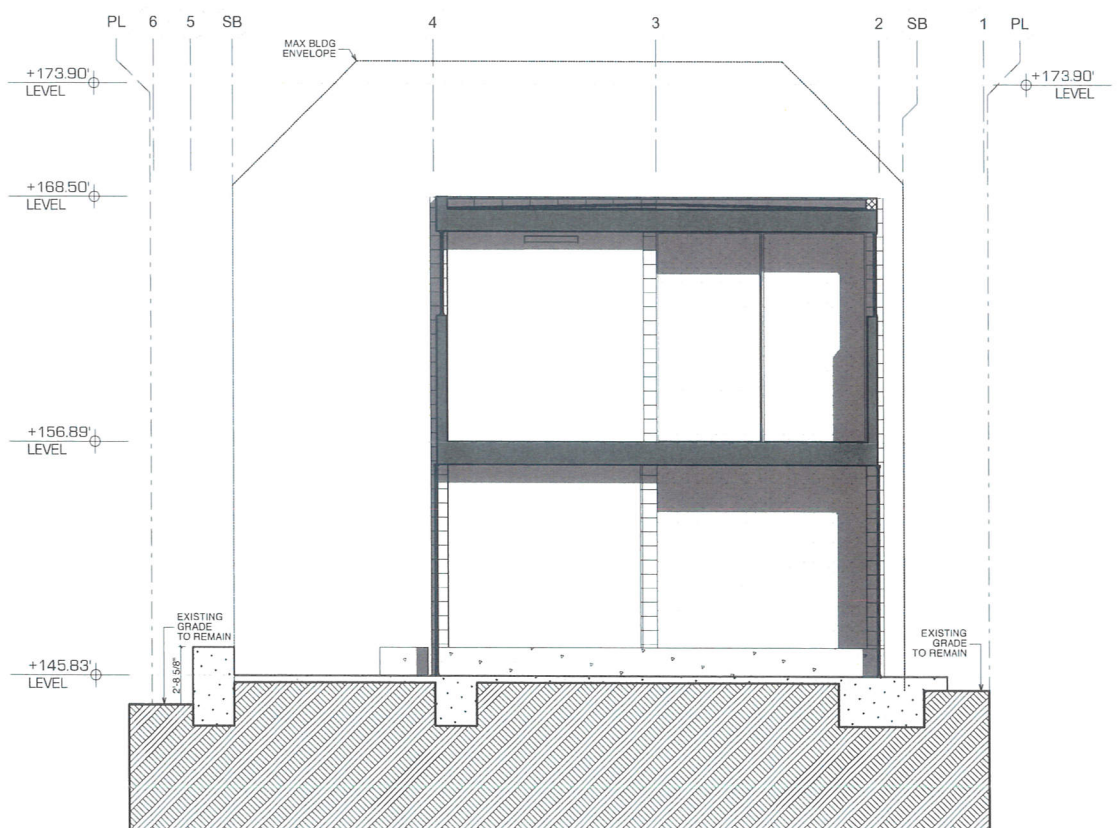
1/4" = 1'-0"



3

SECTION

1/4" = 1'-0"



1

SECTION

1/4" = 1'-0"



[oo-d-a] studio, inc.  
1051 johnson ave. san diego, ca 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037



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07/13/2015

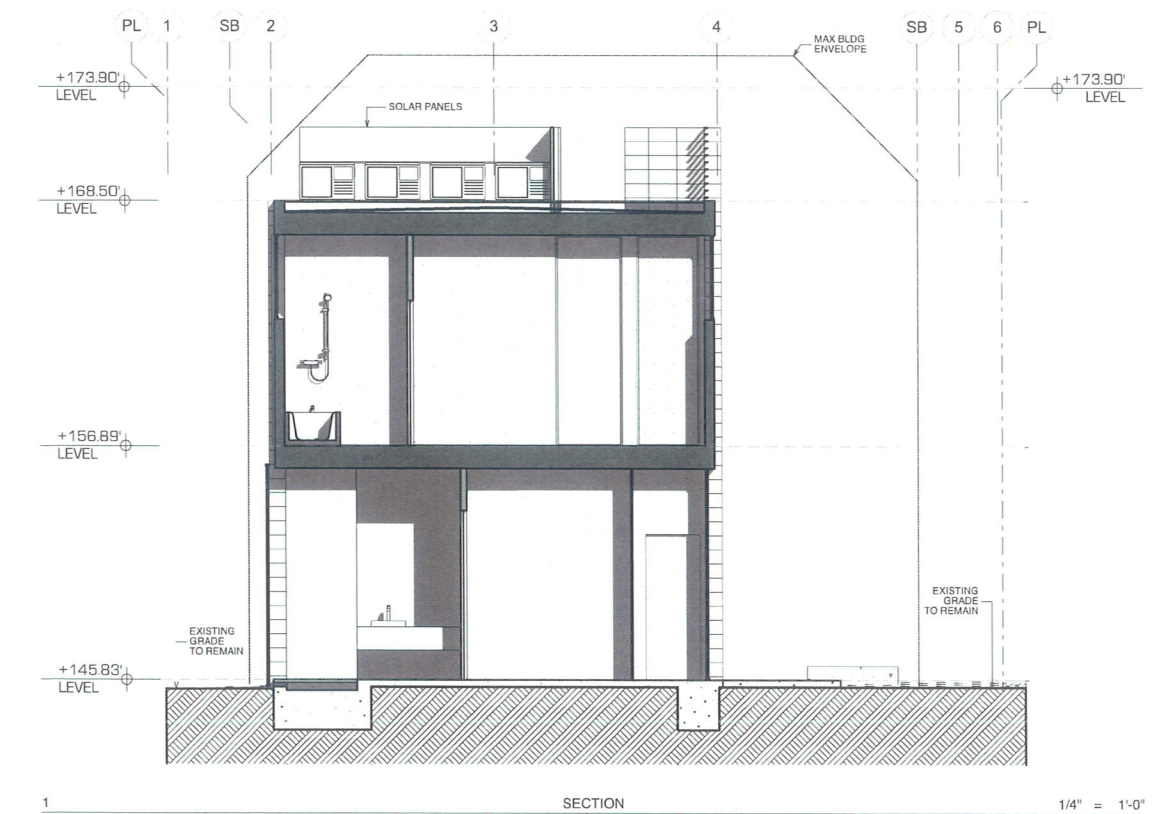
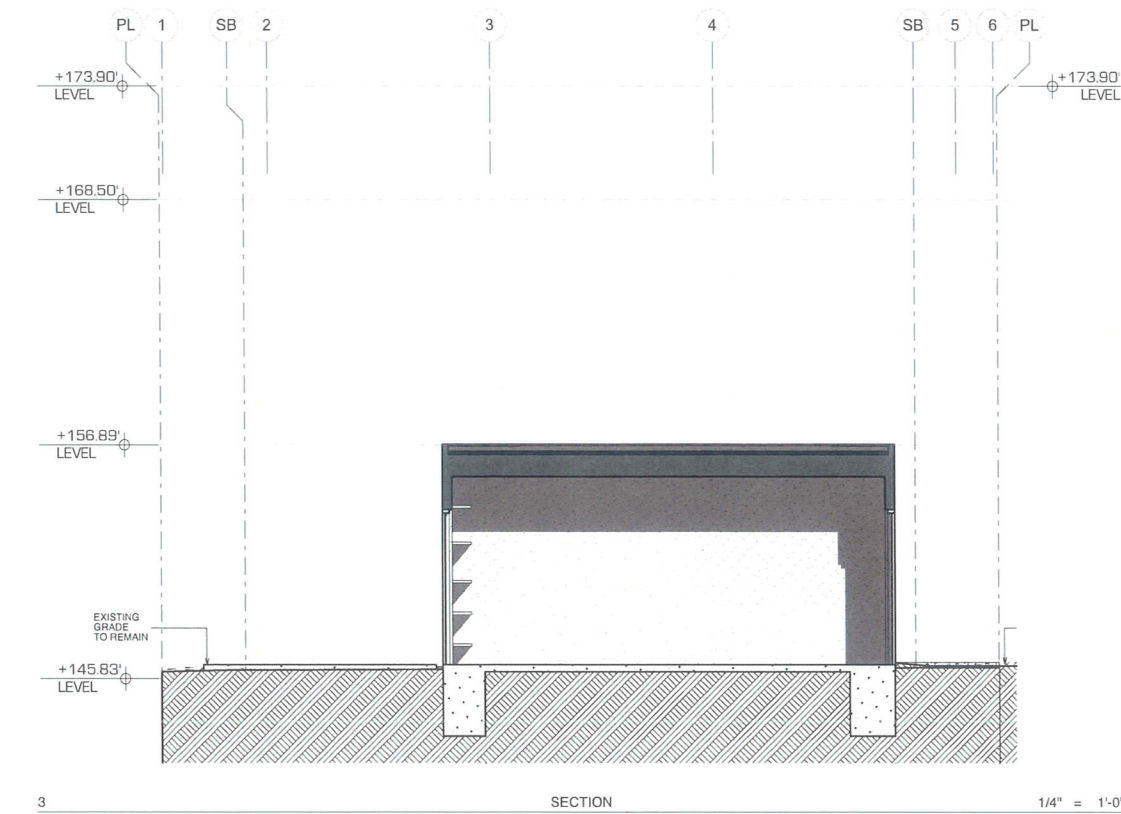
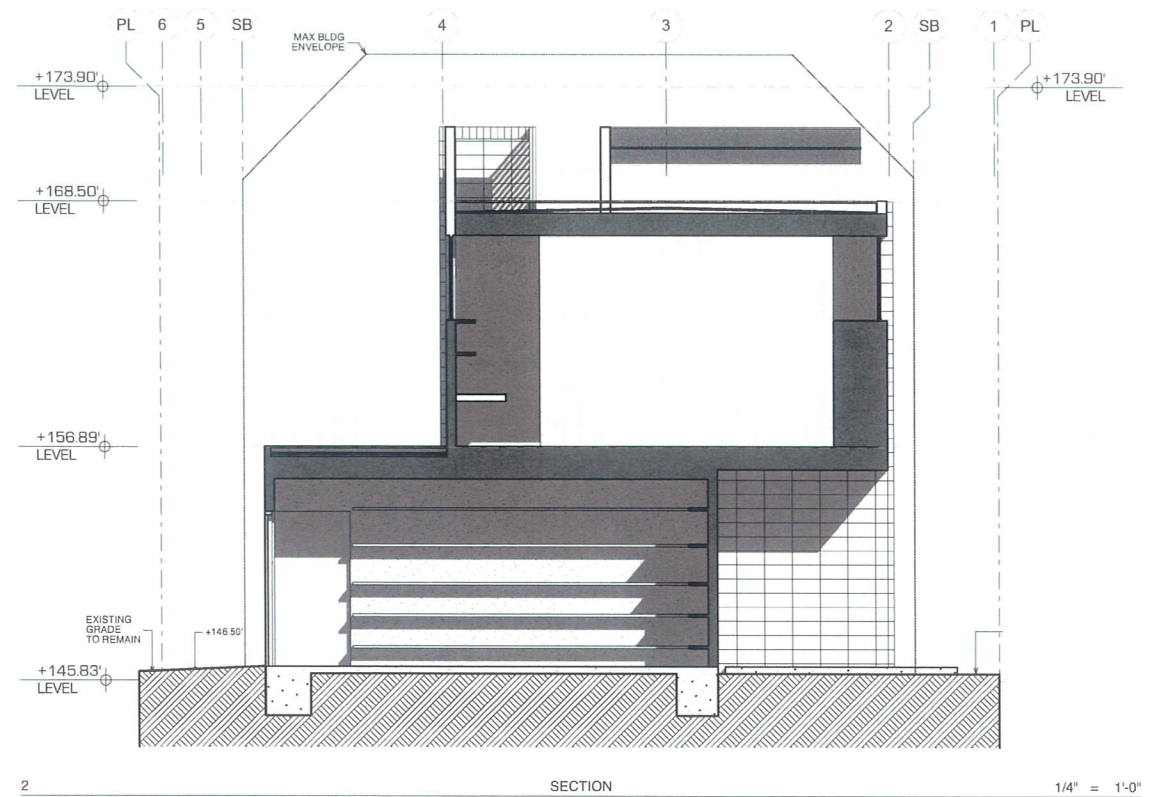
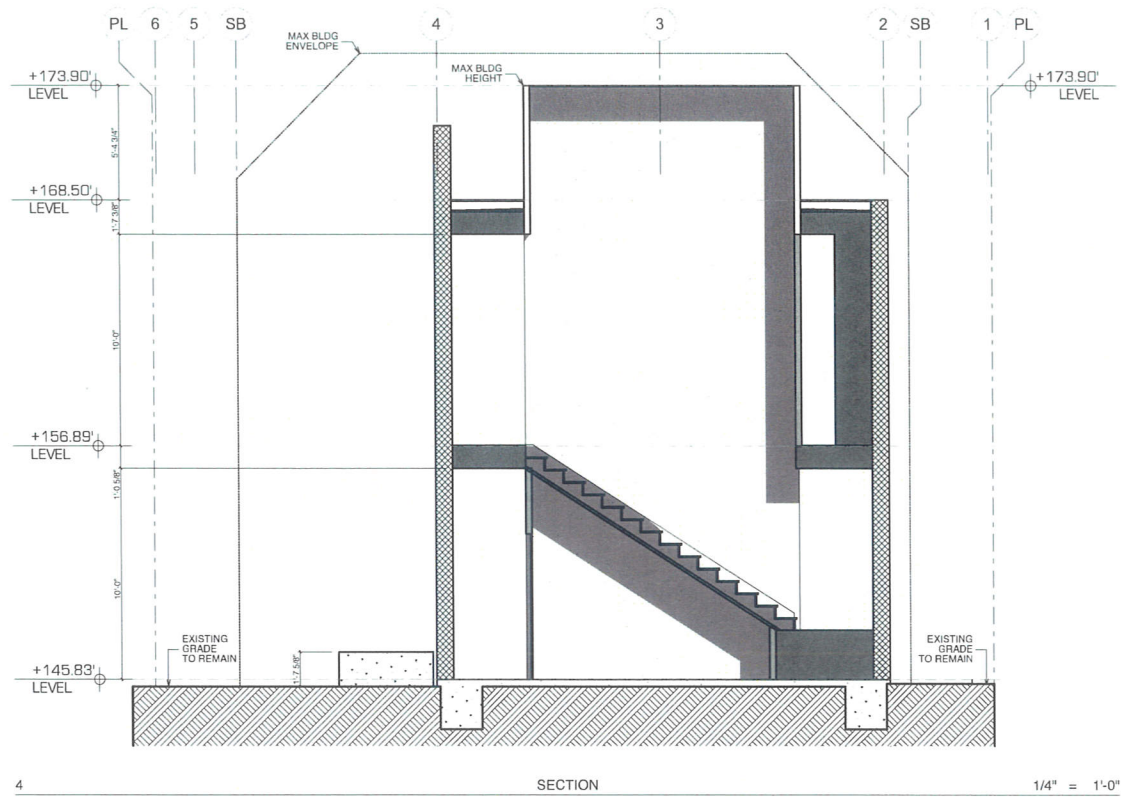
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SECTION

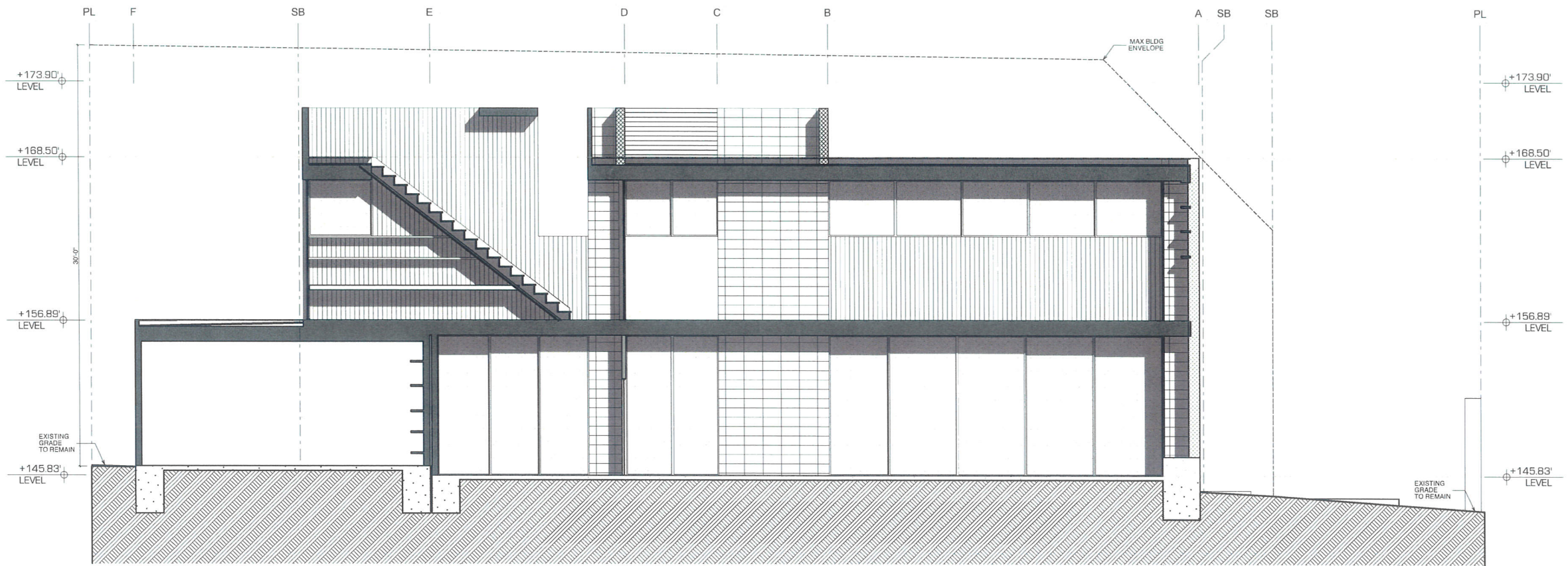
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SUBMITTAL DATE: 11/10/14  
SHEET 11 OF 14



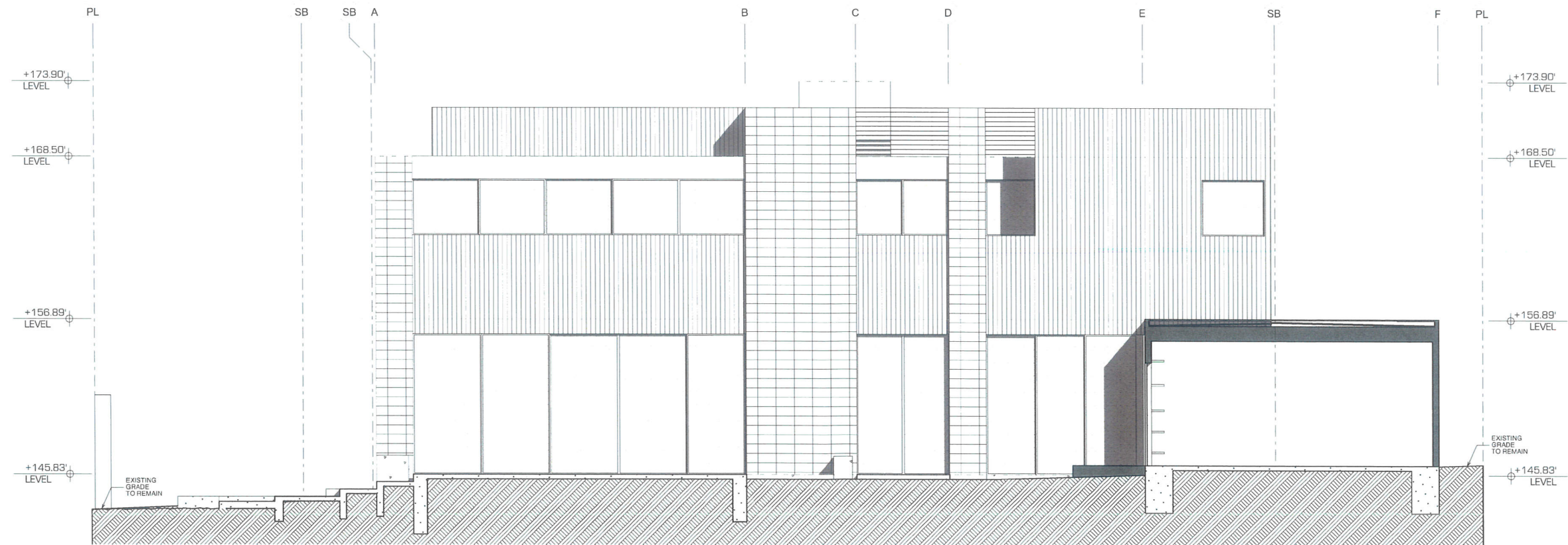




2

SECTION

1/4" = 1'-0"



1

SECTION

1/4" = 1'-0"

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1031 johnson ave. san diego, ca 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037



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07/13/2015

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CONSTRUCTION

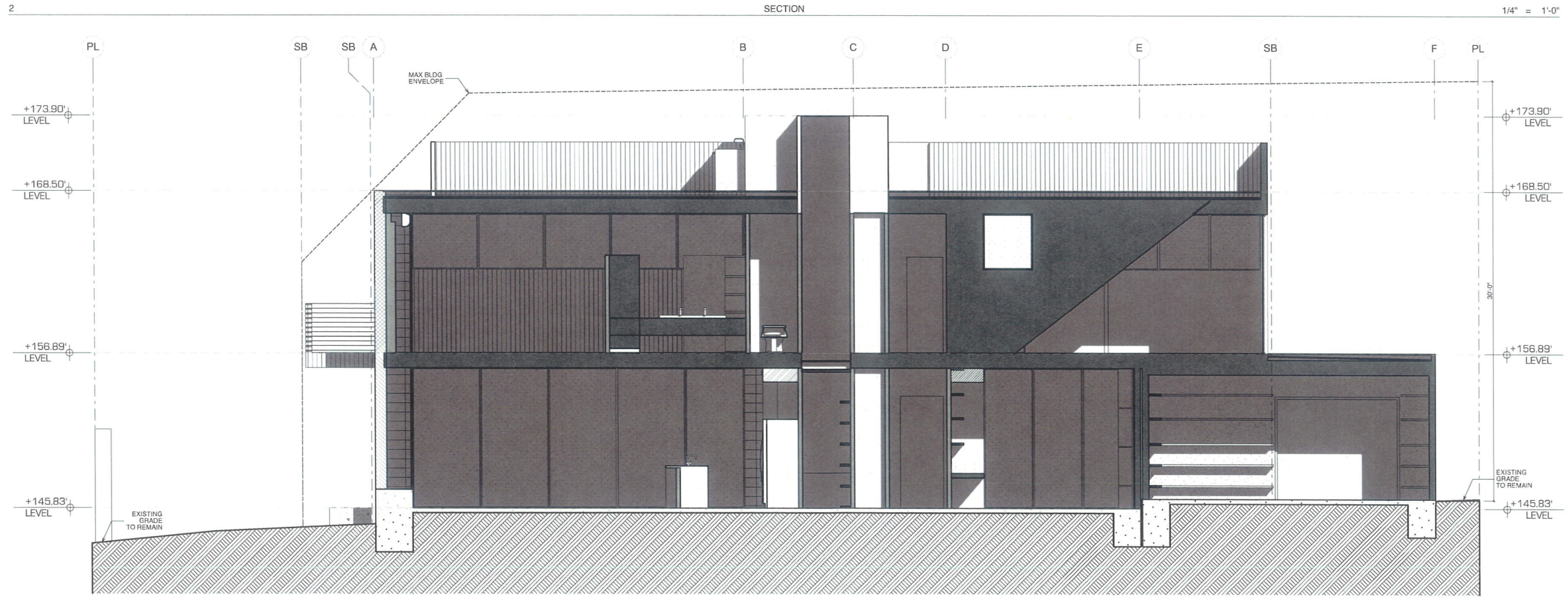
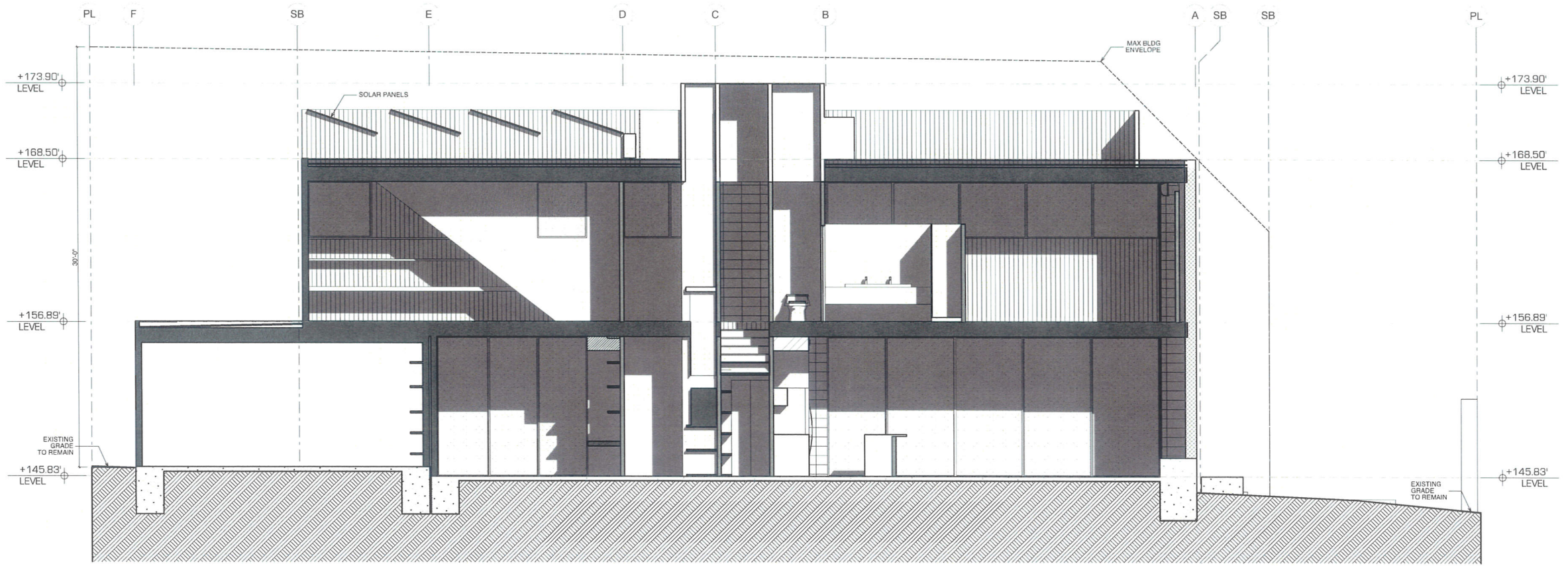
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PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

A3.3

SUBMITTAL DATE: 11/10/14  
SHEET 12 OF 14





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1051 JOHNSON AVE. SAN DIEGO, CA 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037

REVISIONS:  
07/13/2015

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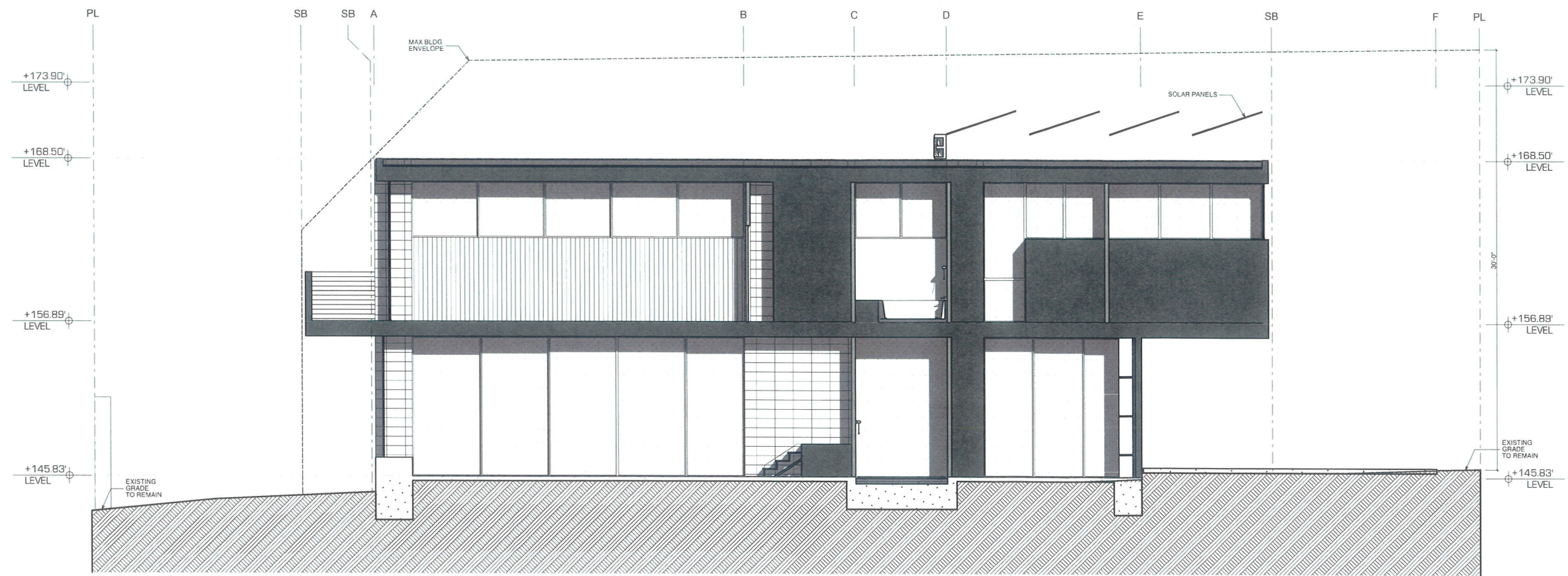
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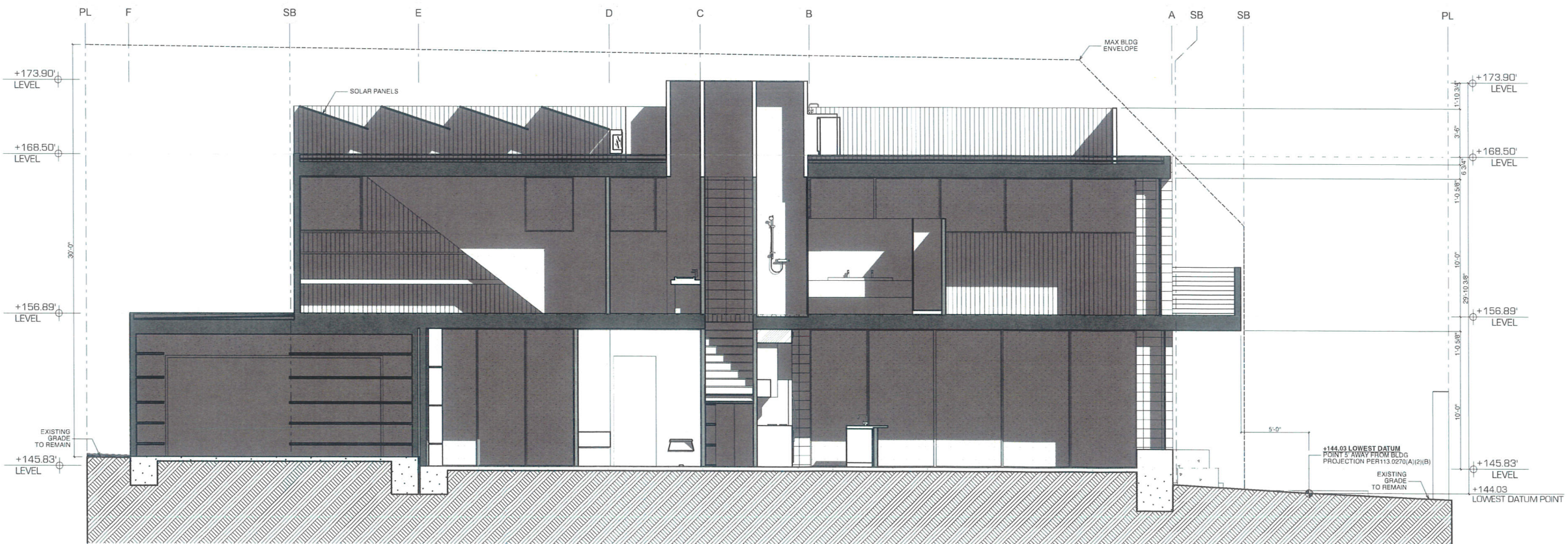
A3.4

SUBMITTAL DATE: 11/10/14  
SHEET 13 OF 14





SECTION 2 1/4" = 1'-0"



SECTION 1 1/4" = 1'-0"

[oo-d-a] studio, inc.  
1051 johnson ave. san diego, ca 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037

REVISIONS:  
01/13/2015

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CONSTRUCTION

SECTION

PRINTED DATE: 4/7/15  
TYPE: COASTAL DEV SUBM

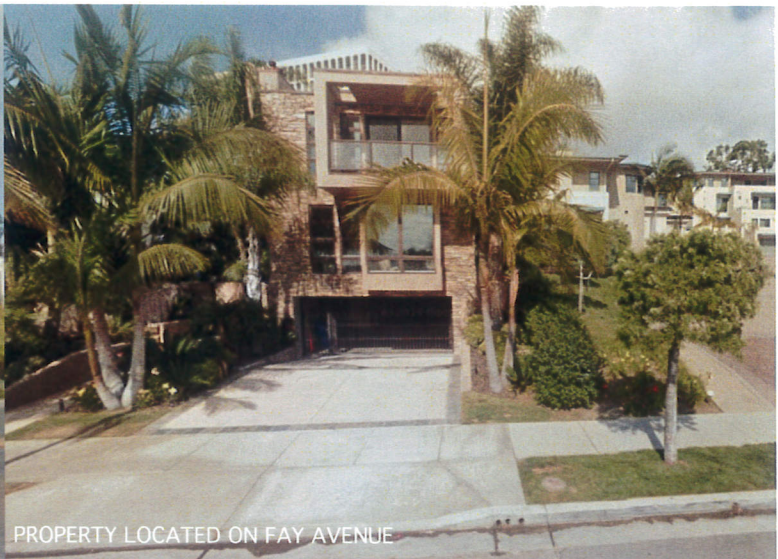
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SUBMITTAL DATE: 11/10/14  
SHEET 14 OF 14





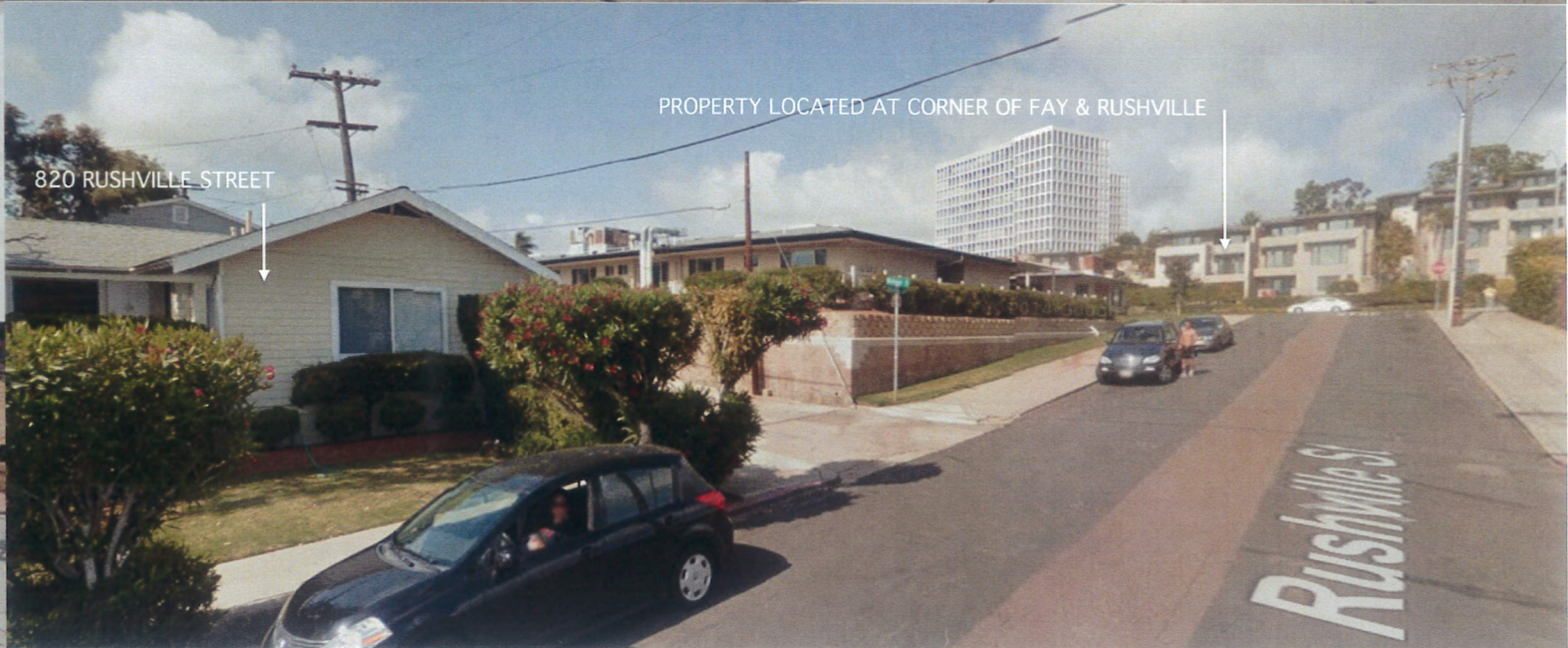
PROPERTY LOCATED AT CORNER OF FAY & RUSHVILLE



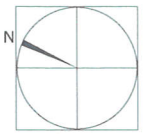
PROPERTY LOCATED ON FAY AVENUE



VIEW LOOKING DIRECTLY ACROSS THE STREET FROM 820 RUSHVILLE STREET



PROPERTY LOCATED AT CORNER OF FAY & RUSHVILLE



[oo-d-a] studio, inc.  
1051 johnson ave. san diego, ca 92103

820 RUSHVILLE STREET  
LA JOLLA, CA 92037



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NOT FOR  
CONSTRUCTION

LONG  
ELEVATION

PRINTED DATE: 12/16/14  
TYPE: COASTAL DEV SUBM

A4.1

SUBMITTAL DATE: 11/10/14



EXISTING MATERIALS PRESENT IN LA JOLLA, CA

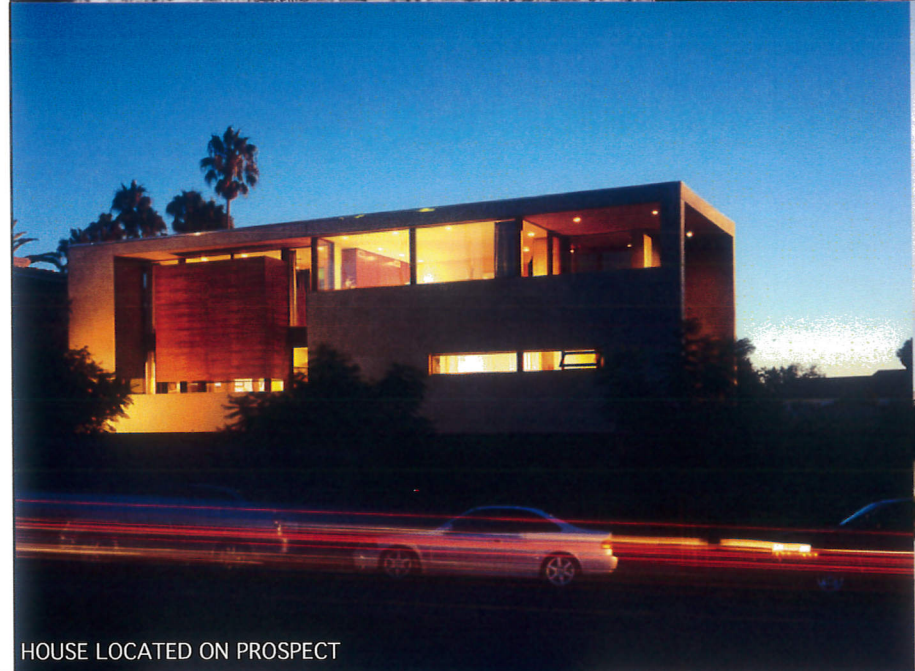
PROPOSED MATERIALS FOR PROJECT



HOUSE LOCATED ON DRAPER AVENUE



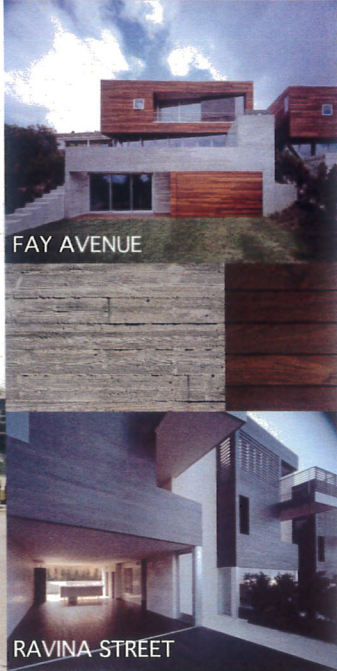
2 HOUSES LOCATED ON FAY AVENUE



HOUSE LOCATED ON PROSPECT



6 CONDOS LOCATED ON RAVINA STREET



RAVINA STREET



[oo-d-a] studio, inc.  
1051 Johnson Ave. San Diego, CA 92103

HH  
820 RUSHVILLE STREET  
LA JOLLA, CA 92037



REVISIONS:

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CONSTRUCTION

ADJACENT  
DEVELOPMENT

PRINTED DATE: 12/16/14  
TYPE: COASTAL DEV SUBM

A4.2

SUBMITTAL DATE: 11/10/14





City of San Diego  
Development Services  
1222 First Ave. 3rd Floor  
San Diego, CA 92101

THE CITY OF SAN DIEGO

# Development Permit/ Environmental Determination Appeal Application

FORM  
**DS-3031**  
OCTOBER 2012

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

## 1. Type of Appeal:

- ☒ Process Two Decision - Appeal to Planning Commission  
☐ Process Three Decision - Appeal to Planning Commission  
☐ Process Four Decision - Appeal to City Council  
☐ Environmental Determination - Appeal to City Council  
☐ Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one ☐ Applicant ☒ Officially recognized Planning Committee ☐ "Interested Person" (Per M.C. Sec. 113.0103)

Name:  
La Jolla Community Planning Association

E-mail Address:  
info@lajollacpa.org

Address: P.O. Box 889 City: La Jolla State: CA Zip Code: 92038 Telephone: (858) 456-7900

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Dominique Houriet

## 4. Project Information

Permit/Environmental Determination & Permit/Document No.:

Date of Decision/Determination:

City Project Manager:

CDP and SDP, PN 393983

March 20, 2015

John Fisher

Decision (describe the permit/approval decision):

Process 2 approval of coastal development permit and site development permit

## 5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error  
☐ Conflict with other matters  
☒ Findings Not Supported  
☐ New Information  
☐ City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

Findings CAN NOT be made for a Coastal Development Permit and Site Development Permit

This is based upon the finding that the proposed project is not consistent with the Neighborhood Character, due to

the scale of the openings at the exterior walls, the use of overly simple large-scale rectangular shapes at the

exterior finishes such as the wood siding and the concrete masonry wall elements, the long bands of windows and

openings, the flat roof and parapet, and due to the imposing nature of the exterior deck and guard rail elements.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Digitally signed by joe

Signature: Joseph LaCava DN: cn=joe Date: April 3, 2015

Date: 2015.04.03

09:21:56 -07'00'

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

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Upon request, this information is available in alternative formats for persons with disabilities.



City of San Diego  
Development Services  
1222 First Ave. 3rd Floor  
San Diego, CA 92101

THE CITY OF SAN DIEGO

# Development Permit/ Environmental Determination Appeal Application

FORM  
**DS-3031**  
OCTOBER 2012

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

## 1. Type of Appeal:

- ☒ Process Two Decision - Appeal to Planning Commission  
☐ Process Three Decision - Appeal to Planning Commission  
☐ Process Four Decision - Appeal to City Council  
☐ Environmental Determination - Appeal to City Council  
☐ Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

Name: Yarka Ondricek E-mail Address: zomba@sbcglobal.net  
Address: 7153 Eads Avenue City: La Jolla State: CA Zip Code: 92037 Telephone: (858) 336-4912

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Dominique Houriet

## 4. Project Information

Permit/Environmental Determination & Permit/Document No.: HLJH, Project Number 393983	Date of Decision/Determination: 20 March 2015	City Project Manager: John Fisher
--	--	--------------------------------------

Decision (describe the permit/approval decision):  
Coastal Development Permit to demolish existing structure and construct a 2-story residence with roof deck and accessory structure (garage) at 820 Rushville Street.

## 5. Grounds for Appeal (Please check all that apply)

- ☒ Factual Error  
☒ Conflict with other matters  
☒ Findings Not Supported  
☒ New Information  
☐ City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

The HLJH project fails to follow the La Jolla Community Plan and Local Coastal Program Land Use Plan and,

SDMC Chapter 15, article 9 - La Jolla Plan District. Please see the attached two pages.

RECEIVED

APR 07 2015

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Yarka Ondricek Date: 7 April 2015

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

**Attachment to H L J H, 820 Rushville Project No. 393983**

*A. The HLJH, 820 Rushville Project, is inconsistent with the high-lighted portions of the LJ Community Plan and Local Coastal Program Land Use Plan August 2014 (as required by the Municipal Code).*

Ref. A) La Jolla Community Plan and Local Coastal Program Land Use Plan, August 2014 and,

**POLICIES**

(A-page 70)

**2. Community Character**

In order to promote development compatible with the existing residential scale:

- a. The City should apply the development recommendations that are contained in this plan to all properties in La Jolla in order avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures.

**PLAN RECOMMENDATIONS**

(A-page 75)

**2. Community Character**

(A-page 76)

- a. In order to maintain and enhance the existing neighborhood character and ambiance, and to promote good design and visual harmony in the transitions between new and existing structures, preserve the following elements:
  - 1) Bulk and scale - with regard to surrounding structures or land form conditions as viewed from the public right-of-way and from parks and open space;
  - 2)
  - 3) Site fixtures - with regard to height, type, material and location (fences, walls, retaining walls, curb cuts and driveways);
  - 4) Curbs, gutters and street pavements -with regard to types and materials; and
- b. In order to regulate the scale of new development, apply development regulations to all residential properties in La Jolla that proportionally relate the building envelope to the existing lot dimensions. Apply minimum side and rear yard setback requirements that separate structures from adjacent properties in order to prevent a wall effect along the street face as viewed from the public right-of-way. Side yard setbacks should be incrementally increased for wider lots.
- c. In order to promote transitions in scale between new and older structures, create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment and variations within front yard setback requirements
- d. N/A



- e. In order to address transitions between the bulk and scale between new and older developments in residential areas, maintain the existing 30-foot height limit of the single dwelling unit zones and Proposition D. Structures with front and side yards facades that exceed one story should slope or step back additional stories, up to the 30-foot height limit, in order to allow flexibility while maintaining the integrity of the streetscape and providing adequate amounts of light and air.

***B. . The HLJH, 820 Rushville Project, is inconsistent with the high-lighted portions SDMC Chapter 15, article 9 – La Jolla Planned District –***

Ref. B) SDMC Chapter 15 article 9- La Jolla Plan District effective 4/23/2007.

*153.0101 (b) Division 1 Purpose and Intent. (B-page 15.9.1.2)*

*(10) The preservation of the traditionally diverse and harmonious architectural styles, and design preferences reflecting the community's history and encourage complementary design and construction; and*

*153.03.09 Residential Design Criteria (B -page 15.9.3.19)*

*c) The proposed use will utilize pitch roofs and other roof designs to reduce the appearance of bulk and create an appearance compatible with surrounding development.*

***C SUMMARY. The HLJH, 820 Rushville Project, is inconsistent with the Neighborhood Character of the established neighborhood homes.***

- 1) The overly simple large-scale rectangular shape of the HLJH structure is inconsistent with cottage style neighborhood. The high, flat looking exterior walls are inconsistent with cottage style neighborhood. The high flat roof is also inconsistent with the neighborhood where sloped roofs predominate.*
- 2) The proposed structure also fails to slope or step back in additional stories in excess of the first, and to provide adequate amounts of light and air to the adjoining neighbors.*

**PLANNING COMMISSION RESOLUTION NO. PC-015-  
COASTAL DEVELOPMENT PERMIT NO. 1383419  
HLJH CDP PROJECT NO. 393983**

WHEREAS, ALLAN V. HANSEN, a married man as his sole and separate property, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1383419), on portions of a 0.092 acre site;

WHEREAS, the project site is located at 820 Rushville Street in the RM-1-1 zone of the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lots 9 and 10, Block 1 of J.T. Corcoran's Subdivision of Block 2 of J.G. Burnes Addition to La Jolla Park, according to Map thereof No. 1387, filed November 2, 1911; excepting therefrom the westerly 100 feet;

WHEREAS, on March 20, 2015 the Development Services Department approved Coastal Development Permit No. 1383419 pursuant to the Land Development Code of the City of San Diego and on April 3, 2015 and April 7, 2015 appeals were filed by interested persons;

WHEREAS, on June 11, 2015, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 1383419 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 5, 2015, 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 15305 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;



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 11, 2015.

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 HLJH project (Project) will demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage. The site is located at 820 Rushville Street in the RM-1-1 zone of the La Jolla Community Plan area. The site at 820 Rushville Street is five blocks from the Pacific Ocean coastline and is not identified by the La Jolla Community Plan as having any existing physical accessway legally used by the public or any proposed public accessway in the Local Coastal Program land use plan. At five blocks from the Pacific Ocean shoreline the site has no public views to and or along the ocean and or other scenic coastal areas as specified in the Local Coastal Program land use plan. From the site at 820 Rushville Street there are no existing views of the ocean and no such views are identified by the La Jolla Community Plan as the Local Coastal Program land use plan. As such the Project will have no effect upon the public access and public recreation policies of Chapter 3 of the California Coastal Act. Therefore, the proposed coastal development will not encroach upon any existing physical accessway legally used by the public or any proposed public accessway identified in the Local Coastal Program land use plan; and the proposed coastal development will have no effect upon public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

**2. The proposed coastal development will not adversely affect environmentally sensitive lands.** The HLJH project (Project) will demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage. The site is located at 820 Rushville Street in the RM-1-1 zone of the La Jolla Community Plan area. The site is within an urbanized area of the city developed with residential uses. The site contains no environmentally sensitive lands and is not in or adjacent to the Multi-Habitat Planning Area. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

**3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.** The HLJH project (Project) will demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage. The site is located at 820 Rushville Street in the RM-1-1 zone of the La Jolla Community Plan area. The La Jolla Community Plan identifies the site for development of residential uses. The La Jolla Community Plan designates

the property for low to medium density development at a density range of nine to fifteen dwelling units per acre which the Project will be consistent.

The adopted La Jolla Community Plan designates this site for residential use and the Project is consistent with this use. The Project as proposed conforms to a number of goals included in the Residential Element of the La Jolla Community Plan (adopted 2004). These goals include:

- Provide a high quality residential environment in La Jolla that respects its relationship to the sea, to hillsides and to open space.
- Promote the development of a variety of housing types and styles in La Jolla.
- Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures

The Project is designed to exemplify high quality residential architecture. The design utilizes high quality construction materials, the juxtaposition of form, geometric shapes, colors, and the horizontal and vertical relationship of line and sophistication of simplicity. Furthermore, the Project would contribute toward creating a harmonious visual relationship between new and older structures because it is consistent with the bulk and scale of other surrounding high quality single family residential homes in the neighborhood and community.

The Design Principle section of the La Jolla Community Plan states: "Within the limitations implied above, originality and diversity in architecture are encouraged. The theme 'unity with variety' shall be a guiding principle. Unity without variety means simple monotony; variety by itself is chaos. No structure shall be approved which is substantially like any other structure located on an adjacent parcel. Conversely, no structure would be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area." The Project would be harmonious with many of the homes in the surrounding community as well as the immediate neighborhood.

According to the Community Character section of the Residential Element: "Single dwelling unit residential development in La Jolla covers a spectrum of densities and architectural styles and expressions. One of the more critical issues associated with single dwelling unit development is the relationship between the bulk and scale of infill development to existing single dwelling units. New construction of single dwelling unit homes have tended to be larger in size than the traditional development in some neighborhoods."

The Project would create a development compatible with the existing residential scale of the surrounding neighborhood by constructing a structure less than the maximum height limit allowed, and would be compatible with the existing bulk and scale of the surrounding newer single family residences. By complying with the height limits and surrounding scale, the Project would promote good design and would create harmonious visual relationship and transitions between new and older structures in the neighborhood.

The Project would conform to the landscape and streetscape guidelines as identified in the residential element of the La Jolla Community Plan and in Appendix E of the La Jolla Community Plan. The La Jolla Community Plan recommends the application of minimum side



and rear yard setback requirements to achieve a separation between structures from adjacent properties in order to prevent a wall effect along the street face as viewed from the public right-of-way. Furthermore, side yard setbacks should be incrementally increased for wider lots. The Project would implement these recommendations by complying with all required setbacks. Therefore, in consideration of all the foregoing, the proposed 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 demolition of the existing single dwelling unit and construction of a new single dwelling unit conforms to the La Jolla Community Plan and all adopted relevant policies within the La Jolla Community Plan. The Project will be consistent with all regulations of the RM-1-1 zone as these regulations implement the regulations of the certified Implementation Program. The Project requires no deviations or variance to approve the Project as proposed. Therefore, in consideration of all the foregoing, the proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

**4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.** The HLJH project (Project) will demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage. The site is located at 820 Rushville Street in the RM-1-1 zone of the La Jolla Community Plan area. The site is within an urbanized area of the city developed with residential uses. The site at 820 Rushville Street is five blocks from the Pacific Ocean coastline and is not between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone and as such the Project will have no effect upon the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, the appeals are DENIED and Coastal Development Permit No. 1383419 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1383419, a copy of which is attached hereto and made a part hereof.

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John S. Fisher  
Development Project Manager  
Development Services

Adopted on: June 11, 2015

Job Order No. 24005231

DRAFT



**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: 24005231

**COASTAL DEVELOPMENT PERMIT NO. 1383419**  
**HLJH PROJECT NO. 393983**  
**PLANNING COMMISSION**

This Coastal Development Permit No. 1383419 is granted by the Planning Commission of the City of San Diego to ALLAN V. HANSEN, a married man as his sole and separate property, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 0.092 acre site is located at 820 Rushville Street in the RM-1-1 zone(s) of the La Jolla Community Plan area. The project site is legally described as Lots 9 and 10, Block 1 of J.T. Corcoran's Subdivision of Block 2 of J.G. Burnes Addition to La Jolla Park, according to Map thereof No. 1387, filed November 2, 1911; excepting therefrom the westerly 100 feet.

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 detached accessory structure and construct a 2,549 square foot, two-story single family residence with a 458 square foot attached garage described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 20, 2015, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing single family residence and detached accessory structure and construction of a 2,549 square foot, two-story single family residence with a 458 square foot attached garage;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality

Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 8, 2018.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.



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

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

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

#### **ENGINEERING REQUIREMENTS:**

11. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb ramps with City standard curb ramps with three foot depth truncated domes, at the alley entrance on Rushville Street, per Standard Drawing SDG-136, satisfactory to the City Engineer.

12. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing damaged alley apron with City standard alley apron, at the alley entrance on Rushville Street, per Standard Drawing SDG-120, satisfactory to the City Engineer.

13. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb with City standards curb and gutter, along the property frontage on Rushville Street, per Standard Drawing, SDG-151, satisfactory to the City Engineer.
14. 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.
15. 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.
16. 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.

**PLANNING/DESIGN REQUIREMENTS:**

17. 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.
18. 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.
19. 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.

**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 Planning Commission of the City of San Diego on May 14, 2015 by Resolution PC-XXX.

DRAFT

Permit Type/PTS Approval No.: CDP NO. 1383419  
Date of Approval: May 14, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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John S. Fisher  
Development Project Manager

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

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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.

**Allan V. Hansen,**  
a married man as his sole and separate property  
Owner/Permittee

By \_\_\_\_\_  
Allan V. Hansen  
Owner

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



## NOTICE OF EXEMPTION

TO:   X   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 NO.: 393983

PROJECT TITLE: HLJH CDP

PROJECT LOCATION-SPECIFIC: 820 Rushville Street, La Jolla, CA 92037

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: COASTAL DEVELOPMENT PERMIT (CDP) to demolish an existing single dwelling unit and detached accessory structure and construct a new, 3,007-square-foot, 2-story single dwelling unit with a roof deck on a 4,010-square-foot lot. The square footage includes an attached, 458 square-foot garage. The project is located in the RM-1-1 Zone of the La Jolla Community Plan Area and the Coastal Overlay Zone (Non-appealable) in Council District 1.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Dominique Houriet, oo-d-a Studio, 1051 Johnson Avenue, San Diego, CA 92103; 619-454-7306.

EXEMPT STATUS: (CHECK ONE)

- ( ) MINISTERIAL  
 ( ) DECLARED EMERGENCY  
 ( ) EMERGENCY PROJECT  
 (✓) CATEGORICAL EXEMPTION: SECTIONS 15301 (Existing Facility) AND 15303(New Construction)

REASONS WHY PROJECT IS EXEMPT: Section 15301 allows for the demolition of up to three single dwelling units (SDU) in an urbanized area, where this project proposes demolishing one. Section 15303 allows for the construction of up three SDUs in an urbanized area, where this project proposes one SDU. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore these exemptions are applicable to the proposed project.

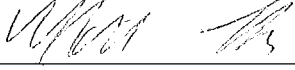
LEAD AGENCY CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

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

  
 \_\_\_\_\_  
 SIGNATURE/SENIOR PLANNER

MARCH 5, 2015  
 DATE

CHECK ONE:

- (X) SIGNED BY LEAD AGENCY  
 ( ) SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



P.O. BOX 889  
LA JOLLA  
CALIFORNIA 92038

LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900

<http://www.LaJollaCPA.org> Email: [Info@LaJollaCPA.org](mailto:Info@LaJollaCPA.org)

Regular Meeting – 5 January 2015

Attention: John Fisher, PM, City of San Diego

Project: HLJH CDP  
820 Rushville Street  
PN: 393983

Motion: Findings CANNOT be made for a Coastal Development Permit and Site Development Permit to demolish an existing single family residence and detached accessory structure and construct a 3,007 sq. ft. 2-story single family residence with an 458 sq. ft. attached garage at 820 Rushville St

Vote: 11-0-1

Note: Passed On Consent Agenda to accept subcommittee's recommendation. Subcommittee recommendation passed on 5-4-0 vote. Applicant opted not to seek new consideration by the full LJCPA.

Submitted by:

*Joseph LaCava*

1/05/2015

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Joe LaCava, President  
La Jolla CPA

Date



## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	HLJH	
<b>PROJECT DESCRIPTION:</b>	Demolish an existing single family residence and detached accessory structure and construct a 2,549 square foot, two-story single family residence with an 458 square foot attached garage	
<b>COMMUNITY PLAN AREA:</b>	La Jolla	
<b>DISCRETIONARY ACTIONS:</b>	Coastal Development Permit	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Low Medium Residential	
<b><u>ZONING INFORMATION:</u></b>  <b>ZONE:</b> RM-1-1 <b>HEIGHT LIMIT:</b> 30 feet <b>LOT SIZE:</b> 6,000 square feet <b>FLOOR AREA RATIO:</b> 0.75 <b>FRONT SETBACK:</b> 15 feet. <b>SIDE SETBACK:</b> 5 feet. <b>STREETSIDE SETBACK:</b> 10 feet. <b>REAR SETBACK:</b> 15 feet. <b>PARKING:</b> 2 parking spaces required.		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Low Medium Residential/RM-1-1	Single Family Residential
<b>SOUTH:</b>	Schools/RM-1-1	La Jolla High School
<b>EAST:</b>	Low Medium Residential/RM-1-1	Single Family Residential
<b>WEST:</b>	Low Medium Residential/RM-1-1	Single Family Residential
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None.	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	The La Jolla Community Planning Association, on January 5, 2015, voted 11:0:1 to recommend denial of the project.	