



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: March 30, 2016 REPORT NO. PC-16-033

HEARING DATE: April 7, 2016

SUBJECT: Appeal of the Hearing Officer's decision to approve a Coastal Development Permit/Site Development Permit for 8389 El Paseo Grande CDP/SDP, Process Three Decision

PROJECT NUMBER: 410585

REFERENCE: Report to the Hearing Officer; Report No. HO-16-001 (Attachment 1-11).

OWNERS/APPLICANT: Joseph and Christine Gatto/Carly Russell, Architect

### SUMMARY:

Issue: Should the Planning Commission grant or deny an appeal of the Hearing Officer's decision to approve a Coastal Development Permit/Site Development Permit to demolish an existing residence and construct a new, two-story, single-family residence located at 8389 El Paseo Grande in the La Jolla Community Planning area?

Staff Recommendation: DENY the appeal and uphold the Hearing Officer's decision to Approve Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364.

Community Planning Group Recommendation: On July 2, 2015, the La Jolla Community Planning Association voted 12-0-2 to recommend approval of the project with no conditions (Attachment 10).

La Jolla Shores Advisory Board – On May 18, 2015, the La Jolla Shores Advisory Board voted 4-0-0 to recommend approval of this project with the understanding that the exterior color will be muted with contrasting colors used and increased landscape planting around the entire perimeter, said plantings to be at least three feet tall.

Environmental Review: A Mitigated Negative Declaration No. 410585 and a Mitigation Monitoring and Reporting Program were prepared and adopted for the project in accordance with California Environmental Quality Act (CEQA) Guidelines by the Hearing Officer on January 27, 2016.

Fiscal Impact Statement: None with this action. All cost associated with the processing of the project are paid from a deposit account maintained by the applicant

Housing Impact Statement: The project site is in the La Jolla Community Plan and implemented through the La Jolla Shores Planned District, SF Zone. The community plan land use designation is Low Density Residential (5-9 du/acre). The 0.20 acre site could accommodate 1 to 2 dwelling units within the Low Density Residential land use designation. The proposed project would demolish one existing single family residence and construct one market rate single family residential unit consistent with the General Plan Housing Element and the La Jolla Community Plan planned density. There will be no net gain or loss to the available housing stock.

## BACKGROUND

The project site is currently developed with an existing single-family residence, originally built in 1951, located at the southeast corner of Camino Del Oro and El Paseo Grande approximately two blocks from the Pacific Ocean. The surrounding properties are fully developed and form a well established single family residential neighborhood. The existing structure is more than 45 years old and was evaluated for historical significance. Based on the materials submitted, staff concluded that the existing building is neither significant nor eligible for historic designation under local, state or federal criteria.

The 8,762-square-foot project site is located in the SF Zone of the La Jolla Shores Planned District Ordinance, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone and Parking Impact Overlay Zone. A Coastal Development Permit is required for proposed demolition and construction on property within the Coastal Overlay Zone. A Site Development Permit is required for major development within the La Jolla Shores Planned District.

## DISCUSSION

### Project Description:

The project proposes to demolish an existing single-family residence and construct a new 5,150-square-foot, two-story single-family residence with an attached three-car garage on an 8,762-square-foot property. The project site has been fully disturbed by past development and the site does not contain any form of environmentally sensitive resources. The proposed new residence would be placed within the previously developed portion of the property. Based on an analysis of a submitted survey of the existing development pattern and bulk and scale comparisons, the proposed residence was found to meet the development setbacks and height limit required by the SF Zone of the La Jolla Shores Planned District Ordinance. The proposed 12-foot-wide driveway complies with the Beach Parking Impact Overlay Zone. All surface drainage run-off would be conveyed through an existing drain system which would convey surface flow to Camino Del Oro and

El Paseo Grande.

The project proposes 181 cubic yards of cut grading and 204 cubic yards of fill, with 23 cubic yards of imported material. The project is designed to comply with all the development regulations of the SF Zone and the 30-foot height limit, with the maximum height of the structure reaching approximately 24 feet.

The project is adjacent to an east-to-west public view corridor, along Camino Del Oro public right-of-way, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan (Attachment 9). The proposed development conforms to the setbacks of the La Jolla Shores SF Zone and therefore, does not impact the identified public view corridor. The project site is east of and across the street from Kellogg Park, but is not located in an area identified for existing or proposed public access to the coastline. The development as presented conforms to the General Plan, La Jolla Community Plan and Local Coastal Land Use Plan, as well as the La Jolla Shores Planned District.

#### Community Planning Group / La Jolla Shores Advisory Board

This project was presented before both the La Jolla Community Planning Association and the La Jolla Shores Planned District Advisory Board. The public view corridor through Camino Del Oro and the inclusion of street trees within that public-right-of-way and view corridor were discussed at both meetings. Street trees are proposed (and required by Municipal Code Sections 142.0610 and 142.0611) in the parkway along Camino Del Oro and frame the public view along the right-of-way consistent with the La Jolla Community Plan and Local Coastal Land Use Plan. Both groups voted in favor of the project including the street trees.

The applicant was asked by the La Jolla Shores Planned District Advisory Board to revise the stark white exterior proposed in the plans to a warmer white, grey or earth tone. The applicant revised the plans to include cream colored exterior walls and grey window trim to address the group's request.

#### Appeal Of The Hearing Officer Approval

On January 27, 2016, the Hearing Officer approved the project after hearing public testimony. An appeal of that decision was filed on February 10, 2016 by Ms. Peggy Davis (Attachment 12). The appeal focuses on the Camino Del Oro Public View Corridor. The following discussion includes the appeal issue followed by the City staff response.

#### Appeal Issue

**The Hearing Officer did not consider the precedence set in an earlier decision at 8405 El Paseo Grande, which restricted all plant material height to three feet or less within the identified Public View Corridor of Camino Del Oro.**

#### Staff Response:

Each project is evaluated on its own merit on a case by case basis. The circumstances for 8405 El Paseo Grande project were distinctly different than the subject project.

The subject parcel is located at 8389 El Paseo Grande, at the southeast corner of El Paseo Grande and Camino del Oro. The identified view corridor on Camino del Oro is defined in the La Jolla Community Plan (LJCP), as an "unobstructed framed view down a public R.O.W." Camino del Oro widens at the intersection with El Paseo Grande, with the right-of-way curving south and away from the View Corridor, as shown in Figure C of the LJCP (Attachment No. 9). The proposed street trees along Camino Del Oro are approved for use within the La Jolla Residential Street Tree District 1, conform to, and implement, the urban design and sustainability sections of the General Plan, and will frame the Public View Corridor consistent with the La Jolla Community Plan and Local Coastal Land Use Plan.

#### Community Plan Analysis:

The proposed project is located within the La Jolla Community Plan and Local Coastal Land Use Plan and is designated for Low Density Residential (5-9 du/acre) development. The proposed one dwelling unit project conforms to the designated land use. The LJCP recommends maintaining the character of 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 property fronts along El Paseo Grande and Camino Del Oro. Camino Del Oro is a public view corridor as identified by the LJCP. The proposed new residence is sited within the private property and meets the setbacks of the implementing La Jolla Shores SF Zone. Street trees are proposed within the Camino Del Oro park way that will frame the public view consistent with the La Jolla Community Plan and Local Coastal Land Use Plan. The proposed project does not negatively impact the identified Public View Corridor and is consistent with the landscaping and streetscape recommendations.

The community plan also recommends maintaining the existing residential character of La Jolla's neighborhoods by encouraging build out of residential areas at the plan density. The neighborhood is predominately moderate to large size older homes with a few newer residences. The proposed residence is consistent with the bulk and scale in the neighborhood. The proposed height for the residence is less than thirty feet which is consistent with the community plan and the thirty-foot height limit. Staff recommends approval of the proposed residence as it is consistent with the community plan's policies for residential development.

#### Conclusion:

Staff is recommending that the Planning Commission deny the appeal and uphold the Hearing Officer's decision to Approve the Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364 as the project meets all applicable development regulations.

#### ALTERNATIVES

1. Deny Appeal and Approve Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364, with modifications.
2. Approve Appeal and Deny Coastal Development Permit No. 1444363 and Site Development



Permit No. 1444364, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

A stylized signature in blue ink, consisting of a series of connected loops and a long horizontal stroke.

Mike Westlake  
Assistant Deputy Director  
Development Services Department

A stylized signature in blue ink, featuring a large, sweeping 'G' and 'A' followed by a horizontal line.

Glenn Gargas  
Development Project Manager  
Development Services Department

Attachments:

- 1-11 Report to the Hearing Officer – Report HO-16-001
- 12. Appeal Application, Peggy Davis



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: January 27, 2016

REPORT NO. HO 16-001

ATTENTION: Hearing Officer

SUBJECT: 8389 EL PASEO GRANDE CDP / SDP  
PTS PROJECT NUMBER: 410585

LOCATION: 8389 El Paseo Grande

APPLICANT: Joseph and Christine Gatto, Owner  
Carly Russell, Architect/Agent

### SUMMARY

Issue(s): Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit to demolish an existing residence and construct a new two story, single family residence with an attached three car garage located at 8389 El Paseo Grande in the La Jolla Community Planning Area?

#### Staff Recommendations:

1. ADOPT Mitigated Negative Declaration No. 410585 and ADOPT the Mitigation Monitoring and Reporting Program; and
2. APPROVE Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364.

Community Planning Group Recommendation – On July 2, 2015, the La Jolla Community Planning Association voted 12-0-2 to recommend approval of the project stating that the street trees must conform to the public view corridor requirements at installation with the bottom of the canopy at 8 feet. (Attachment 10).

La Jolla Shores Advisory Board – On May 18, 2015, the La Jolla Shores Advisory Board voted 4-0-0 to recommend approval of this project with the understanding that the exterior color will be muted with contrasting colors used and increased landscape planting around the entire perimeter, said plantings to be at least 3 feet tall.

Environmental Review: – A Mitigated Negative Declaration No. 410585 has been prepared for the project in accordance with State of California Environmental Quality Act

(CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented to reduce, to a level below significance, potential impacts identified in the environmental review process.

## BACKGROUND

The project site is currently developed with an existing single-family residence, originally built in 1951, located at the southeast corner of Camino Del Oro and El Paseo Grande approximately two blocks from the Pacific Ocean. The surrounding properties are fully developed and form a well established single family residential neighborhood. The existing structure is more than 45 years old and was evaluated for historical significance by Planning Department Staff. Based on the materials submitted, staff concluded that the existing building is not significant, and not eligible for historic designation under local, state or federal criteria.

The 8,762 square foot project site is located in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Coastal and Beach Parking Impact Overlay Zone, directly east of the First Public Roadway, which is El Paseo Grande and within the La Jolla Community Planning Area. A Coastal Development Permit is required by the Land Development Code (Section 126.0702) for proposed demolition and construction on property within the Coastal Overlay Zone. A Site Development Permit is required, by the Land Development Code (Section 1510.0201) for major development within the La Jolla Shores Planned District.

## DISCUSSION

The project proposes to demolish an existing single family residence and construct a new 5,150 square foot, two-story single family residence with an attached three-car garage on a 8,762 square-foot property. The project site has been fully disturbed by past development and the site does not contain any form of environmentally sensitive resources. The proposed new residence is to be placed primarily within the previously developed portion of the property. Based on a submitted survey of the existing development pattern, bulk and scale comparisons, the proposed residence was found to meet the development setbacks and height limit required by the SF Zone of the La Jolla Shores Planned District Ordinance. The proposed driveway width was narrowed to a maximum width of 12 feet in order to comply with Beach Parking Impact Overlay Zone. All surface drainage run-off is conveyed through an existing drain system which will convey surface flow to Camino Del Oro and El Paseo Grande. During the project's review with City staff, the applicant has modified the project to conform to all other development regulations of the SF Zone of the La Jolla Shores Planned District along with the applicable regulations of the Coastal Overlay Zone.

The proposed building elevations indicate the use of cream color stucco exterior walls with warm teak wood doors, gun metal grey colored metal frame windows with a flat roof. The project proposes 181 cubic yards of cut grading and 204 cubic yards of fill, with 23 cubic yards of import. The project is designed to comply with the 30 foot height limit with the height of the portions to the structure being approximately 24 feet high.

The project is located approximately two blocks from the coastline and is directly adjacent to a Public View Corridor to the north running east to west down the Camino Del Oro public right-of-way, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan (Attachment 9). The proposed new residence is sited within the private property, meeting the setbacks of the La Jolla Shores SF Zone, so the proposed development does not negatively impact the identified Public View Corridor. Also the project site is not located in an area identified for public access to the coastline. The project site is directly east and across the street from Kellogg Park. However, this project's proposed redevelopment of the property will be contained fully within the existing legal lot area and will not negatively impact any identified public access or public view. Based on the review of the project's plans, conformance with public access and coastal public views the proposed redevelopment of this property was found to be in conformance with the La Jolla Community Plan and Local Coastal Land Use Plan.

#### COMMUNITY PLANNING GROUP / LA JOLLA SHORES ADVISORY BOARD

This project was presented before both the La Jolla Community Planning Association and the La Jolla Shores Advisory Board. The Public View Corridor down Camino Del Oro and the inclusion of street trees within that public-right-of-way and view corridor was an area of discussion at both meetings. This project's design includes street trees within the Camino Del Oro right-of-way that will frame the public view consistent with the La Jolla Community Plan and Local Coastal Land Use Plan. The applicant also revised the plans to include the exterior colors consistent with the recommendation made by the La Jolla Shores Advisory Board.

#### CONCLUSION

Staff has reviewed the proposed Coastal Development Permit and Site Development Permit and determined that the project is consistent with the La Jolla Community Plan and Local Coastal Program Land Use Plan and the applicable Land Development Code regulations. Staff has provided draft findings supporting Coastal Development Permit and Site Development Permit approval (Attachment 5). Staff recommends the Hearing Officer Approve the Coastal Development Permit and Site Development Permit as proposed (Attachment 6).

#### ALTERNATIVES

1. Approve Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364, with modifications.
2. Deny Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364, if the findings required to approve the project cannot be affirmed.



Respectfully submitted,



Glenn R. Gargas, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft CDP & SDP Permit Resolution with Findings
6. Draft CDP & SDP Permit with Conditions
7. Draft Environmental Resolution
8. Project Plans
9. La Jolla Community Plan – Figure C – Subarea C La Jolla Shores – Visual Access
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement

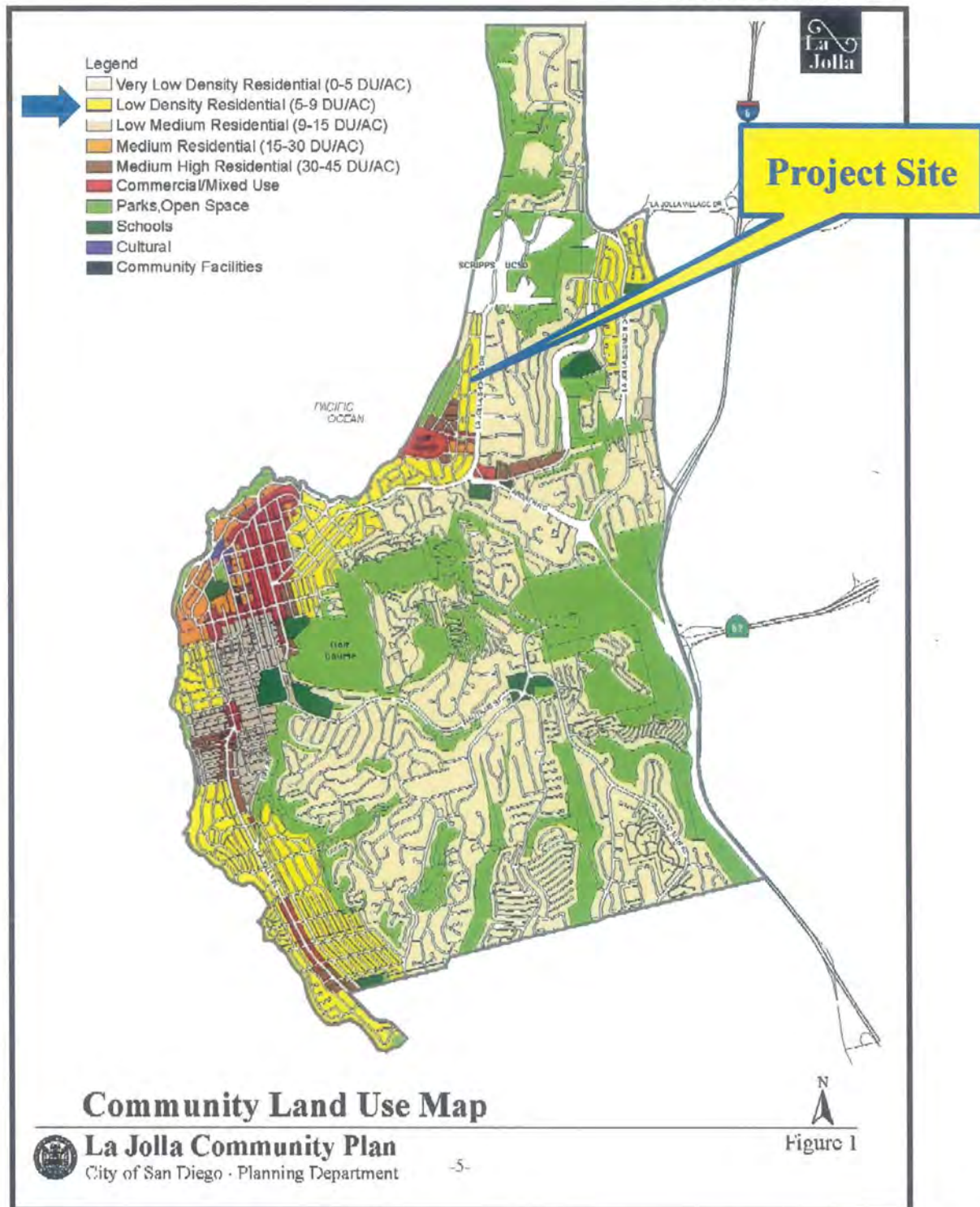


## Aerial Photo

8389 EIL PASEO GRANDE CDP – 8389 EL PASEO GRANDE  
PROJECT NO. 410585







## Land Use Map

**8389 EL PASEO GRANDE CDP / SDP – 8389 EL PASEO**

**GRANDE**

**PROJECT NO. 410585 La Jolla**





## Project Location Map

**8389 EL PASEO GRANDE CDP / SDP – 8389 EL PASEO GRANDE**  
**PROJECT NO. 410585**





## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	8389 El Paseo Grande CDP / SDP – Project No. 410585	
<b>PROJECT DESCRIPTION:</b>	CDP & SDP for demolition of an existing residence and construction of a new, two-story, 5,150 square-foot single-family residence with a three-car garage on a 8,762 square foot property.	
<b>COMMUNITY PLAN AREA:</b>	La Jolla	
<b>DISCRETIONARY ACTIONS:</b>	Coastal Development Permit & Site Development Permit	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Low Density Residential (5-9 DUs per acre)	
<b><u>ZONING INFORMATION:</u></b> <b>ZONE:</b> SF Zone La Jolla Shores Planned District <b>HEIGHT LIMIT:</b> 30/24-Foot maximum height limit. <b>LOT SIZE:</b> Approx. 6,000 square-foot minimum lot size – existing lot 8,762 sq. ft. <b>FLOOR AREA RATIO:</b> NA – 0.588 proposed <b>FRONT SETBACK:</b> 10 feet proposed <b>SIDE SETBACK:</b> 4 feet proposed <b>STREETSIDE SETBACK:</b> 10 feet proposed <b>REAR SETBACK:</b> 4 feet proposed <b>PARKING:</b> 2 parking spaces required –3 proposed.		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Low Density Residential; SF Zone La Jolla Shores PDO	Single Family Residence
<b>SOUTH:</b>	Low Density Residential; SF Zone La Jolla Shores PDO	Single Family Residence
<b>EAST:</b>	Low Density Residential; SF Zone La Jolla Shores PDO	Single Family Residence

**ATTACHMENT 4**

<b>WEST:</b>	Parks & Open Space; OP-1-1 Zone	Public Park
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	The La Jolla Community Planning Association voted 12-0-2 to recommended approval the project at their July 2, 2015 meeting	

**HEARING OFFICER RESOLUTION NO. \_\_\_\_\_  
 COASTAL DEVELOPMENT PERMIT NO. 1444363 AND  
 SITE DEVELOPMENT PERMIT NO. 1444364  
 8389 EL PASEO GRANDE - PROJECT NO. 410585**

WHEREAS, Joseph Gatto and Cristine Gatto, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing residence and construct a two-story single family residence with an attached garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1444363 and 1444364), on portions of a 8,762 square-foot property;

WHEREAS, the project site is located at 8389 El Paseo Grande, in the SF Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation and Coastal and Beach Parking Impact Overlay Zones and within the La Jolla Community Plan area;

WHEREAS, the site is legally described as; Lot 1, Block 39 of La Jolla Shores Unit No. 6, Map No. 2147;

WHEREAS, on January 27, 2016, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364, pursuant to the Land Development Code of the City of San Diego;

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 January 27, 2016.

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 project site is currently developed with an existing, one-story, single family residence. This project proposes to demolish the residence and construct a new two story single family residence. The new residence will be situated in approximately the same location as the existing residence. The project site is located approximately two blocks from the coastline. The proposed project is contained within the existing legal lot area which will not encroach upon any existing or proposed physical access to the coast. The project site is not located within the First Public Roadway (El Paseo Grande) and the ocean. The site is on the east side of El Paseo Grande and there is no public access to the beach on or adjacent to the project site illustrated by the La Jolla Community Plan and Local Coastal land Use Plan other than the existing sidewalks which will remain as is. There is a public view corridor adjacent to the project site along Camino Del Oro, on the north edge of the project site, as identified within the La Jolla Community Plan and Local Coastal Land

Use Plan. The project site is situated within the legal lot area and observes a conforming setback along the Camino Del Oro Street frontage, within a well established, fully developed, single family residential neighborhood. The proposed project design includes street trees along the Camino Del Oro streetscape which will frame the public view consistent with the La Jolla Community Plan and Local Coastal Land Use Plan. The proposed project meets all of the development standards, such as building setbacks and height limit required by the underlying zone. Thus the proposed single family redevelopment will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the La Jolla Local Coastal Program land use plan; and the proposed redevelopment will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

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

The project site is currently developed with a single family residence, which has been fully graded and developed in the past. The site does not contain environmentally sensitive resources. The project proposes to demolish the existing residence and construct a new two-story, single family residence with an attached three car garage in approximately the same location on the lot as the existing residence. Site drainage currently exists and is designed to drain predominately toward the public street. The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology) and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology), to reduce the potential impacts to a level below significance. The project was previously graded and redevelopment of this site proposes 181 cubic yards of cut, 204 cubic yards of fill, for a total import of 23 cubic yards. Thus, this proposed redevelopment of an existing residence will not adversely affect Environmentally Sensitive Lands.

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

The proposed development to demolish an existing residence and construct a new two story, single family residence is located on a site which has a Low Density Residential (5-9 DU/AC) land use designation. Based on the review of the project plans along with a setback and bulk/scale survey of the surrounding development pattern, the project's design was determined to be in compliance with all of the applicable development regulations of the SF-Zone of the La Jolla Shores Planned District and Coastal Overlay Zone. The project site is located approximately two blocks from the coastline with an identified public View Corridor down the centerline of the adjacent Camino Del Oro, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is not located in an area identified as containing any form of public access to the beach. However, the project site is directly across the street to the east of Kellogg Park. Project development will be fully contained within the existing legal lot area. Due to these factors the proposed single family residential redevelopment of this property was found to be in compliance with the allowed density, identified public access, identified public views and



all applicable regulations as adopted by the La Jolla Community Plan and the certified Local Coastal Program Land Use Plan

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

The 8,762 square foot site, currently developed with an existing residence, is located within a well developed residential neighborhood approximately two blocks from the coastline. The project site is on the east side of the first public roadway and is not located between the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Due to the project's location outside of this area, the project is exempt from the public access and public recreation policies of Chapter 3 of the California Coastal Act.

#### **Site Development Permit - Municipal Code Section 126.0504**

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

The proposed demolition of an existing residence and construction of a new 5,150 square foot, two-story, single family residence with an attached three-car garage will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the plan's Low Density Residential land use designation (5 – 9 DU/AC), the identified public access and identified public views of the La Jolla Community Plan and Local Coastal Land Use Plan, and the SF Zone of the La Jolla Shores Planned District development regulations, allowed density and design recommendations. Thus, this single family residential redevelopment will not adversely affect the La Jolla Community land use plan.

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

The proposed demolition of an existing residence and construction of a new 5,150 square foot, two-story, single family residence with an attached three-car garage has been designed to comply with all of the applicable development regulations, including those of the SF Zone of the La Jolla Shores Planned District and the Coastal Overlay Zone. The environmental review determined that this project may have a significant environmental effect on Historic Resources (Archaeology) requiring the preparation of a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Historic Resources (Archaeology), to reduce the potential impacts to a level below significance. The environmental analysis did not find any significant impacts to public health and safety. The project will not have any impact on the provision of essential public services. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the proposed project for this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require the review

and approval of all construction plans by staff prior to construction to determine the construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. Therefore, the project will not be detrimental to the public health, safety, and welfare.

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

The proposed demolition of an existing residence and construction of a new 5,150 square foot, two-story, single family residence with an attached three-car garage, will comply with the development regulations of the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone and Local Coastal Program for the La Jolla Community Plan area. There is no proposed variance or deviation to the development regulations of the Land Development Code. City staff reviewed the building setbacks, drainage, lot coverage, building mass, building height and driveway width and found that the project will comply with all of the required development regulations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364 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. 1444363 and 1444364, a copy of which is attached hereto and made a part hereof.

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Glenn R. Gargas  
Development Project Manager  
Development Services

Adopted on: January 27, 2016.

Job Order No. 24005618

**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: 24005618

**COASTAL DEVELOPMENT PERMIT NO. 1444363 /**  
**SITE DEVELOPMENT PERMIT NO. 1444364**  
**8389 EL PASEO GRANDE - PROJECT NO. 410585**  
**HEARING OFFICER**

This Coastal Development Permit No. 1444363 and Site Development Permit No. 1444364 is granted by the Hearing Officer of the City of San Diego to Joseph Gatto and Cristine Gatto, husband and wife as community property, Owner / Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0502 and 126.0702, 1510.0201. The 8,762-square-foot site is located at 8389 El Paseo Grande, in the SF Zone of the La Jolla Shores Planned District Ordinance, Coastal (non-appealable), Coastal Height Limitation, Coastal and Beach Parking Impact Overlay Zones and within the La Jolla Community Plan area. The project site is legally described as: Lot 1, Block 39 of La Jolla Shores Unit No. 6, Map No. 2147.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 27, 2016, on file in the Development Services Department.

The project shall include:

- a. Demolish an existing residence and construct a 5,150 square-foot, two-story single family residence with attached garage on a 8,762 square foot property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Site walls, fences, gate and patio area; and



- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by February 10, 2019.
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.

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

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

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 410585 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.



13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative declaration, No. 410585 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue area: Historical Resources (Archaeology).

#### **ENGINEERING REQUIREMENTS:**

14. 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.

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

16. 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.

#### **LANDSCAPE REQUIREMENTS:**

17. Prior to issuance of construction permits for grading or building, the Permittee or Subsequent Owner shall submit a landscape plan consistent with Approved Exhibit "A" [Landscape Development Plan]. The planting plan shall show the required 30% landscaped area in a crosshatch pattern and labeled "Landscape Plan" [LDC 1510.0304(h)]. The plan shall also show the location of the required Street Trees as per Section 142.0610 of the Land Development Code, Public Facility Regulations.

18. Provide the following note on the Landscape Plan: "All of the landscape to meet the 30% area requirement shall be installed as required by the La Jolla Shores Planned District Ordinance [LDC 1510.0304(h)] prior to final inspection."

19. Any modifications or changes to the "Landscape Plan" and existing or proposed plant material, as shown on the Approved Exhibit "A," Landscape Development Plan, is permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores Planned District Ordinance [LDC 1510.0304(h)].

20. 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.

21. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards.

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

**PLANNING/DESIGN REQUIREMENTS:**

23. Owner/Permittee shall maintain a minimum of two (2) 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.

24. 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.

25. 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 Hearing Officer of the City of San Diego on January 27, 2016, by Resolution No. \_\_\_\_\_.



Permit Type/PTS Approval No.: CDP No. 1444363 and SDP No. 1444364  
Date of Approval: January 27, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Glenn R. Gargas  
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.

Owner/Permittee

By \_\_\_\_\_  
Mr. Joseph Gatto

Owner/Permittee

By \_\_\_\_\_  
Mrs. Cristine Gatto

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



**RESOLUTION NUMBER R-  
ADOPTED ON JANUARY 27, 2016  
8389 EL PASEO GRANDE CDP / SDP  
MITIGATED NEGATIVE DECLARATION PROJECT NO. 410585**

WHEREAS, on February 17, 2015, Alcorn Benton Architects submitted an application to Development Services Department for a Coastal Development Permit (CDP) and Site Development Permit (SDP) for the 8389 El Paseo Grande project; and

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

WHEREAS, the issue was heard by the Hearing Office on January 27, 2016, and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 410585 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions with the mitigation conditions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial

evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: \_\_\_\_\_  
Glenn Gargas, Development Project Manager

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

**EXHIBIT A****MITIGATION MONITORING AND REPORTING PROGRAM**

COASTAL DEVELOPMENT PERMIT NO. 1444363 and  
SITE DEVELOPMENT PERMIT NO. 1444364

PROJECT NO. 410585

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 410585 shall be made conditions of COASTAL DEVELOPMENT PERMIT NO. 1444363 and SITE DEVELOPMENT PERMIT NO. 1444364 as may be further described below.

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: *Qualified Archaeologist, Native American Monitor*

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE at the Field Engineering Division – 858-627-3200**
  - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 410585 and /or Environmental Document Number 410585, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc)

**Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

*Not Applicable*



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

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

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

**Document Submittal/Inspection Checklist**

<u>Issue Area</u>	<u>Document Submittal</u>	<u>Assoc Inspection/Approvals/Notes</u>
General	Consultant Qualification Letters	Pre-construction Meeting
General	Consultant Const. Monitoring Exhibits	Prior to or at the Pre-construction Meeting
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:  
HISTORICAL RESOURCES (ARCHAEOLOGY)**

**I. Prior to Permit Issuance**

**A. Entitlements Plan Check**

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

**B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project

and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. **Identify Areas to be Monitored**  
Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

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

3. **When Monitoring Will Occur**

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

#### A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVr). The CSVr's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

#### B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.



4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
  4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
  5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
    - c. In order to protect these sites, the Landowner shall do one or more of the following:
      - (1) Record the site with the NAHC;
      - (2) Record an open space or conservation easement on the site;
      - (3) Record a document with the County.
    - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for

internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

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

- A. If night and/or weekend work is included in the contract
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV - Discovery of Human Remains shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**



- a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
- b. Recording Sites with State of California Department of Parks and Recreation  
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
  1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
  1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final

Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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

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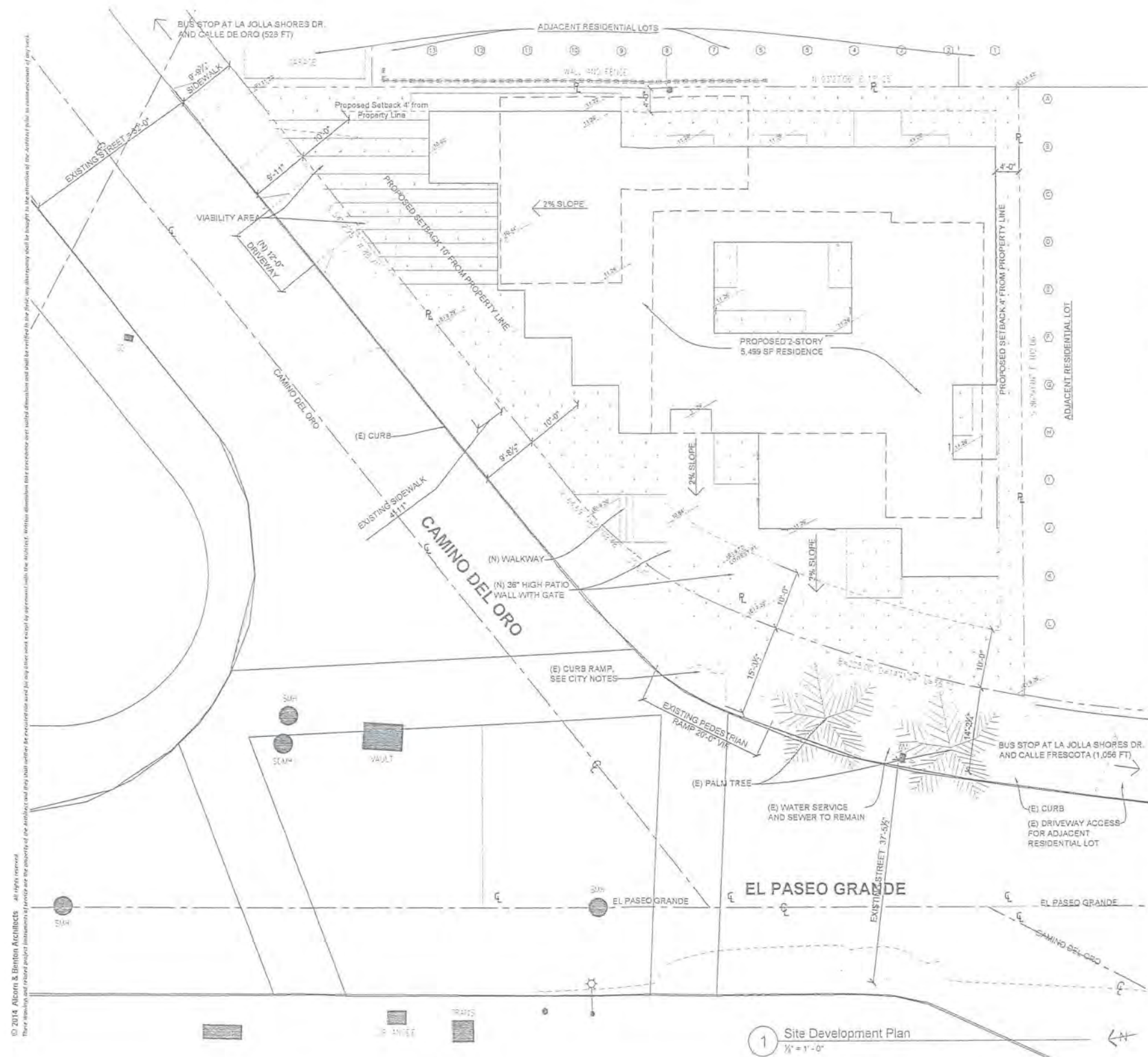
8389  
EL PASEO  
GRANDE

La Jolla, California 92037

Date	May 19, 2013
Project No.	410585
Design Drawing	JLA/PFB
Sheet	6/14
Scale	

## Site Plan

11



\* PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4)

CITY NOTES:

3. IN THE SINGLE-FAMILY ZONE, ALL OF THE PROPERTY NOT USED OR OCCUPIED BY STRUCTURES, UNPLANTED RECREATION AREAS, WALKS, AND DRIVEWAYS SHALL BE LANDSCAPED AND MAY INCLUDE NATIVE MATERIALS AND IN NO CASE SHALL LANDSCAPED AREA BE LESS THAN 30% OF THE TOTAL LOT.

2. ENGINEERING HAS DETERMINED THE EXISTING CURB RAMP AT THE SOUTHEAST CORNER OF EL PASEO GRANDE AND CAMINO DEL ORO IS ADA COMPLIANT.

3. VISIBILITY AREA: NO OBSTRUCTION INCLUDING LANDSCAPING OR SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT.

Legend

- LANDSCAPING, SEE L1.2
- FOOTPRINT OF EXISTING HOUSE  
TO BE DEMOLISHED

## Plan Information

	Level	Square Footage
4 Bedroom		
4 Full Bathrooms	1	4,342 sq.ft.
	2	808 sq.ft.
1 Powder Room		
	<b>Total</b>	<b>5,150 sq.ft.</b>

## DEVELOPMENT SUMMARY

PROJECT NAME	8385 EL PASEO GRANDE
PROJECT ADDRESS	8385 EL PASEO GRANDE LA JOLLA, CA 92037
APN:	346-171-01-00
OWNER:	JOSEPH AND CRISTINE GATTO
ARCHITECT:	ALCORN & BENTON ARCHITECTS 7757 GIRARD AVENUE LA JOLLA, CA 92037 858.459.0805 psal@alcornbenton.com
CDD DATE:	FEBRUARY 17, 2015
RESUBMITTAL	JULY 21, 2015
SHEET	SEPTEMBER 21, 2015 07 OF 15



Sheet 5 of 15

C-1



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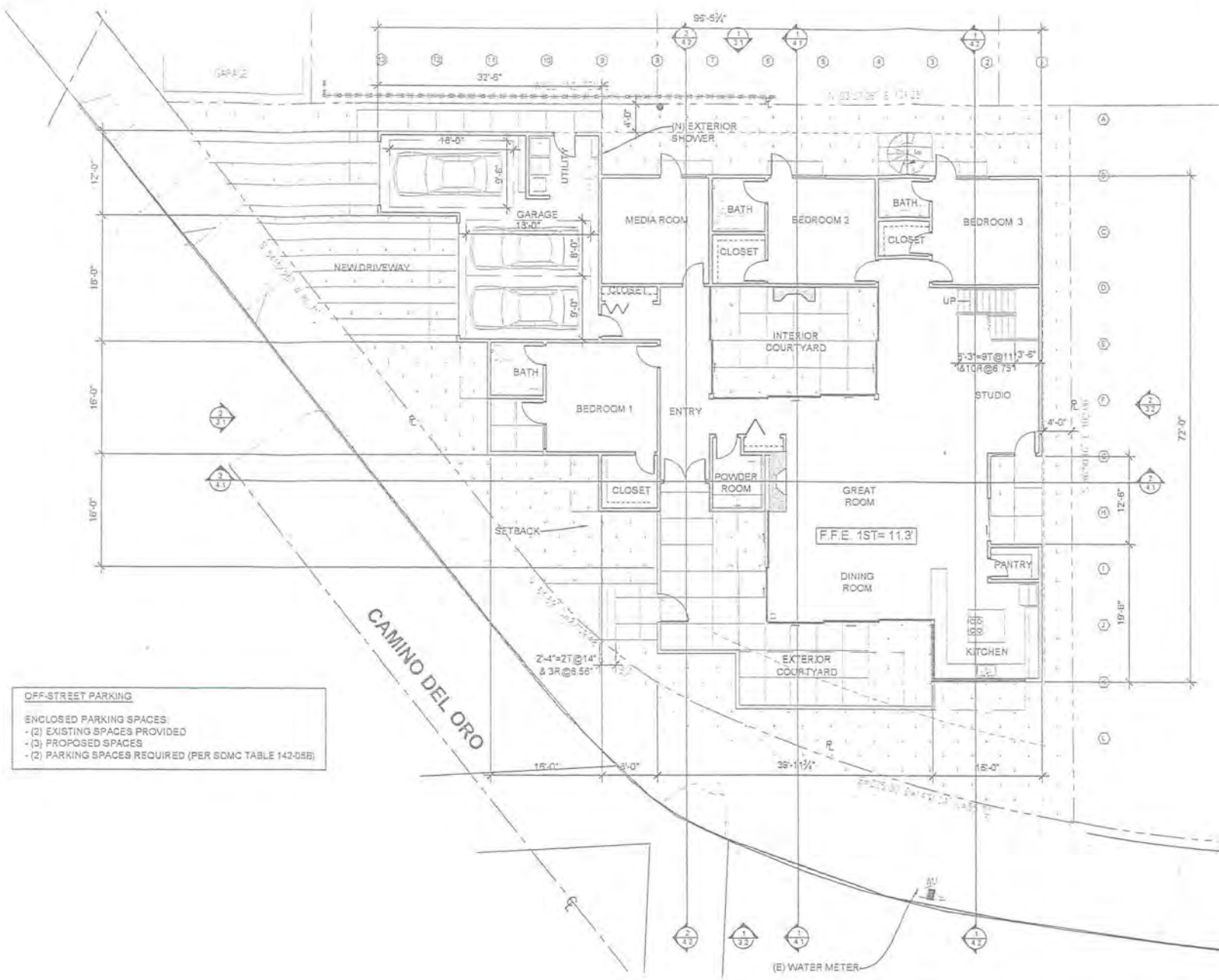
8389  
EL PASEO  
GRANDE

La Jolla, California 92037

Date	May 19, 2015
Project No	410585
Design Drawing	JLA PFB
Sheet	8 of 14
Scale	

First Level  
Floor Plan

2.1



OFF-STREET PARKING  
ENCLOSED PARKING SPACES  
• (2) EXISTING SPACES PROVIDED  
• (3) PROPOSED SPACES  
• (2) PARKING SPACES REQUIRED (PER SOMC TABLE 142-05B)

DEVELOPMENT SUMMARY	
PROJECT NAME:	8389 EL PASEO GRANDE
PROJECT ADDRESS:	8389 EL PASEO GRANDE LA JOLLA, CA 92037
APN:	346-171-01-00
OWNER:	JOSEPH AND CRISTINE GATTO
ARCHITECT:	ALCORN & BENTON ARCHITECTS 7757 GIRARD AVENUE LA JOLLA, CA 92037 858.459.0805 paul@alcornbenton.com
CDP DATE:	FEBRUARY 17, 2015
RESUBMITTAL:	JULY 21, 2015 SEPTEMBER 21, 2015
SHEET:	08 OF 15

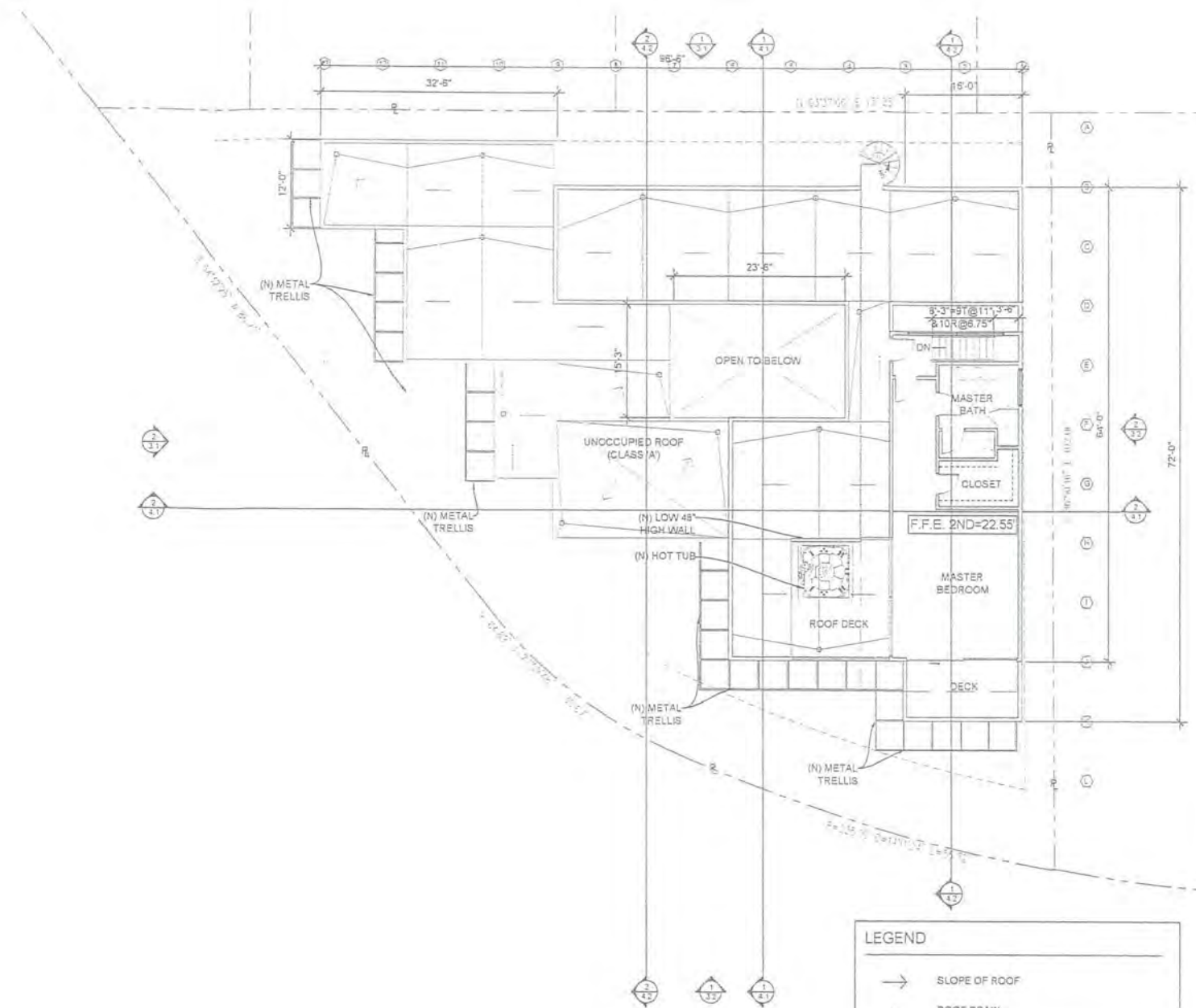
1 Floor Plan - Level 1  
1/8" = 1' - 0"

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Scale	

### Second Level Floor Plan

## 2.2



1 Floor Plan – Level 2  
X = 1' - 0"

## DEVELOPMENT SUMMARY

PROJECT NAME:	8389 EL PASEO GRANDE
PROJECT ADDRESS:	8389 EL PASEO GRANDE LA JOLLA, CA 92037
APN:	348-171-01-00
OWNER:	JOSEPH AND CRISTINE GATTO
ARCHITECT:	ALOORN & BENTON ARCHITECTS 7757 GIRARD AVENUE LA JOLLA, CA 92037 858.459.0805 paul@alcoombenton.com
CDP DATE:	FEBRUARY 17, 2015
RESUBMITTAL:	JULY 21, 2015
SHEET	SEPTEMBER 21, 2015 10 OF 15



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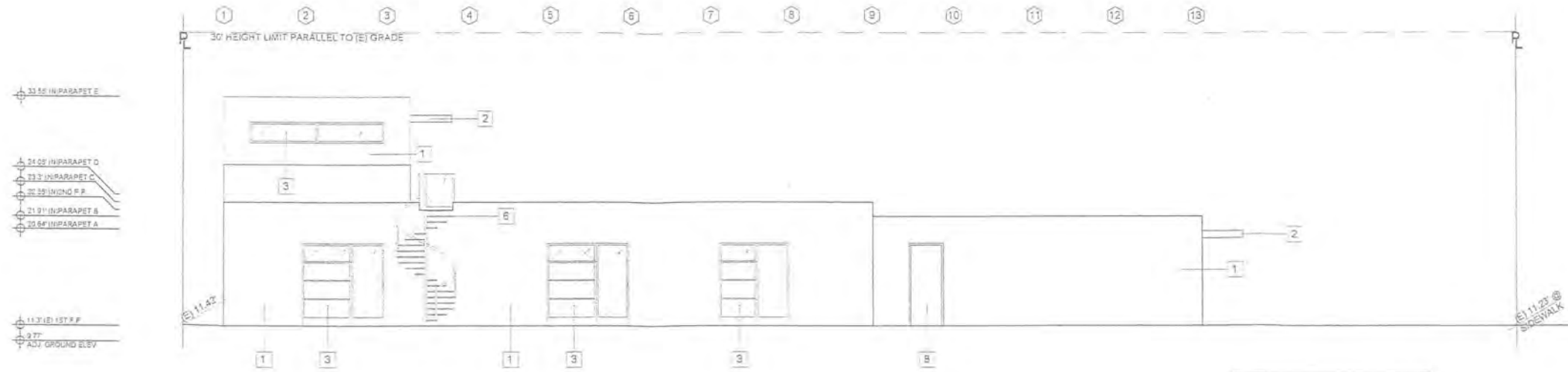
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Design: Drawing: JLA / PFB  
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Scale:

Elevations

3.1



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2 EAST ELEVATION  
3/8" = 1' - 0"

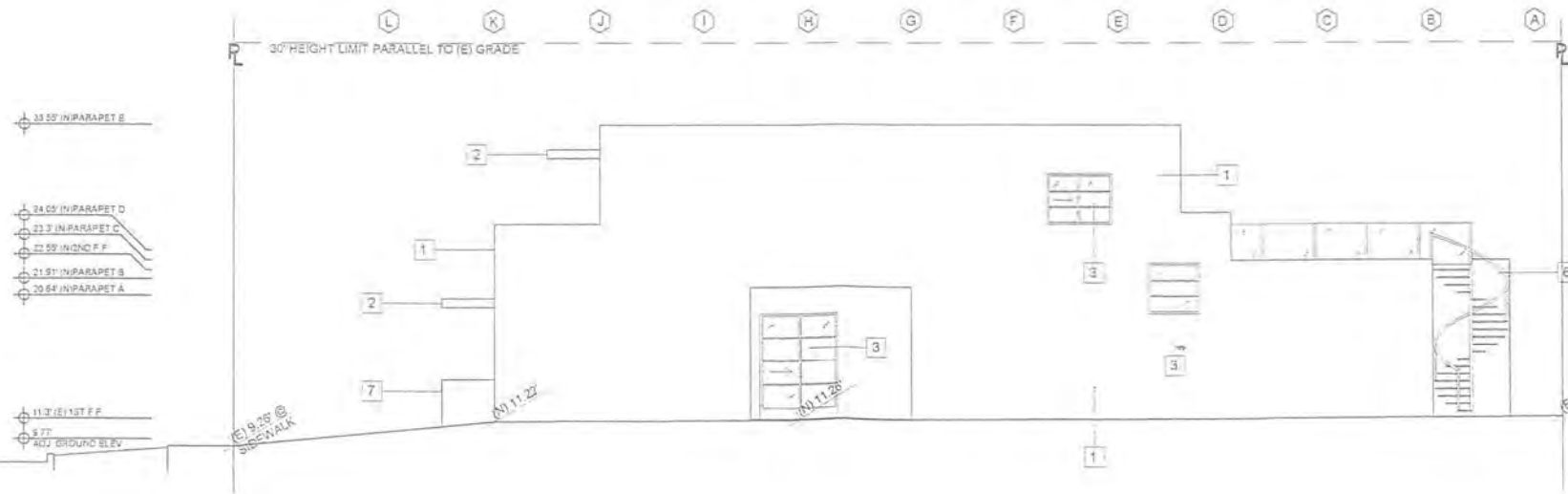
KEY:  
(E) = EXISTING GRADE TO REMAIN  
(N) = PROPOSED NEW GRADE

LEGEND

- 1 STUCCO, COLOR WHITE/CREAM
- 2 METAL TRELLIS, COLOR GUN METAL GRAY
- 3 DUAL PANE, INSULATED, LOW E GLASS WINDOWS WITH METAL FRAMES, PAINTED, COLOR GUN METAL GRAY
- 4 GARAGE DOOR, INSULATED METAL, COLOR TO MATCH TEAK
- 5 PERMEABLE DRIVEWAY, SEE LANDSCAPE SHT. 1.2
- 6 METAL EXTERIOR SPIRAL STAIR, PAINTED, COLOR GUN METAL GRAY
- 7 LOW WALL, STUCCO, COLOR WHITE/CREAM
- 8 WOOD DOOR, WARM TEAK
- 9 GLASS GUARDRAIL
- 10 ENTRY GATE, WARM TEAK

DEVELOPMENT SUMMARY

PROJECT NAME: 8389 EL PASEO GRANDE  
PROJECT ADDRESS: 8389 EL PASEO GRANDE  
LA JOLLA, CA 92037  
CLAPN: 346-171-01-00  
OWNER: JOSEPH AND CRISTINE GATTO  
ARCHITECT: ALCORN & BENTON ARCHITECTS  
7757 GIRARD AVENUE  
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CDP DATE: FEBRUARY 17, 2015  
RESUBMITTAL: JULY 21, 2015  
SEPTEMBER 21, 2015  
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1 SOUTH ELEVATION  
3/8" = 1' - 0"

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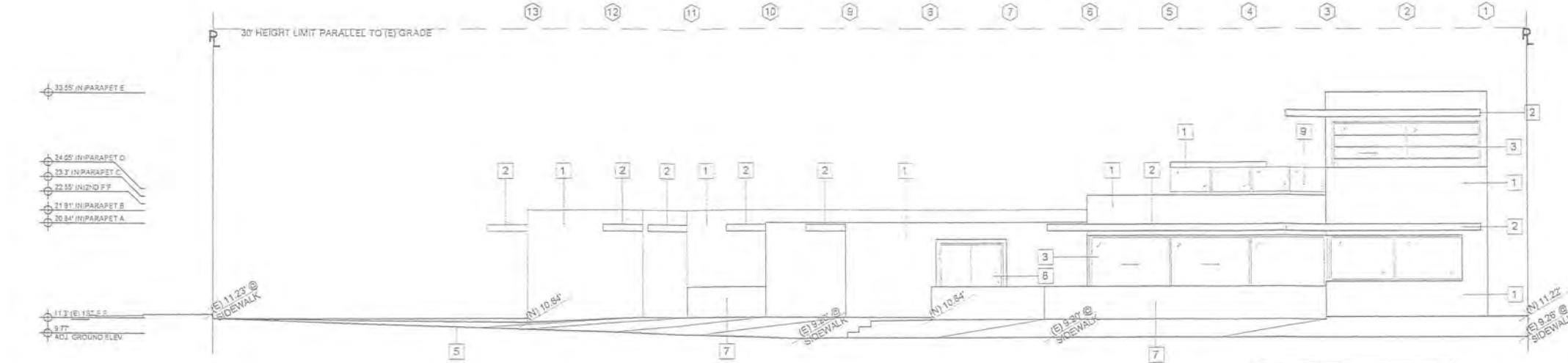
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Project No.	410585
Design / Drawing	JLA-PFB
Sheet	12/14
Scale	

Elevations

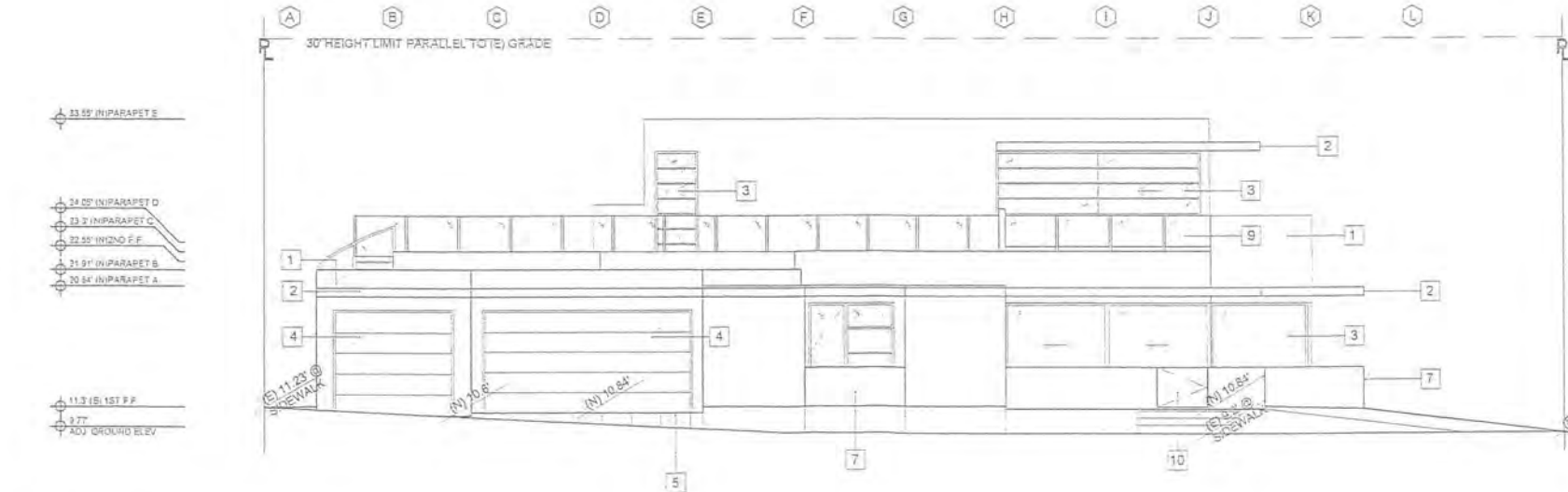
3.2



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2 WEST ELEVATION  
3/8" = 1' - 0"



1 NORTH ELEVATION  
3/8" = 1' - 0"

KEY:  
(E) = EXISTING GRADE TO REMAIN  
(N) = PROPOSED NEW GRADE

LEGEND	
1	STUCCO, COLOR WHITE/CREAM
2	METAL TRELLIS, COLOR GUN METAL GRAY
3	DUAL PANE, INSULATED, LOW E GLASS WINDOWS WITH METAL FRAMES, PAINTED, COLOR GUN METAL GRAY
4	GARAGE DOOR, INSULATED METAL, COLOR TO MATCH TEAK
5	PERMEABLE DRIVEWAY, SEE LANDSCAPE SHT. 1.2
6	METAL EXTERIOR SPIRAL STAIR, PAINTED, COLOR GUN METAL GRAY
7	LOW WALL, STUCCO, COLOR WHITE/CREAM
8	WOOD DOOR, WARM TEAK
9	GLASS GUARDRAIL
10	ENTRY GATE, WARM TEAK

DEVELOPMENT SUMMARY	
PROJECT NAME:	8389 EL PASEO GRANDE
PROJECT ADDRESS:	8389 EL PASEO GRANDE LA JOLLA, CA 92037
APN:	348-171-01-00
OWNER:	JOSEPH AND CRISTINE GATTO
ARCHITECT:	ALCORN & BENTON ARCHITECTS 7757 GIRARD AVENUE LA JOLLA, CA 92037 858.459.0805 paul@alcornbenton.com
CDP DATE:	FEBRUARY 17, 2015
RESUBMITTAL:	JULY 21, 2015 SEPTEMBER 21, 2015
SHEET:	13 OF 15





**LANDSCAPE KEY NOTES:**

- EXISTING SIDEWALK IN RIGHT-OF-WAY TO REMAIN. IF DAMAGED CONSTRUCTION, REPLACE WALK TO MATCH EXISTING
- PROPOSED SOLID 6" PROPERTY LINE FENCE
- PROPOSED 3" FENCE, 25% OPEN
- PROPOSED 'HOLLYWOOD' DRIVEWAY, CONCRETE TRACKS AND LAWN STRIPS
- PROPOSED CONCRETE DRIVEWAY PER SDSD G-14A
- 10' VISIBILITY TRIANGLES - NO OBSTRUCTION INCLUDING LANDSCAPING OR WALLS, IN THE VISIBILITY AREAS SHALL EXCEED 3 FEET IN HEIGHT
- EXISTING PARKWAY LAWN TO REMAIN
- NEW PARKWAY 15' WIDE
- ENHANCED CONCRETE PAVING WITH SAWCUTS SUCH AS: INTEGRAL COI OR CONCRETE WITH SAND FINISH
- OUTDOOR FURNISHINGS SHOWN FOR SCALE ONLY
- EXISTING 75' PALMS BY PARKWAY TO REMAIN
- ATRIUM COURTYARD OPEN TO SKY
- ROOF OVERHANG
- NEW STREET TREES BY EXISTING PARKWAY PLANTING
- ROOT BARRIER
- 15' PATIO TERRACE WALL 36" HT

**GENERAL NOTES:**

- THE LANDSCAPE PLAN IS FOR GENERAL SITE REFERENCE ONLY. REFER TO OTHER CONSTRUCTION DOCUMENTS FOR COMPLETE SCOPE OF WORK.
- BEFORE COMMENCING ANY SITE EXCAVATION, VERIFY LOCATIONS OF ALL EXISTING SITE UTILITIES, INCLUDING WATER SEWER, GAS AND ELECTRICAL LINES. FLAG OR OTHERWISE MARK ALL LOCATIONS AND INDICATE UTILITY TYPE.
- GRADE SITE TO DIRECT GROUND WATER AWAY FROM BUILDING AND NEW ADDITIONS AND LANDSCAPE DRAINS SHALL BE INSTALLED AT LOW POINTS TO REDUCE RUNOFF CROSSING PATHS AND PAVING.
- LOCATE REFUSE BIN AT APPROVED ON-SITE LOCATION. CONTRACTOR SHALL DISPOSE OF ALL SITE REFUSE AT CITY-APPROVED LOCATIONS.
- ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS TO BE PLANTED WITH GROUND COVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.
- ALL REQUIRED TREES SHALL HAVE AT LEAST ONE WELL DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET. ALL PROPOSED STREET TREE PALMS SHALL HAVE A MINIMUM OF 10' BROWN TRUNK HEIGHT (BTH).
- PROPOSED LANDSCAPING SHALL NOT CONFLICT WITH EXISTING UTILITIES.
- PROPOSED UTILITIES SHALL NOT CONFLICT WITH PROPOSED LANDSCAPING.
- TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL.
- MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
- THE PERMITTEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY CONSISTENT WITH THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE.
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE LA JOLLA SHORES PLANNED DISTRICT STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.
- 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.
- ANY MODIFICATIONS OR CHANGES TO THE 'LANDSCAPE PLAN' AND EXISTING OR PROPOSED PLANT MATERIAL, AS SHOWN ON THE APPROVED EXHIBIT 'A', LANDSCAPE DEVELOPMENT PLAN, IS PERMITTED PROVIDED THE RESULTING LANDSCAPE MEETS THE MINIMUM AREA REQUIREMENTS OF THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE.
- IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR FINAL INSPECTION.
- ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142.04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.
- A MINIMUM ROOT ZONE OF 40SF IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC §142.0403(B)(5).
- TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY PER THE SAN DIEGO MUNICIPAL CODE §142.0403(B)(10).
- EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
  - A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
  - STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
  - A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
  - ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.

**PLANTING LEGEND:**

**EXISTING PLANT MATERIAL LEGEND:**

*Washingtonia robusta*: 75' BTH

*Mexican Fan Palm*

**PROPOSED PLANT MATERIAL LEGEND:**

QTY / % / SIZE
<b>FLOWERING STREET TREES</b>
Medium scale street tree - 20' tall x 20' wide, such as:
<i>Bauhinia x blakeana</i>
<i>Hong Kong Orchid Tree</i>
<b>SCREENING TREE</b>
Small scale multi-trunk evergreen tree - 15' tall x 15' wide, such as:
<i>Arctostaphylos manzanita</i> 'Dr. Hurd'
<i>Leucodermis Bay Harbor</i>
<i>Feijoa sellowiana</i>
<i>California Lilac</i>
<i>Plumapple Guava</i>
<b>SPECIMEN TREES</b>
Small scale evergreen tree - 15' tall x 15' wide, such as:
<i>Aloe babilonica</i> 'Hercules'
<i>Aloe didymum</i>
<i>Dracaena draco</i>
<i>Tree Aloe</i>
<i>Quiver Tree</i>
<i>Dragon Tree</i>
<b>SCREENING SHRUBS</b>
Screening shrub - 6' tall x 5' wide, such as:
<i>Pittosporum tenuifolium</i> 'Silver Sheen'
<i>Washingtonia robusta</i> 'Wynabbie Gem'
<i>Colocasia pulchellum</i>
<i>Silver Sheen Pittosporum</i>
<i>Coast Rosemary</i>
<i>Pink Breath of Heaven</i>
<b>INFORMAL EVERGREEN HEDGE</b>
Screening shrub - 7' tall x 3' wide, such as:
<i>Pittosporum crassifolium</i> 'Nana'
<i>Ribes cereum</i> 'Little Sur'
<i>Ribes viburnifolium</i> 'Spooners Mesa'
<i>Dwarf Karo</i>
<i>Little Sur Coffeeberry</i>
<i>San Diego Currant</i>
<b>EVERGREEN GRASSY SHRUB</b>
Clumping grass - 7' tall x 3' wide, such as:
<i>Festuca mini</i>
<i>Lomandra longifolia</i> 'Breeze'
<i>Muhlenbergia dubia</i>
<i>Dwarf Mal Rush</i>
<i>Pine Muhly</i>
<b>VINES ON TRELLIS</b>
Climbing vine - such as:
<i>Solanum elaeagnifolium</i>
<i>Beaumontia grandiflora</i>
<i>Lonicera hildebrandiana</i>
<i>Cup of Gold Vine</i>
<i>Eastie Lily Vine</i>
<i>Giant Burmese Honeycreeper</i>
<b>VINES ON FENCE</b>
Climbing vines - such as:
<i>Grewia occidentalis</i>
<i>Hardenbergia violacea</i>
<i>Trachelospermum jasminoides</i>
<i>Vitis californica</i> 'Roger's Red'
<i>Lavender Starflower</i>
<i>Purple Lilac Vine</i>
<i>Star Jasmine</i>
<i>California Grape</i>
<b>LARGE ACCENT PLANTS</b>
Multi-stemmed evergreen foliage - 8' tall x 4' wide, such as:
<i>Dracaena marginalia</i>
<i>Kalanchoe beharensis</i>
<i>Schefflera elegansissima</i>
<i>Red-Edge Dracaena</i>
<i>Velvet Elephant Ear</i>
<i>False Aralia</i>
<b>ACCENT PERENNIALS</b>
Small accent perennials - 3' tall x 3' wide, such as:
<i>Cordyline 'Festival Grass'</i>
<i>Dianella caerulea variegata</i>
<i>Heisteria maxima</i>
<i>Festival Grass</i>
<i>Variegated Flax Lily</i>
<i>Island Alumroot</i>
<b>ACCENT SUCCULENTS</b>
Small evergreen succulent - 3' tall x 3' wide, such as:
<i>Agave attenuata</i>
<i>Aloe plicatilis</i>
<i>Aloe striata</i>
<i>Portulacaria afra</i>
<i>Forstia Agave</i>
<i>Fan Aloe</i>
<i>Coral Aloe</i>
<b>POTTED SUCCULENT</b>
Small succulent - such as:
<i>Echeveria 'Afterglow'</i>
<i>Kalanchoe blossfeldiana</i>
<i>Kalanchoe thyrsiflora</i>
<i>Afterglow Echeveria</i>
<i>Flaming Katy</i>
<i>Flapjack</i>
<b>LAWN</b>
Grasses - 6' tall unknown height, such as:
<i>Paspalum vaginatum</i>
<i>Carex pansa</i>
<i>Festuca rubra</i>
<i>Seashore Paspalum</i>
<i>California Meadow Sedge</i>
<i>Red Fescue</i>
<b>FLOWERING GROUND COVER</b>
Evergreen groundcover - 1' tall x 3' wide, such as:
<i>Fragaria chiloensis</i>
<i>Lippia nodiflora</i> 'Kurapia'
<i>Satureja douglasiana</i>
<i>Beach Strawberry</i>
<i>Kurapia</i>
<i>Yerba Buena</i>

**LA JOLLA SHORES PDO NOTES:**

- IN THE SINGLE-FAMILY ZONE, ALL OF THE PROPERTY NOT USED OR OCCUPIED BY STRUCTURES, UNPLANTED RECREATIONAL AREAS, WALKS, AND DRIVEWAYS SHALL BE LANDSCAPED AND MAY INCLUDE NATIVE MATERIALS. AND IN NO CASE SHALL THIS LANDSCAPED AREA BE LESS THAN 30 PERCENT OF THE TOTAL PARCEL AREA. ALL LANDSCAPING AND IRRIGATION SHALL BE DEVELOPED IN CONFORMANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND DEVELOPMENT MANUAL.
- ALL LANDSCAPING SHALL BE COMPLETED WITHIN 6 MONTHS OF OCCUPANCY OR WITHIN ONE YEAR OF THE NOTICE OF COMPLETION OF A RESIDENCE.
- ALL LANDSCAPED MATERIALS SHALL BE PERMANENTLY MAINTAINED IN A GROWING AND HEALTHY CONDITION INCLUDING TRIMMING AS APPROPRIATE TO THE LANDSCAPING MATERIAL.

**SUMMARY OF LANDSCAPE CALCULATIONS:**

LANDSCAPE REGULATIONS:  
AT LEAST 30% OF TOTAL PARCEL AREA TO BE LANDSCAPED.

TOTAL PARCEL AREA	8,762 S.F.	PLANTING AREA PROVIDED	2,662 S.F.
PLANTING AREA REQUIRED	2,628 S.F.	PERCENT OF PARCEL AREA	30.4%
		EXCESS AREA PROVIDED	39 S.F.

**LANDSCAPE PLAN**  
NOT TO SCALE

**MINIMUM STREET TREE SEPARATION DISTANCE:**

IMPROVEMENT	MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS / STOP SIGNS	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
SEWER LINES	10 FEET

**IRRIGATION NOTE:**

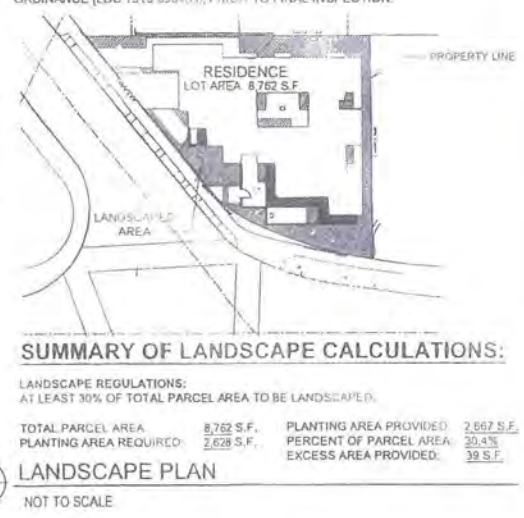
- ALL PLANTING AREAS SHALL BE IRRIGATED BY A DEDICATED, BACKFLOW-PREVENTED IRRIGATION SYSTEM, ACCORDING TO PLANT TYPE AND ENVIRONMENTAL EXPOSURE AND SHALL RECEIVE UNIFORM WATER COVERAGE BY MEANS OF A HIGH EFFICIENCY, AUTOMATICALLY CONTROLLED, ELECTRICALLY ACTUATED, UNDERGROUND PIPED SPRINKLER SYSTEM. FOR WATER CONSERVATION AND TO MINIMIZE EROSION, STATE OF THE ART LOW PRECIPITATION RATE SPRINKLER EQUIPMENT SHALL BE USED. IRRIGATION MAINLINE PIPING SHALL BE PVC PLASTIC (TYPE 1120) CLASS 315 PRESSURE PIPE AND LATERAL LINE PIPING SHALL BE SCHEDULE 40 NON-PRESSURE PIPE. PRESSURE LINES SHALL BE INSTALLED 18" DEEP, NON-PRESSURE LINES 12" DEEP. A MASTER VALVE AND FLOW SENSOR SHALL BE INSTALLED TO MINIMIZE DAMAGE IN THE CASE OF A VALVE FAILURE OR MAINLINE BREAK. A SEPARATE HOSE BIB MAINLINE SHALL BE INSTALLED UPSTREAM OF THE MASTER VALVE AND EACH HOSE BIB SHALL BE FITTED WITH AN ATMOSPHERIC VACUUM BREAKER.
- ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.
- EXISTING STREET TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE IRRIGATED BY A HOMEOWNER-FUNDED AND MAINTAINED, DEEP-WATERING, LOW-VOLUME BUBBLER.

**DRAINAGE NOTES:**

- THE DRAINAGE SYSTEM FOR THIS PROJECT SHALL BE PRIVATE AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.
- ALL DEVELOPMENT SHALL BE CONDUCTED TO PREVENT EROSION AND STOP SEDIMENT AND POLLUTANTS FROM LEAVING THE PROPERTY TO MAXIMUM EXTENT PRACTICABLE.
- ALL ROOF DRAINS AND FLATWORK SHALL DRAIN POSITIVELY INTO STORM DRAINAGE SYSTEM. SURFACE RUNOFF SHALL NOT DRAIN DIRECTLY INTO THE ADJOINING PROPERTY, AND CONSTRUCTION RUNOFF MAY NOT DRAIN INTO THE STORMWATER CONVEYANCE SYSTEM.

**LANDSCAPE CONCEPT STATEMENT**

THE LANDSCAPE CONCEPT FOR THIS SINGLE-FAMILY RESIDENCE INTEGRATES THE MID-CENTURY STYLE ARCHITECTURE WITH THE BEACH COMMUNITY. NEW STREET TREES PROVIDE SHADE FOR PEDESTRIANS AND PRESERVATION OF SIGHT LINES WITH SPECIES SELECTED FROM THE LA JOLLA COMMUNITY PLAN. A WEST-FACING TERRACE PROVIDES A SENSE OF PRIVACY AND SECURITY TO RESIDENTS WITH A LOW 36" WALL. AN INTERIOR COURTYARD PROVIDES THE RESIDENCE WITH A PRIVATE GARDEN EXPERIENCE WITH SCULPTURAL ACCENT PLANTS. A HOLLYWOOD STYLE DRIVEWAY BREAKS UP IMPERMEABLE SURFACE AND EXTENDS THE LANDSCAPE FOR A COHESIVE FRONTAGE ALONG THE ENTIRE CORNER LOT. LOW-WATER AND LOW-MAINTENANCE PLANTINGS HAVE BEEN SELECTED TO BE RESILIENT ENOUGH TO WITHSTAND THE SALT-LADEN AIR IN THIS BEACH ENVIRONMENT. ALL IN CONFORMANCE WITH THE LAND DEVELOPMENT CODE, THE LA JOLLA COMMUNITY PLAN, AND THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE. ALL LANDSCAPE WILL BE MAINTAINED BY THE OWNER.



**DEVELOPMENT SUMMARY INFO**

PROJECT NAME:	8389 EL PASEO GRANDE
PROJECT ADDRESS:	8389 EL PASEO GRANDE LA JOLLA, CA 92037
APN:	346-171-01-00
OWNER:	JOSEPH AND CHRISTINE GATTO
ARCHITECT:	ALCORN & BENTON ARCHITECTS 7757 GIRARD AVE LA JOLLA, CA 92037 858.459.0805 (p) 858.459.1350 (f) pbenton@sbcglobal.net
CPD DATE:	FEBRUARY 17, 2015
SHEET:	7 OF 14

**LANDSCAPE Development Plan**

**1.2**

REGISTERED LANDSCAPE ARCHITECT  
JAMES P. NERI  
License #20916  
STATE OF CALIFORNIA

**NERI LANDSCAPE ARCHITECTURE**  
928 HARBORLAND STREET, SUITE # 3  
SAN DIEGO, CA 92109  
TEL 858-274-3222 • FAX 858-274-3223



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LANDSCAPE KEY NOTES:

- EXISTING SIDEWALK IN RIGHT-OF-WAY TO REMAIN. IF DAMAGED CONSTRUCTION, REPLACE WALK TO MATCH EXISTING
- PROPOSED SOLID 6' PROPERTY LINE FENCE
- PROPOSED 3' FENCE, 25% OPEN
- PROPOSED 'HOLLYWOOD' DRIVEWAY: CONCRETE TRACKS W/ LAWN STRIPS
- PROPOSED CONCRETE DRIVEWAY PER SDRS G-14A
- 10' VISIBILITY TRIANGLES - NO OBSTRUCTION, INCLUDING LANDSCAPING OR WALLS, IN THE VISIBILITY AREAS SHALL EXCEED 3 FEET IN HEIGHT
- EXISTING PARKWAY LAWN TO REMAIN
- NEW PARKWAY PLANTING
- ENHANCED CONCRETE PAVING 'A' WITH SAWCUTS SUCH AS: INTEGRAL COLOR CONCRETE W/ SAND FINISH
- OUTDOOR FURNISHINGS SHOWN FOR SCALE ONLY
- EXISTING 75' PALMS IN PARKWAY TO REMAIN
- ATRIUM COURTYARD OPEN TO SKY
- ROOF OVERHANG
- NEW STREET TREES W/ EXISTING PARKWAY PLANTING
- ROOT BARRIER
- LOW PATIO TERRACE WALL 36" HT

GENERAL NOTES:

- THE LANDSCAPE PLAN IS FOR GENERAL SITE REFERENCE ONLY. REFER TO OTHER CONSTRUCTION DOCUMENTS FOR COMPLETE SCOPE OF WORK.
- BEFORE COMMENCING ANY SITE EXCAVATION, VERIFY LOCATIONS OF ALL EXISTING SITE UTILITIES, INCLUDING WATER SEWER, GAS AND ELECTRICAL LINES. FLAG OR OTHERWISE MARK ALL LOCATIONS AND INDICATE UTILITY TYPE.
- GRADE SITE TO DIRECT GROUND WATER AWAY FROM BUILDING AND NEW ADDITIONS AND LANDSCAPE DRAINS SHALL BE INSTALLED AT LOW POINTS TO REDUCE RUNOFF CROSSING PATHS AND PAVING.
- LOCATE REFUSE BIN AT APPROVED ON-SITE LOCATION. CONTRACTOR SHALL DISPOSE OF ALL SITE REFUSE AT CITY-APPROVED LOCATIONS.
- ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS TO BE PLANTED WITH GROUND COVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.
- ALL REQUIRED TREES SHALL HAVE AT LEAST ONE WELL DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET. ALL PROPOSED STREET TREE PALMS SHALL HAVE A MINIMUM OF 10' BROWN TRUNK HEIGHT (BTH).
- PROPOSED LANDSCAPING SHALL NOT CONFLICT WITH EXISTING UTILITIES.
- PROPOSED UTILITIES SHALL NOT CONFLICT WITH PROPOSED LANDSCAPING.
- TREE ROOT BARRIERS BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL.
- MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
- THE PERMITTEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY CONSISTENT WITH THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE.
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE LA JOLLA SHORES PLANNED DISTRICT STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.
- 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.
- ANY MODIFICATIONS OR CHANGES TO THE 'LANDSCAPE PLAN' AND EXISTING OR PROPOSED PLANT MATERIAL, AS SHOWN ON THE APPROVED EXHIBIT 'A', LANDSCAPE DEVELOPMENT PLAN, IS PERMITTED PROVIDED THE RESULTING LANDSCAPE MEETS THE MINIMUM AREA REQUIREMENTS OF THE LA JOLLA SHORES PLANNED DISTRICT ORDINANCE.
- IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR FINAL INSPECTION.
- ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142-04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.
- A MINIMUM ROOT ZONE OF 40SF IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC §142.0403(B)(5)
- TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY PER THE SAN DIEGO MUNICIPAL CODE §142.0403(B)(10)
- EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
  - A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
  - STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
  - A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
  - ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.

PLANTING LEGEND:

EXISTING PLANT MATERIAL LEGEND:

- Washington robusta: 75' BTH
- 'Mexican Fan Palm'

PROPOSED PLANT MATERIAL LEGEND:

- FLOWERING STREET TREES
  - Medium scale street tree - 20' tall x 20' wide, such as:
    - Bauhinia x blakeana
    - 'Hong Kong Orchid Tree'

- SCREENING TREE
  - Small scale multitrunk evergreen tree - 15' tall x 15' wide, such as:
    - Arctostaphylos manzanita 'Dr. Hurd'
    - Ceanothus 'Ray Hartman'
    - Fajoa sellowiana
    - 'Dr. Hurd Manzanita'
    - 'California Lilac'
    - 'Pineapple Guava'

- SPECIMEN TREES
  - Small scale evergreen tree - 15' tall x 15' wide, such as:
    - Aloe barbadensis 'Hercules'
    - Aloe dichotoma
    - Dracaena draco
    - 'Tree Aloe'
    - 'Olive Tree'
    - 'Dragon Tree'

- SCREENING SHRUBS
  - Screening shrub - 6' tall x 5' wide, such as:
    - Pittosporum tenuifolium 'Silver Sheen'
    - Westringia frutescens 'Wynabbie Gem'
    - Coleonema pulchellum
    - 'Silver Sheen Pittosporum'
    - 'Coast Rosemary'
    - 'Pink Breath of Heaven'

- INFORMAL EVERGREEN HEDGE
  - Screening shrub - 2' tall x 3' wide, such as:
    - Pittosporum crassifolium 'Nana'
    - Rhamnus californica 'Little Sur'
    - Ribes viburnifolium 'Spooners Mesa'
    - 'Dwarf Karo'
    - 'Little Sur Coffeeberry'
    - 'San Diego Currant'

- EVERGREEN GRASSY SHRUB
  - Clumping grass - 2' tall x 3' wide, such as:
    - Festuca mairei
    - Lomandra longifolia 'Breeze'
    - Muhlenbergia dubia
    - 'Atlas Fescue'
    - 'Dwarf Mat Rush'
    - 'Pine Muhly'

- VINES ON TRELLIS
  - Climbing vines - such as:
    - Solanum Maxima
    - Baccharis grandiflora
    - Lonicera hildebrandiana
    - 'Cup of Gold Vine'
    - 'Easter Lily Vine'
    - 'Giant Burmese Honeysuckle'

LA JOLLA SHORES PDO NOTES:

- IN THE SINGLE-FAMILY ZONE, ALL OF THE PROPERTY NOT USED OR OCCUPIED BY STRUCTURES, UNPLANTED RECREATIONAL AREAS, WALKS AND DRIVEWAYS SHALL BE LANDSCAPED AND MAY INCLUDE NATIVE MATERIALS, AND IN NO CASE SHALL THIS LANDSCAPED AREA BE LESS THAN 30 PERCENT OF THE TOTAL PARCEL AREA. ALL LANDSCAPING AND IRRIGATION SHALL BE DEVELOPED IN CONFORMANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND DEVELOPMENT MANUAL.
- ALL LANDSCAPING SHALL BE COMPLETED WITHIN 6 MONTHS OF OCCUPANCY OR WITHIN ONE YEAR OF THE NOTICE OF COMPLETION OF A RESIDENCE.
- ALL LANDSCAPED MATERIALS SHALL BE PERMANENTLY MAINTAINED IN A GROWING AND HEALTHY CONDITION INCLUDING TRIMMING AS APPROPRIATE TO THE LANDSCAPING MATERIAL.

MINIMUM STREET TREE SEPARATION DISTANCE:

IMPROVEMENT/	MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS / STOP SIGNS	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
SEWER LINES	10 FEET

IRRIGATION NOTE:

- ALL PLANTING AREAS SHALL BE IRRIGATED BY A DEDICATED, BACKFLOW-PREVENTED IRRIGATION SYSTEM, ACCORDING TO PLANT TYPE AND ENVIRONMENTAL EXPOSURE AND SHALL RECEIVE UNIFORM WATER COVERAGE BY MEANS OF A HIGH EFFICIENCY, AUTOMATICALLY CONTROLLED, ELECTRICALLY ACTUATED, UNDERGROUND PIPED SPRINKLER SYSTEM. FOR WATER CONSERVATION AND TO MINIMIZE EROSION, STATE OF THE ART LOW PRECIPITATION RATE SPRINKLER EQUIPMENT SHALL BE USED. IRRIGATION MAINLINE PIPING SHALL BE PVC PLASTIC (TYPE 1120) CLASS 315 PRESSURE PIPE AND LATERAL LINE PIPING SHALL BE SCHEDULE 40 NON-PRESSURE PIPE. PRESSURE LINES SHALL BE INSTALLED 18" DEEP, NON-PRESSURE LINES 12" DEEP. A MASTER VALVE AND FLOW SENSOR SHALL BE INSTALLED TO MINIMIZE DAMAGE IN THE CASE OF A VALVE FAILURE OR MAINLINE BREAK. A SEPARATE HOSE BIB MAINLINE SHALL BE INSTALLED UPSTREAM OF THE MASTER VALVE AND EACH HOSE BIB SHALL BE FITTED WITH AN ATMOSPHERIC VACUUM BREAKER.
- ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.
- EXISTING STREET TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE IRRIGATED BY A HOMEOWNER-FUNDED AND MAINTAINED, DEEP-WATERING, LOW-VOLUME BUBBLER.

DRAINAGE NOTES:

- THE DRAINAGE SYSTEM FOR THIS PROJECT SHALL BE PRIVATE AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.
- ALL DEVELOPMENT SHALL BE CONDUCTED TO PREVENT EROSION AND STOP SEDIMENT AND POLLUTANTS FROM LEAVING THE PROPERTY TO MAXIMUM EXTENT PRACTICABLE.
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- VINES ON FENCE
  - Climbing vines - such as:
    - Grewia occidentalis
    - Hardenbergia violacea
    - Trachelospermum jasminoides
    - Vitis californica 'Roger's Red'
    - 'Lavender Starflowers'
    - 'Purple Lilac Vine'
    - 'Star Jasmine'
    - 'California Grape'

- LARGE ACCENT PLANTS
  - Multi-stemmed evergreen foliage - 8' tall x 4' wide, such as:
    - Dracaena marginata
    - Kalanchoe beharensis
    - Schefflera elegatissima
    - 'Red-Edge Dracaena'
    - 'Valvet Elephant Ear'
    - 'False Aralia'

- ACCENT PERENNIALS
  - Small accent perennials - 3' tall x 3' wide, such as:
    - Cordylone 'Festival Grass'
    - Dianella caerulea variegata
    - Hauchera maxima
    - 'Festival Grass'
    - 'Variegated Flax Lily'
    - 'Island Alumroot'

- ACCENT SUCCULENTS
  - Small evergreen succulent - 3' tall x 3' wide, such as:
    - Agave attenuata
    - Aloe plicatilis
    - Aloe striata
    - 'Foxtail Agave'
    - 'Fan Aloe'
    - 'Coral Aloe'

- POTTED SUCCULENT
  - Small succulent - such as:
    - Echeveria 'Afterglow'
    - Kalanchoe blossfeldiana
    - Kalanchoe thyrsiflora
    - 'Afterglow Echeveria'
    - 'Flaming Katy'
    - 'Flapjack'

- LAWN
  - Grasses - 6' tall unshown height, such as:
    - Paspalum vaginatum
    - Carex pensia
    - Festuca rubra
    - 'Seashore Paspalum'
    - 'California Meadow Sedge'
    - 'Red Fescue'

- FLOWERING GROUNDCOVER
  - Evergreen groundcover - 1' tall x 3' wide, such as:
    - Fragaria chiloensis
    - Lippia nodiflora 'Kurapia'
    - Salvia douglasiana
    - 'Beach Strawberry'
    - 'Kurapia'
    - 'Yerba Buena'

SINGLE DWELLING UNIT LANDSCAPE REQUIREMENTS:

LA JOLLA SHORES PLANNED DISTRICT ORDINANCE

ALL OF THE LANDSCAPE TO MEET THE 30% AREA REQUIREMENT SHALL BE

INSTALLED AS REQUIRED BY THE LA JOLLA SHORES PLANNED DISTRICT

ORDINANCE (LDC 1510.0304(H)) PRIOR TO FINAL INSPECTION.



SUMMARY OF LANDSCAPE CALCULATIONS:

LANDSCAPE REGULATIONS:  
AT LEAST 30% OF TOTAL PARCEL AREA TO BE LANDSCAPED.

TOTAL PARCEL AREA	8,762 S.F.	PLANTING AREA PROVIDED	2,667 S.F.
PLANTING AREA REQUIRED	2,629 S.F.	PERCENT OF PARCEL AREA	30.4%
		EXCESS AREA PROVIDED	38 S.F.

LANDSCAPE PLAN

NOT TO SCALE

DEVELOPMENT SUMMARY INFO

- PROJECT NAME:
  - 8389 EL PASEO GRANDE
- PROJECT ADDRESS:
  - 8389 EL PASEO GRANDE
  - LA JOLLA, CA 92037
- APN:
  - 346-171-01-00
- OWNER:
  - JOSEPH AND CHRISTINE GATTO
- ARCHITECT:
  - ALCORN & BENTON ARCHITECTS
  - 7757 GIRARD AVE
  - LA JOLLA, CA 92037
  - 658.459.0805 (p)
  - 658.459.1350 (f)
  - pbenton@sbcglobal.net
- CPD DATE:
  - FEBRUARY 17, 2015
- SHEET:
  - 7 OF 14

LA JOLLA  
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8389  
EL PASEO  
GRANDE

La Jolla, California 92037

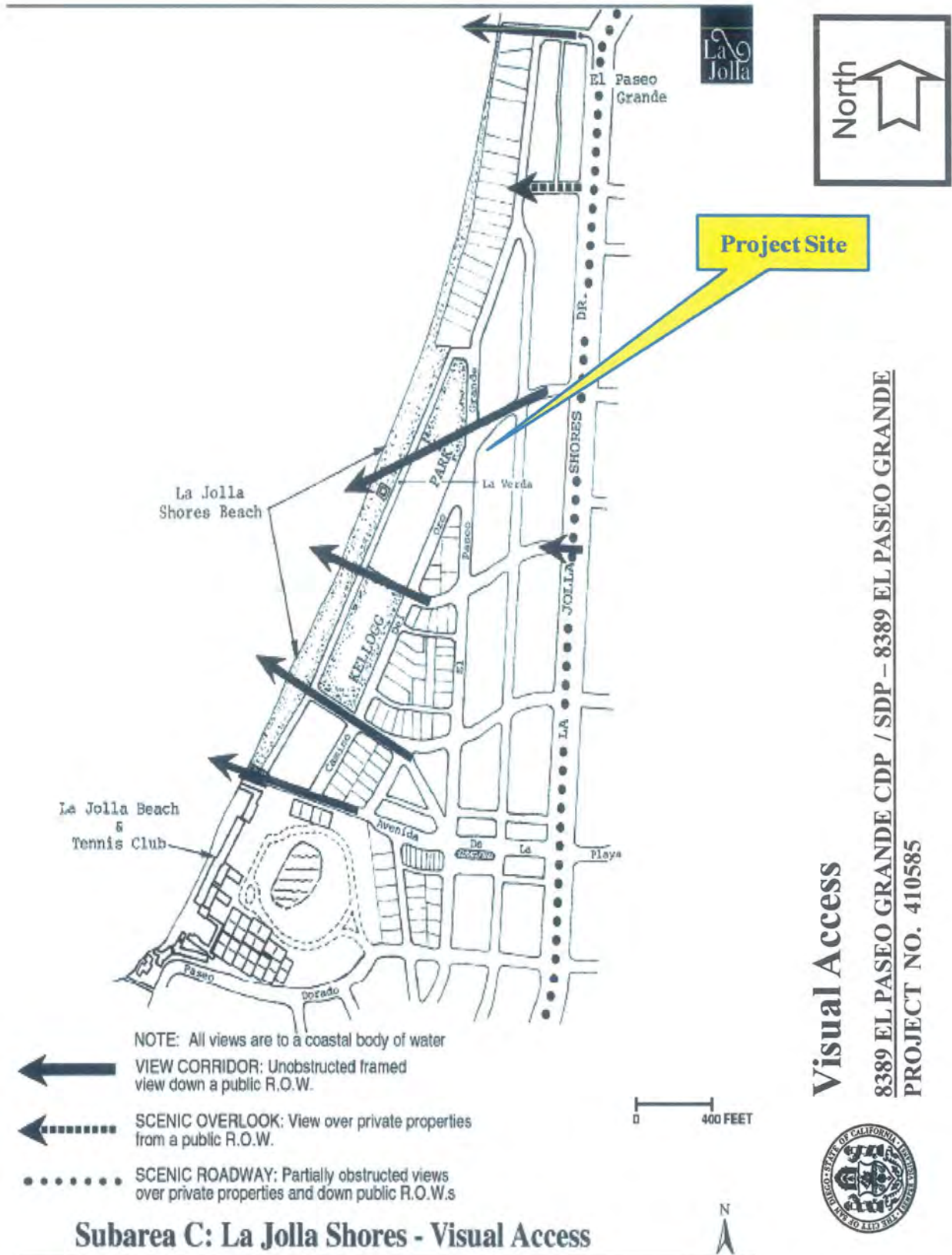
Date	June 24, 2015
Project No.	
Design/ Drawing	JPN/SR
Sheet	
Scale	See Drawings

LANDSCAPE  
Development  
Plan

1.2







## Subarea C: La Jolla Shores - Visual Access



La Jolla Community Plan  
City of San Diego - Planning Department

Figure C



# La Jolla Community Planning Association

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

## Contact Us

Mail: PO Box 889, La Jolla, CA 92038

Web: <http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

Email: [info@LaJollaCPA.org](mailto:info@LaJollaCPA.org)

President: Joe LaCava

Vice President: Cindy Greatrex

2<sup>nd</sup> Vice President: Bob Steck

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

## FINAL MINUTES

### Regular Meeting | Thursday, 2 July 2015, 6:00 pm

Trustees Present: Patrick Ahern, Helen Boyden, Bob Collins, Mike Costello, Dolores Donovan, Janie Emerson, Jim Fitzgerald, Cindy Greatrex, Joe LaCava, Alex Outwater, Bob Steck, Ray Weiss, Brian Will, Fran Zimmerman

Trustees Absent: Tom Brady, David Little, Jim Ragsdale, Glen Rasmussen

**1.0 Welcome and Call To Order:** Cindy Greatrex, Vice President who asked those present to silence their mobile devices and that the meeting was being recorded in audio [by the LJCPA] and in video [by another party].

### 2.0 Adopt the Agenda

**Approved Motion:** To adopt the agenda as posted: (Steck, Fitzgerald 10-0-1)

In favor: Boyden, Collins, Costello, Donovan, Emerson, Fitzgerald, LaCava, Outwater, Steck, Weiss

Abstain: Greatrex (Chair)

### 3.0 Meeting Minutes Review and Approval: 4 June 2015

**Approved Motion:** To accept the minutes as distributed (LaCava, Steck 11-0-1)

In favor: Ahern, Boyden, Collins, Costello, Donovan, Emerson, Fitzgerald, LaCava, Outwater, Steck, Weiss

Abstain: Greatrex (Chair)

### 4.0 Elected Officials – Information Only

**4.1 Council District 1 – Council President Sherri Lightner**

Rep: Justin Garver, 619-236-6611, [JGarver@sandiego.gov](mailto:JGarver@sandiego.gov) was not present.

**4.2 Mayor's Office – Mayor Kevin Faulconer**

Rep: Francis Barraza, 619-533-6397, [FBarraza@sandiego.gov](mailto:FBarraza@sandiego.gov) was not present.

**4.3 39<sup>th</sup> Senate District – State Senator Marty Block**

Rep: Sarah Fields, 619-645-3133, [Sarah.Fields@sen.ca.gov](mailto:Sarah.Fields@sen.ca.gov) was not present.

**4.4 78th Assembly District – Speaker of the Assembly Toni Atkins**

Rep: Toni Duran, 619-645-3090, [Toni.Duran@asm.ca.gov](mailto:Toni.Duran@asm.ca.gov) was not present.

The chair introduced Julio de Guzman, Deputy City Attorney, of the criminal division who introduced himself and said he would attend meetings of the different community groups (BID, LTC, etc.). He explained the function of Stay Away Orders that can be issued by a court.

### 5.0 Officer Elections: Action Item

**Approved Motion:** To elect Cindy Greatrex as President (LaCava, Emerson: 12-0-1)

In favor: Ahern, Boyden, Collins, Costello, Donovan, Emerson, Fitzgerald, LaCava, Outwater, Steck, Weiss, Will

Abstain: Greatrex (Chair)

**Approved Motion:** To elect Bob Steck as Vice President (LaCava, Ahern: 11-0-2)

In favor: Ahern, Boyden, Collins, Costello, Donovan, Emerson, Fitzgerald, LaCava, Outwater, Weiss, Will

Abstain: Greatrex (Chair), Steck (candidate)

*If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.*

- 11.5 Brockett Residence, 7804 Ivanhoe Avenue  
DPR Recommendation of 4/21/2015: Findings can be made Coastal Development Permit to demolish an existing office building and construct a single family residence at 7804 Ivanhoe Ave (In the LJP-2 zone). 6-0-1
- 11.6 2015 San Diego Triathlon Challenge  
(October 18<sup>th</sup>, street closure, lane closure and No Parking related to athletic competition event at Scripps Park). T&T Recommended Approval. 8-0-0.
- 11.7 Speed Limit Decrease--pulled by Donna Aprea  
Proposal to reduce speed limit from 30mph to 25mph on La Jolla Shores Drive from El Paseo Grande to N. Torrey Pines Rd. T&T Recommendation: Opposed decrease: 5-3-0. Approved leaving speed at 30mph: 7-0-0
- 11.8 Additional Traffic Control at Traffic Circle  
The City is contemplating a speed hump or placement of pylons to control diverting traffic at the Via Capri/Senn Way traffic circle. Input for City Staff. T & T Recommendation: One speed hump on north side of traffic circle and no pylons. 7-0-0.

*Items 11.2, 11.3 and 11.7 were pulled for a full hearing in August 2015 by Lynn Kavanaugh; Trustee Zimmerman and Donna Aprea, respectively*

Approved Motion: To accept the recommendation of the PDO committee that 11.1 Draper's & Damon, 7857 Girard Avenue meets the PDO requirements; and to accept the recommendation of the PRC that for 11.4 Taylor Residence 2327 Vallecitos: the findings can be made for a CDP and SDP to demolish an existing one-story single dwelling unit and construct a 1,938 square-foot single dwelling unit, trellis, covered patios, walls, fences, gates, hardscape and landscape on a 0.47 site; and to accept the recommendation of the DPR Committee that for 11.5 Brockett Residence, 7804 Ivanhoe Avenue : the findings can be made for a Coastal Development Permit to demolish an existing office building and construct a single family residence at 7804 Ivanhoe Ave (in the LJP-2 zone); and accept the recommendations of the T&T Board that 11.6 2015 San Diego Triathlon Challenge (October 18th, street closure, lane closure and No Parking related to athletic competition event at Scripps Park) can be approved and that for 11.8 Additional Traffic Control at Traffic Circle, installing one speed hump on north side of traffic circle at Via Capri/Senn Way circle with no pylons be approved (LaCava, Outwater; 11-1-2)  
In favor: Ahern, Boyden, Collins, Costello, Donovan, Fitzgerald, LaCava, Outwater, Steck, Will, Zimmerman  
Opposed: Emerson  
Abstain: Greatrex (Chair), Weiss (doesn't like the way pulling is done)



#### 12.0 8389 El Paseo Grande CDP/SDP

Project Description: CDP and SDP to demolish an existing residence, and construct a new 5,499 sq. ft two-story single family residence with attached garage on an 8,613 sq. ft. property.

*LJCPA Action: Pulled from Consent Agenda*

*PRC Recommendation: Findings can be made for a CDP and SDP to demolish an existing residence, and construct a new 5,499 sq. ft. two-story single family residence with attached garage on an 8,613 sq. ft. property in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limit, with the proviso that the street trees must conform to the public view corridor requirement. 6-0-1.*

Architect Paul Benton presented, displaying a map with view corridors and comparing its relationship to the view corridor with that of the house across the street cited by Peggy Davis in her e-mails which had been distributed to the trustees. He cited the rationale that the street trees should serve to frame the view. The trees to be installed are Hong Kong orchids which may be seen planted in the Union Bank parking lot. They are authorized by City code for trees that must fit under power lines and are at the low end of that scale. He showed that looking down the view corridor one can see taller trees and that only the LJS parking lot is obscured, not the ocean. In response to



questions, he noted that the side yards are 4', 4', 14' and 10' and that 24" boxed plants will be used and that the City was requiring street trees.

Peggy Davis felt that the "trees" should only be 3' to 4' tall to preserve the view as the City had required for the property across the street. Mila Vujovich-Barre also spoke about modifying the plantings proposed)

Trustees Collins and Emerson (PRC member who had voted in favor of the motion to approve the project) commented.) Dan Courtney commented.

Trustee LaCava noted that the SDMC code is being interpreted to mean that the plantings should be below 3' or above 8'.

**Approved Motion:** Findings can be made for a CDP and SDP to demolish an existing residence, and construct a new 5,499 sq. ft. two-story single family residence with attached garage on an 8,613 sq. ft. property in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limit, with the proviso that the street trees must conform to the public view corridor requirement at installation with the bottom of the canopy at 8'. (Emerson, Weiss: 12-0-2)

In favor: Ahern, Boyden, Collins, Costello, Emerson, Fitzgerald, LaCava, Outwater, Steck, Weiss, Will, Zimmerman  
Abstain: Greatrex, (Chair), Donovan (insufficient information presented by applicant)

### 13.0 Climate Action Plan – Action Item

Continuation of discussion regarding the City of San Diego's Climate Action Plan.  
See <http://www.sandiego.gov/planning/genplan/cap/index.shtml>

Presented by Tommy Hough of Climate Action Campaign who outlined the components of the plan: to have 100% clean energy by 2035, to get more cars off the road and to establish Community Choice Aggregation. He outlined the steps taken by other cities in California. He cited the high concentration of green house gases and noted the increase in local wildfires and rising sea levels. Mayor Faulconer has signed on to the plan which has legally binding goals. Trustees Weiss, Costello, LaCava, and Boyden commented on the scope of the plan and background of the plan developers. Trustee Fitzgerald said there was no cost/benefit evaluation.

**Approved Motion:** To approve the Climate Action Plan in principle. (Boyden, Atwater 10-2-1)

In favor: Ahern, Boyden, Donovan, Emerson, LaCava, Outwater, Steck, Weiss, Will, Zimmerman  
Opposed: Costello, Fitzgerald  
Abstain: Greatrex, (Chair)

14.0 Adjourned at 8:39 pm to next LCPA Meeting, Thursday, August 6th, 6:00 pm

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

Project: 8389 El Paseo Grande Item: 3 Date: 5/18/2015

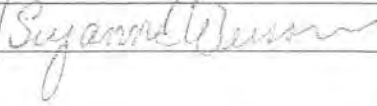
Applicant: Joe Gatto

Description: Demolish existing house & replace w/ partial 2-story house FAR 60.53, max height 24', greatest front set-back 14 ft.

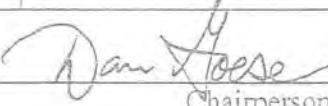
## Recommendation

- ☐ A. Minor Project-Process 1. Project conforms to the LJSPD as adopted by the City Council.
- ☒ B. Major Project-Process 3. Project conforms to the LJSPD as adopted by the City Council
- ☐ C. Denial. The project does not conform to the LJSPD as adopted by the City Council
- ☐ D. Approval subject to the following modifications to ensure conformity to the LJSPD.  
Motion by Slam to approve the project, so, understanding that color will be more muted. Second by Potter. Motion fails 3-2. Motion by Potter to approve the proj, w/ understanding that color will be muted w/ contrasting color used and w/ increased <sup>entire</sup> planting along the perimeter of house, said plantings to be at least 3 ft. tall.
- ☐ E. No recommendation due to a lack of four affirmative votes.
- ☐ F. Concept Review Only Motion passes 4-0-0

## Board Signatures

Trustee	Approve	Disapprove/Abstain
Dolores Donovan		
Nathaniel Fisher		
Dan Goese		
Jane Potter		
Susan Starr		
Susanne Weissman		

Absentees:

  
Chairperson



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

## Ownership Disclosure Statement

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

Project Title

8389 El Paseo Grande

Project No. For City Use Only

410585

Project Address:

8389 El Paseo Grande, La Jolla, California 92037

### Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

Joseph Gatto

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

8368 Paseo Del Ocaso

City/State/Zip:

La Jolla, California 92037

Phone No:

(858) 777-3007

Fax No:

Signature:

Date:

02/11/2015

Name of Individual (type or print):

Cristine Gatto

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

8368 Paseo Del Ocaso

City/State/Zip:

La Jolla, California 92037

Phone No:

(858) 777-3007

Fax No:

Signature:

Date:

2/11/2015

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:





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

AUGUST 2015

In order to assure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure".

## 1. Type of Appeal:

- ☒ Appeal of the Project  
☐ Appeal of the Environmental Determination

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

Name: Peggy Yvonne Davis E-mail Address: peggydavis@san.rr.com  
Address: 8387 Pasei Del Ocaso City: La Jolla State: Ca Zip Code: 92037 Telephone: (858) 459-4844

## 3. Project Name:

8389 El Paseo Grande, Project No. 410585

## 4. Project Information

Permit/Environmental Determination & Permit/Document No.: Project No. 410585	Date of Decision/Determination: 02/10/16	City Project Manager: Glen Gargas
---	---	--------------------------------------

Decision: (Describe the permit/approval decision)

Coastal Development Permit and site Development Permit (due to location within the La Jolla Shores Planned District) to demolish and existing residence and construct a 5,150 square-foot, two story, single family residence, with attached garage on a 8,762 square foot property.

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

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

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.)

See attached information.

RECEIVED

FEB 10 2016

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:

Date:

February 9, 2016

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.

DS-3031 (08-15)



PEGGY DAVIS  
8387 PASEO DEL OCASO, LA JOLLA, CALIFORNIA 92037  
PHONE 858 459-4844 EMAIL [peggydavis@san.rr.com](mailto:peggydavis@san.rr.com)

February 9, 2016

Stephen Haase, Vice-Chairperson  
Planning Commission  
City of San Diego

Mr., Stephen Haase,

I am submitting documents for your to review before the Appeal is heard by the Planning Commission to to document my request to APPEAL the decision by Ken Teasley on January 27, 2016

RE: DATE OF PUBLIC HEARING: JANUARY 27, 2016  
PROJECT NO: 410585  
PROJECT TYPE: COASTAL DEVELOPMENT PERMIT AND SITE  
DEVELOPMENT PERMIT/ MITIGATED NEGATIVE DECLARATION/ PROCESS  
3  
PROJECT NAME: 8389 EL PASEO GRANDE CDP/SDP  
COMMUNITY PLAN AREA: LA JOLLA  
COUNCIL DISTRICT: DISTRICT ONE

The Hearing Officer, Mr. Teasley, did not consider a precedence set in a decision for the landscaping requirements for PTS 166021, located at 8405 El Paseo Grande, La Jolla, California 9037.

The Planning Commission AGENDA, SEPTEMBER 3, 2009, REPORT NO. PC-09-061, Stated on Page 5 of 6 Page report attached,

“ Camino Del oro is designated as a First Public Roadway and also a View Corridor. The objective of the community plan is the preservation and enhancement of ocean views and other scenic vistas for public use, including visual access across private coastal properties at yards and setbacks, Any encroachments over three feet within the yards would result in partial obstruction of views from Camino Del Oro”.

**This project is located directly across the street from 8389 El Paseo Grande. This was signed by Mike Westlake Program Manager, Development Services.**

**Many property owners in La Jolla Shores are requesting that the landscaping (trees) on Camino Del Oro be limited to a three foot height. DSD is demanding that trees on Camino Del Oro be planted with a height up to 8 feet. This will block the designated Visual Access Corridor with views to the ocean.**

**This project is located on a corner lot with the frontage of property (South) on El Paseo Grande and side frontage (North) Camino Del Oro which is on the designated public view corridor. We have elderly people who own property in the Shores using this area daily who use walkers. We have residents who walk their dogs daily who require lots of space when walking down the sidewalks to the beach**

**On Calle Del Oro, in the summer, there are up to 1,000 people daily walking to the beach with surfboards, strollers, items for beach activity using the sidewalk and crosswalks. Vehicles turning onto Camino Del Oro from El Paseo Grande, with the extra foliage and height from the trees, will present a traffic problem, and a dangerous safety hazard for all pedestrians. I am enclosing photos of the area for your review.**

**Residents in La Jolla Shores believe the project approved by DSD is not in conformance with the Subarea C: La Jolla Shores-Visual Access Plan. This project is located adjacent to a visual access corridor as identified in the 1985 La Jolla-La Jolla Shores Local Coastal Program.**

**I am enclosing documents from a previous project decision by the City of San Diego Hearing Officer on April 6, 2005, Report No. HO 05-056 for the Penner residence at 8405 El Paseo Grande, La Jolla, located directly across the street. William C. Tripp was the Development Project Manager. An APPEAL for PTS 166021 was filed by Gerald Handler, on June 16, 2001, the APPEAL was denied by the Planning Commission.**

This project was a LJS Permit No. 20666, CDP NO. 206775 and Variance No. 206776, for 8405 El Paseo Grande, La Jolla. The conditions of the permit intended to enhance public views from east to west along this dedicated public right of way and DSD required thinning of existing trees and trimming of vegetation to a MAXIMUM OF THREE FEET in height, which is compatible with the established view corridor along Camino Del Oro. It is most important to note, the maximum 3 feet height requirement was mandated to protect and insure pedestrian safety. This decision set a precedence for the Designated Protected View Corridor

Enclosed are photos of the intersection of Camino Del Oro and El Paseo Grande and additional information for your review.

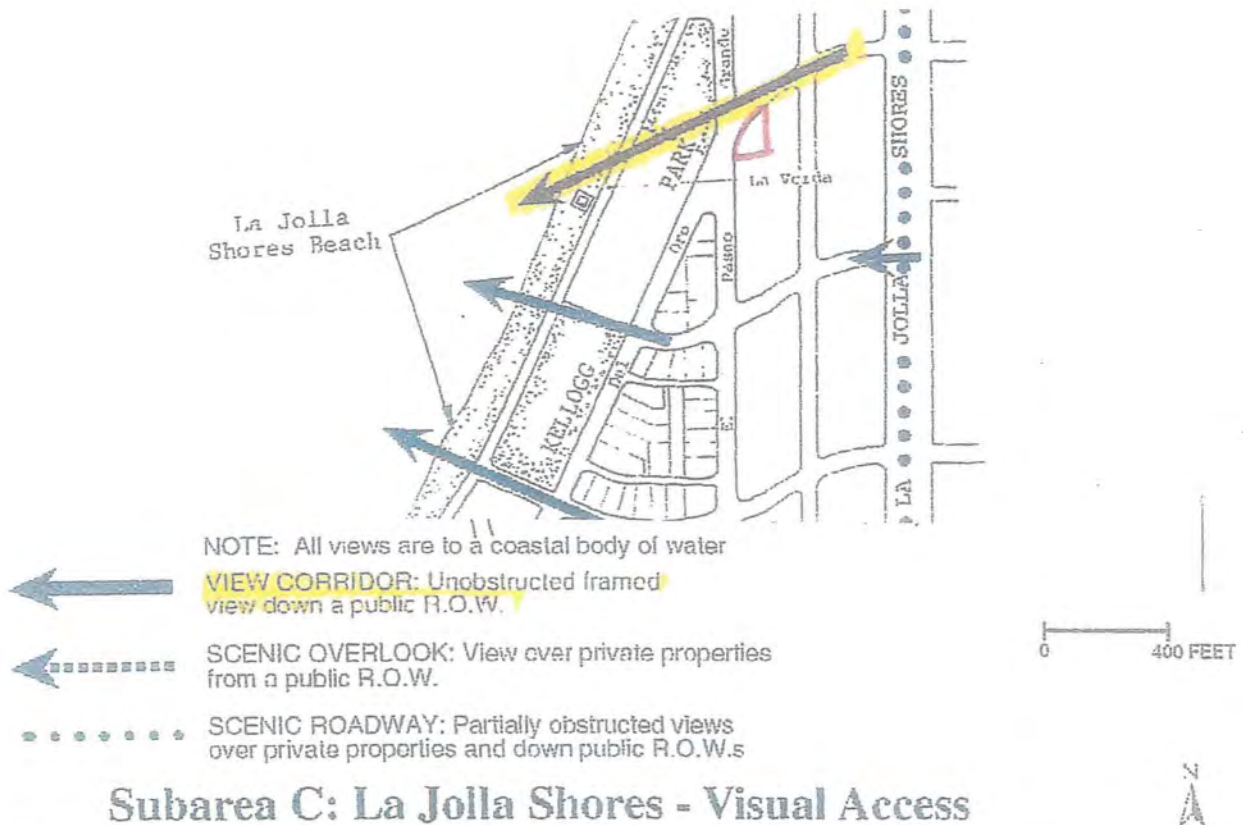
Respectfully,

Peggy Davis  
Enclosures

..I

June 22, 2015

Re: Project No. 410535 9389 El Paseo Grande.



### Subarea C: La Jolla Shores - Visual Access



La Jolla Community Plan  
City of San Diego - Planning Department

Figure C

- 142 -



This is the View  
Corridor Under  
Discussion, Down  
Camino Del Oro  
Towards Ocean

MOCKUP OF THE VIEW CORRIDOR UNDER DISCUSSION, DOWN CAMINO DEL ORO TOWARDS OCEAN





Overview of Height Limit for 3 Feet  
In View Corridor

3 foot Area.



Corner of  
El Paseo Grande and Camino Del Oro





↓ Current Plans for 8389 El Paseo Grande  
Planting - Trees proposed higher than 3 feet.





View Corridor

8405 El Paseo Grande

8389 El Paseo Grande.

# SAN DIEGO PLANNING COMMISSION

## DOCKET FOR PLANNING COMMISSION MEETING

9:00 A.M., SEPTEMBER 3, 2009

CITY ADMINISTRATION BUILDING

COUNCIL CHAMBERS

202 C STREET, 12<sup>TH</sup> FLOOR

**NOTE:** *If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ALD's) are required, please contact the Planning Department at (619) 321-3208 at least five (5) working days prior to the meeting to insure availability.*

*Those items with an asterisk (\*) will include consideration of the appropriate environmental document.*

*To listen to the "live" broadcast of a Planning Commission meeting, dial 619-533-4001. Note: Rancho Bernardo and Rancho Penasquitos residents dial 619-484-7711 and ask the Citizen's Assistance operator to connect you.*

*Members of the Public should realize and understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing.*

*When it is determined that the Planning Commission will adjourn for lunch, the Planning Commission will adjourn @ 12:30 to Conference Room A, located on the 12<sup>th</sup> floor next to the Council Chambers, and reconvene @ 1:30.*

**ITEM-1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD. REQUEST TO SPEAK SHOULD BE SUBMITTED TO THE COMMISSION SECRETARY AT THE TIME OF THE MEETING. NOTE: 3 MINUTE TIME PER SPEAKER.**

**ITEM-2: REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN.**

**ITEM-3: REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA.**  
The Chair may entertain a motion by a Commissioner to approve certain non-controversial agenda items as consent agenda items at the beginning of the meeting. Items approved on consent are in accordance with the Manager's recommendation as stated in the Report to Planning Commission.

**ITEM-4: DIRECTOR'S REPORT.**

**ITEM-5: COMMISSION COMMENT.**

*Please note Attached Page  
Project Description Limiting  
Vegetation To Three Feet*


Municipal Code Section 101.0502 requires an approved Variance (Hearing Officer) for development that proposes modification of distance or areas regulations which exceeds 20% of required yards. The requested Variance seeks to maintain off-street parking observing a zero-foot required yard/setback (100%) from Camino Del Oro.

Municipal Code regulations provide for a decision by the Hearing Officer appealable to the Planning Commission (Process 3). The decision of the Planning Commission is appealable to the City Council under an 'extraordinary appeal' provision as provided by the 'Old Code'. Because the property is located within the State of California Coastal Commission Appeal Jurisdiction, the City's decision is also appealable to the Coastal Commission.

## DISCUSSION

### Project Description

The Applicant has submitted revised plans in an effort to address issues identified during the course of project review. Revisions were made to reduce the corner landscaping and impacts to the view corridor, remove lattice from the top of an existing wall, modify an existing stucco wall on the second floor to include glass to meet transparency requirements, and provide additional articulation on the north elevation to reduce bulk and scale.

The proposed project would add a 1,254 sq. ft., second-story addition atop a northerly portion of the existing 3,123 sq. ft., one-story, single-family residence. A stairway will provide interior access from the existing first-floor, to the proposed second-floor. The new second-floor consists of a master bedroom, bath/shower and walk-in closet area. The project is located adjacent to a visual access corridor as identified in the 1985 La Jolla-La Jolla Shores Local Coastal Program. Staff review has determined that the siting of the proposed second-story addition on the northerly portion of the existing one-story residence will not impact the identified corridor located within the public-right-of-way adjacent to the southerly portion of the property along Camino Del Oro. Conditions have been added to the draft Permit (Attachment 7) which is intended to enhance public views from east to west along this dedicated public right-of-way. These conditions require thinning of existing trees and trimming of vegetation to a maximum of three-feet in height. 

Municipal Section 101.0817 prohibits off-street parking spaces within front and street-side yards/setbacks. Municipal Code Section 101.0823 regulates parking within the Beach Impact Area of the Coastal Zone, the purpose of which is to provide supplemental parking regulations for specified coastal, and beach areas that have parking impacts. The intent of this overlay zone is to identify areas of high parking demand and increase the off-street parking requirements accordingly. Conditions have been added to the draft permit which requires that the "westerly access" curb cut be replaced with a full-height curb and gutter, and that the driveway be removed and replaced with landscaping. This effort will assist in the elimination of parking within the setback area, and will also provide one additional on-street parking space within a high on-street parking demand area, adjacent to La Jolla Shores Beach and Kellogg Park.

### Community Plan Consistency





THE CITY OF SAN DIEGO

# REPORT TO THE PLANNING COMMISSION

For 8405 El Paseo Grande

DATE ISSUED: August 27, 2009

REPORT NO. PC-09-061

ATTENTION: Planning Commission, Agenda of September 3, 2009

SUBJECT: HANDLER RESIDENCE - PROJECT NO. 166021  
PROCESS THREE

OWNER/ GERALD HANDLER (Attachment 16)  
APPLICANT: JEFF BARFIELD, RBF CONSULTING

## SUMMARY

**Issue(s):** Should the Planning Commission approve or deny an appeal of the Hearing Officer's denial to allow a second driveway for a single family residence where only one driveway is permitted within the La Jolla Community Planning area?

**Staff Recommendation:** UPHOLD the Hearing Officer's decision and DENY Coastal Development Permit No. 595308, Site Development Permit No. 595309 and Variance No. 650336, an amendment to La Jolla Shores Development Permit No. 20666 and Coastal Development Permit No. 206775.

**Community Planning Group Recommendation:** Shores Advisory Board voted 5-0-0 to recommend denial of the project (Attachment 16). On May 7, 2009, the La Jolla Community Planning Commission recommended denial of the project (Attachment 16).

**Environmental Review:** This project is exempt from Article 19, Section 15301, Existing Facilities, Act (CEQA). This project is not pending an appeal. The environmental exemption determination was made in 2008, and the opportunity to appeal that determination has expired.

**Fiscal Impact Statement:** All costs associated with the project are paid from a deposit account maintained by the applicant.

See Page 5

Community Plan Analysis

No planting over 3 feet

in height.

**Code Enforcement Impact:** On August 11, 2009, a Neighborhood Code Compliance case (NC 140657) was opened due to complaints of vehicles driving over the sidewalk and parking in the flagstone area required to be landscaped per La Jolla Shores Development Permit No. 20666 and Coastal Development Permit No. 206775.

**Housing Impact Statement:** None. The existing residence would remain with no additions or modifications.

## **BACKGROUND**

The 7,215 square-foot site is located at 8405 El Paseo Grande, east of the Pacific Ocean and west of La Jolla Shores Drive. The site is within the La Jolla Shores Planned District Single Family Zone, the Coastal Overlay Zone (Appealable Area), the Coastal Height Limit Overlay Zone, the Parking Impact Overlay Zone (Beach Impact Area), and the Residential Tandem Parking Overlay Zone, within the La Jolla Community Plan area. The site was originally constructed in 1975 with a one-story single family residence with an attached garage. In 1982, Permit No. A12107 (Attachment 6) was issued for a two-story addition which included an art studio over a new two-car garage with a workshop. In 1997 several additional permits were issued. Permit No. C-303101-97 (Attachment 7) was issued for a bathroom addition and railing for the existing roof deck. Permit No. C-303099-97 (Attachment 8) was issued for additions to the bathroom, family room, living room, closet and conversion of the attached garage to a laundry room. Permit No. C-305095-97 (Attachment 9) was issued for an elevator, spa on the roof deck, relocation of a walking bridge, raised ceiling in bedrooms and redesign of a glass window screen. All permits received final approval.

On April 6, 2005, the Hearing Officer approved La Jolla Shores Planned District Permit No. 20666 and Coastal Development Permit No. 206775 (Attachment 12) for a 1,254 square-foot, second-story addition to the single family residence, but denied Variance No. 206776 to maintain a second driveway to allow one additional off-street parking space. Conditions were included in the permit that required that the existing 18-foot, westerly access driveway on Camino Del Oro be restored to full-height curb, gutter and sidewalk. Permit No. 252566 (Attachment 10) was issued on July 10, 2006, for the second story addition and the westerly access driveway was removed as required by the permit. The permit expired on July 5, 2007 without being finalized by the building inspector. On July 3, 2008, Permit No. 572067 was obtained for a final inspection, but that permit also expired due to lack of final inspection.

## **DISCUSSION**

### **Project Description:**

The proposed project is a request to re-open a second driveway, 20 feet in width, on a site with a single family residence that currently has an existing 15-foot driveway (Attachment 5). The Land Development Code allows only one 12-foot, driveway opening per 100 feet of street frontage. The site has a frontage of 82 feet and therefore, would require a Variance for the

additional driveway and proposed width. Since the project site is regulated by La Jolla Shores Planned District Permit No. 206666 and Coastal Development Permit No. 206775, the request for the re-opening of the second driveway would require amendments to these permits as well as a new Variance.

The property owner, Gerald Handler, believes that the elimination of the off-street parking space and closure of the driveway as required by the permits and violates City ordinances pertaining to previously conforming uses and required parking. Mr. Handler states that the City issued Permit No. A12107 (Attachment 6) for the art studio over a two-car garage and that the westerly driveway was allowed to remain because the art studio was considered a guest quarters, requiring one additional off-street parking space. Therefore, Mr. Handler contends that the second driveway is required to meet the required parking of three off-street parking spaces.

Staff has found no evidence that the art studio was ever permitted as a guest quarters. Permit No. A12107 (Attachment 6) for the art studio over a two-car garage was approved as an accessory structure, not as a guest quarters. The approved site plan notes "existing garage to be converted." If the art studio would have been considered a guest quarters, three off-street parking spaces would have been required and the existing garage would have been required to be maintained.

When Mr. Handler, applied for the La Jolla Shores Planned District Permit No. 206666, Coastal Development Permit No. 206775 and Variance No. 206776 on April 6, 2005, to construct the 1,254 square-foot, second-story addition which included a request to maintain the second driveway, a comprehensive review of the entire premises was conducted by staff, which included research of all existing structures and permits. At the public hearing, the Hearing Officer reviewed all the submitted information and made the findings to allow the second story addition, however, was unable to make the findings to maintain the second driveway. Mr. Handler had the opportunity to appeal the Hearing Officer's decision that required the second driveway to be removed to the Planning Commission, but choose not to appeal. Mr. Handler closed the second driveway as required by the permit and obtained a building permit to construct the second story addition. The permit has expired twice without being finalized.

On June 3, 2009, the Hearing Officer reviewed the project history, permits and testimony from the applicant and a neighbor. The Hearing Officer determined that the findings for the Variance to re-open the driveway could not be made.

#### **Appeal Issues:**

The appellant, Gerald Handler, filed an appeal on June 16, 2009 (Attachment 18). Issues identified in the written appeal to the Planning Commission are as follows:

1. Staff failed to properly identify the project request:  
Staff identified the project as a request for a Coastal Development Permit, Site Development Permit, and a Variance for a second driveway. The actual request was to amend the existing La Jolla Shores Development Permit No. 206666 and Coastal



Development Permit No. 206775 by deleting four conditions that required the closing of one driveway which was allowed to remain through subsequent improvements.

Staff Response:

On April 6, 2005, La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775 were processed concurrently along with Variance No. 206776 to maintain the second driveway. La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775 were approved and Variance No. 206776 was denied. The request to re-open the second driveway would require the amendment of the existing permits and a new Variance.

2. Staff failed to provide the Hearing Officer with the Applicant's Letter of Request, which included supporting material:

The applicant submitted a staff report prepared for the previous permits that clearly indicated the driveway conditions were required based on the following erroneous findings; the driveway was within the required setback, the driveway and attendant parking needed to be removed to achieve the required 30% landscaping and the removal of the driveway would create additional on-street parking in the Beach Impact area.

Staff Response:

When La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775 were approved and Variance No. 206776 denied on April 6, 2005, the applicant had the opportunity to appeal the Hearing Officer's decision to the Planning Commission and bring up any erroneous findings. The project before the Hearing Officer on June 3, 2009, is the request to re-open a second driveway only. Based on the most current approved building plans (Attachment 10), the landscaping would be at 30% with the flagstone driveway removed and landscaped.

3. Staff provided unsubstantiated and erroneous information regarding landscaping calculations.

Staff stated that the project could not meet the 30% landscaping requirement without closure of the driveway and removal of parking space. Information from staff was hand-generated and based on previous permit site plan. Staff did not provide CADD-generated calculations based on current site plan that proved the 30% landscaping could be achieved without the need to close the driveway and remove the parking space.

Staff Response:

The issue before the Hearing Officer on June 3, 2009, was a Variance to re-open a second driveway. The Variance findings were based on the driveway only and not landscaping. Landscaping exhibits from the applicant were submitted to the Hearing Officer.

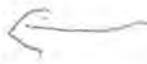
4. Staff claimed that there was no evidence that the residence contained guest quarters, which would have required the maintenance of the existing onsite parking space. Staff claimed that the City had no evidence that the "art studio" on the premises was

considered guest quarters, yet the previous Hearing Officer Report prepared by staff for the 2005 permit consistently referred to the premises as containing an "art studio/guest quarters."

**Staff Response:**

When La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775 were approved and Variance No. 206776 denied on April 6, 2005, the applicant had the opportunity to appeal the Hearing Officer's decision to the Planning Commission and contest the art studio and parking requirements. The issue before the Hearing Officer on June 3, 2009, was a Variance to re-open a second driveway. The Variance findings were based on the driveway only and not the art studio/guest quarters or parking. However, based on the attached permit history, there is no evidence that the art studio was every permitted as a guest quarters.

**Community Plan Analysis:**

The site is located on the northeast corner of El Paseo Grande and Camino Del Oro and is designated for low-density residential use (5-9 DU/ac) in the La Jolla Community Plan and Local Coastal Program Land Use Plan. The existing single family residence is consistent with this designation and the bulk and scale is in keeping with the character of the neighborhood. Camino Del Oro is designated as a First Public Roadway and also a View Corridor. The objective of the community plan is the preservation and enhancement of ocean views and other scenic vistas for public use, including visual access across private coastal properties at yards and setbacks. Any encroachments over three feet within the yards would result in partial obstruction of views from Camino Del Oro to the water. The plan also recommends that all proposed development maintain and enhance public access to the coast by providing adequate parking per the parking regulations of the Land Development Code. The parking regulations of the Land Development Code contain prohibitions on the number of curb cuts and distance between curb cuts serving the same property. The proposed second driveway and proposed width deviates from the parking requirements of the Land Development Code referenced in the plan. 

**Conclusion:**

Staff has reviewed the request to amend to La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775 and the request for a Variance to allow a second driveway and has determined that the findings for the second driveway cannot be made to support the request. Therefore, staff recommends denying the appeal and upholding the Hearing Officer's decision.

**ALTERNATIVE**

1. **Approve** the appeal, and **Approve** Coastal Development Permit No. 595308, Site Development Permit No. 595309 and Variance No. 650336, an amendment to La Jolla Shores Development Permit No. 206666 and Coastal Development Permit No. 206775, for

2. **Approve the appeal, and Approve Coastal Development Permit No. 595308, Site Development Permit No. 595309 and Variance No. 650336, an amendment to La Jolla Shores Development Permit No. 20666 and Coastal Development Permit No. 206775, if the findings required to approve the project can be made.**

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department

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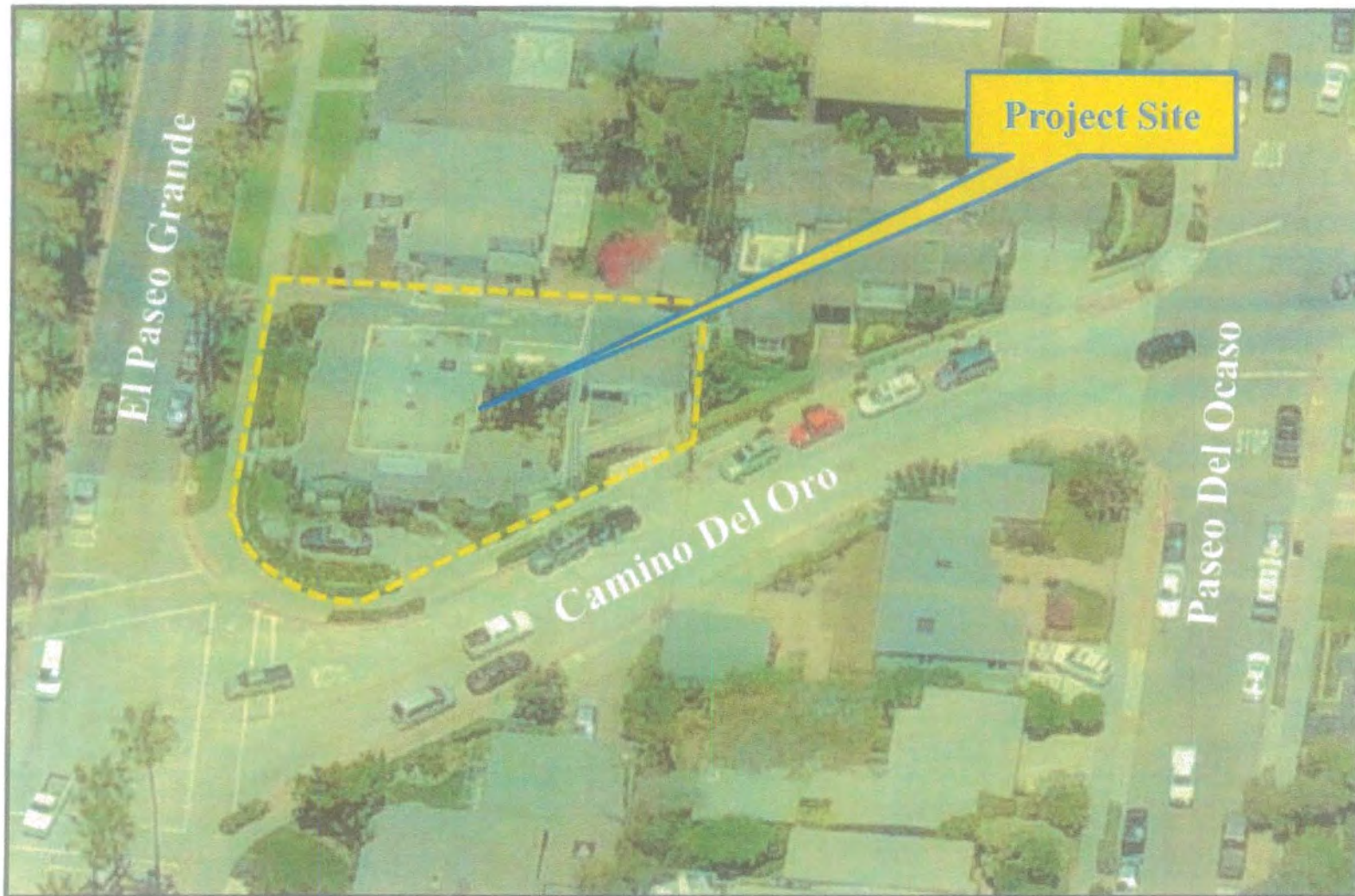
Edith Y. Gutierrez  
Development Project Manager  
Development Services Department

Attachments:

Hearing Officer Report dated June 3, 2009 with attachments

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan
6. Permit No. A12107/Site Plan
7. Permit No. C-303101-97/Site Plan
8. Permit No. C-303099-97
9. Permit No. C-205095-97/Site Plan
10. Permit No. 252566/Site Plan and Landscape Plan
11. Permit No. 160412
12. La Jolla Shores Development Permit No. 20666,  
Coastal Development Permit No. 206775 and Resolution
13. Draft Resolution of Denial with Findings
14. La Jolla Community Planning Association recommendation
15. La Jolla Shores Advisory Board recommendation
16. Ownership Disclosure
17. Draft Permit with Conditions
18. Appeal filed by Gerald Handler
19. Project Chronology





## Aerial Photo

HANDLER RESIDENCE - 8405 EL PASEO GRANDE

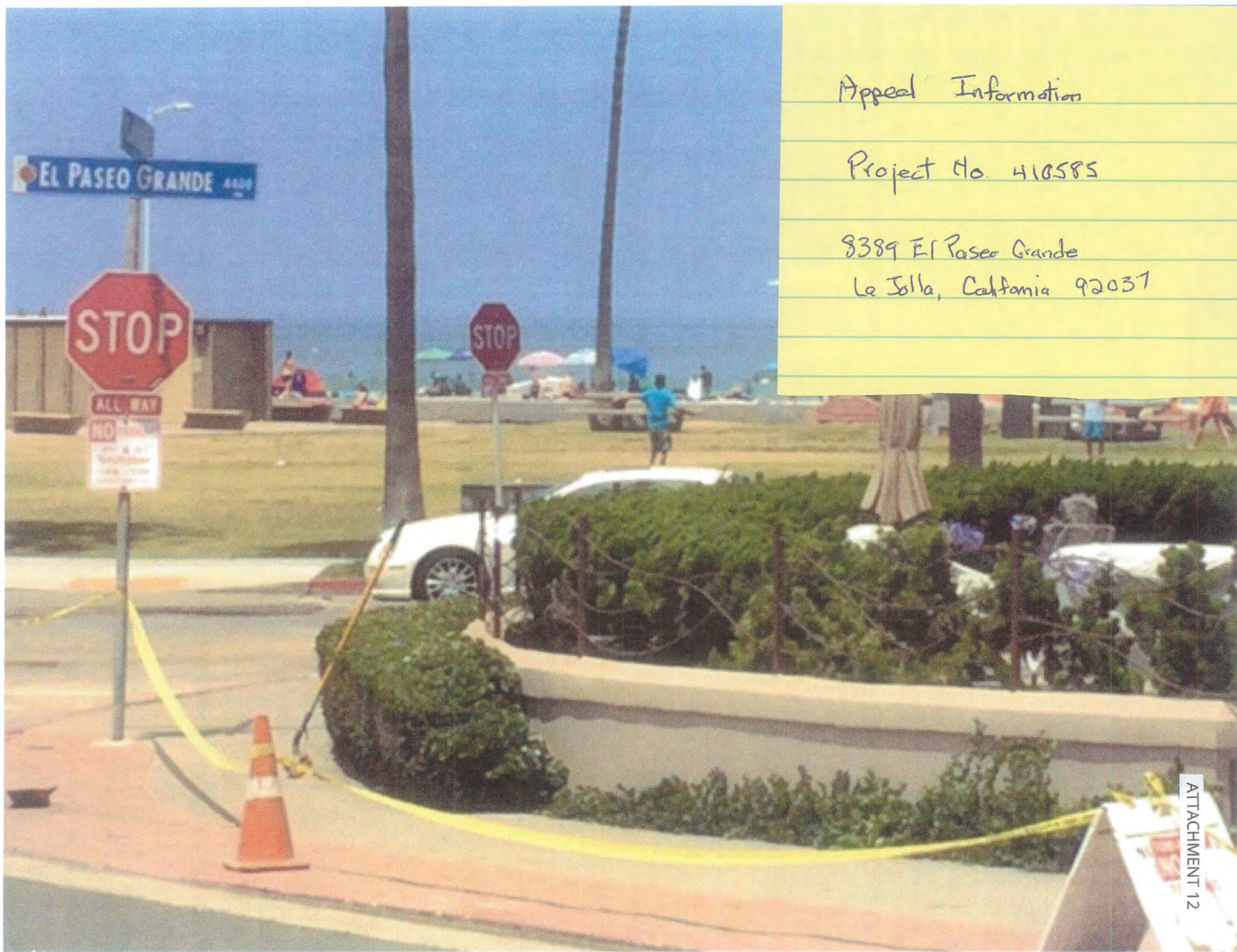
PROJECT NO. 166021



ATTACHMENT 1

ATTACHMENT 12





Appeal Information

Project No. 410585

8389 El Paseo Grande

La Jolla, California 92037