



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 22, 2016 **REPORT NO.** PC-16-008

ATTENTION: Planning Commission, Agenda of January 28, 2016

SUBJECT: APPEAL OF THE HEARING OFFICER DECISION TO APPROVE
THE LEIBOWITZ RESIDENCE. PROJECT NO. 374521.
Process Three.

REFERENCE: Hearing Officer Report HO-15-116

LOCATION: 8283 La Jolla Shores Drive

APPLICANT: Mark and Karen Leibowitz

SUMMARY

Issue(s): Should the Planning Commission grant or deny an appeal of the Hearing Officer's decision to approve a Coastal Development Permit and Site Development Permit for demolition of an existing residence and construction of a new two-story, single-family residence in the La Jolla Community Planning Area?

Staff Recommendation: **DENY** the appeal and **UPHOLD** the Hearing Officer decision to approve Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084.

Community Planning Group Recommendation: On August 6, 2015, the La Jolla Community Planning Association voted 9-3-2 to recommend approval of the project with no conditions. At their meeting on July 21, 2015, the La Jolla Shores Advisory Board (LJSAB) voted 3-1 on a motion to approve the project, resulting in a failed vote due to lack of a majority (four affirmative votes were needed to carry the motion); the LJSAB moved the project forward with no recommendation.

Environmental Review - Mitigated Negative Declaration No. 374521 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has

been prepared for the project and will be implemented which will reduce any potential impacts identified in the environmental review process, to a level below significance. On January 11, 2016, an appeal of the environmental determination was considered by the City Council. The City Council denied the appeal, affirmed the Hearing Officer's decision, and adopted MND No. 374521 and the associated MMRP.

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

Code Enforcement Impact – No code enforcement impact.

Housing Impact Statement - No housing impact. The site is currently developed with a single-family residence which will be demolished and replaced with a new single-family residence.

BACKGROUND

This item is an appeal of the Hearing Officer's decision on September 16, 2015, to approve Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 allowing demolition of an existing single-family home and detached guest house, and construction a new single-family home, one-story pool house and a new swimming pool. The 1.12-acre (48,787-square-foot) project site is located at 8283 La Jolla Shores Drive within a developed neighborhood of custom designed single-family homes. The property is legally described as Parcel 1 of Parcel Map No. 13452, and is within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, and Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program (LCP) area. The La Jolla Community Plan/LCP designates the project site for very low density residential land use at a rate of 0-5 dwelling units per acre.

Project Description:

The project proposes demolition of an existing 4,088-square-foot, one-story, single-family home and detached guest house, and construction of a new 9,245-square-foot, two-story single-family home, including two attached garages totaling 860 square-feet providing three vehicle parking spaces, a 157-square-foot one-story pool house and a new swimming pool. The project includes construction of 1,210 square feet of first and second floor decks, 286 square feet of covered patios for the home, a 350-square-foot covered patio for the pool house, new outdoor terraces, fences and other miscellaneous site improvements. An existing tennis court would be retained and vehicular access to the site would continue to be provided via a shared private driveway off of La Jolla Shores Drive (which also serves as private access to other homes in the immediate vicinity). Architectural facade details include the use of stucco in "Crystal White" color with grey stone cornice detailing.

Hearing Officer's Decision:

The Hearing Officer considered the project on September 16, 2015 (Attachment 10). Public testimony was presented in favor and in opposition to the project, with discussion primarily focused on the proposed site drainage, storm water runoff and functionality of the existing sewer utility system (Attachment 8). After deliberation and close of public testimony, the Hearing Officer approved the Leibowitz Residence project and adopted MND No. 374521 and the associated MMRP.

Appeal of Hearing Officer's Decision:

On September 25, 2015, appellant Ms. Leanne Hull MacDougall filed an appeal of the Hearing Officer's decision to approve Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 (Attachment 1), citing factual error, findings not supported and new information as the reasons for the appeal. The appellant also filed an appeal of the CEQA determination challenging the adequacy of MND No. 374521.

Appeal of the Environmental Determination:

On January 11, 2016, the City Council considered Ms. MacDougall's appeal of the environmental determination in accordance with San Diego Municipal Code Section 112.0520(d). On a motion by Councilmember Emerald, seconded by Councilmember Lightner, the City Council voted (9-0) to deny the appeal and approve the environmental determination adopting MND No. 374521 and the associated MMRP (information available via Office of the City Clerk: <http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/dockets.shtml>).

DISCUSSION

The following are concerns raised in Ms. MacDougall's appeal, and staff responses:

Appeal Issue 1: *"The Drainage Plan does not adequately depict where the discharge of water off the Leibowitz property will flow. In addition, the "conceptual" Drainage Plan shows a "retaining wall" on the MacDougall property as part of the drainage design. There is no "retaining wall" on the MacDougall property. There is a small wall that was never intended as a retaining wall. Ms. MacDougall does not give permission for Leibowitz to use the wall or any other part of her property for any purpose. Ms. MacDougall does not give permission and Leibowitz does not otherwise have permission to use or touch the MacDougall wall with dirt, rocks, liner or any other objects."*

Staff Response: According to a site investigation by project engineering consultant Steven R. Hauser, PE, an existing retaining wall approximately 3 feet in height is currently located at the property line shared between the Leibowitz (applicant) and MacDougall (appellant) properties, with portions of the footing for the retaining wall structure straddling both properties (Attachment 9). Above grade, the retaining wall sits along the west property line of the Leibowitz property and on the east property line of the MacDougall property. In a letter response to the appeal, Mr. Hauser states that the proposed Leibowitz project does not propose to alter the existing retaining wall or alter its load, and further indicates that the project does not require construction of a separate freestanding retaining wall on the Leibowitz property (Attachment 7), and staff concurs with this analysis. The project's conceptual development plans and a Water

Quality Study (WQS) (including a storm water drainage study) prepared by Mr. Hauser, PE [*Leibowitz Residence Rebuild Water Quality Study (Standard Storm Water BMP Report)* updated on May 6, 2015] included analysis of existing and proposed drainage conditions at the project site and concluded that storm water discharge will flow into the existing natural drainage course at the low, southwest corner of the project site. This will be accomplished through the storm water discharge sheet-flowing in a westerly direction across the site, where it will be intercepted by a proposed drainage swale at the westerly (downhill) edge of the property and transported to discharge locations at the southwest corner of the site (Attachment 9). Within the drainage swale west of the joint property line (on the Leibowitz-side of the existing wall) impermeable liners capped with concrete grass mat blocks and a gravel blanket will be installed to facilitate site drainage. Additionally, the WQS concludes that detention and retention measures incorporated into the proposed project's drainage design will improve current drainage conditions at the site, resulting in an approximate nine percent reduction in surface runoff (the existing drainage situation at the project site does not employ filtering of pollutants from impervious surface runoff or flow restrictions, and there is no structured run-off detention beyond that provided by the mature landscaping on site).

Prior to the issuance of any building permits, Development Services Department (DSD) engineering staff will review the project's construction plans to ensure that appropriate Best Management Practices (BMPs) and drainage devices are incorporated into the project design in conformance with the City's Drainage Design Manual and Storm Water Standards. Additionally, permanent maintenance of the project BMPs will be guaranteed through an agreement with the property owner to be recorded on the project property as required by Condition No.17 of the development permit (Attachment 6), noted below:

"17. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance, satisfactory to the City Engineer."

Appeal Issue 2: *"The findings for a Site Development plan as set for the (sic) in Section 126.0504 of the Municipal Code cannot be made. The proposed development will be detrimental to public health, safety and welfare. The project will cause discharge of storm water onto neighboring properties, including the MacDougall property. In addition, the Leibowitz project will increase the existing problem of effluent flowing onto the MacDougall property. At the Hearing Officer meeting, staff stated that they had not studied the sewage or the capacity of the existing sewage lines."*

Staff Response:

The San Diego Municipal Code Section 126.0504 requires that certain findings applicable to a proposed development project need to be made prior to approval of a Site Development Permit (SDP). These findings are included in the draft resolution for the project (Attachment 5). The project is not required to eliminate downstream runoff from the Leibowitz property onto neighboring properties; however, it is required to not increase the maximum peak discharge quantity and/or velocity from a 50-year model storm at any of the existing discharge points, and to not create any new discharge points. As noted previously and described in the WQS, the project will incorporate detention and retention measures into the proposed project's drainage design to improve current drainage conditions at the site, resulting in an approximate nine percent reduction in surface runoff. The existing (pre-project) discharge point at the

southwest corner of the site will also be utilized as the post-project discharge point. The project will not increase the maximum peak discharge quantity and/or velocity from a 50-year model storm at the existing discharge point, nor will it create any new discharge points.

Through a private agreement, the project site and two neighboring properties share a 4" diameter private sewer lateral which connects via a private easement to the City public wastewater utility system located in La Jolla Shores Drive. Development Services Department (DSD) engineering staff stated during testimony at the public hearing on September 16, 2015, that during review of the project and prior to the public hearing, DSD and Public Utilities Department (PUD) staff reviewed the proposed plans for the Leibowitz Residence Project and determined that the existing 4" diameter private sewer lateral is adequately sized to serve the proposed single-family home project (an existing single-family home on the project site will be replaced with a new single-family home). Further, according to PUD staff a 4" diameter sewer lateral has the capacity to serve in excess of twenty (20) single-family homes. Potential issues related to the condition and ongoing maintenance of the 4" private sewer is a civil issue between the private parties.

All California Building, Fire, Plumbing, Electrical, and Mechanical Code requirements will be met with the proposed project. Permit conditions require the project to meet the City's Storm Water Standards and ongoing permanent BMP maintenance prior to construction permit issuance. The project will incorporate construction BMPs necessary to comply with Chapter 14 Article 2, Division 1 of the San Diego Municipal Code. The project will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards, and will enter into a Maintenance Agreement for ongoing permanent BMP maintenance. Under the conditions of approval, the proposed project is not anticipated to be detrimental to the public health, safety and welfare.

Appeal Issue 3: *"We have requested a copy of the final drainage plan and, to date, have not received a copy. The success of the Leibowitz drainage plan, as depicted in the conceptual drawings, appears to rely upon the MacDougall wall, which is entirely on the MacDougall property and Leibowitz does not have permission to use. We request that the city impose a condition on the Leibowitz project that he build his own wall which will be responsible for and maintain."*

Staff Response: The project application includes concept level design and development plans consistent with the standards in place per the DSD Project Submittal Manual (Attachment 11). Copies of the project "Exhibit A" concept plans were attached to the Hearing Officer Report sent by City staff to Ms. MacDougall on September 9, 2015, prior to the Hearing Officer public hearing on September 16, 2015 (Attachment 10). As noted in Condition No. 7 and No. 15 of the development permit, building permit(s) are required for the proposed project and will include detailed construction plans for a drainage system for the site satisfactory to the City Engineer (Attachment 6). As discussed previously in Appeal Issue 1, a site survey by project engineering consultant Steven R. Hauser indicates that the wall in question does not lie entirely within the MacDougall property, but rather is a common wall lying between the adjacent MacDougall and Leibowitz properties. The proposed Leibowitz project will not alter the existing retaining wall, nor does the project require a separate freestanding retaining wall as part of the drainage system for the site.

Conclusion

The proposed project complies with the applicable San Diego Municipal Code regulations and with the development requirements of the La Jolla Shores Planned District Ordinance and no deviations are required. Staff recommends the Planning Commission deny the appeal and uphold the Hearing Officer's approval of Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084.

ALTERNATIVES

1. **Deny** the appeal and **Approve** Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, **with modifications.**
2. **Grant** the appeal and **Deny** Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Elyse Lowe
Deputy Director
Development Services Department



Patricia J. FitzGerald
Development Project Manager
Development Services Department

LOWE/PJF

Attachments:

1. Appeal of Ms. Leanne Hull MacDougall, dated September 25, 2015
2. Aerial Photograph
3. Community Plan Land Use Map
4. Project Location Map
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Applicant Response to Appeal
8. Public Testimony (HO 9/16/2015)
9. Drainage Design Plans
10. Hearing Officer Report No. HO-15-116 (due to document size, please see via following link: <http://www.sandiego.gov/development-services/industry/hearingofficer/reports/index.shtml>)
11. DSD Project Submittal Manual (due to document size, please see via following link: <http://www.sandiego.gov/development-services/industry/information/codesregreq/index.shtml#submanual>)
12. Ownership Disclosure

 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: Leanne MacDougall E-mail Address: leanne@leannehull.com
 Address: 8317 La Jolla Shores Dr., La Jolla, CA 92037 City: La Jolla State: CA Zip Code: 92037 Telephone: 858-459-0886

3. Project Name: Liebowitz Residence

4. Project Information
 Permit/Environmental Determination & Permit/Document No.: MND 3/4 521, CDP 1313575, SDP 1329084 Date of Decision/Determination: P.J. Fitzgerald City Project Manager:
 Decision: (Describe the permit/approval decision)

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.

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

Signature: Leanne MacDougall Date: Sept. 23, 2015

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

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

DS-3031 (08-15)

RECEIVED

SEP 25 2015

DEVELOPMENT SERVICES

**Solomon
Ward**
Attorneys at Law

Solomon
Ward
Seidenwurm &
Smith LLP

Wells Fargo Plaza
401 B Street, Suite 1200
San Diego, California 92101
(t) 619.231.0303
(f) 619.231.4755
www.swsslaw.com

Karen M. ZoBell
Partner
kzobell@swsslaw.com
(t) 619.238.4802
(f) 619.615.7902

RECEIVED

SEP 25 2015

DEVELOPMENT SERVICES

September 24, 2015

Via Personal Delivery

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

Planning Commission
City of San Diego
202 C Street, 12th Floor
San Diego, CA 92101

We represent Leanne Hull MacDougall in connection with her appeal of the September 16, 2015 Hearing Officer approval of the Leibowitz project No. 374521.

This letter is in support of and attached to our appeal of the September 16, 2015 Hearing Officer approval of the Leibowitz Project No. 374521 including Mitigated Negative Declaration ("MND") 374521, Coastal Development Permit ("CDP") 1323595, and Site Development Permit ("SDP") 1329084.

I. The Grounds for our appeal of the approval of the CDP and SDP include as follows:

A. Factual Error: The Drainage Plan does not adequately depict where the discharge of water off the Leibowitz property will flow. In addition, the "conceptual" Drainage Plan shows a "retaining wall" on the MacDougall property as part of the drainage design. There is no "retaining wall" on the MacDougall property. There is a small wall that was never intended as a retaining wall. Ms. MacDougall does not give permission for Leibowitz to use the wall or any other part of her property for any purpose. Ms. MacDougall does not give permission and Leibowitz does not otherwise have permission to use or touch the MacDougall wall with dirt, rocks, liner or any other objects.

B. Findings Not Supported: The findings for a Site Development Plan as set for the in Section 126.0504 of the Municipal Code cannot be made. The proposed development will be detrimental to public health, safety and welfare. The project will cause discharge of storm water onto neighboring properties, including the MacDougall property. In addition, the Leibowitz project will increase the existing problem of effluent flowing from the Leibowitz property onto the MacDougall property. At the Hearing Officer meeting, staff stated that they had not studied the sewage or the capacity of the existing sewage lines.

C. New Information: We have requested a copy of the final drainage plan and, to date, have not received a copy. The success of the Leibowitz drainage plan, as depicted in the conceptual drawings, appears to rely upon the MacDougall wall, which is entirely on the

City of San Diego Development Services
September 24, 2015
Page 2

MacDougall property and Leibowitz does not have permission to use. We request that the City impose a condition on the Leibowitz project that he build his own wall which he will be responsible for and maintain.

II. The Grounds for our appeal of the approval of the MND are as follows:

A. Geology and Soils: The Initial Study Checklist concluded there was a "Less than significant impact" for landslides, soil erosion and loss of topsoil, and lateral spreading, subsidence, liquefaction or collapse. However, at the Hearing Officer hearing, no studies or analyses were provided. The area has had a history of soil erosion and flooding which should be analyzed. A grading permit should be required as part of the review of the project and MND.

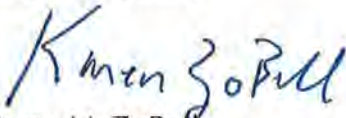
B. Hydrology and Water Quality: The Initial Study Checklist concluded there will be alteration of the drainage pattern, but concluded it would be less than significant. However, at the Hearing Officer meeting, staff stated they did not know where storm water would drain.

C. Utilities and Service Systems: The Initial Study Checklist states there will be adequate services including for sewage and wastewater. However, at the Hearing Officer meeting, staff stated they had not analyzed the sewage or where it empties into the public system. Therefore, the City has no evidence to conclude that the Leibowitz project will not have an adverse effect on utilities and services.

Conclusion:

We request that the Planning Commission consider the issues discussed in this letter and adopt the conditions set forth in the letter from Michael Baker, a copy of which is attached for convenience.

Very truly yours,



Karen M. ZoBell
Solomon Ward Seidenwurm & Smith, LLP

KMZ:rmf
Enclosure

cc: Ms. Leanne Hull MacDougall
Mr. Richard Tomlinson



We Make a Difference

September 8, 2015

Patricia 'PJ' Fitzgerald
Development Project Manager
City of San Diego, Development Services Department
1222 First Avenue
San Diego, CA 92101

**Subject: Leibowitz Residence CDP SDP, PTS 374521
Proposed Additional Conditions**

Dear PJ:

Michael Baker International has been retained by Leanne MacDougall in regards to the above referenced project ("Project"). Mrs. MacDougall lives at 8317 La Jolla Shores Drive, and her property is adjacent to and immediately west of the Leibowitz property.

After reviewing the proposed project with Mrs. MacDougall, we identified two issues. Based on the two issues listed below, we are requesting that the Leibowitz Project be subject to further analysis and two additional conditions be added to this Project.

The Project proposes to grade up to and use the existing wall on the MacDougall property as a retaining wall for the proposed vegetated swale running along the westerly property line of the Leibowitz property. Michael Baker International performed a cursory inspection of the wall. The cursory inspection revealed that it does not appear that the portion of the wall the Applicant proposes to grade against has been constructed as a retaining wall. Therefore, we request the following condition be added:

- The Applicant shall not use the existing wall on the MacDougall property, but shall construct a retaining wall on the Applicant's property to contain the proposed vegetated swale. The wall shall be constructed at the Applicant's expenses to the satisfaction of the Building Official.

The second issue that was identified during the review of this Project involves the private sewer running within the private road. Based on conversations with Mrs. MacDougall, and a letter from Bob Brown Plumbing (CA Lic. # 616765, a copy of which is attached along with pictures depicting the sewer condition) the existing sewer line serving the Applicant's Project, MacDougall, and a third property is a 4" private cast iron main. In addition, according to Bob Brown Plumbing, the 4" main has been infiltrated with roots. The Project proposes to construct a 9,245 sf single family residence and use the existing 4" cast iron private main for sewer service. Depending on the final number of fixtures proposed by the Project, the proposed Project may exceed the capacity of the 4" sewer. Therefore, we request the following condition be added:

- Prior to the issuance of a building permit, the capacity of the existing 4" sewer line which runs within the private road shall be evaluated by a Registered Civil Engineer. In addition, the condition of the sewer line shall be evaluated by a Registered Civil Engineer or

We Make a Difference

Licensed Plumber to ensure the condition of the sewer line is suitable for the proposed Project. The analysis shall be performed at the Applicant's expenses to the satisfaction of the Building Official.

The two conditions that we are proposing are to protect the adjacent properties that will be affected by the Project. In addition, we feel that the two conditions that we are proposing do not create an undue burden on the applicant and therefore should be added to the Project. Please include this letter in the record and with the package for the Hearing Officer for the September 16, 2015 hearing.

Sincerely,



Richard S Tomlinson, Jr., P.E., QSD/QSP, CPSWQ
Project Manager II
Land Development

CC: Ms. Leann MacDougall
Mr. Jack Canning
Karen ZoBell, Esq.



BOB BROWN PLUMBING HEATING & A/C, INC.
4934 Arroyo Lindo Ave. San Diego, CA 92117
CA LIC # 616765 858-274-8258 858-344-1738

July 17th 2015

To: Leanne Hull MacDougall
8317 La Jolla Shores Dr.
La Jolla, CA 92037

Dear Mrs. MacDougall,

Re: your sewer line along the private road which you share with your neighbors Liebowitz and Kavanaughs and others.

The sewer line is 65 years old, made of cast iron. There are roots growing into this line. It continually backs up and overflows on your property which is downstream of the Liebowitz house, the first house on the line.

This happens because the roots and the Liebowitz house dispose of inappropriate materials in their toilets. Only single-ply toilet paper should be disposed in the toilets because it disintegrates in water. I have, on many occasions, found wet wipes, Kotex, double-ply toilet paper, Tampax, paper towels, Kleenex, which I have had to clean out on your property, which have come from the Liebowitz house.

I highly recommend either replacing the whole 4-inch sewer line with a 6-inch line, all the way to the city sewer line at La Jolla Shores Dr. Or this old line could be re-lined with epoxy coating. Or you could continue to maintain the old line by snaking and jetting it as needed, at least twice a year. This is the cheapest method annually, but not a permanent solution. There will continue to be overflow onto your property because you are the low point after the Liebowitz house.

Sincerely,



Bob Brown











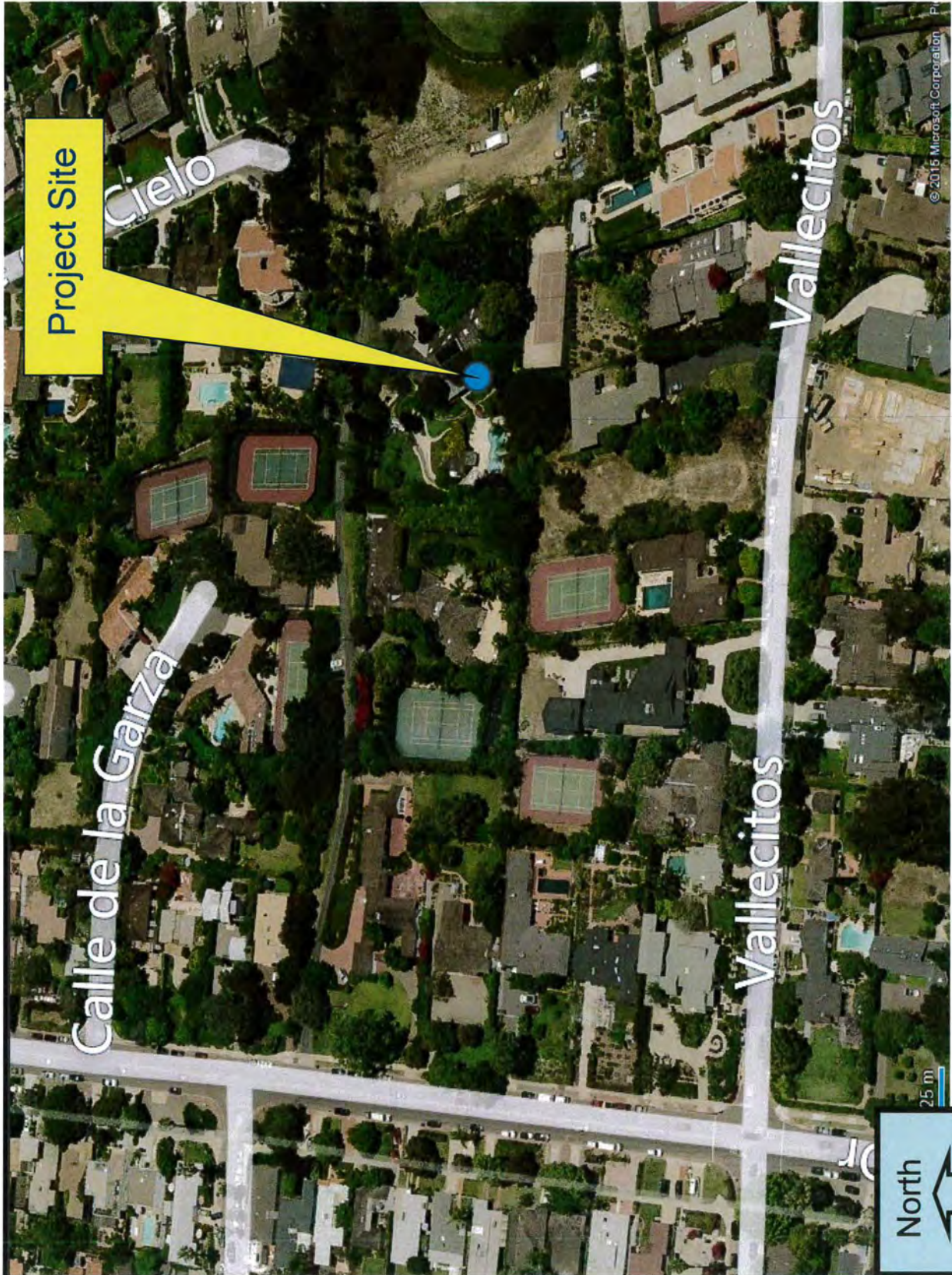










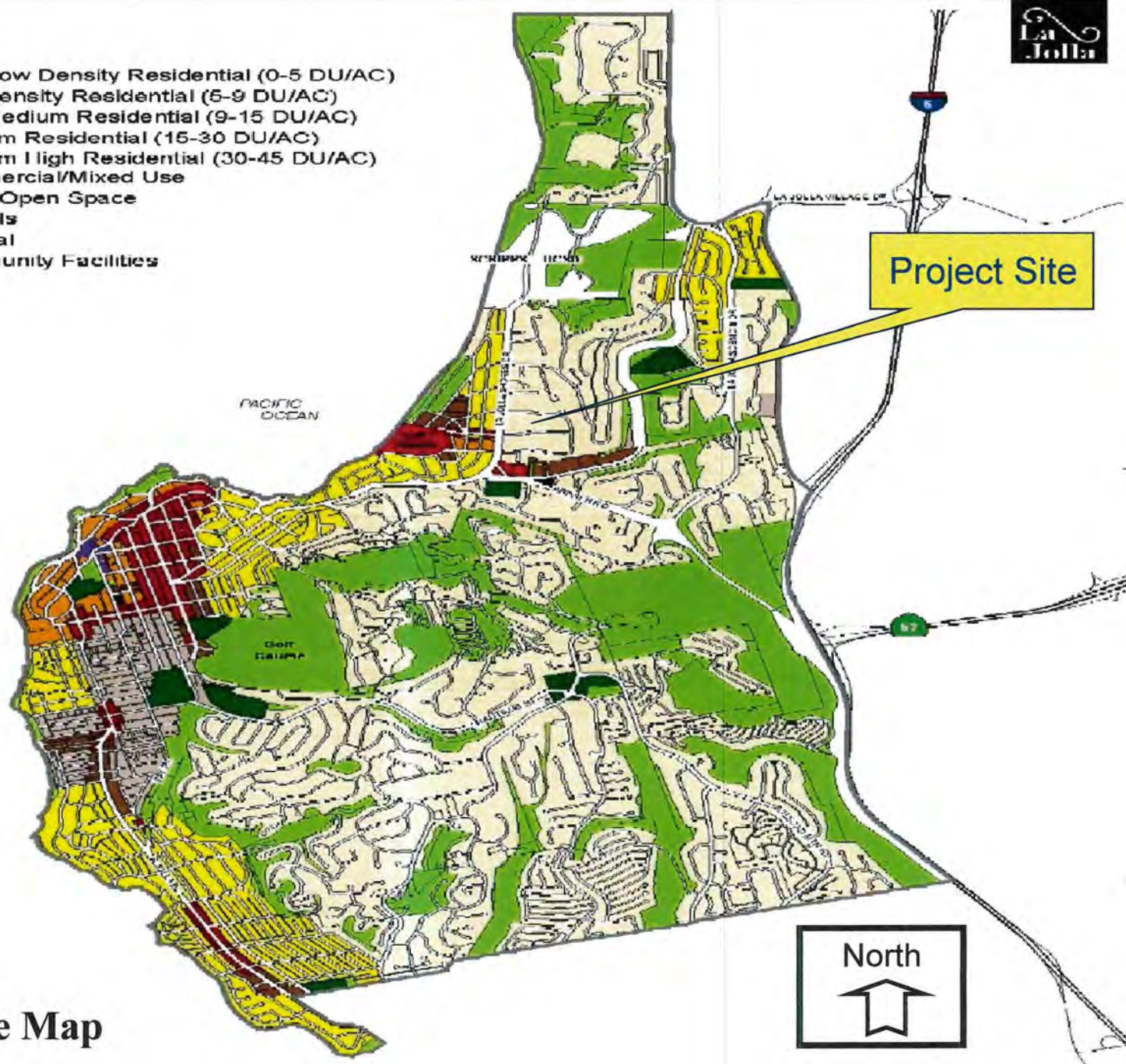


Aerial Photo



Legend

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



Land Use Map



Project Location Map

PLANNING COMMISSION RESOLUTION NO. PC-____
COASTAL DEVELOPMENT PERMIT NO. 1323595
SITE DEVELOPMENT PERMIT NO. 1329084
LEIBOWITZ RESIDENCE - PROJECT NO. 374521 [MMRP]

WHEREAS, MARK LEIBOWITZ and KAREN LEIBOWITZ, Owners/Permittees, filed an application with the City of San Diego for a permit to demolish an existing home and construct a new single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084), on portions of a 1.12-acre (48,787-square-foot) site; and

WHEREAS, the project site is located at 8283 La Jolla Shores Drive within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program area; and

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 13452; and

WHEREAS, on September 16, 2015, the Hearing Officer of the City of San Diego approved Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 pursuant to the Land Development Code of the City of San Diego and on September 16, 2015, an appeal of the Hearing Officer's decision was filed by Ms. Leanne Hull MacDougall; and

WHEREAS, on January 28, 2016, the Planning Commission of the City of San Diego considered the appeal of Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 pursuant to the Land Development Code of the City of San Diego;

NOW THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated January 28, 2016.

FINDINGS:

Coastal Development Permit – SDMC Section 126.0708

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

of a 9,245-square-foot, two-story, single-family home, a 157-square-foot, one-story pool house and a new swimming pool, and other accessory site improvements will not encroach upon any existing physical accessway legally used by the public or on any proposed public accessway identified in the Local Coastal Program land use plan. The project site is a legally subdivided lot designated for single-family residential use and the surrounding properties are similarly developed. Access to the project site is via a private drive fronting La Jolla Shores Drive, and the area is served by dedicated public rights-of-way for vehicular, bicycle and pedestrian access to the beaches and shoreline of the Pacific Ocean lying approximately five blocks to the west. There are no public views to or along the Pacific Ocean and other scenic coastal areas impacted by this development and the proposed structure and accessory improvements are in conformity to zoning and other development criteria, including building height. The proposed coastal development will enhance and protect public views as specified in the La Jolla Community Plan and Local Coastal Program land use plan through its compliance with adopted development regulations.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The 1.12-acre (48,787-square-foot) site is currently developed with a 4,088-square-foot, one-story, single-family home and a detached pool house. The project proposes demolition of these existing structures and construction of a 9,245-square-foot, two-story, single-family home, a 157-square-foot, one-story pool house and a new swimming pool. Due to the presence Native American human burials in the vicinity of the project area, grading depths required for excavation, and the limitations of the archaeological investigation, there remains a potential to impact subsurface archaeological resources. Mitigated Negative Declaration (MND) No. 374521 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) and a Mitigation, Monitoring and Reporting Program (MMRP) requiring archaeological monitoring during any grading/ground-disturbing activities and curating of any artifacts recovered on-site will be implemented as a condition of the project to reduce the potential impacts to below a level of significance. Other than the potential for archaeological resources, the property does not contain nor is it adjacent to environmentally sensitive lands. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The project proposes demolition of an existing single-family home and accessory uses and construction of a 9,245-square-foot, two-story, single-family home with attached garages providing three (3) off-street parking spaces, a 157-square-foot, one-story pool house and a new swimming pool on a 1.12-acre (48,787-square-foot) site zoned SF (single-family) within the La Jolla Shores Planned District. Comprised of a mix of older homes and new large single-family residences, residential housing in the vicinity of the project site represents a variety of architectural styles and the project will be consistent with existing patterns of development in the surrounding neighborhood. The proposed project complies with the La Jolla Shores SF-Zone and applicable regulations of the Land Development Code, and conditions of approval require the continued compliance with all relevant regulations of the City of San Diego Municipal Code effective for this site and incorporated into Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084. The proposed coastal development is in conformity with the La Jolla

Community Plan and Local Coastal Program land use plan, and complies with all regulations of the certified Implementation Program.

4. For every coastal development permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the coastal overlay zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project proposes demolition of existing improvements and the construction of a new single-family residence on property located at 8283 La Jolla Shores Drive in the SF Zone of La Jolla Shores Planned District. The project site lies approximately five blocks east of the Pacific Ocean and is not between the nearest public road and the sea and shoreline of the Pacific Ocean located within the Coastal Overlay Zone. The proposed demolition of an existing home and development of a new residence will be in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Site Development Permit – SDMC Section 126.0504

1. The proposed development will not adversely affect the applicable land use plan. The project site is designated very low density residential at 0-5 dwelling units per acre (du/acre) in the La Jolla Community Plan and Local Coastal Program. The project proposes 1 dwelling unit on a 1.12-acre site resulting in a density of 1.1 du/acre, and is therefore consistent with the recommended land use and density of the La Jolla Community Plan. The La Jolla Community Plan and the La Jolla Shores Planned District Ordinance (PDO) contain policies and regulations related to architectural design and community character, and the purpose and intent of the PDO regulations states that the “distinctive residential character and the open seascape orientation of the La Jolla Shores Area shall be retained and enhanced”. The design, form and siting of the proposed development will compliment the surrounding neighborhood, and the project is consistent with the La Jolla Shores PDO's stated theme of ‘unity with variety’. The proposed new home will support the goals and policies of the La Jolla Community Plan to “promote the development of a variety of housing types and styles in La Jolla”, and “allow a harmonious visual relationship to exist between the bulk and scale of new and older structures”. The proposed development will not adversely affect the La Jolla Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. All California Building, Fire, Plumbing, Electrical, and Mechanical Code requirements will be met with the proposed project. A Water Quality Technical Report (including a storm water drainage study) was prepared for the project and concluded that the detention and retention measures incorporated into the project's drainage design would improve current drainage conditions at the site, resulting in an approximate nine percent reduction in surface runoff. Permit conditions require the project to meet the City's Storm Water Standards and ongoing permanent BMP maintenance prior to construction permit issuance. The project will incorporate construction Best Management Practices (BMP) necessary to comply with Chapter 14 Article 2, Division 1 of the San Diego Municipal Code. The project will prepare and implement a Water Pollution Control Plan in accordance

with the guidelines in Appendix E of the City's Storm Water Standards, and will enter into a Maintenance Agreement for ongoing permanent BMP maintenance. As noted previously, MND No. 374521 has been prepared and a MMRP will be required to reduce potential impacts to Paleontological resources to a level below significance. Therefore, the proposed 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 project complies with the applicable regulations of the Land Development Code and with the development regulations of the La Jolla Shores Planned District Ordinance, and no deviations are required. Conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and incorporated into Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084. The proposed project conforms to the overall policies and regulations of the City of San Diego and represents a desirable project for the site and the La Jolla community.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald
Development Project Manager
Development Services

Adopted on: January 28, 2016

Internal Order No. 24004778

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: 24004778

COASTAL DEVELOPMENT PERMIT NO. 1323595
SITE DEVELOPMENT PERMIT NO. 1329084
LEIBOWITZ RESIDENCE - PROJECT NO. 374521 [MMRP]
PLANNING COMMISSION

This Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 is granted by the Hearing Officer of the City of San Diego to MARK LEIBOWITZ and KAREN LEIBOWITZ, Owners/Permittees, pursuant to San Diego Municipal Code [SDMC] Section 126.0708 and Section 126.0504. The 1.12-acre (48,787-square-foot) project site is located at 8283 La Jolla Shores Drive within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program area. The project site is legally described as Parcel 1 of Parcel Map No. 13452.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees to demolish an existing home and construct a new single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 28, 2016, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing 4,088-square-foot, one-story, single-family home and detached guest house;
- b. Construction of a 9,245-square-foot, two-story, single-family home, and a 157-square-foot, one-story pool house, swimming pool and associated retaining walls and fences;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- 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 January 28, 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 Owners/Permittees sign and return 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees shall secure all necessary building permits. The Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owners/Permittees 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, Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Owners/Permittees.

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. 374521, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owners/Permittees shall comply with the MMRP as specified in Mitigated Negative Declaration No. 374521, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- **Historical Resources – Archaeology**

ENGINEERING REQUIREMENTS:

14. The project proposes to export 320 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit 'A', satisfactory to the City Engineer.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance, satisfactory to the City Engineer.

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

19. 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.

20. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

GEOLOGY REQUIREMENTS:

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

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

LANDSCAPING REQUIREMENTS:

23. Prior to issuance of any permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department

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

25. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

26. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

27. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained 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.

28. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and

equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

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

30. 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 Owners/Permittees.

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

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on January 28, 2016, and Resolution No. PC-_____.

ATTACHMENT 6

Coastal Development Permit No. 1323595
Site Development Permit No. 1329084
Date of Approval: January 28, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Patricia J. FitzGerald
Development Project Manager

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

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

By _____
MARK LEIBOWITZ
Owner/Permittee

By _____
KAREN LEIBOWITZ
Owner/Permittee

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

Steven R. Hauser, PE
Civil Engineering / Structural Design

October 16, 2015

Ms. Patricia 'PJ' Fitzgerald
Development Project Manager
City of San Diego, Development Services Department
1222 First Avenue
San Diego, CA 92101

RE: Rebuttal response to appeal of City of San Diego Hearing Officer approval of Leibowitz Residence Project by Ms. Leanne MacDougall dated September 23, 2015 – Reference PTS 374521

PJ:

As the civil engineer responsible for the preparation of the Drainage and Grades plan and associated Water Quality Technical Report/Hydraulic Analysis for the Leibowitz Residence Project, I have been directed to provide you with the following rebuttal statements concerning the allegations made in Ms. MacDougall's appeal.

Rebuttal Summary

Ms. MacDougall's stated grounds for appeal are that there has been a factual error in the Drainage and Grades plan, that the City's Engineering Department reviews and Hearing Officer approval findings are not supported, and that new information has come to light necessitating extended review of the planned drainage and grades solutions. In short, the point-by-point rebuttal below confirms that:

- there are no *Factual Errors* in the plans, reports or calculations
- the allegations of *Findings Not Supported* are not true
- there is no *New Information*

Point-by-Point Response Commentary

Regarding the allegation of ***Factual Errors***:

Item #I-A – Salient Point A: "The Drainage Plan does not adequately depict where the discharge of water off the Leibowitz property will flow."

[The post-project discharge point does not change from where it currently exists in the pre-project condition at the southwest corner of the Leibowitz property just as the post-project grades remain the same as pre-project grades. This is clearly evident on the drawings which are consistent with standard engineering practice notations. It also is clearly described in the Water Quality Technical Report, has been voiced and reiterated by me and others in multiple public community group and public hearings that the post-project runoff will continue to drain as it does today into the existing natural drainage course. Additionally, I personally pointed this out in the field to Ms. MacDougall back in late 2014 and it has not changed since.]

Item #I-A – Salient Point B: "...the "conceptual" Drainage Plan shows a "retaining wall" on the MacDougall property as part of the drainage design. There is no "retaining wall" on the MacDougall property. There is a small wall that was never intended as a retaining wall..."

[Retaining wall definition from Basics of Retaining Wall Design (10th Edition) by Hugh Brooks, SE and John P. Nielsen, CGE; "A Definition: A retaining wall is any constructed wall that restrains soil or other material at locations having an abrupt change in elevation." The retaining wall in question lies along the west property line of the Leibowitz property, which is coincident with the east property line of the MacDougall

Steven R. Hauser, PE
Civil Engineering / Structural Design

property. The vertical stem and horizontal toe of the footing lie on the MacDougall (downhill) side of the property line with the rear/uphill face of the wall stem effectively coincident with the common property line as verified by a recent boundary survey where the common property line was staked in the field. The horizontal heel of the footing lies on the Leibowitz side of the property line as physically and photographically verified via potholing of the rear face of the wall by Mark Leibowitz. Regardless of how Ms. MacDougall, her consultants, and/or counsel choose to describe the type, original intent, or apparent design of said wall, it presently functions as a mechanism for retaining earth in an abrupt change of elevation between the front face (MacDougall side) and rear face (Leibowitz side) of the wall clearly demonstrating that said wall is a retaining wall. It is our belief and understanding that Ms. MacDougall or her predecessor installed the retaining wall to increase the usable yard area. At the south end terminus of the wall, the height of the retained soil is less than three feet. At the north end terminus of the retaining wall, the height of the retained soil exceeds three feet. As the combined wall and footing construct sits on the property line with portions of the structure on both sides of the property line, from an engineering perspective, it is a mutually beneficial structure for both properties (this is consistent with the City of San Diego Engineering Department's view of said wall). Legally those portions of the wall that straddle the property line are a common wall requiring both parties consent prior to any alteration. Regardless, the post-project design does not change the existing pre-project retained height grade behind the existing wall except for very minor contouring adjustments of the existing Leibowitz-side property line swale employed to eliminate 'roller-coaster' low spots where ponding and minor retention of runoff may presently occur. With respect to retained soils, there is no measurable change from the pre-project condition to the post-project condition. With respect to overall runoff exposure and saturation of backfill concerns, the post-project condition will improve existing conditions by installing impermeable liners capped with concrete grass mat blocks and a gravel blanket along the westerly half of the Leibowitz-side property-line swale to minimize the intrusion of runoff waters into the backfill behind the wall.

Item #I-A – Salient Point C: "...Ms. MacDougall does not give permission for Leibowitz to use the wall or any other part of her property for any purpose. Ms. MacDougall does not give permission and Leibowitz does not otherwise have permission to use or touch the MacDougall wall with dirt, rocks, liner or any other objects."

[This is a moot point as the collective components of the wall system exist on both sides of the common property line. Legally those portions of the wall that straddle the property line constitute a common wall, which requires both parties consent prior to any alteration. To claim full authority on any acceptable utilization of the wall, it needs to lie entirely on Ms. MacDougall's property, which was verified as not being the case via a recent boundary survey and subsequent potholing noting the existence of a monolithic heel on the Leibowitz property. The Leibowitz project does not alter the existing retaining wall nor does it alter any vertical, lateral, or surcharge loading.]

Regarding the allegation of **Findings Not Supported**:

Item #I-B – Salient Point D: "The findings for a Site Development plan as set for the (sic) in Section 126.0504 of the Municipal Code cannot be made. The proposed development will be detrimental to public health, safety and welfare. The project will cause discharge of storm water onto neighboring properties, including the MacDougall property..."

[There is no obligation to eliminate downstream runoff from the Leibowitz property onto neighboring properties. The only obligation is to not increase the maximum peak discharge quantity and/or velocity from a 50-year model storm at any of the existing discharge points, and to not create any new discharge points. As there is only one existing, pre-project discharge point, the post-project condition meets this standard. In the post-project condition, Leibowitz proposes to voluntarily implement hydromodification flow control structures that reduces the 50-year storm peak discharge rate by 9% and reduces the overall

Steven R. Hauser, PE
Civil Engineering / Structural Design

flow volume from an 85th percentile storm by 24%. As such, the proposed development will not be detrimental to the public health, safety, and welfare of Leibowitz's downstream neighbors including Ms. MacDougall. The Project improves the situation over current conditions]

Item #I-B – Salient Point E: “...In addition, the Leibowitz project will increase the existing problem of effluent flowing onto the MacDougall property. At the Hearing Officer meeting, staff stated that they had not studied the sewage or the capacity of the existing sewage lines.”

[The two sentences above from the appeal verbiage noted as Salient Point E are both gross misstatements. Throughout the course of 2015, Ms. MacDougall has, at various public meetings repeatedly aired her complaint about a sewer clog that overflows onto her property. The sewer line in question is a private line serving properties jointly maintained by those served by the line. On at least three occasions that I am personally familiar with, my client, Mark Leibowitz, has offered to Ms. MacDougall in said public forums to share in the cost of having the questionable section of the line rooted and, if that does not solve the problem, then share in the cost of replacing that segment of the line. To date, Ms. MacDougall has ignored this common sense approach to solving the apparent problem and instead chosen to do nothing more than continue to complain in each successive public review and/or written appeal. As for the statement that City Staff had not studied the sewerage or capacity of the existing sewage lines, that statement is false. Mr. Jack Canning from the City of San Diego Engineering Department noted that his cursory review of the sizing of the existing four-inch line compared against maximum fixture unit capacity indicated that a four-inch line should adequately serve both existing and proposed future flow volumes.]

Regarding the allegation of **New Information**:

Item #I-C – Salient Point F: “We have requested a copy of the final drainage plan and, to date, have not received a copy...”

[There are misstatements and there are prevarications, the statement above is a prevarication. Throughout the course of the review process from the beginning of 2015 to the present, Ms. MacDougall has repeatedly been provided with the current in-progress plans of the time, final plans following engineering and geology review approvals, and various water quality/hydraulic analysis information. Regardless of all of the information provided to her, she continually asserts that she has not been provided with the information she has requested. Following one public hearing, I personally handed Ms. MacDougall two copies of an abstract of the Water Quality Technical Report stating, “This is for your engineer” to which she replied, “Thank you”. When I later spoke with her engineer at the time, Mr. Carson Edgington of Rick Engineering, and asked him if he had the Water Quality abstract, he explained that Ms. MacDougall did not give any such materials to him to aid in his review (which turned out to be a list of questions most of which the abstract would have easily answered). As part of that same review, on August 5, 2015, the same day I spoke with Mr. Edgington, he sent me the following e-mail note:

*“Hi Steve, I spoke with my client Leanne, she claims that she never received the information you provided me this morning. She has requested that you email her the information you provided me so she can determine if she wants to pay Rick Engineering Company to review it. I have been instructed by my client to not review anything or prepare any additional letters or correspondence until she directs me to so. Please send the documents to the email listed below. art@leaneehull.com
 Thanks, Carson”]*

I followed-up by e-mailing Ms. MacDougall PDF copies of the final Drainage and Grades documents and plans approved by the City of San Diego Engineering and Geology departments at the initially requested

Steven R. Hauser, PE
Civil Engineering / Structural Design

e-mail address and then another e-mail address that Carson later passed along to which Ms. MacDougall replied to my message with:

"I can't open these documents. Please deliver the hard copy of these documents to my house at 8317 La Jolla Shores Dr.

thank you,

Leanne MacDougall"

In response to Ms. MacDougall's request, Mr. Leibowitz hand-delivered the documents later in the day placing them in her mailbox and confirmed delivery in an e-mail. At the August 6, 2015 La Jolla Community Planning Association meeting the following evening, Ms. MacDougall publicly acknowledged having received the plans and hydraulic analysis documentation. Also, as a basic point of logic, how can the allegations in Item I-A be made without having plans to review?"

Item #I-C – Salient Point G: "...The success of the Leibowitz drainage plan, as depicted in the conceptual drawings, appears to rely upon the MacDougall wall, which is entirely on the MacDougall property and Leibowitz does not have permission to use. We request that the city impose a condition on the Leibowitz project that he build his own wall which will be responsible for and maintain."

[As noted above in Salient Point B, the wall is not entirely on the MacDougall property. It is a common wall in certain locations. The Leibowitz project does not alter the existing retaining wall, nor does it alter any loading. The project does not need or require a separate freestanding retaining wall and the requested condition is beyond the scope of what the City can require.]

Under the Part II section listed as "The Grounds for appeal of the MND are as follows:," these items apply to the City of San Diego's internal engineering review process and I'm unable to professionally address challenges to the City's internal procedures and evaluation practices.

Professional Conclusion

Section I of the appeal is a collection of inaccurate allegations and factual misstatements. Additionally, more than adequate engineering work product materials have been provided to the appellant to enable her professional engineering consultants to confirm for themselves that her claims are baseless should they actually be given the direction to do some basic validation engineering work on her behalf. As such, none of the appellant's claims are supported by any actual engineering effort/proof.

Respectfully,

Steven R. Hauser, P.E.





San Diego Hearing Officer

#6

IN FAVOR

Agenda item number 6 Date 9/16/15
 Subject LEIBOWITZ

NAME DAN GOWER
1817 Moneta Blvd. San Diego
 Address Number Street City
CA 92110 (8)210-1624
 State ZIP Telephone

Representing OWNERAre you part of an organized presentation? ☐ Yes ☒ No

If yes, list speakers in order of presentation:

ANSWER QUESTIONS

Please read guide to speaking in public meeting on reverse side. The Chairperson will call you to the microphone at the appropriate time.

SPEAKERS SLIP (9/13)

Printed on Recycled Paper



San Diego Hearing Officer

#6

IN FAVOR

Agenda item number 6 Date 9-16-15
 Subject LEIBOWITZ

NAME Brian Longmore
PO Box 503943 SD
 Address Number Street City
CA 92150
 State ZIP Telephone

Representing OWNERAre you part of an organized presentation? ☐ Yes ☒ No

If yes, list speakers in order of presentation:

Will answer questions

Please read guide to speaking in public meeting on reverse side. The Chairperson will call you to the microphone at the appropriate time.

SPEAKERS SLIP (9/13)

Printed on Recycled Paper



San Diego Hearing Officer

#6

IN FAVOR

Agenda item number 6 Date 9-16-15
 Subject LEIBOWITZ

NAME Mark Leibowitz
8283 La Jolla Village Dr La Jolla
 Address Number Street City
CA 92037 8585510845
 State ZIP Telephone

Representing SELFAre you part of an organized presentation? ☐ Yes ☒ No

If yes, list speakers in order of presentation:

Here to answer questions

Please read guide to speaking in public meeting on reverse side. The Chairperson will call you to the microphone at the appropriate time.

SPEAKERS SLIP (9/13)

Printed on Recycled Paper



San Diego Hearing Officer

#6

IN FAVOR

Agenda item number 6 Date 9-10-15
 Subject LEIBOWITZ RESIDENCE

NAME STEVE HAUSER
5301 VIA CARANCHO SAN DIEGO
 Address Number Street City
CA 92111 619-463-3391
 State ZIP Telephone

Representing MARK LEIBOWITZAre you part of an organized presentation? ☐ Yes ☒ No

If yes, list speakers in order of presentation:

AVAILABLE TO ANSWER QUESTIONS

Please read guide to speaking in public meeting on reverse side. The Chairperson will call you to the microphone at the appropriate time.

SPEAKERS SLIP (9/13)

Printed on Recycled Paper



THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER #6

IN OPPOSITIONAgenda Item Number 6 Date 9/16/2015SUBJECT Leibowitz residenceNAME Karen Zobel401 B St. Suite 1200Address: Number San Diego Street CA City 92101State CA Zip 92101 TelephoneREPRESENTING MacDougall

ARE YOU PART OF AN ORGANIZED PRESENTATION?

YES ☒ NO ☐

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

Richard TomlinsonLee Ann MacDougallKaren ZobelPLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON
REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE
MICROPHONE AT THE APPROPRIATE TIME.

THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER #6

IN OPPOSITIONAgenda Item Number 6 Date 9/16/2015SUBJECT Leibowitz residenceNAME Lee Ann MacDougall8317 La Jolla Shores DrAddress: Number EA Street 92037 CityState CA Zip 92037 TelephoneREPRESENTING MacDougall

ARE YOU PART OF AN ORGANIZED PRESENTATION?

YES ☒ NO ☐

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

Richard TomlinsonLee Ann MacDougallKaren ZobelPLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON
REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE
MICROPHONE AT THE APPROPRIATE TIME.

THE CITY OF SAN DIEGO

SAN DIEGO HEARING OFFICER #6

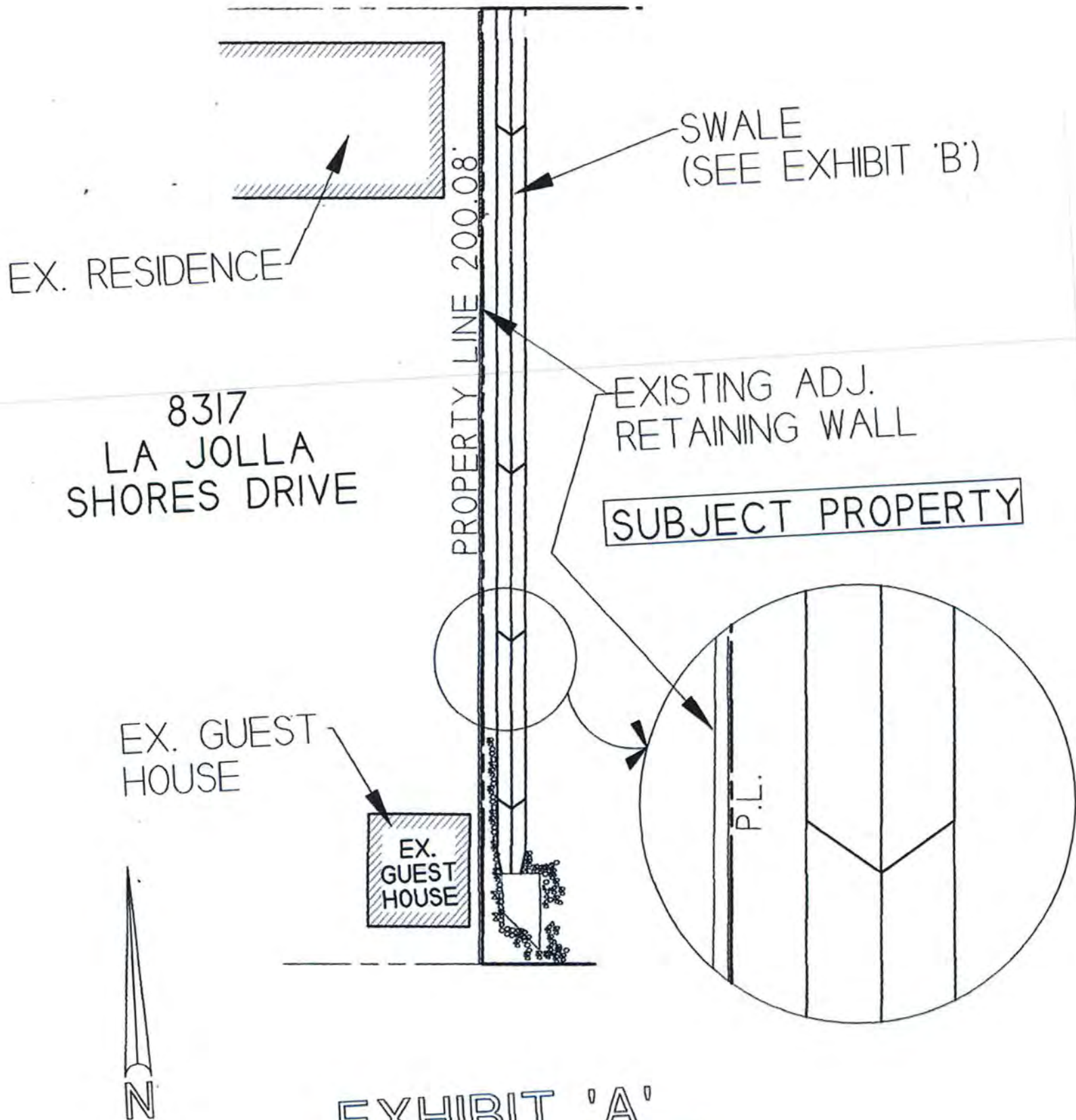
IN OPPOSITIONAgenda Item Number 6 Date 9-16-15SUBJECT Lebowitz MissingCONDITIONSNAME Richard Tomlinson9755 Clairemont Mesa Blvd San DiegoAddress: Number CA Street 92124 City 619-987-5032State CA Zip 92124 TelephoneREPRESENTING Leann MacDougallMichael Baker Inc

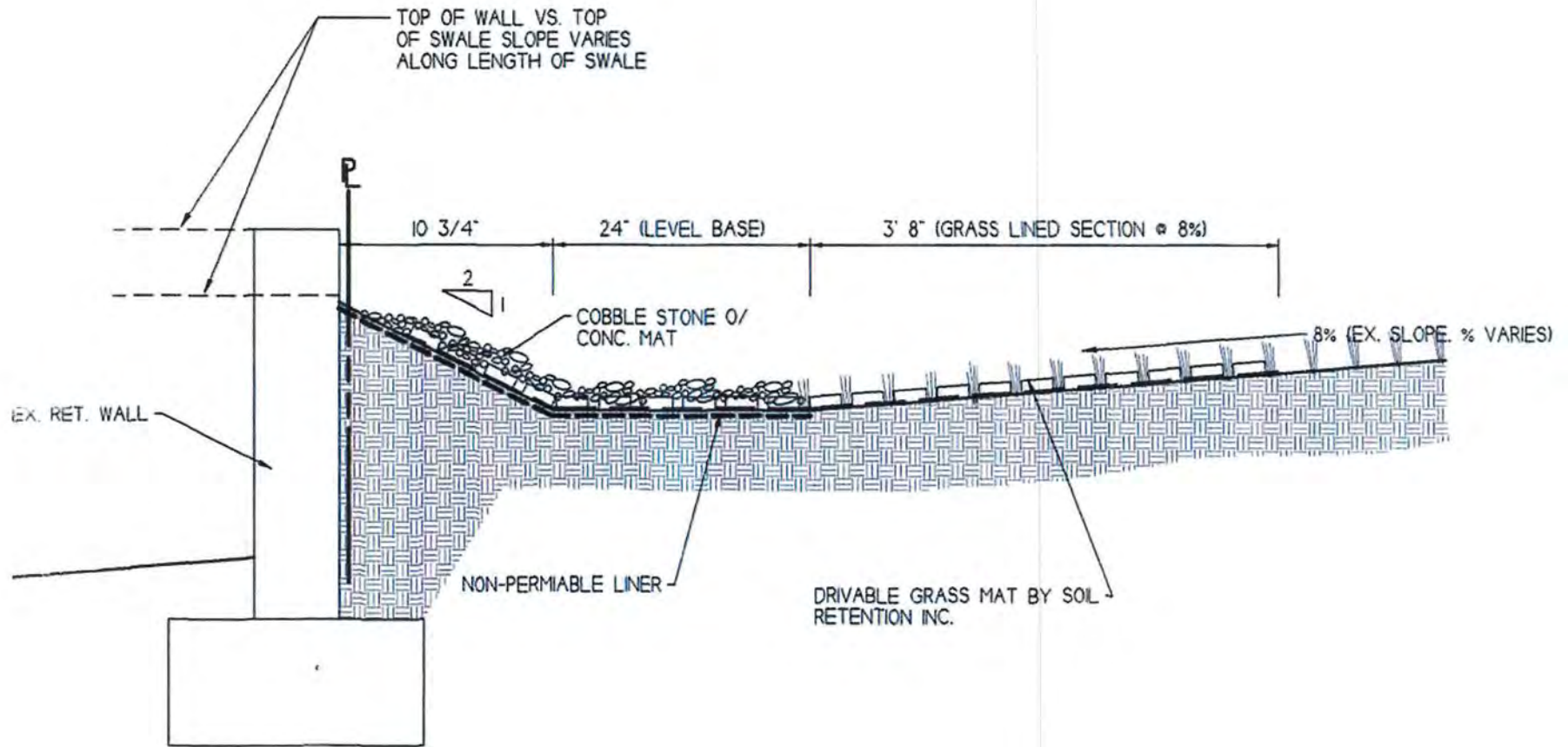
ARE YOU PART OF AN ORGANIZED PRESENTATION?

YES ☐ NO ☒

IF YES, LIST SPEAKERS IN ORDER OF PRESENTATION:

PLEASE READ GUIDE TO SPEAKING AT PUBLIC MEETING ON
REVERSE SIDE. THE CHAIRPERSON WILL CALL YOU TO THE
MICROPHONE AT THE APPROPRIATE TIME.





TYPICAL DRAINAGE SWALE

SCALE: NONE

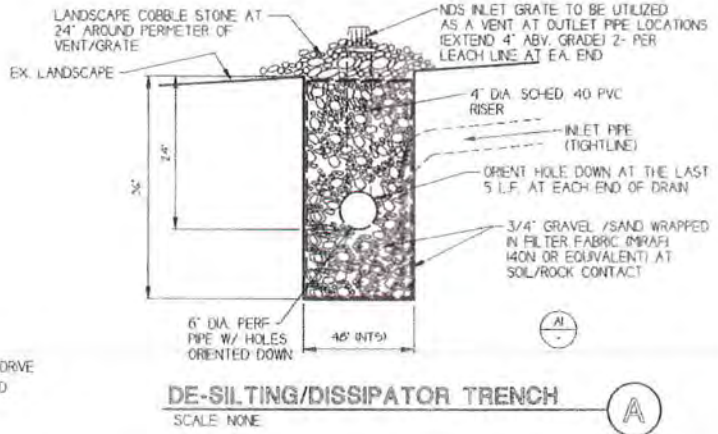
EXHIBIT 'B'



REFERENCE DRAWINGS
CITY OF SAN DIEGO DWG. NO. 7923-L
PARCEL MAP NO. 14620, MAP NO. 5090

BENCHMARK:
CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE
SOUTHEAST CORNER OF CALLE DEL ORD AND DEL ORD COURT. ELEVATION = 48.0'
MEAN SEA LEVEL, B.L.V.D. 1929
DATE OF SURVEY - 4/13/13

SURVEY PREPARED BY:
CE & S CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS PLANNERS
7888 SILVERTON AVENUE SUITE 101 SAN DIEGO, CALIFORNIA 92126
TELEPHONE: 858/271-9900 FAX: 858/271-8992



LEGEND:

DESCRIPTION	SYMBOL
EX. CONTOUR	(Symbol)
PROPOSED CONTOUR	(Symbol)
ROOF DRAIN LEADER	(Symbol)
PVT. STORM DRAIN	(Symbol)
PVT. STORM DRAIN	(Symbol)
DRAINAGE SWALE	(Symbol)
C&G RETAINING WALL	(Symbol)
PVT. STORM DRAIN CLEAN-OUT	(Symbol)
TH-TO WALL/TH-TO FIG	(Symbol)
PROPOSED SPOT ELEVATION	(Symbol)
EXISTING SPOT ELEVATION	(Symbol)
EXISTING DRAINAGE PATTERN	(Symbol)
PROPOSED DRAINAGE PATTERN	(Symbol)

GRADING QUANTITIES:

GRADED AREA	1800 SQ. FT. (1.1 ACRES)
CUT QUANTITIES	320 CU. YD.
FILL QUANTITIES	0
MAX. CUT DEPTH	1'-0"
MAX. FILL DEPTH	N/A
MAX. FILL SLOPE RATIO	4:1

IMPORT/EXPORT: DUE TO NATURE OF THE PROPOSED DRAINAGE DESIGN NO EXPORT IS PROPOSED. HOWEVER, THE NEED MAY ARISE TO REMOVE CERTAIN UNSUITABLE MATERIALS AND REPLACE WITH ACCEPTABLE MATERIAL AS DEEMED APPROPRIATE BY THE GEOLOGIST.

THIS PROJECT PROPOSES TO EXPORT 320 +/- CU. YD. OF MATERIAL FROM THIS SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED TO A LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.

PROJECT DATA

Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ 4 New Attached Two Car Garage & Detached Pool House
Project Team:	DESIGNER: CE & S GENERAL CONTRACTOR: TBD
Project Owner / Address:	Mark & Karen Leibowitz 8317 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits 340-240-49
Assessor's Parcel Number:	340-240-49
Legal Description:	Parcel 1 OF Parcel Map No. 0452 in the City of San Diego County of San Diego State of California Filed in the Office of the County Recorder of San Diego County August 30, 1994
Year of Construction:	1948 Original Residence - See Historical Review PTS #3399001 L.B.D. SF/Coastal Dev. Appraisal Overlay Zone 48,787 Sq. Ft. 122 Acres
Lot Size:	48,787 Sq. Ft. 122 Acres
Proposed Building Sq. Ft.:	Living Area: 12050 Sq. Ft. First Floor: 2225 Sq. Ft. (2375 Gross Sq. Ft.) Second Floor: 9795 Sq. Ft. (9635 Gross Sq. Ft.) Total Living Area: 12050 Sq. Ft. (11910 Gross Sq. Ft.) Attached Garage: 200 Sq. Ft. Exterior Deck: 280 Sq. Ft. Covered Porch: 627 Sq. Ft. Pool House Entry/Storage: 350 Sq. Ft. Pool House Covered Patio: 350 Sq. Ft.
Setbacks:	Front: 10' (General Conformity w/ Theme) Rear: 10' (Existing Properties in the Vicinity) Side: 5' (Per SDMC 29.0103.04.01.01)
Proposed FAR:	48,787 sq. ft. / 122 acres = 0.394
F.A.R./Coverage Proposed:	0.394 / 48,787 = 206 L. 60
Applicable Codes:	2013 IBC, CMC, DM, CMC & CMC L.A.S. RULE 24-35 PM
Type of Construction:	VS - Specified per NEPA 15-0
Building Occupancy:	ES-1A
Geological Hazard Category:	32
Required Parking:	Two Standard Spaces (9' x 18') Per Table 142-050 Three Standard Spaces (Provisional)
Condition of Soil:	Undisturbed

NOTES:
1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
2. THE EXISTING EASEMENT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
3. PROPOSED GRADING IS PROPOSED FOR PROPOSED SLOPES TO PROVIDE DRAINAGE.
4. PROVIDE EASEMENTS ALONGS HARBOR VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PERMITS POLICY P-004-01-000-01.

SHEET NOTES:

- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE OF ADJACENT PROPERTIES THAN CURRENTLY EXISTS.
- PROVIDE TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPPC) TO THE CITY OF SAN DIEGO FOR REVIEW AND APPROVAL. THE WPPC SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER SDS.
- PROVIDE 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.
- PROVIDE 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, ENVIRONMENTAL REGULATIONS OF THE SAN DIEGO MUNICIPAL CODE INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

REVISIONS

BY	DATE	REVISIONS

DESIGN & DRAFTING
1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110
PHONE (619) 275-5882
FAX (619) 275-5882

Sheet Title:
drainage & grades plan

The Leibowitz Residence

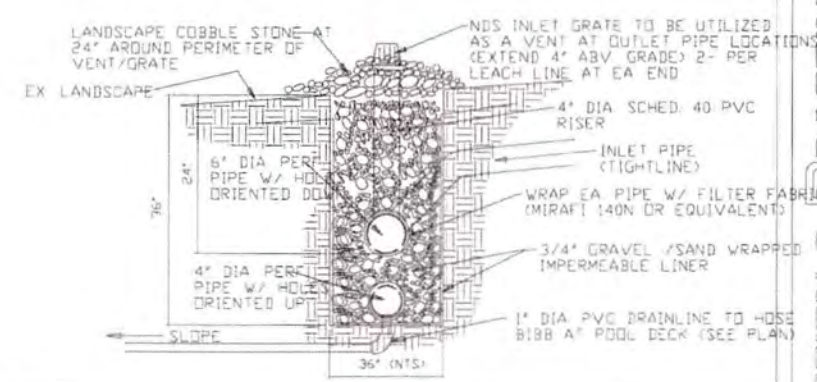


REFERENCE DRAWINGS:
CITY OF SAN DIEGO DWG NO 7982-1
PARCEL MAP NO 14620, MAP NO 5090

BENCHMARK:
CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE
SOUTHEAST CORNER OF CALLE DEL DRIO AND DEL DRIO COURT ELEVATION = 4801'
MEAN SEA LEVEL (NGVD 1929)
DATE OF SURVEY = 4/13/13

SURVEY PREPARED BY:

CE & S CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS PLANNERS
7888 SILVERTON AVENUE, SUITE 101, SAN DIEGO, CALIFORNIA 92126
TELEPHONE: (619) 271-9901 FAX: (619) 271-8912



LEGEND

DESCRIPTION	SYMBOL
EX. CONTOUR	---
PROPOSED CONTOUR	---
RICKY DRAIN LEADER	RD
PVT STORM DRAIN	SD
PVT STORM DRAIN	SD
DRAINAGE SWALE	---
CMU RETAINING WALL	---
PVT STORM DRAIN CLEAN-OUT	CO
PROPOSED SPOT ELEVATION	100.00
EXISTING SPOT ELEVATION	100.00
EXISTING DRAINAGE PATTERN	7%
PROPOSED DRAINAGE PATTERN	7%

GRADING QUANTITIES

GRADED AREA	4800 SQ. FT. (1/4 ACRES)
CUT QUANTITIES	320 CU. YD.
FILL QUANTITIES	0
MAX. CUT DEPTH	1'-0"
MAX. FILL DEPTH	N/A
MAX. FILL SLOPE RATIO	4:1

NOTE: DUE TO NATURE OF THE PROPOSED DRAINAGE DESIGN, NO EXPORT IS PROPOSED HOWEVER, THE NEED MAY ARISE TO REMOVE CERTAIN UNSUITABLE MATERIALS AND REPLACE WITH ACCEPTABLE MATERIAL AS DEEMED APPROPRIATE BY THE GEOLOGIST.

- SHEET NOTES:
- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE OR ADJACENT PROPERTIES THAN CURRENTLY EXISTS.
 - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP) TO THE WPCP SHALL BE PREPARED IN ACCORDANCE W/ THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STUDY.
 - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ENDING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.
 - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY W/ CHAPTER 1A, ARTICLE 2, DIVISION 3 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PROJECT DATA

Project Description: Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House

Project Team: GENERAL CONTRACTOR/DESIGNER: CE & S, 1817 MORENA BOULEVARD, #D, SAN DIEGO, CA 92103, PH: (619) 270-1624

Project Owner: Andrew & Karen Leibowitz, 6083 La Jolla Shores Drive, La Jolla, CA 92037

Required Permits & Approvals: Development/La Jolla Shores Planned District Permits

Assessors Parcel Number: 324-240-03

Legal Description: Parcel 1 of Parcel Map No 13452, In the City of San Diego, County of San Diego, State of California, Filed in the Office of the County Recorder at San Diego County August 31, 1984

Year of Construction: 1948 (Original Residence - See Historical Review PFS #339590)

Lot Zoning: LSPD-2/Coastal (Non-Applicable) Overlay Zone

Lot Size: 48,787 Sq. Ft. (1.12 Acres)

Proposed Building Sq. Ft.: Living Area: 6,660 Sq. Ft. First Floor: 2,125 Sq. Ft. Second Floor: 4,535 Sq. Ft. Gross Sq. Ft.: 8,395 Sq. Ft. Attached Garage: 860 Sq. Ft. Exterior Decks: 1,200 Sq. Ft. Covered Patios: 280 Sq. Ft. Pool House Bath/Storage: 50 Sq. Ft. Pool House Covered: 438 Sq. Ft.

Setbacks: Front: General Conformity w/ Front Yards: 30' (See 15103304164)

Proposed FAR: 48,787 sq. ft. / 194,955 sq. ft. gross floor area FAR Coverage Proposed: 0.248/0.487 = 25% < 60%

Applicable Codes: 2013 IRC, IRC, CMC, CEC & CEC CAC TITLE 24, 2013

Type of Construction: Single-Family Residential

Building Occupancy: Single-Family Residential

Grouped: Hazard Category: 1

Request Rating: Two Standard Spaces (19' x 18') Per Table 42-202 Three Standard Enclosed Spaces Provided

Condition of Soil: Undisturbed

NOTES:
1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
3. MINIMAL GRADING IS PROPOSED FOR WADEN SLOPES TO PROVIDE DRAINAGE.
4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND COORDINATE FROM THE STREET FRONTING THE PROPERTY PER PFS #10174 & 10175 (2014.47).

DATE: 2/6/15
SCALE: AS NOTED
DRAWN BY: BROWN
JOB: LEIBOWITZ
SHEET: 13

REVISIONS BY

NO.	DATE	BY	DESCRIPTION
1	2/5/15	CE & S	REVISIONS
2	2/5/15	CE & S	REVISIONS
3	2/5/15	CE & S	REVISIONS
4	2/5/15	CE & S	REVISIONS
5	2/5/15	CE & S	REVISIONS
6	2/5/15	CE & S	REVISIONS
7	2/5/15	CE & S	REVISIONS
8	2/5/15	CE & S	REVISIONS
9	2/5/15	CE & S	REVISIONS
10	2/5/15	CE & S	REVISIONS
11	2/5/15	CE & S	REVISIONS
12	2/5/15	CE & S	REVISIONS
13	2/5/15	CE & S	REVISIONS
14	2/5/15	CE & S	REVISIONS
15	2/5/15	CE & S	REVISIONS
16	2/5/15	CE & S	REVISIONS
17	2/5/15	CE & S	REVISIONS
18	2/5/15	CE & S	REVISIONS
19	2/5/15	CE & S	REVISIONS
20	2/5/15	CE & S	REVISIONS
21	2/5/15	CE & S	REVISIONS
22	2/5/15	CE & S	REVISIONS
23	2/5/15	CE & S	REVISIONS
24	2/5/15	CE & S	REVISIONS
25	2/5/15	CE & S	REVISIONS
26	2/5/15	CE & S	REVISIONS
27	2/5/15	CE & S	REVISIONS
28	2/5/15	CE & S	REVISIONS
29	2/5/15	CE & S	REVISIONS
30	2/5/15	CE & S	REVISIONS
31	2/5/15	CE & S	REVISIONS
32	2/5/15	CE & S	REVISIONS
33	2/5/15	CE & S	REVISIONS
34	2/5/15	CE & S	REVISIONS
35	2/5/15	CE & S	REVISIONS
36	2/5/15	CE & S	REVISIONS
37	2/5/15	CE & S	REVISIONS
38	2/5/15	CE & S	REVISIONS
39	2/5/15	CE & S	REVISIONS
40	2/5/15	CE & S	REVISIONS
41	2/5/15	CE & S	REVISIONS
42	2/5/15	CE & S	REVISIONS
43	2/5/15	CE & S	REVISIONS
44	2/5/15	CE & S	REVISIONS
45	2/5/15	CE & S	REVISIONS
46	2/5/15	CE & S	REVISIONS
47	2/5/15	CE & S	REVISIONS
48	2/5/15	CE & S	REVISIONS
49	2/5/15	CE & S	REVISIONS
50	2/5/15	CE & S	REVISIONS
51	2/5/15	CE & S	REVISIONS
52	2/5/15	CE & S	REVISIONS
53	2/5/15	CE & S	REVISIONS
54	2/5/15	CE & S	REVISIONS
55	2/5/15	CE & S	REVISIONS
56	2/5/15	CE & S	REVISIONS
57	2/5/15	CE & S	REVISIONS
58	2/5/15	CE & S	REVISIONS
59	2/5/15	CE & S	REVISIONS
60	2/5/15	CE & S	REVISIONS
61	2/5/15	CE & S	REVISIONS
62	2/5/15	CE & S	REVISIONS
63	2/5/15	CE & S	REVISIONS
64	2/5/15	CE & S	REVISIONS
65	2/5/15	CE & S	REVISIONS
66	2/5/15	CE & S	REVISIONS
67	2/5/15	CE & S	REVISIONS
68	2/5/15	CE & S	REVISIONS
69	2/5/15	CE & S	REVISIONS
70	2/5/15	CE & S	REVISIONS
71	2/5/15	CE & S	REVISIONS
72	2/5/15	CE & S	REVISIONS
73	2/5/15	CE & S	REVISIONS
74	2/5/15	CE & S	REVISIONS
75	2/5/15	CE & S	REVISIONS
76	2/5/15	CE & S	REVISIONS
77	2/5/15	CE & S	REVISIONS
78	2/5/15	CE & S	REVISIONS
79	2/5/15	CE & S	REVISIONS
80	2/5/15	CE & S	REVISIONS
81	2/5/15	CE & S	REVISIONS
82	2/5/15	CE & S	REVISIONS
83	2/5/15	CE & S	REVISIONS
84	2/5/15	CE & S	REVISIONS
85	2/5/15	CE & S	REVISIONS
86	2/5/15	CE & S	REVISIONS
87	2/5/15	CE & S	REVISIONS
88	2/5/15	CE & S	REVISIONS
89	2/5/15	CE & S	REVISIONS
90	2/5/15	CE & S	REVISIONS
91	2/5/15	CE & S	REVISIONS
92	2/5/15	CE & S	REVISIONS
93	2/5/15	CE & S	REVISIONS
94	2/5/15	CE & S	REVISIONS
95	2/5/15	CE & S	REVISIONS
96	2/5/15	CE & S	REVISIONS
97	2/5/15	CE & S	REVISIONS
98	2/5/15	CE & S	REVISIONS
99	2/5/15	CE & S	REVISIONS
100	2/5/15	CE & S	REVISIONS

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92103
PHONE: (619) 270-1624
FAX: (619) 275-5882

Sheet Title: The Leibowitz Residence
drainage & grades plan



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: September 16, 2015

REPORT NO. HO-15-116

ATTENTION: Hearing Officer

SUBJECT: LEIBOWITZ RESIDENCE
PTS PROJECT NUMBER: 374521

LOCATION: 8283 La Jolla Shores Drive

APPLICANTS/
OWNERS: Mark and Karen Leibowitz (Attachment 9)

SUMMARY

Issue(s): Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit for demolition of an existing residence and construction of a new two-story, single family residence in the La Jolla Community Planning Area?

Staff Recommendations -

1. ADOPT Mitigated Negative Declaration (MND) No. 374521 and ADOPT Mitigation, Monitoring Reporting Program (MMRP); and
2. APPROVE Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084.

Community Planning Group Recommendation – On August 6, 2015, the La Jolla Community Planning Association voted 9-3-2 to recommend approval of the project with no conditions (Attachment 9).

At their meeting on July 21, 2015, the La Jolla Shores Advisory Board voted 3-1 on a motion to approve the project, resulting in a failed vote due to lack of a quorum (4 affirmative votes were needed to carry the motion). Thus, the LJSAB moves the project forward with no recommendation.

Environmental Review: Mitigated Negative Declaration No. 374521 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared for the project and will be implemented which will reduce any potential impacts identified in the environmental review process, to a level below significance.

BACKGROUND

The 1.12 acre (48,787-square-foot) project site is located at 8283 La Jolla Shores Drive, within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program (LCP) area. The La Jolla Community Plan/LCP designates the project site for very low density residential land use at a rate of 0-5 dwelling units per acre. The project site is legally described as Parcel 1 of Parcel Map No. 13452. Currently developed with an existing 4,088-square-foot, one-story, single family residence, pool house, swimming pool and tennis court, the property lies within a developed neighborhood of custom designed single-family homes (Attachments 1-3).

A Coastal Development Permit (CDP) is required by the Land Development Code (Section 126.0702) for proposed development on property within the Coastal Overlay Zone, in accordance with Process Two (Hearing Officer as decision maker). A Site Development Permit (SDP) is required for new construction within the La Jolla Shores Planned District (SDMC Section 126.0504) in accordance with Process Three (Hearing Officer as decision maker). The decision of the Hearing Officer is appealable to the Planning Commission.

DISCUSSION

A Site Development Permit (SDP) and Coastal Development Permit (CDP) is required for the proposed demolition of an existing 4,088-square-foot, one-story, single-family home and detached guest house, and construction a new 9,245-square-foot, two-story single-family home, a 157-square-foot, one-story pool house and a new swimming pool.

Project Description:

The proposed five-bedroom, single-family residence would consist of two levels totaling 9,245-square-feet. The lower level will be approximately 6,260 square-feet of living area, and the upper level will be approximately 2,125 square-feet in size; two (2) attached garages totaling 860 square-feet providing three (3) vehicle parking spaces. The project includes construction of 1,210 square feet of first and second floor decks and 286 square feet of covered patios for the home, a 350-square-foot covered patio for the pool house, new outdoor terraces, site walls, fences and other miscellaneous site improvements. An existing tennis court will be retained. Vehicular access to the site would be provided via a shared private driveway off of La Jolla Shores Drive, which also serves as private access to other homes in the immediate vicinity. The proposed project will be consistent with the bulk and scale of the surrounding residential community. Architectural facade details include the use of stucco in "Crystal White" color with grey stone cornice detailing; metal windows and doors are planned to be in a gun metal grey accent color. As designed the project complies with the 30-foot Coastal Height Limit Overlay Zone and LJSPDO requirements. The proposed lot coverage of 21% complies with the 60% maximum allowed (Attachment10). A Water Quality Technical Report (including a storm water drainage study) was prepared for the project and concluded that the detention and retention measures incorporated into the project's drainage design will improve current drainage conditions at the site, resulting in an approximate 9 percent reduction in surface runoff. Permit conditions require

the project to meet the City's Storm Water Standards and ongoing permanent BMP maintenance prior to construction permit issuance. The project meets all development regulations and requires no deviations.

Community Plan Analysis:

The La Jolla Community Plan designates the site and surrounding area to the north, south, east and west as Very Low Density Residential (0-5 dwelling units/acre) and the project site and surrounding residential development to the north, south, east and west are all located within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD). The La Jolla Community Plan and the La Jolla Shores Planned District Ordinance (PDO) contain policies and regulations related to architectural design and community character, and the purpose and intent of the PDO regulations states that the "distinctive residential character and the open seascape orientation of the La Jolla Shores Area shall be retained and enhanced".

As proposed, the project will be consistent with the bulk and scale of the surrounding residential community, which is comprised of large custom homes of various architectural styles. The design, form and siting of the proposed home will compliment the surrounding neighborhood, and the project is consistent with the La Jolla Shores PDO's stated theme of 'unity with variety'. The proposed new home will support the goals and policies of the La Jolla Community Plan to "promote the development of a variety of housing types and styles in La Jolla", and "allow a harmonious visual relationship to exist between the bulk and scale of new and older structures". The proposed project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LJSPD, adopted La Jolla Community Plan and the Local Coastal Program Land Use Plan (LCP), the Progress Guide and General Plan.

Environmental Analysis:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following area: Historical Resources (Archaeology). Due to the presence Native American human burials in the vicinity of the project area, grading depths required for excavation, and the limitations of the archaeological investigation, there remains a potential to impact subsurface archaeological resources. Archaeological and Native American monitoring has been recommended during any grading/ground-disturbing activities. A Mitigated Negative Declaration (MND) No. 374521 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) and a Mitigation, Monitoring and Reporting Program (MMRP) requiring archaeological monitoring will be implemented with this project to reduce the potential impacts to below a level of significance.

CONCLUSION

Staff has reviewed the application for the Coastal Development Permit and Site Development Permit and has determined that the proposed project complies with the applicable sections of the Municipal Code. Staff believes the required findings can be made to support the project as

proposed. Therefore, staff recommends that the Hearing Officer approve certify the MND, adopt the MMRP and approve the requested permit.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, with modifications.
2. Deny Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, if the findings required to approve the project cannot be affirmed.

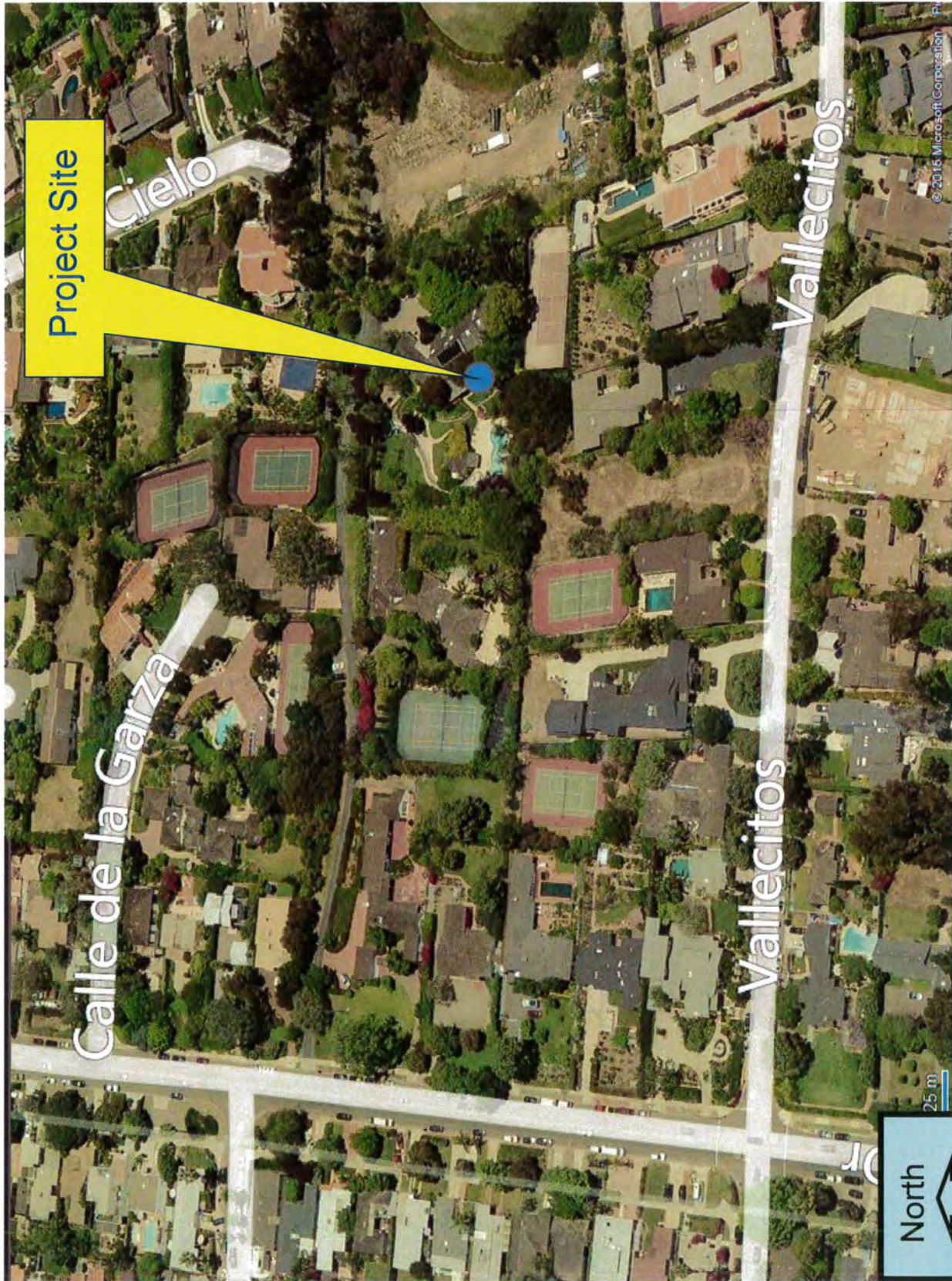
Respectfully submitted,



Patricia J. FitzGerald, Development Project Manager

Attachments:

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

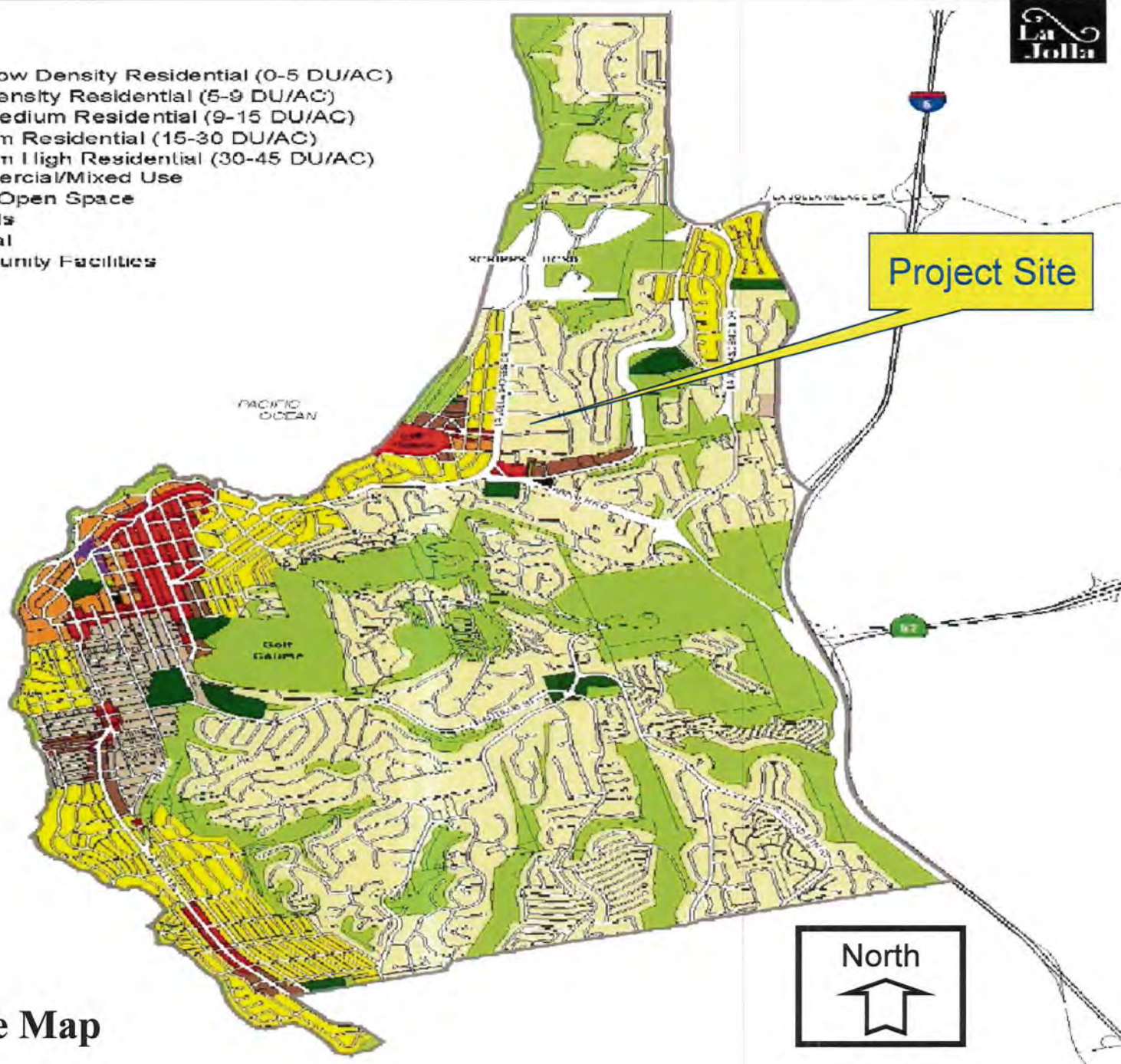


Aerial Photo

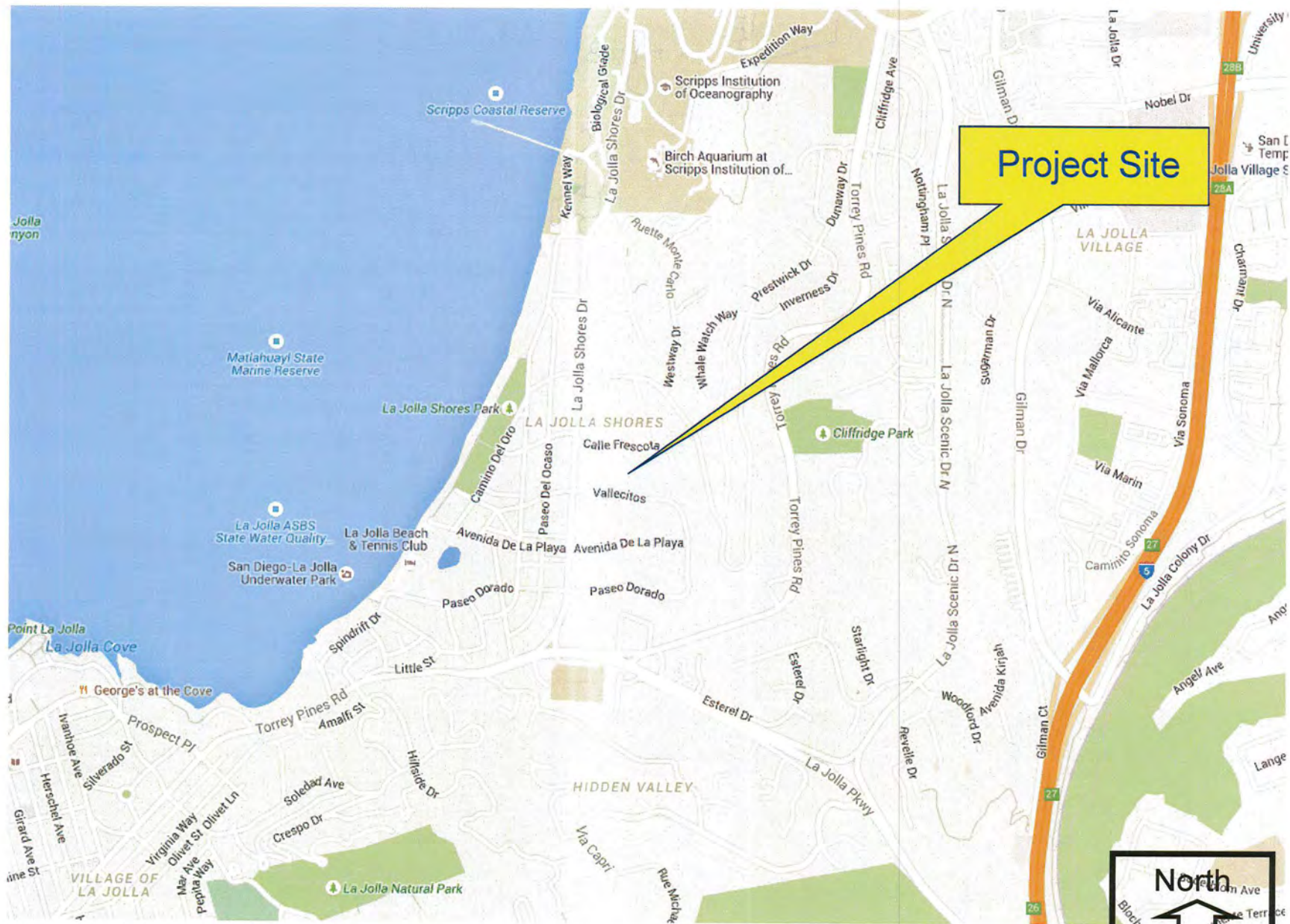


Legend

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



Land Use Map



Project Location Map

PROJECT DATA SHEET		
PROJECT NAME:	Leibowitz Residence	
PROJECT DESCRIPTION:	Demolition of existing single dwelling unit and construction of a 9,245 square-foot single dwelling unit on a 1.12-acre lot	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Site Development Permit, Coastal Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential (allows residential development of 0-5 dwelling units per acre).	
<p align="center"><u>ZONING INFORMATION:</u></p> <p>ZONE: SF-LJSPDO (A single family residential zone in the La Jolla Shores Planned District)</p> <p>HEIGHT LIMIT: 30 feet maximum height limit; 29'-4" max height proposed</p> <p>LOT SIZE: No change to existing 1.12-acre lot</p> <p>FLOOR AREA RATIO: PDO has no Maximum FAR; 0.194 proposed (9,495 /48,787)</p> <p>LOT COVERAGE: 60% max; 20.6% proposed</p> <p>FRONT SETBACK: General conformity; 16 feet proposed</p> <p>SIDE SETBACK: General conformity; 73 feet (W), 30 feet (E) proposed</p> <p>STREETSIDE SETBACK: n/a</p> <p>REAR SETBACK: General conformity; 75 feet proposed</p> <p>PARKING: 2 parking spaces required; 3 parking spaces provided</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Low Density Residential; SF-LJSPDO.	Single Family Residence
SOUTH:	Low Density Residential; SF-LJSPDO.	Single Family Residence
EAST:	Low Density Residential; SF-LJSPDO.	Single Family Residence
WEST:	Low Density Residential; SF-LJSPDO.	Single Family Residence
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 6, 2015, the La Jolla Community Planning Association voted 9-3-2 to recommend approval of the project with no conditions.	

RESOLUTION NUMBER R-_____

ADOPTED ON September 16, 2015

WHEREAS, on August 6, 2014, Dan Gower submitted an application to the Development Services Department for a Coastal Development Permit and Site Development Permit for the Leibowitz Residence (Project); and

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

WHEREAS, the issue was heard by the Hearing Officer on September 16, 2015; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 374521 (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.

ATTACHMENT 5

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

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

BE IT FURTHER RESOLVED, that Development Services Department 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: _____
Patricia J. FitzGerald
Development Project Manager

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Site Development Permit No. 1329084 and
Coastal Development Permit No. 1323595
PROJECT NO. 374521

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. No. 374521 shall be made conditions of Site Development Permit No. 1329084 and Coastal Development Permit No. 1323595 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 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, applicant t is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 374521 and/or Environmental Document Number 374521, 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		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORICAL RESOURCES (ARCHAEOLOGY)

In order to avoid significant historical resources impacts, the following mitigation measures shall be implemented by the project applicant. Compliance with the mitigation measures shall be the responsibility of the applicant.

- 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 appropriate 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 to meet the qualifications established in the HRG.
 3. Prior to the start of work, the applicant must obtain 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 Coast 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, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make

comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
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 grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. **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

ATTACHMENT 5

provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absences, 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 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 (CSVSR). The CSVSR'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 trenching activities, including but not limited to digging, trenching, excavating or grading 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 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 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 provenience of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
 - 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 the CEQA Section

15064.5(e), and the California Public Resource 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 shall be determined between the MLD and the PI, 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 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 Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the 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 CSVr 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 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.

ATTACHMENT 5

- 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 WOULD ALSO REQUIRE THE INCLUSION OF ALL PRIOR ARCHAEOLOGICAL WORK CONDUCTED WHERE MATERIALS WERE COLLECTED IN 1996 AND 2003 BY BFS. REFER TO HISTORICAL RESOURCES (CULTURAL RESOURCES/CURATION AND FINAL REPORT PREPARATION OF PREVIOUS ARCHAEOLOGICAL WORK CONDUCTED MMRP CONIDTION).** 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 the 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.

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.

HEARING OFFICER RESOLUTION NO. HO-____
COASTAL DEVELOPMENT PERMIT NO. 1323595
SITE DEVELOPMENT PERMIT NO. 1329084
LEIBOWITZ RESIDENCE - PROJECT NO. 374521 [MMRP]

WHEREAS, MARK LEIBOWITZ and KAREN LEIBOWITZ, Owners/Permittees, filed an application with the City of San Diego for a permit to demolish an existing home and construct a new single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084), on portions of a 1.12 acre (48,787-square-foot) site; and

WHEREAS, the project site is located at 8283 La Jolla Shores Drive within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program area; and

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 13452; and

WHEREAS, on September 16, 2015, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 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 September 16, 2015.

FINDINGS:

Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The proposed demolition of an existing home and accessory improvements and the construction of a 9,245-square-foot, two-story, single-family home, a 157-square-foot, one-story pool house and a new swimming pool, and other accessory site improvements will not encroach upon any existing physical accessway legally used by the public or on any proposed public accessway identified in the Local Coastal Program land use plan. The project site is a legally subdivided lot designated for single-family residential use and the surrounding properties are similarly developed. Access to the project site is via a private drive fronting La Jolla Shores Drive, and the area is served by dedicated public rights-of-way for

vehicular, bicycle and pedestrian access to the beaches and shoreline of the Pacific Ocean lying approximately 5 blocks to the west. There are no public views to or along the Pacific Ocean and other scenic coastal areas impacted by this development and the proposed structure and accessory improvements are in conformity to zoning and other development criteria, including building height. The proposed coastal development will enhance and protect public views as specified in the La Jolla Community Plan and Local Coastal Program land use plan through its compliance with adopted development regulations.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The 1.12 acre (48,787-square-foot) site is currently developed with a 4,088-square-foot, one-story, single-family home and a detached pool house. The project proposes demolition of these existing structures and construction of a 9,245-square-foot, two-story, single-family home, a 157-square-foot, one-story pool house and a new swimming pool. Due to the presence Native American human burials in the vicinity of the project area, grading depths required for excavation, and the limitations of the archaeological investigation, there remains a potential to impact subsurface archaeological resources. Mitigated Negative Declaration (MND) No. 374521 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) and a Mitigation, Monitoring and Reporting Program (MMRP) requiring archaeological monitoring during any grading/ground-disturbing activities and curating of any artifacts recovered on-site will be implemented as a condition of the project to reduce the potential impacts to below a level of significance. Other than the potential for archaeological resources, the property does not contain nor is it adjacent to environmentally sensitive lands. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The project proposes demolition of an existing single-family home and accessory uses and construction of a 9,245-square-foot, two-story, single-family home with attached garages providing three (3) off-street parking spaces, a 157-square-foot, one-story pool house and a new swimming pool on a 1.12 acre (48,787-square-foot) site zoned SF (single-family) within the La Jolla Shores Planned District. Comprised of a mix of older homes and new large single-family residences, residential housing in the vicinity of the project site represents a variety of architectural styles and the project will be consistent with existing patterns of development in the surrounding neighborhood. The proposed project complies with the La Jolla Shores SF-Zone and applicable regulations of the Land Development Code, and conditions of approval require the continued compliance with all relevant regulations of the City of San Diego Municipal Code effective for this site and incorporated into Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084. The proposed coastal development is in conformity with the La Jolla Community Plan and Local Coastal Program land use plan, and complies with all regulations of the certified Implementation Program.

4. For every coastal development permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the coastal overlay zone the coastal development is in conformity with the public access and public recreation policies of chapter 3 of the California Coastal

Act. The project proposes demolition of existing improvements and the construction of a new single-family residence on property located at 8283 La Jolla Shores Drive in the SF Zone of La Jolla Shores Planned District. The project site lies approximately 5 blocks east of the Pacific Ocean and is not between the nearest public road and the sea and shoreline of the Pacific Ocean located within the Coastal Overlay Zone. The proposed demolition of an existing home and development of a new residence will be in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Site Development Permit - Section 126.0504

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

The project site is designated very low density residential at 0-5 dwelling units per acre (du/acre) in the La Jolla Community Plan and Local Coastal Program. The project proposes 1 dwelling unit on a 1.12-acre site resulting in a density of 1.1 du/acre, and is therefore consistent with the recommended land use and density of the La Jolla Community Plan. The La Jolla Community Plan and the La Jolla Shores Planned District Ordinance (PDO) contain policies and regulations related to architectural design and community character, and the purpose and intent of the PDO regulations states that the “distinctive residential character and the open seascape orientation of the La Jolla Shores Area shall be retained and enhanced”. The design, form and siting of the proposed development will compliment the surrounding neighborhood, and the project is consistent with the La Jolla Shores PDO's stated theme of ‘unity with variety’. The proposed new home will support the goals and policies of the La Jolla Community Plan to “promote the development of a variety of housing types and styles in La Jolla”, and “allow a harmonious visual relationship to exist between the bulk and scale of new and older structures”. The proposed development will not adversely affect the La Jolla Community Plan.

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

All Uniform Building, Fire, Plumbing, Electrical, and Mechanical Code requirements will be met with the proposed project. A Water Quality Technical Report (including a storm water drainage study) was prepared for the project and concluded that the detention and retention measures incorporated into the project's drainage design would improve current drainage conditions at the site, resulting in an approximate 9 percent reduction in surface runoff. Permit conditions require the project to meet the City's Storm Water Standards and ongoing permanent BMP maintenance prior to construction permit issuance. The project will incorporate construction Best Management Practices (BMP) necessary to comply with Chapter 14 Article 2, Division 1 of the San Diego Municipal Code. The project will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards, and will enter into a Maintenance Agreement for ongoing permanent BMP maintenance. As noted previously, MND No. 374521 has been prepared and a MMRP will be required to reduce potential impacts to Paleontological resources to a level below significance. Therefore, the proposed 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 project complies with the applicable regulations of the Land Development Code and with the development regulations of the La Jolla Shores Planned District Ordinance. Conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and incorporated into Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084. The proposed project conforms to the overall policies and regulations of the City of San Diego and represents a desirable project for the site and the La Jolla community.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald
Development Project Manager
Development Services

Adopted on: September 16, 2015

Internal Order No. 24004778

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: 24004778

COASTAL DEVELOPMENT PERMIT NO. 1323595
SITE DEVELOPMENT PERMIT NO. 1329084
LEIBOWITZ RESIDENCE - PROJECT NO. 374521 [MMRP]
HEARING OFFICER

This Coastal Development Permit No. 1323595 and Site Development Permit No. 1329084 is granted by the Hearing Officer of the City of San Diego to MARK LEIBOWITZ and KAREN LEIBOWITZ, Owners/Permittees, pursuant to San Diego Municipal Code [SDMC] Section 126.0708 and Section 126.0504. The 1.12 acre (48,787-square-foot) project site is located at 8283 La Jolla Shores Drive within the Single Family (SF) Zone of the La Jolla Shores Planned District (LJSPD), Coastal Overlay Zone (Non-Appealable 2 Area), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, within the La Jolla Community Plan and Local Coastal Program area. The project site is legally described as Parcel 1 of Parcel Map No. 13452.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees to demolish an existing home and construct a new single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 16, 2015, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing 4,088-square-foot, one-story, single-dwelling unit and detached guest house;
- b. Construction of a 9,245-square-foot, two-story, single-family home, and a 157-square-foot, one-story pool house, swimming pool and associated retaining walls and fences;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- 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 October 1, 2018.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owners/Permittees sign and return 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees shall secure all necessary building permits. The Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owners/Permittees 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, Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Owners/Permittees.

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. 374521, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owners/Permittees shall comply with the MMRP as specified in Mitigated Negative Declaration No. 374521, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- **Historical Resources – Archaeology**

ENGINEERING REQUIREMENTS:

14. The project proposes to export 320 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit 'A', satisfactory to the City Engineer.

17. 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.

18. 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.

19. 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.

20. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

GEOLOGY REQUIREMENTS:

21. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or

update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

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

LANDSCAPING REQUIREMENTS:

23. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department

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

25. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

26. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

27. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained 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.

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

PLANNING/DESIGN REQUIREMENTS:

29. The Owners/Permittees 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.

30. 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 Owners/Permittees.

31. 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 September 16, 2015, and Resolution No. HO-_____.

ATTACHMENT 7

Coastal Development Permit No. 323595
Site Development Permit No. 1329084
Date of Approval: September 16, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Patricia J. FitzGerald
Development Project Manager

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

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

By _____
MARK LEIBOWITZ
Owner/Permittee

By _____
KAREN LEIBOWITZ
Owner/Permittee

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

Abstain: Greatrex (Chair)

11. Feuerstein Residence, 8351 Del Oro Court – pulled by Trustee Zimmerman

PRC Recommendation: Findings can be made for a CDP & SDP, Process 3, to demolish the existing single family residence and construct a new 9,614 square foot two-story residence on a .68-acre lot. 5-0-1

Trustee Zimmerman pulled the project because of its size. Architect Tim Martin described the project as being on a large sloping lot with little street frontage so that both ends of the residence will be obscured from view by stone pines. The second story is pulled back. The FAR is 0.32, with part of the GFA coming from phantom areas. Landscaping is 42%. Front yard setback is 22'; rear is 33'; sideyard setbacks are: 12', 38', 60' and 12'.

Approved Motion: To ratify the recommendation of the PRC that the findings can be made for a CDP & SDP, Process 3, to demolish the existing single family residence and construct a new 9,614 square foot two-story residence on a .68-acre lot (Outwater, Ahern: 12-1-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Weiss, Will

Opposed: Zimmerman Abstain:

Greatrex (Chair)

12. Leibowitz Residence, 8283 La Jolla Shores Drive- pulled by a resident.

PRC: Findings can be made for a CDP & SDP, Process 3, to demolish an existing residence and detached pool house, and construct a 9,245 sq ft single family residence with 157 sq ft detached pool house on a 1.12-acre lot. 3-2-1.

The resident who pulled the project was not present. Leanne MacDougall, who lives downslope adjacent to the proposed project spoke of her concern about drainage from the project onto her property, possibly flooding her guest house which is close to the property line. She wanted additional questions answered. Her consultant from Rick Engineering had queried the applicant's engineer, but the exchange was not concluded timely for this meeting. The City engineers were satisfied with the grading and drainage plans. For a 50-year flood condition, the drainage through the common drain would improve by 9% with greater improvement at lesser flood conditions; the project proposes retention basins on site to control the flow from heavy rains. They are not changing the direction of the natural flow through the common drain which serves a number of connected properties. Carson P. Edgington, RCE, of Rick Engineering and Steven R. Hauser, PE, Civil Engineer for the project spoke. Attorney Matt Peterson also commented and presented arguments for the project and argued that the drainage question was not in the purview of the LJCPA. Documents submitted by the speakers are included in the Public Document and had been e-mailed to the trustees the day before and the afternoon of the LJCPA meeting.

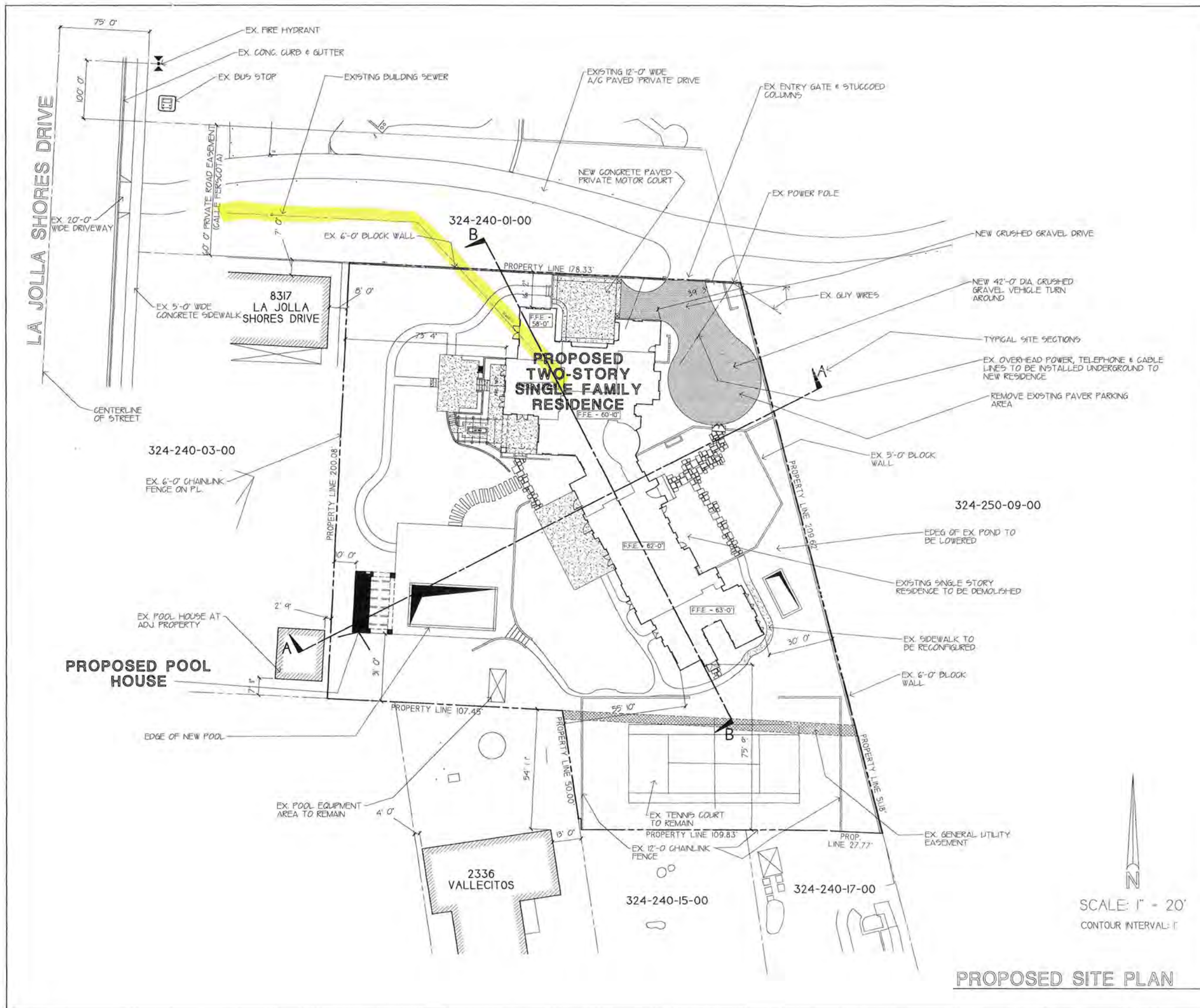
In response to Tricia Rihl, it was stated that the solar panels would be on the roof behind parapets and that roof decks and rooftop umbrellas were not proposed; one-story height was 16' with the smaller two-story section reading 29'. It was stated that Ms. McDougall had changed the drainage in her yard. Various trustees commented on the improvement in drainage and that that had not been challenged. Trustees commenting to the various issues were: Little, Donovan, Steck, Emerson, Fitzgerald, Outwater, Weiss, and Will.

Approved Motion: to ratify the recommendation of the PRC that the findings can be made for a CDP & SDP, Process 3, to demolish an existing residence and detached pool house, and construct a 9,245 sq ft single family residence with 157 sq ft detached pool house on a 1.12-acre lot. (Steck, Outwater: 9-3-2)

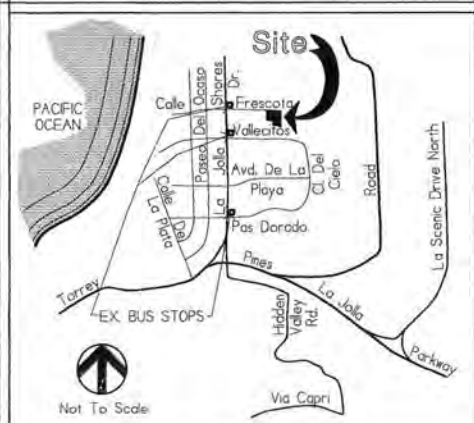
In favor: Ahern, Boyden, Brady, Donovan, Fitzgerald, Outwater, Steck, Will, Zimmerman

Opposed: Costello, Emerson, Little

Abstain: Greatrex, (Chair), Weiss (friend of neighbor opponent)



SHEET INDEX:	
#	DESCRIPTION
1	SITE PLAN
2	TOPOGRAPHIC SURVEY
3	1/8" SCALE FIRST FLOOR PLAN
4	1/4" SCALE FIRST FLOOR PLAN (partial)
5	1/4" SCALE FIRST FLOOR PLAN (partial)
6	SECOND FLOOR PLAN
7	ROOF PLAN
8	EXTERIOR ELEVATIONS (main residence)
9	SITE SECTIONS
10	POOL HOUSE PLANS
11	EXISTING LANDSCAPE AS-BUILT PLAN
12	SITE DEMOLITION PLAN
13	DRAINAGE & GRADES PLAN
14	DRAINAGE CONSTRUCTION DETAILS
15	STORM WATER B.M.P. PLAN & DETAILS



VICINITY MAP Thomas Bros. Map Page No. 1227, H5

PROJECT DATA	
Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	GENERAL CONTRACTOR: DESIGNEE: DG Design & Drafting 887 Moreno Boulevard #10 San Diego, CA 92101 PH: (619) 270-1824
Project Owner / Address:	Mark & Karen Lebowitz 8283 La Jolla Shores Drive La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessor's Parcel Number:	346-240-01
Legal Description:	Parcel 1 OF Parcel Map No. 13452, in the City of San Diego, County of San Diego, State of California, Filed in the Office of the County Recorder of San Diego County August 3, 1994
Year of Construction:	1948 (Original Residence - See Historical Review 175-4334990)
Lot Zoning:	L-SPD-SF/Coastal Non-Applicable Overlay Zone
Lot Size:	48,787 Sq. Ft. 112 Acres
Proposed Building Sq. Ft.	Living Area: 6260 Sq. Ft. First Floor: 705 Sq. Ft. (2375 Gross Sq. Ft.) Second Floor: 6355 Sq. Ft. (8635 Gross Sq. Ft.) Total Living Area: 8600 Sq. Ft. Attached Garage: 820 Sq. Ft. Exterior Decks: 285 Sq. Ft. Covered Porches: 57 Sq. Ft. Pool House Bath/Storage: 350 Sq. Ft. Pool House Covered Patio:
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity (Per SDMC Sec.0304(b)(4) Minimum 4'-0"
FAR/Coverage Allowable:	48,787 (L01) - 29,272 sq. ft. 10,038/48,787 - 206 % .50
Applicable Codes:	2003 CBC, CRC, CMC, CPC & CEC C.A.C. TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/4
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces 15' x 81' Per Table M2-05B Three Standard Enclosed Spaces Provided
Condition of Soil:	Undisturbed
NOTES:	
1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.	
2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.	
3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.	
4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-00-6 (JULY 2004)	

REVISIONS

BY

DESIGN & DRAFTING

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 270-1824

FAX (619) 275-5902

Sheet Title:

site plan

The

Leibowitz

Residence

DATE: 6/6/14

SCALE: AS NOTED

DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET

1

OF 15 SHEETS

TOPOGRAPHIC MAP



SCALE: 1" = 20'

CONTOUR INTERVAL: 1'

LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP NO. 13452, IN THE CITY OF SAN DIEGO, COUNTY OF SAN
DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
SAN DIEGO COUNTY AUGUST 31, 1984.

BENCHMARK

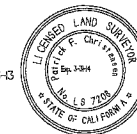
CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE
SOUTHEAST CORNER OF CALLE DEL ORO AND DEL ORO COURT. ELEVATION = 48.01'
MEAN SEA LEVEL (NGVD, 1929).

NOTES

1. EASEMENTS, AGREEMENTS, DOCUMENTS AND OTHER MATTERS WHICH AFFECT THIS PROPERTY MAY EXIST, BUT CANNOT BE PLOTTED. TITLE REPORT NOT PROVIDED.
2. THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN FIELD PRIOR TO EXCAVATION. UTILITY COMPANIES WILL NEED TO MARK-OUT THE UTILITY LOCATIONS.
3. THE ADDRESS FOR THE SUBJECT PROPERTY IS 8283 LA JOLLA SHORES DRIVE, LA JOLLA, CA 92037.
4. THE ASSESSOR PARCEL NUMBER FOR THE SUBJECT PROPERTY IS 346-240-19.
5. THE AREA OF THE SUBJECT PROPERTY IS 102 ACRES.

ABBREVIATIONS

CONC	CONCRETE
EL	ELEVATION
FF	FINISH FLOOR
FG	FINISH GRADE
FS	FINISH SURFACE
TYP	TYPICAL



TOPOGRAPHY SURVEY PREPARED ON 04-16-13



CHRISTENSEN ENGINEERING & SURVEYING

CIVIL ENGINEERS LAND SURVEYORS
7888 SILVERTON AVENUE SUITE "J", SAN DIEGO, CALIFORNIA 92126
TELEPHONE: (858)271-9901

PLANNERS

FAX: (858)271-8912

PROJECT DATA

Project Description: Demolish Existing 4088 Sq Ft, Single Story Garage Facility
Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House

Project Team:

GENERAL CONTRACTOR:	DESIGNER:
T.B.D.	DG Design & Drafting
	1897 Marlene Boulevard, #D
	San Diego, CA 92161
	PH (619) 270-0624

Project Owner / Address: Mark & Karen Leibowitz
5283 Le Jolo Shores Drive, La Jolla, CA 92037

Required Permits & Approvals: Coastal Development Permit
Shoreline Planned District Permits

Assessors Parcel Number: 346-240-09

Legal Description: Parcel 1 OF Parcel No. 34562, In The City of San Diego, County of San Diego, State of California. Filed in The Office of The County Recorder of San Diego County August 31, 1984.

Year of Construction: 1948 (Original Residence - See Historical Review P# 4335690)

Lot Zoning: L-380-D/-C(Ordained Map Applicable) Overlay Zone

Lot Size: 46,787 Sq. Ft. Lot Acrent

Proposed Building Sq. Ft.

Living Area:	6760 Sq. Ft.
First Floor:	2225 Sq. Ft.
Second Floor:	4535 Sq. Ft. (2375 Gross Sq. Ft.)
Total Living Area:	6760 Sq. Ft. (46335 Gross Sq. Ft.) ✖
Attached Garage:	8385 Sq. Ft. ✖
Exterior Deck:	6200 Sq. Ft.
Covered Patios:	2860 Sq. Ft.
Pool House Bath/Storage:	157 Sq. Ft.
Pool House Covered Patio:	350 Sq. Ft.

Setbacks:

Front: Rear: Side:	General Conformity w/ Those Existing Properties in the Vicinity of Site: SLO.GC.010.03.03.04
-----------------------------------	-----------------------------------------------------------------------------------------------------

Proposed FAR: 48,787 lot s.f./19,495 s.f. gross floor area ✖= .094

FAR/Coverage Proposal: 10,038/FAR/787 - 20% (.60)

Applicable Codes: 2025 CBC, CRC, CMC, CFC & DEC, C.A.C. TITLE 24, S.D.M.C.

Type of Construction: VB - Sprinklered per NFPA I-50

Building Occupancy: R3/U1

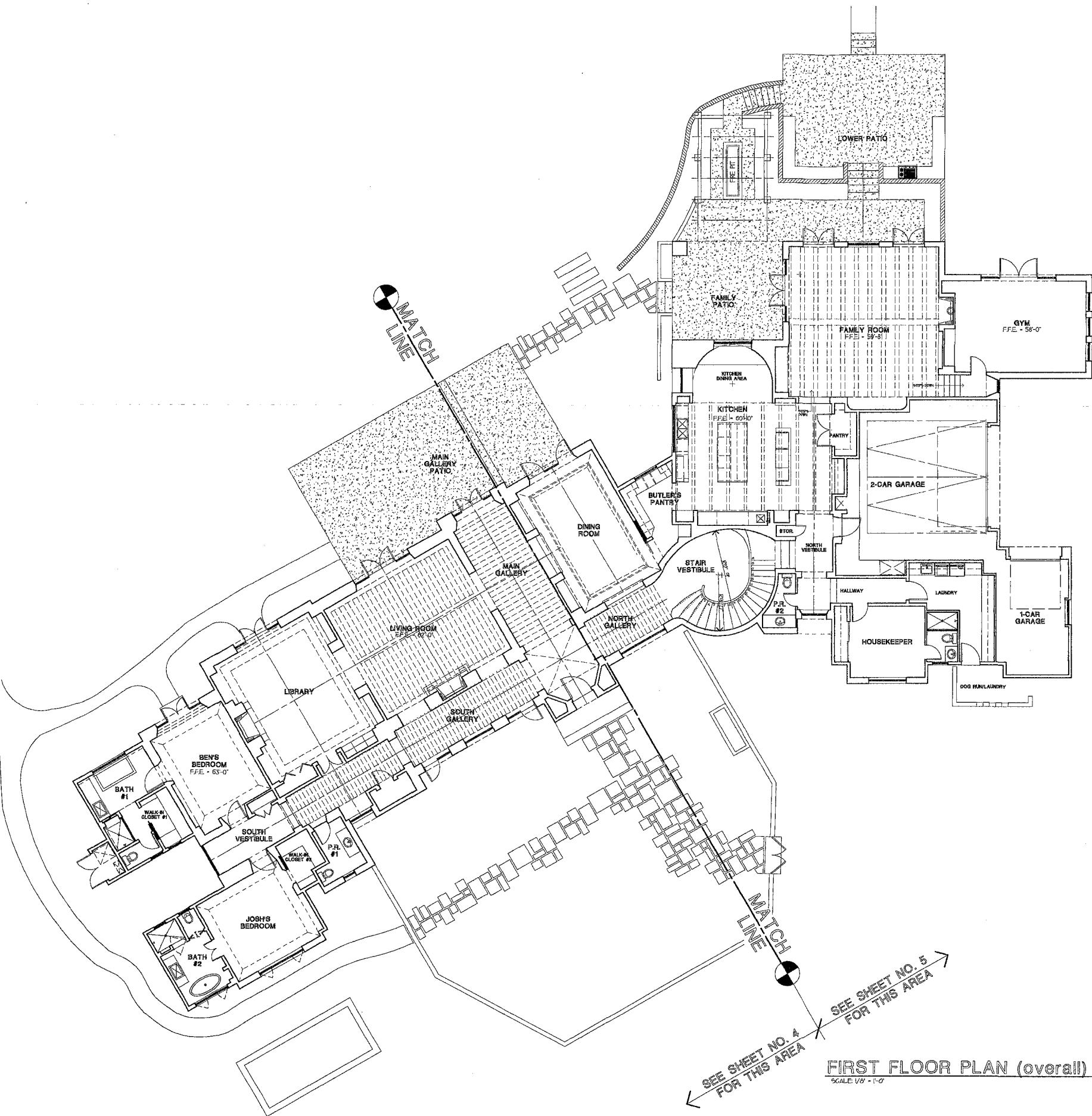
Geological Hazard Category: 52

Required Parking: Two Standard Spaces 6' x 8' Per Table 402-CB8

Condition of Soil: Three Standard Enclosed Sores Provided Undisturbed

NOTES:

- ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
- THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
- MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.
- PROVIDE BUILDING ADDRESS NUMBERS, VIEWS, AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY (SEE ATTACHED MAPS). SEE PARAS 9.0.4.4.



FIRST FLOOR PLAN (overall)

SCALE 1/8" = 1'-0"

PROJECT DATA

Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	DESIGNER: DG Design & Drafting 877 Morena Boulevard, #D San Diego, CA 92103 PH: (619) 270-1624
Project Owner / Address:	Mark & Karen Leibowitz 8263 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number:	346-240-49
Legal Description:	Parcel 1 of Parcel Map No. 13452, in The City of San Diego, County of San Diego, State of California, Filed in The Office of The County Recorder of San Diego County August 31, 1984.
Year of Construction:	1948 (Original Residence - See Historical Review PTS #339590)
Lot Zoning:	LJSD-SP/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. (0.2 Acres)
Proposed Building Sq. Ft.:	
Living Area:	
First Floor:	6260 Sq. Ft.
Second Floor:	2225 Sq. Ft. (2375 Gross Sq. Ft.)
Total Living Area:	8385 Sq. Ft. (8635 Gross Sq. Ft.)
Attached Garage:	860 Sq. Ft.
Exterior Decks:	120 Sq. Ft.
Covered Patios:	286 Sq. Ft.
Pool House Bath/Storage:	157 Sq. Ft.
Pool House Covered Patio:	350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity Rear: Same Side: Same
Proposed FAR:	48,787 lot s.f./9495 s.f. gross floor area = 5.14
FAR/Coverage Proposed:	10.038/48,787 = .206 < .60
Applicable Codes:	2003 CBC, CMC, CEC & CEC, CAC, TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/L1
Geological Hazard Category:	S2
Required Parking:	Two Standard Spaces (19' x 81' Per Table 42-05B) Three Standard Enclosed Spaces Provided Underserved
Condition of Soil:	
NOTES:	1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHFS POLICY P-00-6 (IFC 904.4)

REVISIONS	BY
7/17/14	
CONFL. REVIEW	
7/19/15	
CYCLE ISSUES	

DESIGN & DRAFTING

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 270-1624

FAX (619) 275-5882

Sheet Title:
1/8" scale first
floor plan

The
Leibowitz
Residence

DATE: 6/6/14

SCALE: AS NOTED

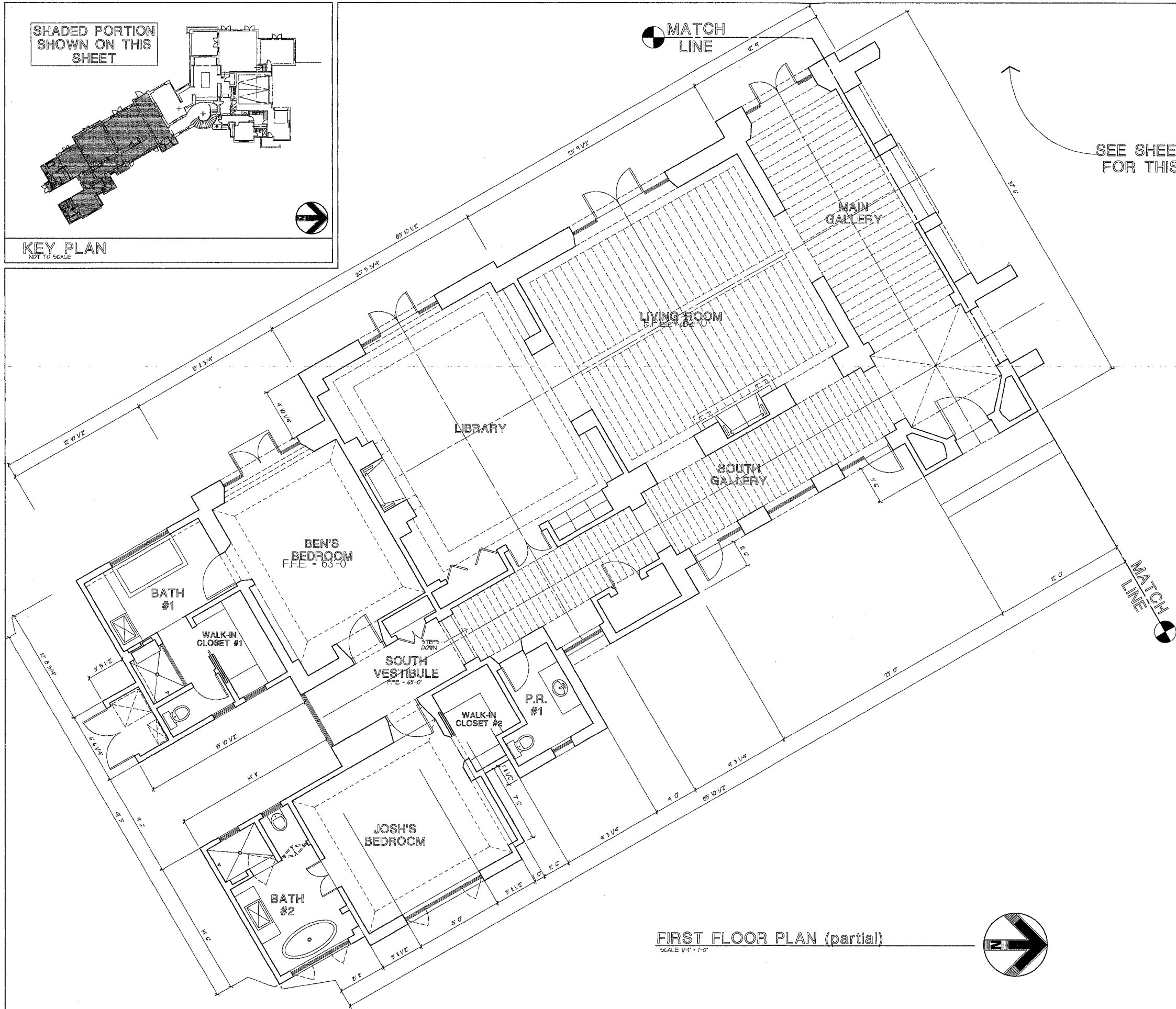
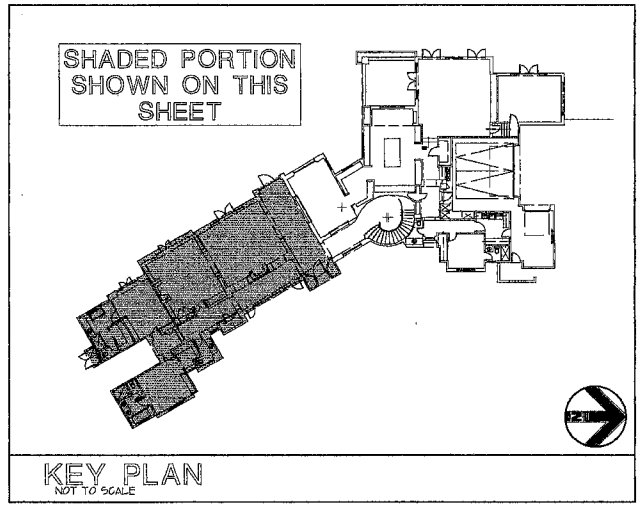
DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET

3

OF 15 SHEETS



PROJECT DATA

Project Description: Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House

Project Team: DESIGNER: DG Design & Drafting 807 Morena Boulevard #D San Diego, CA 92108 PH: (619) 270-1624

Project Owner / Address: Mark & Karen Leibowitz 8283 La Jolla Shores Drive, La Jolla, CA 92037

Required Permits & Approvals: Coastal Development/La Jolla Shores Planned District Permits

Assessors Parcel Number: 346-240-39

Legal Description: Parcel 10 of Parcel Map No. 13452, In The City of San Diego, County of San Diego, State of California. Filed in The Office of The County Recorder of San Diego County August 31, 1984.

Year of Construction: 1948 (Original Residence - See Historical Review PFS #339690)

Lot Zoning: LUSPD-SF/Coastal (Non-Applicable) Overlay Zone

Lot Size: 48,787 Sq. Ft. (0.2 Acres)

Proposed Building Sq. Ft.: Living Area: First Floor: 6260 Sq. Ft. Second Floor: 2625 Sq. Ft. (2375 Gross Sq. Ft.) Total Living Area: 8885 Sq. Ft. (8635 Gross Sq. Ft.) x Attached Garage: 860 Sq. Ft. x Exterior Decks: 120 Sq. Ft. Covered Porches: 285 Sq. Ft. Pool House Bath/Storage: 57 Sq. Ft. Pool House Covered Porch: 350 Sq. Ft.

Setbacks: Front: General Conformity w/ Those Existing Properties in the Vicinity Rear: 50' (50.030462M) Side: 50' (50.030462M)

Proposed FAR: 48,787 lot x 1.9495 x 1. gross floor area x 0.04 = 10.038/48,787 = 206 < .60

Applicable Codes: 2003 CBC, CMC, CQC, CPC & CEC, C.A.C. TITLE 24, S.D.M.C.

Type of Construction: VB - Sprinklered per NFPA 13-D

Building Occupancy: R3/U

Geological Hazard Category: 52

Required Parking: Two Standard Spaces (19' x 87' Per Table 442-03B Three Standard Enclosed Spaces Provided Undisturbed

Condition of Sub: NOTES: 1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-00-5 (LFC 90.4.4)

REVISIONS	BY
7/10/14	COMPL REVIEW
2/9/15	CYCLE ISSUES

DESIGN & DRAFTING

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 275-5882

FAX (619) 275-5882

Sheet Title:
second floor plan

The Leibowitz Residence

DATE: 6/6/14

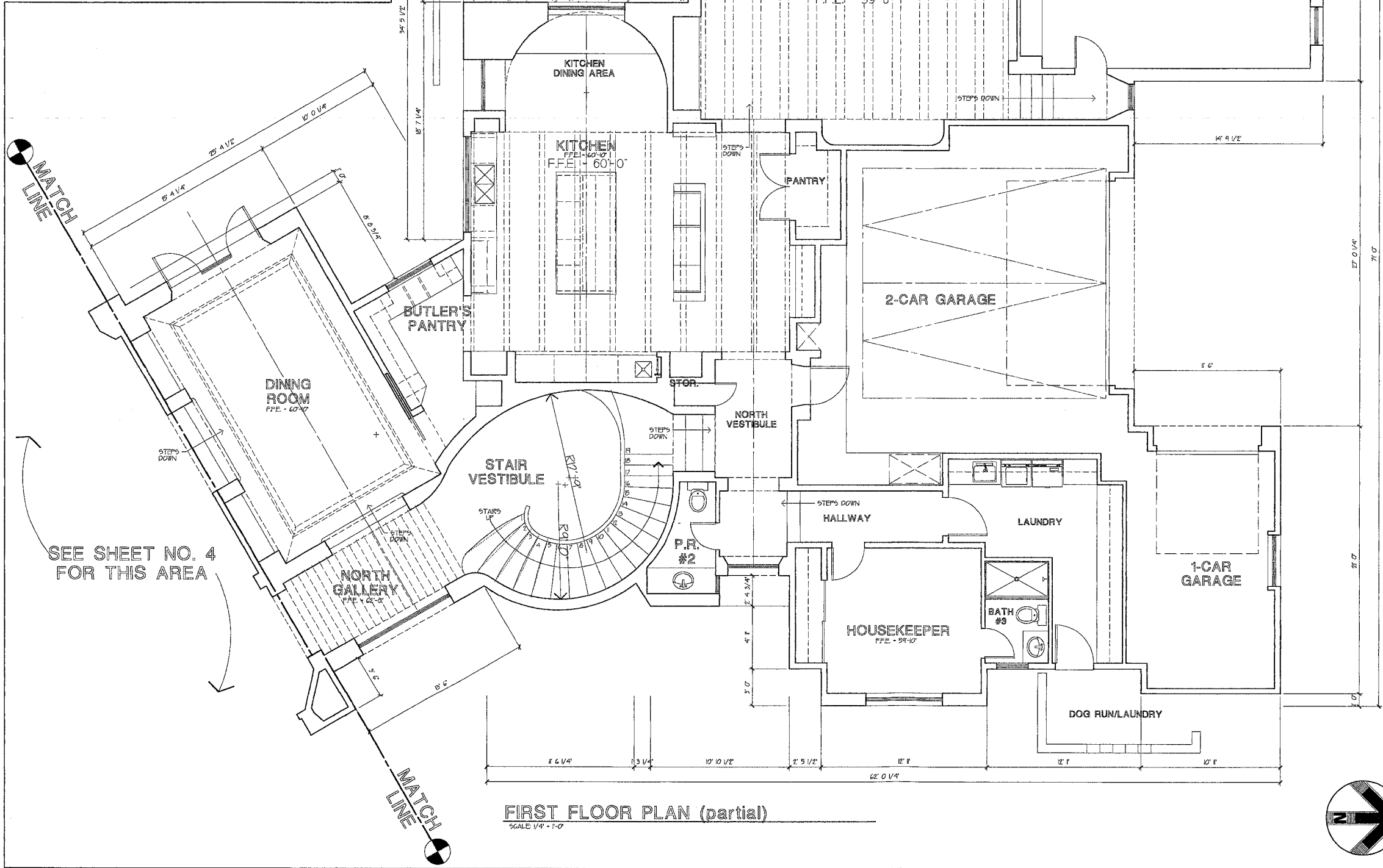
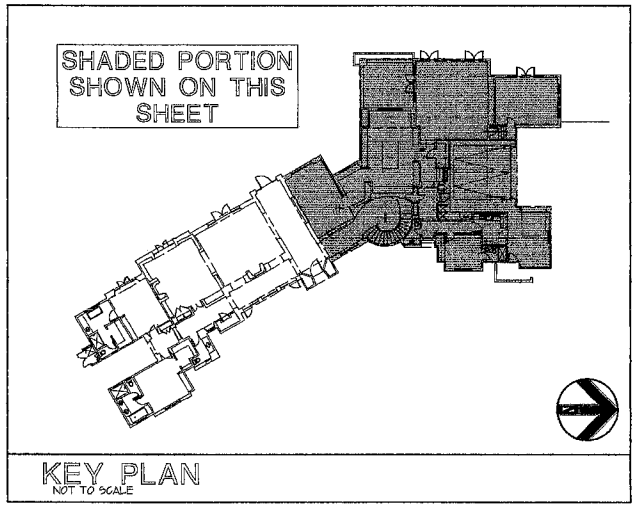
SCALE: AS NOTED

DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET 4

OF 15 SHEETS



PROJECT DATA	
Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	DESIGNER: DG Design & Drafting 887 Marina Boulevard #D San Diego, CA 92109 PH: (619) 270-1824
Project Owner / Address:	Mark & Karen Leibowitz 8283 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number:	346-240-19
Legal Description:	Parcel 1 OF Parcel Map No. 13452, In The City of San Diego, County of San Diego, State of California, Filed in The Office of The County Recorder of San Diego County August 31, 1984.
Year of Construction:	1946 (Original Residence - See Historical Review PTS #339690)
Lot Zoning:	LRS1D-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. 0.2 Acres
Proposed Building Sq. Ft.	
Living Area:	
First Floor:	6280 Sq. Ft.
Second Floor:	2225 Sq. Ft. (2375 Gross Sq. Ft.)
Total Living Area:	8505 Sq. Ft. (8655 Gross Sq. Ft.) *
Attached Garage:	860 Sq. Ft. *
Exterior Decks:	220 Sq. Ft.
Covered Patios:	285 Sq. Ft.
Pool House Bath/Storage:	57 Sq. Ft.
Pool House Covered Patio:	350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Priorities in the Vicinity (See SDMC 530.0304614)
Proposed FAR:	48,787 lot s.f./9,495 s.f. gross floor area = 0.094
FAR/Coverage Proposed:	0.038/48,787 - 206 < 60
Applicable Codes:	2003 CBC, CRC, CMC, CPC & CEC, CAC, TITLE 24, SDMC.
Type of Construction:	VB - Sprinklered per NPA 13-D
Building Occupancy:	R3/L1
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces (6' x 10') Per Table 142-03B Three Standard Enclosed Spaces Provided
Condition of Soil:	Undisturbed
NOTES:	
1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.	
2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.	
3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.	
4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (LFC 901.4)	

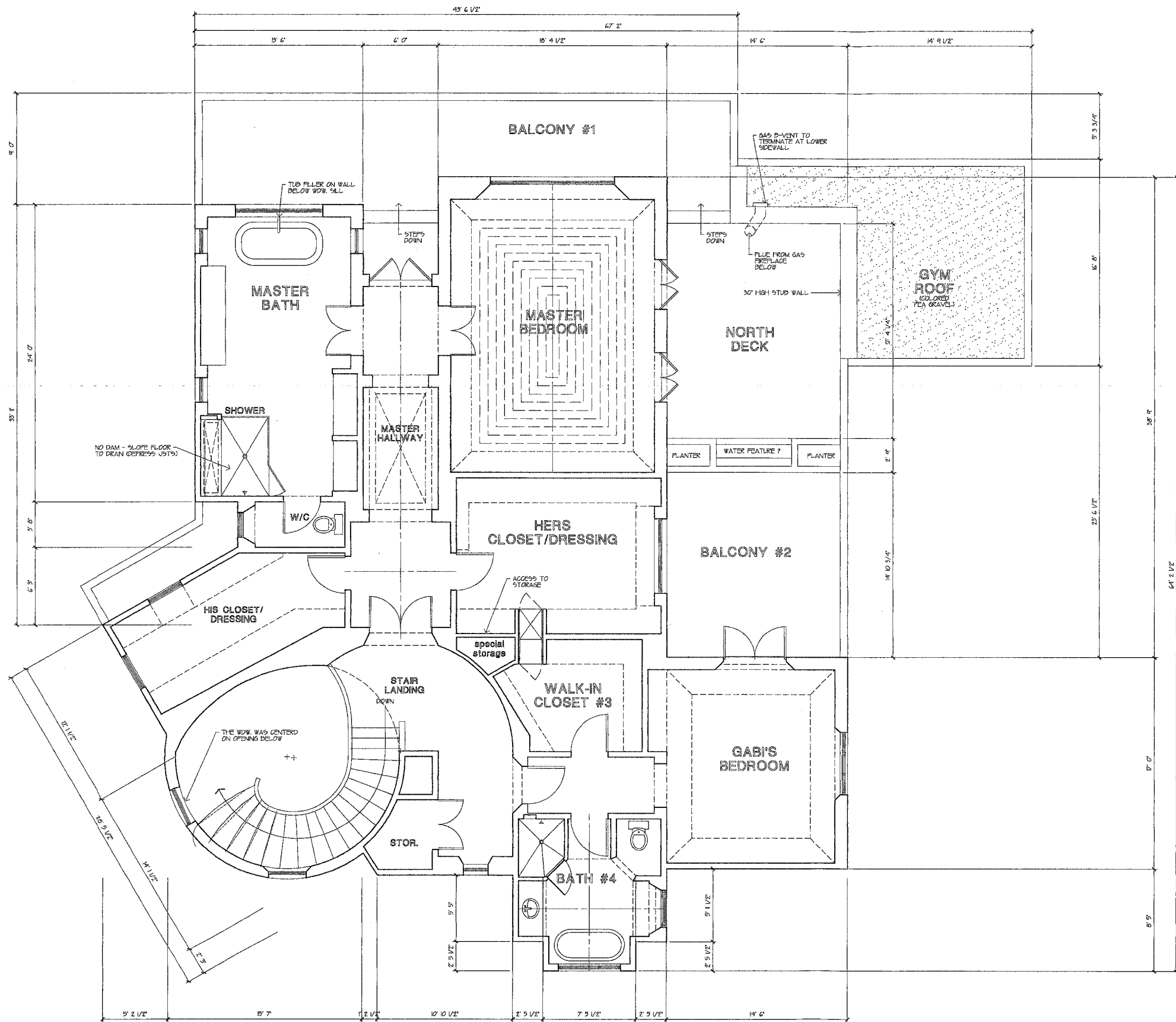
REVISIONS	BY
1/17/14 COMPL. REVIEW	
2/9/15 CYCLE ISSUES	

Sheet Title: second floor plan

The Leibowitz Residence

DATE: 6/6/14
SCALE: AS NOTED
DRAWN: D.J.G.
JOB: LEBOWITZ
SHEET 5 OF 15 SHEETS

DESIGN & DRAFTING
1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110
PHONE (619) 275-5862
FAX (619) 275-5862



SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"

PROJECT DATA

Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House.
Project Team:	DESIGNER: DG Design & Drafting 187 Moravia Boulevard, #D San Diego, CA 92101 PH: (619) 270-6224 GENERAL CONTRACTOR: T.B.D.
Project Owner / Address:	Mart & Karen Leibowitz 8285 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessor's Parcel Number:	346-240-9
Legal Description:	Parcel 1 of Parcel Map No. 34552 in The City of San Diego, County of San Diego, State of California, Filed in The Office of The County Recorder of San Diego County August 3, 1984.
Year of Construction:	1948 (Original Residence - See Historical Review PTS #3396901)
Lot Zoning:	LSPD-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. (1.12 Acres)
Proposed Building Sq. Ft.:	
Living Area:	
First Floor:	6260 Sq. Ft.
Second Floor:	2225 Sq. Ft. (2,375 Gross Sq. Ft.)
Total Living Area:	8385 Sq. Ft. (8,635 Gross Sq. Ft.) *
Attached Garage:	860 Sq. Ft. *
Exterior Decks:	120 Sq. Ft.
Covered Patios:	280 Sq. Ft.
Pool House Bath/Storage:	157 Sq. Ft.
Pool House Covered Patios:	350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity Rear: SDMC SD030453/41 Side: SDMC SD030453/41
Proposed FAR:	48,787 lot x 1.12/3495 a.f. gross floor area = 0.84
FAR/Coverage Proposed:	10,038/48,787 = 206 % .60
Applicable Codes:	2003 CBC, CRC, CMC, CPC & CEC, C.A.C. TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/UM
Geological Hazard Category:	S2
Required Parking:	Two Standard Spaces (8' x 18') Per Table 42-055 Three Standard Enclosed Spaces Provided Unobstructed
Condition of Soil:	
NOTES:	
1.	ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
2.	THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
3.	MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.
4.	PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PDPS POLICY P-00-6 (LFC 90/4.4)

REVISIONS	BY
7/7/14	
COMPL. REVIEW	
2/9/15	
CYCLE ISSUES	

Design & Drafting

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 270-1624

FAX (619) 275-5882

Sheet Title:
second
floor plan

The
Leibowitz
Residence

DATE: 6/6/14

SCALE: AS NOTED

DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET

6

OF 15 SHEETS

DESIGN & DRAFTING



Sheet Title:
roof plan

The Leibowitz Residence

DATE: 6/6/14

SCALE: AS NOTED

DRAWN: D.J.G.

JOB: LEIBOWITZ

SHEET

OF 15 SHEETS

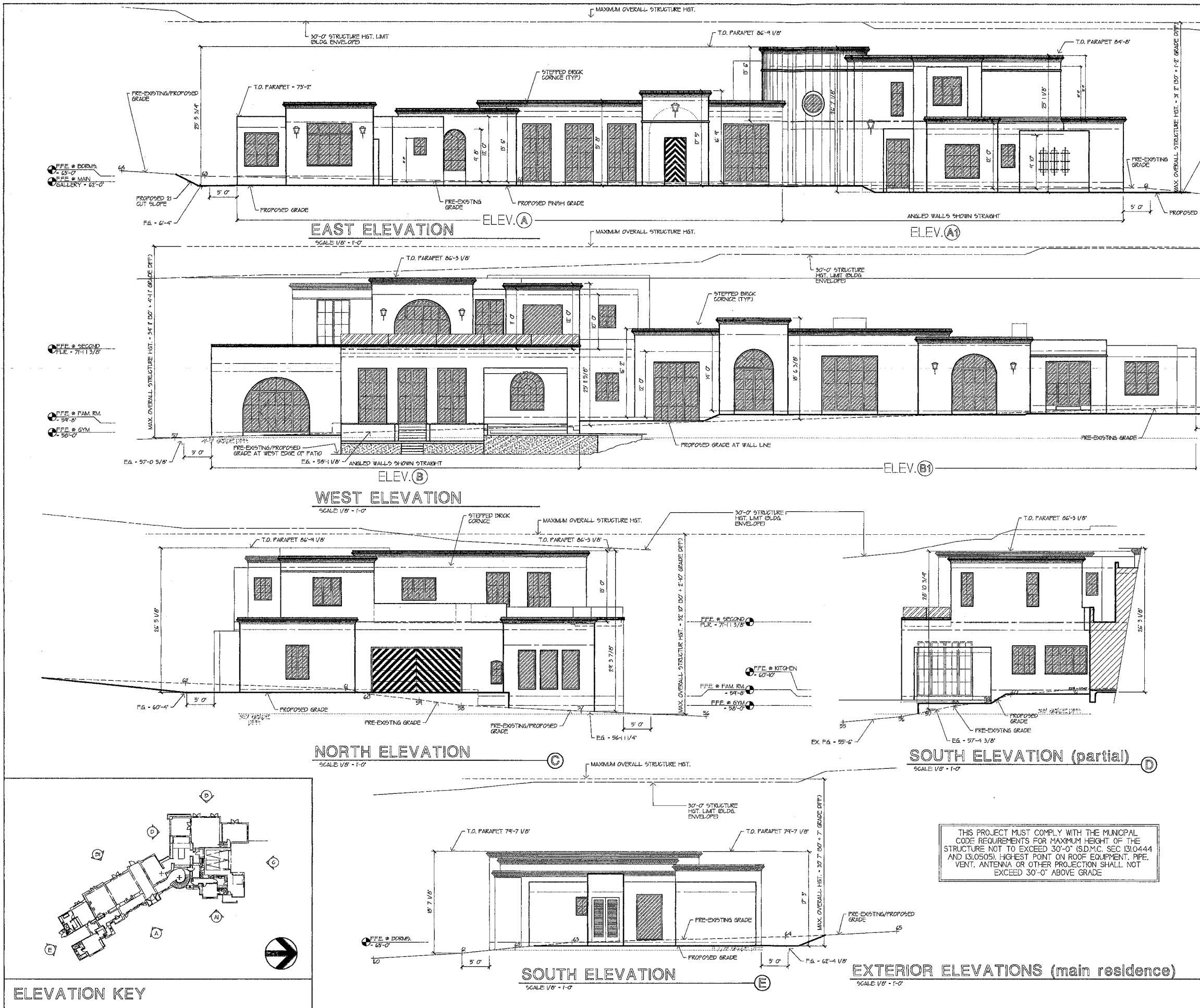


Project Description:	Donahoe Existing 4088 Sq Ft. Single Story Single Family Dwelling / 2-car Attached Garage & Detached Pool House and Construct a New 1 to 2 Story Residence w/ A New Attached Two Car Garage & Detached Pool House	
Project Team:	GENERAL CONTRACTOR: T.B.D.	DESIGNER: DG Design & Drafting 857 Norcross Boulevard, #10 San Diego, CA 92108 PH: (619) 270-6254
Project Owner / Address:	Mark & Karen Leibowitz 8283 La Jolla Shores Drive, La Jolla, CA 92037	
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits	
Assessors Parcel Number:	346-240-49	
Legal Description:	Parcel (C) Of Parcel Map No. 3452, In The City of San Diego, County of San Diego, State of California Filed In The Office of The County Recorder of San Diego County August 3, 1984.	
Year of Construction:	1948 (Original Residence - See Historical Review PTO #336990)	
Lot Zoning:	LSPD-SF/Coastal Non-Applicable Overlay Zone	
Proposed Building Sq. Ft.	48,787 Sq. Ft. (B2 Acres)	
Living Area:	6260 Sq. Ft.	
Second Floor:	6225 Sq. Ft. (2,375 Gross Sq. Ft.)	
Total Living Area:	8385 Sq. Ft. (8635 Gross Sq. Ft.) *	
Attached Garage:	860 Sq. Ft. *	
Exterior Decks:	220 Sq. Ft.	
Covered Patios:	288 Sq. Ft.	
Pool Houses Bath/Storage:	57 Sq. Ft.	
Pool House Covered Patio:	350 Sq. Ft.	

Proposed FAR:	48/87.1st x L/995 x L gross floor area * 0.94
FAR/Coverage Proposed:	0.038/48/87 - 206' x 60'
Applicable Codes:	203 CBC, CBC, CMC, CPC & CEC, C.A.C. TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/UL
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces (x 18') Per Table 42-05B
Condition of Soil:	Three Standard Enclosed Spaces Provided
Unsubdivided	

NOTES:

1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
3. MINOR GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.
4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD.



LEGEND:

DESCRIPTION	LINE TYPE
MAXIMUM OVERALL ALLOWED STRUCTURE HGT. PER PROP. D	---
MAXIMUM ALLOWED BUILDING ENVELOPE STRUCTURE HGT.	---
PRE-EXISTING GRADE THAT IS TO BE ALTERED	---
PROPOSED GRADE	---
PRE-EXISTING GRADE TO REMAIN UNALTERED	---

FFE # SECOND FLR. - 74'-1 3/8"

FFE # DRMS. - 63'-0"

FFE # MAIN GALLERY - 62'-0"

FFE # KITCHEN - 60'-0"

FFE # DINING - 60'-0"

EXTERIOR MATERIALS

EXTERIOR WALLS	STUCCO "SANTA BARBARA FINISH" COLOR BY LA HABRA #50 "CRYSTAL WHITE"
CORNICE	STONE, COLOR: WHITE WASHED GREY
WINDOWS	STEEL; COLOR: GUN METAL GREY
DOORS	STEEL; COLOR: GUN METAL GREY
SCUPPERS	CLAY TILE PIPE; COLOR: RED
RAIN LEADERS	PATINAED COPPER
EXPOSED BEAMS	HAND HEWN WHITE WASHED GREY STAIN
WOOD DOORS	ASH WOOD, COLOR: GREY STAIN

ALL MATERIALS, COLORS & TEXTURES SHALL BE APPROVED BY OWNER PRIOR TO THE START OF THAT PORTION OF CONSTRUCTION.

PROJECT DATA

Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-Car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	GENERAL CONTRACTOR: T.B.D. DESIGNER: DG Design & Drafting 1877 Morena Boulevard #D San Diego, CA 92110 PH: (619) 275-5862
Project Owner / Address:	Mark & Karen Leibowitz 8203 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number:	346-240-49
Legal Description:	Parcel 139 Parcel Map No. 13452 in The City of San Diego, County of San Diego, State of California. Filed in The Office of The County Recorder of San Diego County August 31, 1984.
Year of Construction:	1948 (Original Residence - See Historical Review P18 #339690)
Lot Zoning:	LJSPD-SF/Coastal (Non-Applicable) Overlay Zone
Proposed Building Sq. Ft.	48787 Sq. Ft. (12 Acres)
Living Area:	First Floor: 6260 Sq. Ft. Second Floor: 2225 Sq. Ft. (2375 Gross Sq. Ft.)
Total Living Area:	8385 Sq. Ft. (8635 Gross Sq. Ft.)
Attached Garage:	860 Sq. Ft. *
Exterior Deck:	290 Sq. Ft.
Covered Patio:	285 Sq. Ft.
Pool House Bath/Storage:	67 Sq. Ft.
Pool House Covered Patio:	350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity (Per SDMC 50.03046(a)) Rear: Side:
Proposed FAR:	48787 lot s.f./9495 s.f. gross floor area = 5.14
FAR/Coverage Proposed:	10.038/48787 = 206 C.60
Applicable Codes:	2013 CBC, CBC, OMC, CBC & CEC, CAC, TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/LI
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces 18' x 81' Per Table 42-05B Three Standard Enclosed Spaces Provided Undersized
Condition of Soil:	
NOTES:	1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-00-6 (IFC 504.4)

REVISIONS	BY
7/7/14	COMPL. REVIEW

DESIGN & DRAFTING

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 275-5862

FAX (619) 275-5862

Sheet Title:
exterior elevations

The Leibowitz Residence

DATE: 6/6/14

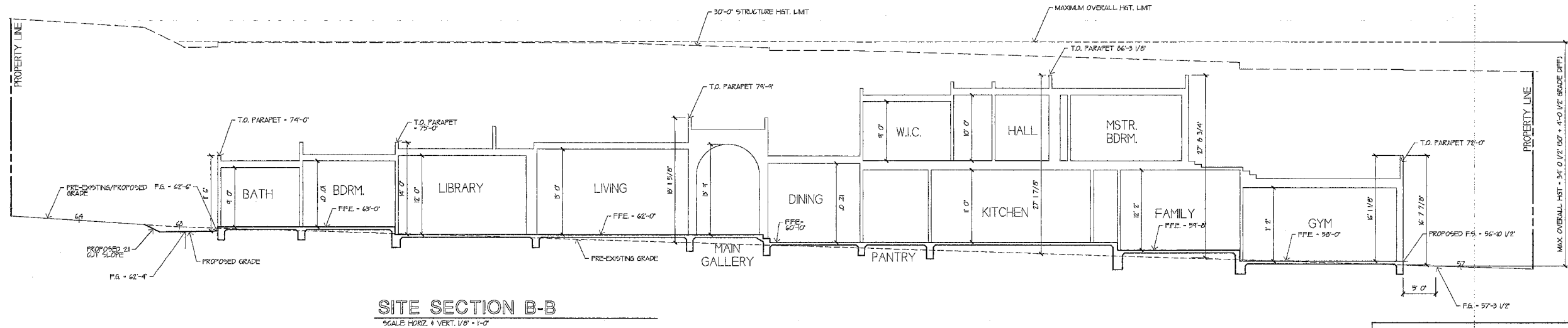
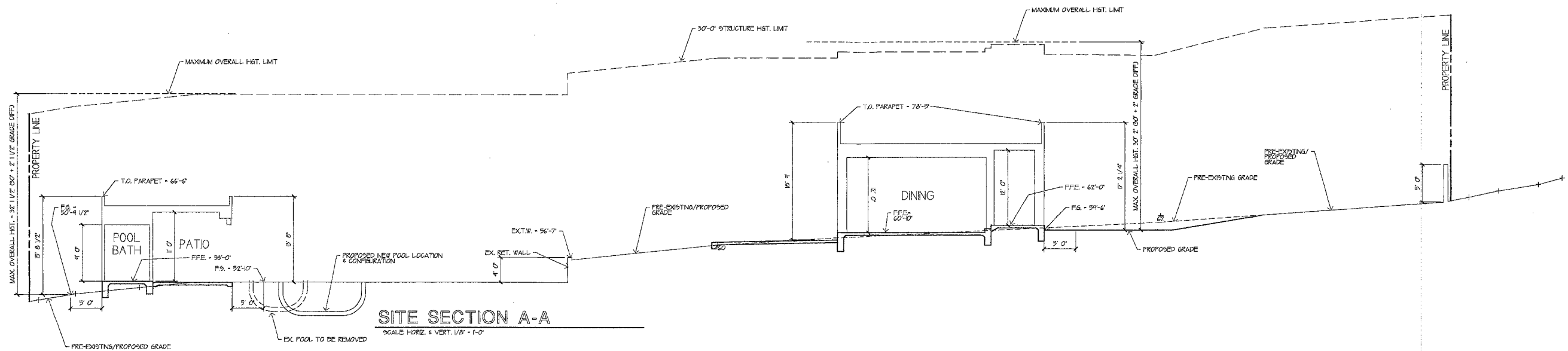
SCALE: AS NOTED

DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET 8

OF 15 SHEETS



THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30'-0" (S.D.M.C. SEC. 13.0444 AND 13.0505). HIGHEST POINT ON ROOF EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30'-0" ABOVE GRADE.

PROJECT DATA

Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct 2 New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	DESIGNER: DG Design & Drafting 1877 Morena Boulevard #10 San Diego, CA 92161 PH: (619) 270-624
Project Owner / Address:	Mark & Karen Leibowitz 6235 La Jolla Village Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shoreline District Permits
Assessors Parcel Number:	346-240-19
Legal Description:	Parcel 1 OF Parcel Map No. 13452, in The City of San Diego, County of San Diego, State of California, Filed in The Office of the County Recorder of San Diego County August 31, 1984.
Year of Construction:	1948 (Original Residence - See Historical Review PTS #330690)
Lot Zoning:	LSPD-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. 1.12 Acres
Proposed Building Sq. Ft.:	Living Area: 6250 Sq. Ft. First Floor: 2225 Sq. Ft. (2375 Gross Sq. Ft.) Second Floor: 4025 Sq. Ft. (4635 Gross Sq. Ft.) * Total Living Area: 880 Sq. Ft. * Attached Garage: 880 Sq. Ft. * Exterior Decks: 220 Sq. Ft. Covered Porches: 235 Sq. Ft. Pool House Bath/Storage: 67 Sq. Ft. Pool House Covered Porch: 350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity Side: 10'-0" (S.D.M.C. 13.03045B)(4)
Proposed FAR:	48,787 lot x 1.9495 s.f. gross floor area = 0.94
FAR/Coverage Proposed:	10,038/48,787 = 20.6 %
Applicable Codes:	2013 CBC, CRC, CMC, CPC & CEC, C.A.C. TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/U
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces (19' x 81' Per Table M2-03B Three Standard Enclosed Spaces Provided Underserved
Condition of Soil:	Underserved
NOTES:	1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-03-0 (UFC 90.4.4)

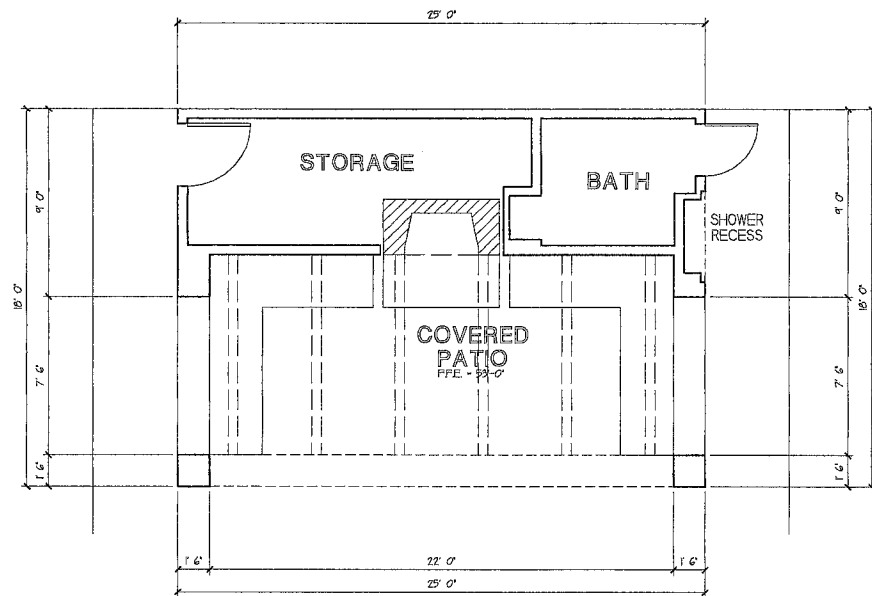
REVISIONS	BY
7/17/14	CONPL. REVIEW
2/19/15	CYCLE ISSUES

Design & Drafting
1877 MORENA BOULEVARD #10, SAN DIEGO, CA 92110
PHONE (619) 270-1624
FAX (619) 275-5882

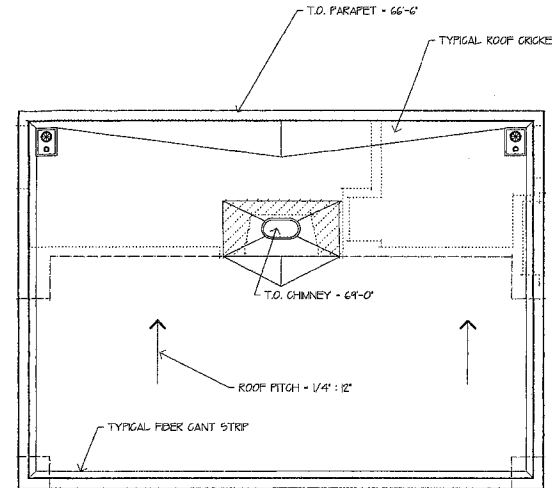
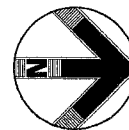
Sheet Title:
site sections

The
Leibowitz
Residence

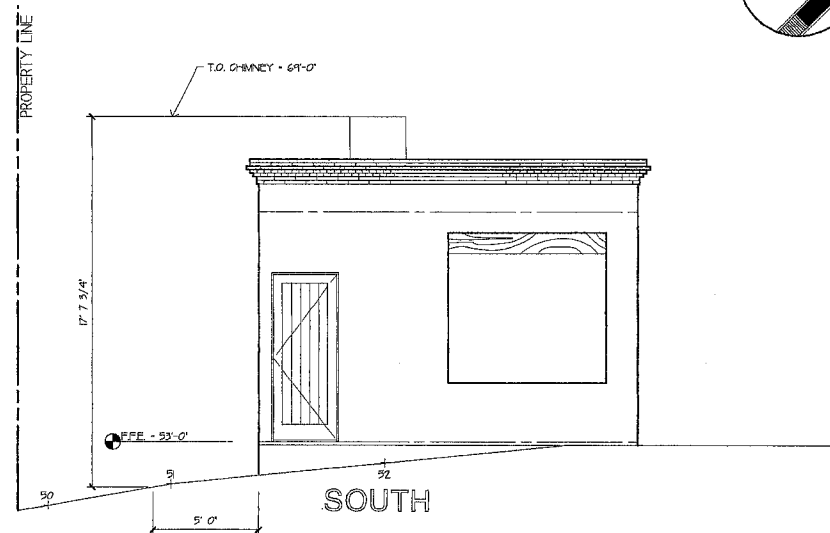
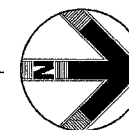
DATE: 6/6/14
SCALE: AS NOTED
DRAWN: D.J.G.
JOB: LEBOWITZ
SHEET
9
OF 15 SHEETS



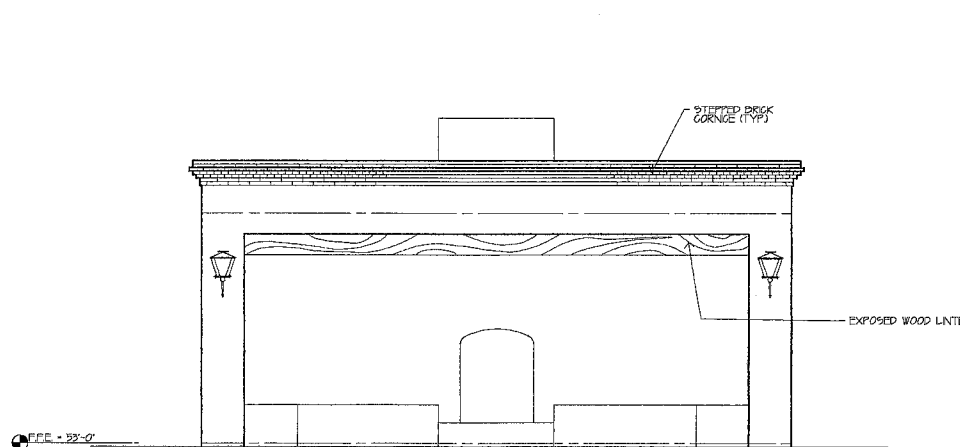
FLOOR PLAN
SCALE 1/4" = 1'-0"



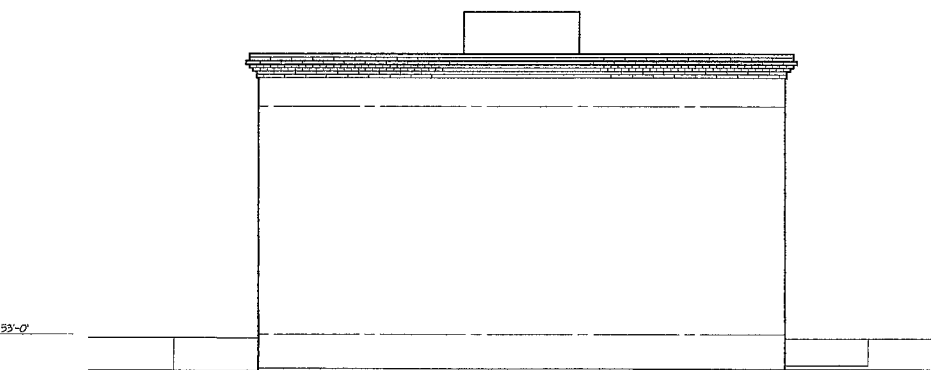
ROOF PLAN
SCALE 1/4" = 1'-0"



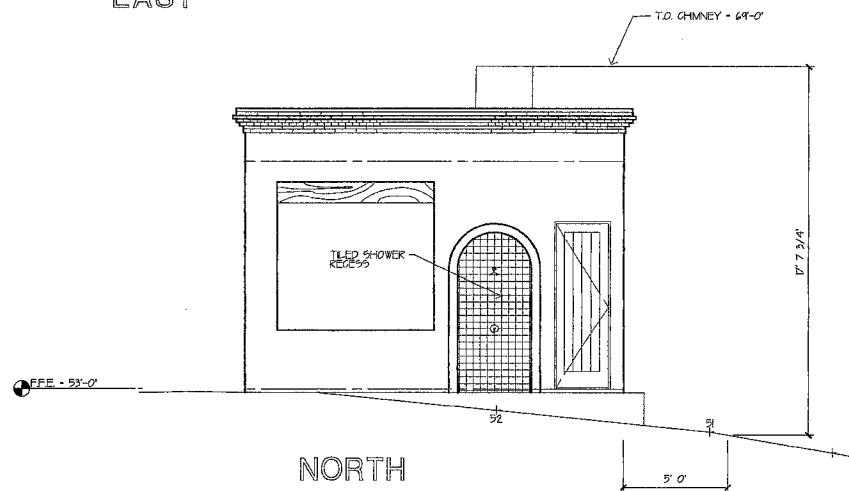
SOUTH



EAST



WEST



NORTH

EXTERIOR ELEVATIONS
SCALE 1/4" = 1'-0"

EXTERIOR MATERIALS	
EXTERIOR WALLS	STUCCO "SANTA BARBARA FINISH" COLOR BY LA MADRA #50 CRYSTAL WHITE
CORNICE	STONE COLOR: WHITE WASHED GREY
WINDOWS	STEEL COLOR: GUN METAL GREY
DOORS	STEEL COLOR: GUN METAL GREY
SCUPPERS	CLAY TILE PIPE COLOR RED
RAIN LEADERS	PATINAED COPPER
EXPOSED BEAMS	HAND HEWN WHITE WASHED GREY STAIN
WOOD DOORS	ASH WOOD, COLOR: GREY STAIN

PROJECT DATA

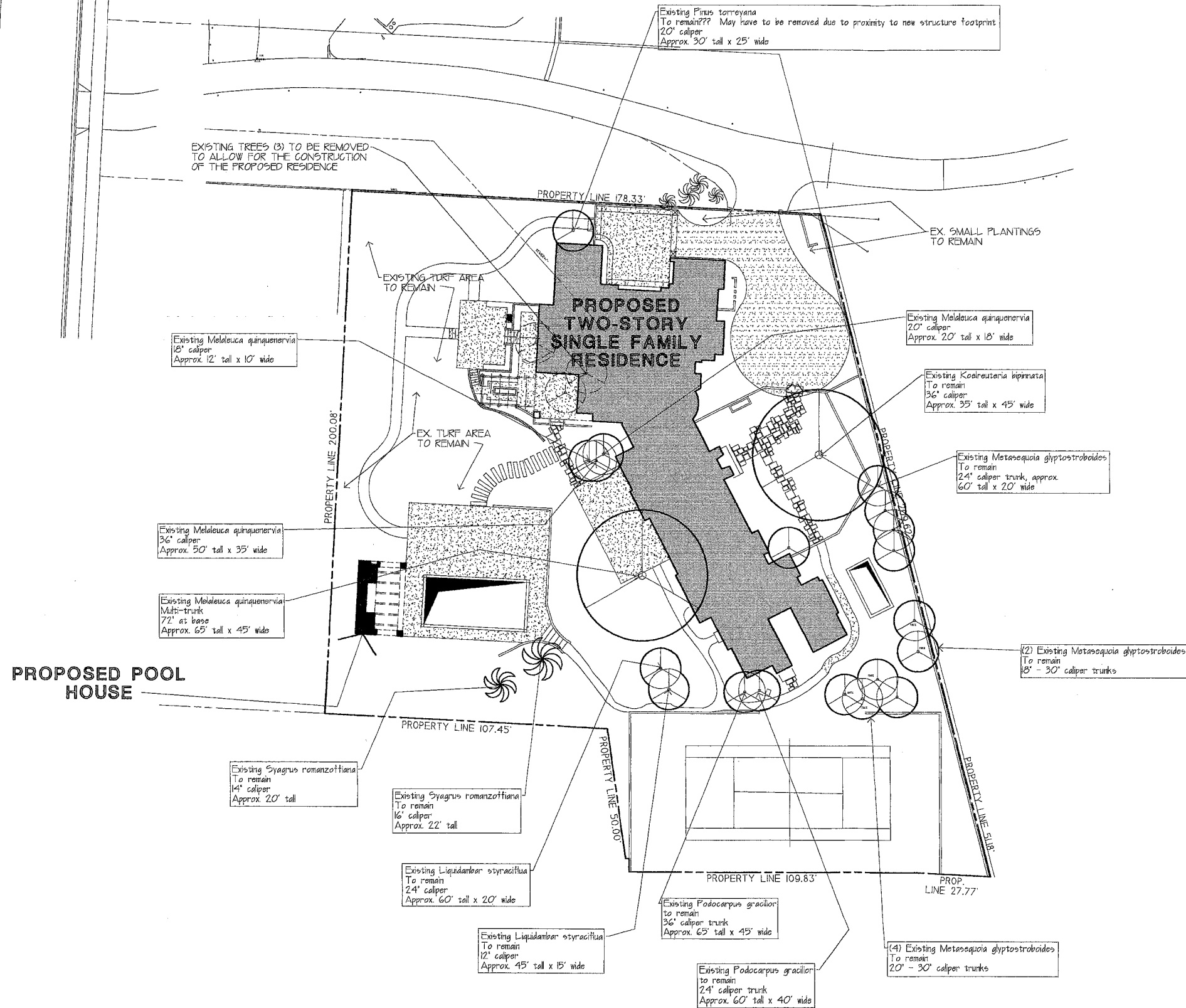
Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Ten Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Taxes:	GENERAL CONTRACTOR: T.B.D. DESIGNER: DG Design & Drafting 8177 Montana Boulevard, #D San Diego, CA 92108 PH: (619) 270-824
Project Owner / Address:	Mark A. Koran Lebowitz 8283 Le Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/Lo Jolla Shores Planned District Permits
Assessors Parcel Number:	346-240-19
Legal Description:	Parcel 1 OF Parcel Map No. 13452, In The City of San Diego, County of San Diego, State of California, Filed in The Office of The County Recorder of San Diego County August 31, 1984.
Year of Construction:	1948 (Original Residence - See Historical Review PTS #339690)
Lot Zoning:	LJSPD-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. (0.12 Acres)
Proposed Building Sq. Ft.:	
Living Area:	6260 Sq. Ft.
First Floor:	2025 Sq. Ft. (2375 Gross Sq. Ft.)
Second Floor:	4235 Sq. Ft. (4635 Gross Sq. Ft.)
Total Living Area:	860 Sq. Ft.
Attached Garage:	1210 Sq. Ft.
Exterior Decks:	286 Sq. Ft.
Covered Patios:	157 Sq. Ft.
Pool House Bath/Storage:	350 Sq. Ft.
Pool House Covered Patio:	
Setbacks:	Front: General Conformity w/ Those Existing Proportions in the Vicinity For SDHC 500.00046(d) Minus 4'-0" Rear: Sides: 48,787 (60) - 29,272 sq. ft. 10,038/48,787 - 206 < .60
FAIR/Coverage Allowable:	203 CBC, CRC, CHC, CPC & CEC, C.A.C. TITLE 24, SDHC.
Applicable Codes:	VB - Sprinklered per NFPA 13-0 R3.13
Type of Construction:	52
Geological Hazard Category:	Two Standard Spaces (9' x 18') Per Table 142-05B Three Standard Enclosed Spaces Provided Undisturbed
Required Parking:	
Condition of Soil:	

NOTES:

- ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.
- THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.
- MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.
- PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-60-6 (IUC 904.4)

REVISIONS	BY
7/17/14	COMPL. REVIEW
3/23/15	

LA JOLLA SHORES DRIVE



EXISTING LANDSCAPE
AREA = 34274 S.F. (70%)

SCALE: 1" = 20'

PROJECT DATA	
Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	DESIGNER: DG Design & Drafting 1807 Morano Boulevard #D San Diego, CA 92101 PCL (858) 270-1824
Project Owner / Address:	Mark & Karen Lebowitz 6283 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number:	346-240-9
Legal Description:	Parcel 1 of Parcel Map No. 3452, In The City of San Diego, County of San Diego, State of California Filed in The Office of The County Recorder of San Diego County August 31, 1994.
Year of Construction:	1948 (Original Residence - See Historical Review PLS #339690)
Lot Zoning:	LJSPD-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. 0.2 Acres
Proposed Building Sq. Ft.:	
Living Areas:	
First Floor:	6260 Sq. Ft.
Second Floor:	2025 Sq. Ft. (2,375 Gross Sq. Ft.)
Total Living Areas:	8385 Sq. Ft. (8,635 Gross Sq. Ft.)
Attached Garage:	880 Sq. Ft.
Exterior Decks:	1100 Sq. Ft.
Covered Patios:	286 Sq. Ft.
Pool House Bath/Storage:	67 Sq. Ft.
Pool House Covered Patio:	350 Sq. Ft.
Setbacks:	Front: General Conformity w/ Those Existing Properties in the Vicinity (See SDMC 530.030-45.04) Minimum 4'-0"
F.A.R./Coverage Allowable:	48,787 (60) = 29,272 sq. ft.
F.A.R./Coverage Proposed:	10,038/48,787 = 20% (60)
Applicable Codes:	2003 CBC, CRC, CMC, CPC & CEC, C.A.C. TITLE 24, S.D.M.C.
Type of Construction:	VB - Sprinklered per NFPA 13-D
Building Occupancy:	R3/U
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces (9' x 18') Per Table 142-03B Three Standard Enclosed Spaces Provided Undisturbed
Condition of Soil:	
NOTES:	
1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN.	
2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN.	
3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE.	
4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (JFPC 90.4.4)	

EXISTING AS-BUILT LANDSCAPE PLAN

REVISIONS	BY
2/9/15 CYCLE ISSUES	

Design & Drafting

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (858) 270-1824

FAX (619) 275-5862

Sheet Title:
existing as-built
landscape plan

The
Leibowitz
Residence

DATE: 8/2/14

SCALE: AS NOTED

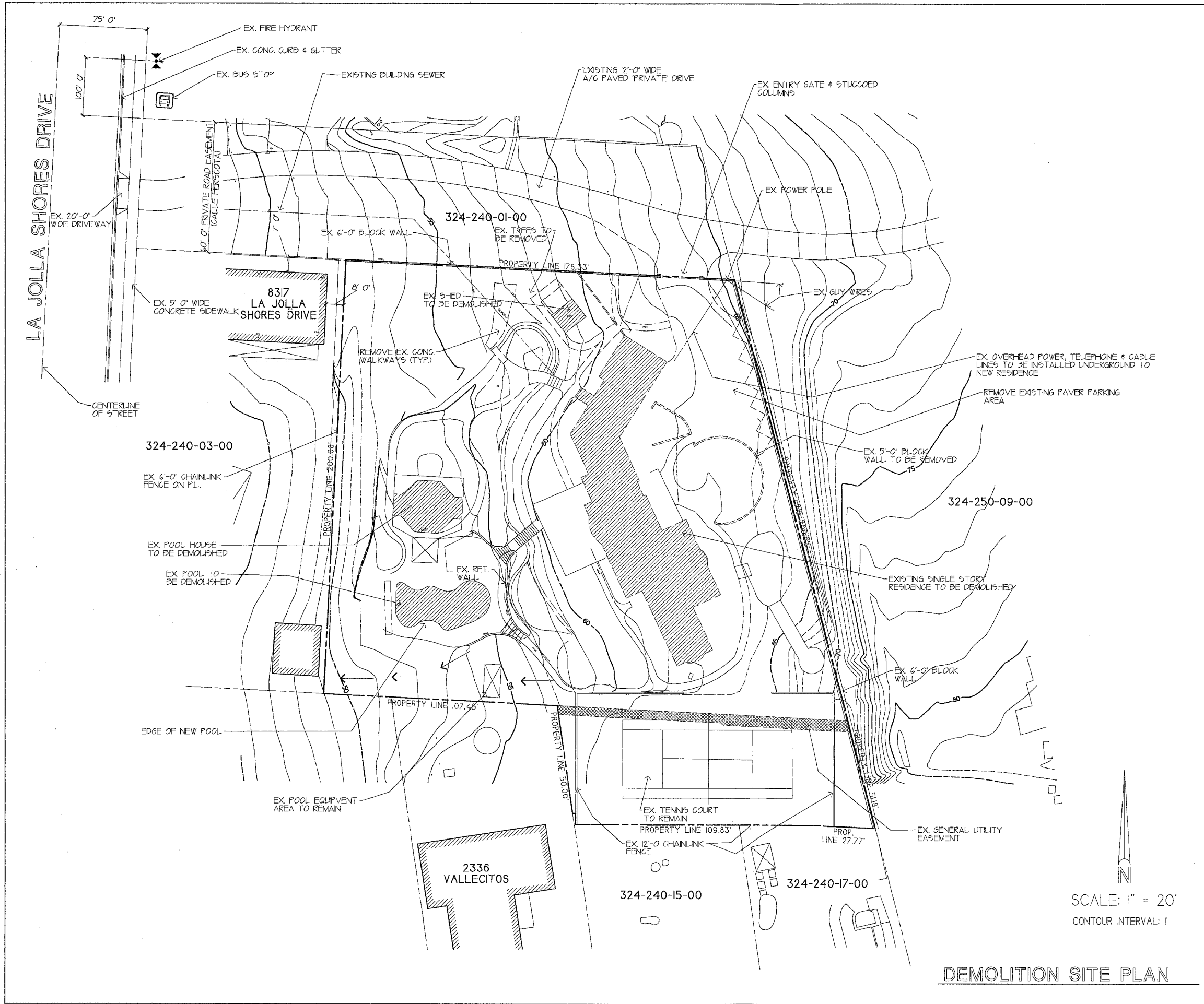
DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET

11

OF 15 SHEETS



DEMOLITION SITE PLAN

PROJECT DATA	
Project Description:	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct 5' New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team:	GENERAL CONTRACTOR: DESIGNER: DB Design & Drafting 187 Morana Boulevard #D San Diego, CA 92110 PH: (619) 270-6254
Project Owner / Address:	Mark & Karen Leibowitz 8283 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessor's Parcel Number:	346-240-19
Legal Description:	Parcel 1 OF Parcel Map No. 13452, in the City of San Diego, County of San Diego, State of California, Filed in the Office of the County Recorder of San Diego County August 31, 1994.
Year of Construction:	1948 (Original Residence - See Historical Review P.T.S. #339690)
Lot Zoning:	LUSPD-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48787 Sq. Ft. (1.12 Acres)
Proposed Building Sq. Ft.:	Living Area: 6260 Sq. Ft. First Floor: 2025 Sq. Ft. (2375 Gross Sq. Ft.) Second Floor: 6385 Sq. Ft. (8635 Gross Sq. Ft.) * Attached Garage: 860 Sq. Ft. * Exterior Deck: 220 Sq. Ft. Covered Porch: 286 Sq. Ft. Pool House Bath/Storage: 157 Sq. Ft. Pool House Covered Porch: 350 Sq. Ft.
Setbacks:	Front: [Blank] (General Conformity w/ Those Existing Properties in the Vicinity) Rear: [Blank] (Per SDMC 150.030-4(b)(4)) Side: [Blank]
Proposed FAR:	48787 lot x 1.9485 s.f. gross floor area = 0.94
FAR/Coverage Proposed:	0.038/48.787 - 206 (80)
Applicable Codes:	2013 CBC, CRC, CMC, CPC & CEC, CAC, TITLE 14, SDMC.
Type of Construction:	WB - Sprinklered per NFPA (3-1)
Building Occupancy:	R3/A
Geological Hazard Category:	52
Required Parking:	Two Standard Spaces (9' x 18') Per Table M2-C5B Three Standard Enclosed Spaces Provided Underneath
Condition of Soil:	
NOTES:	1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (LFC 90.4.4)

REVISIONS	BY

Design & Drafting

1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110

PHONE (619) 275-5882

FAX (619) 270-1624

Sheet Title:

site demolition plan

The Leibowitz Residence

DATE: 2/2/15

SCALE: AS NOTED

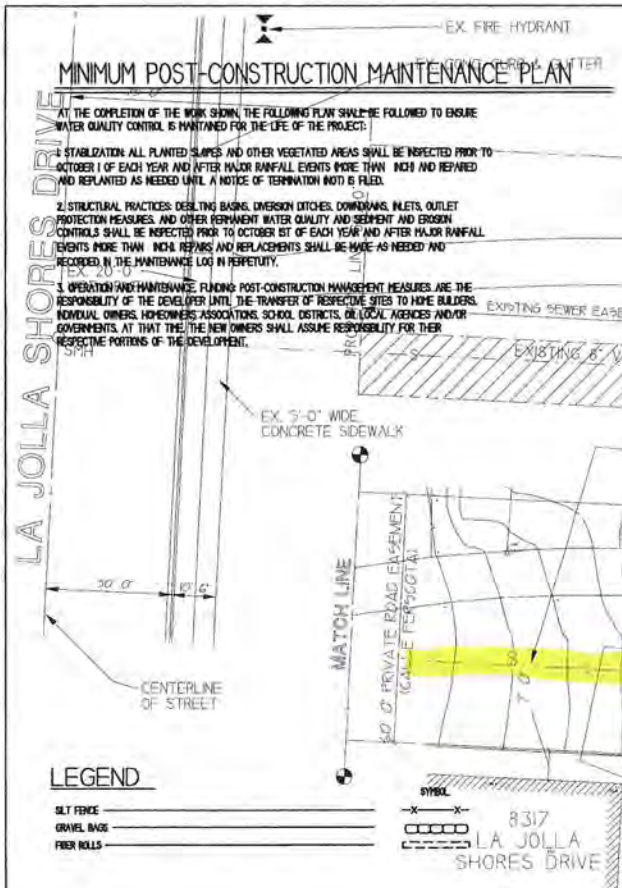
DRAWN: D.J.G.

JOB: LEBOWITZ

SHEET

12

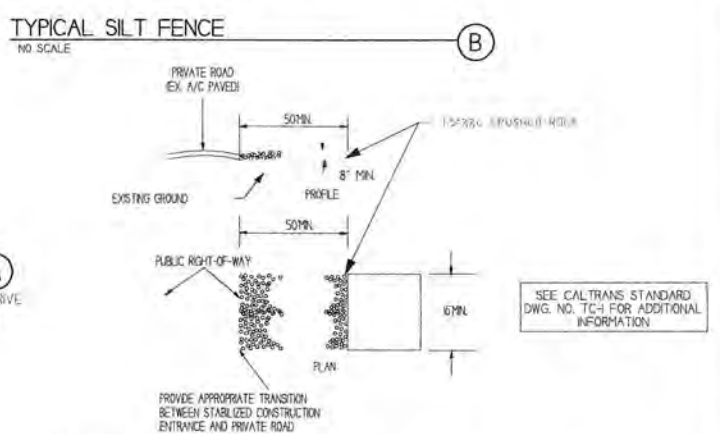
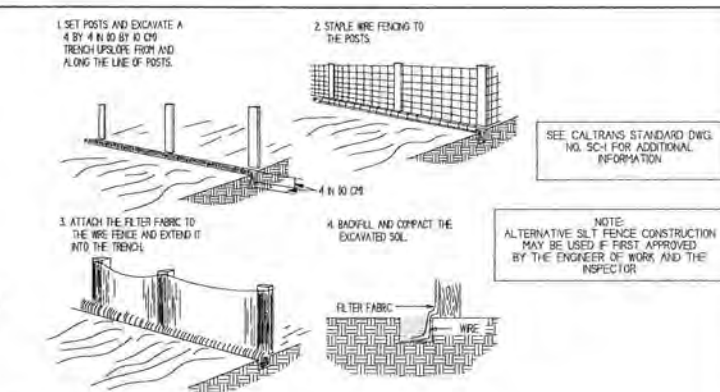
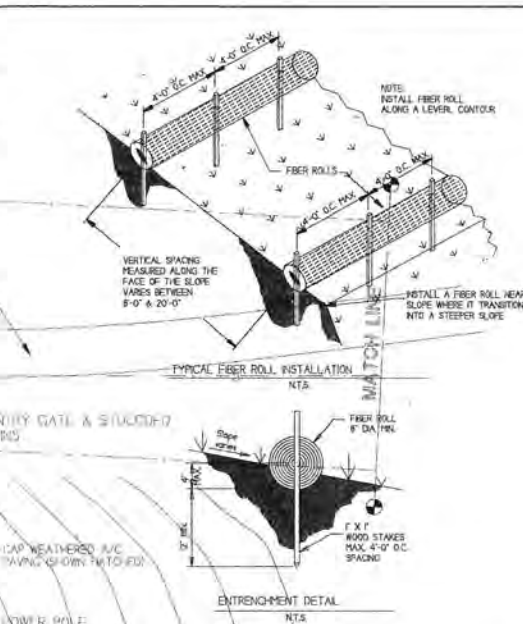
OF 15 SHEETS



OPERATION AND MAINTENANCE PLAN DETAILS

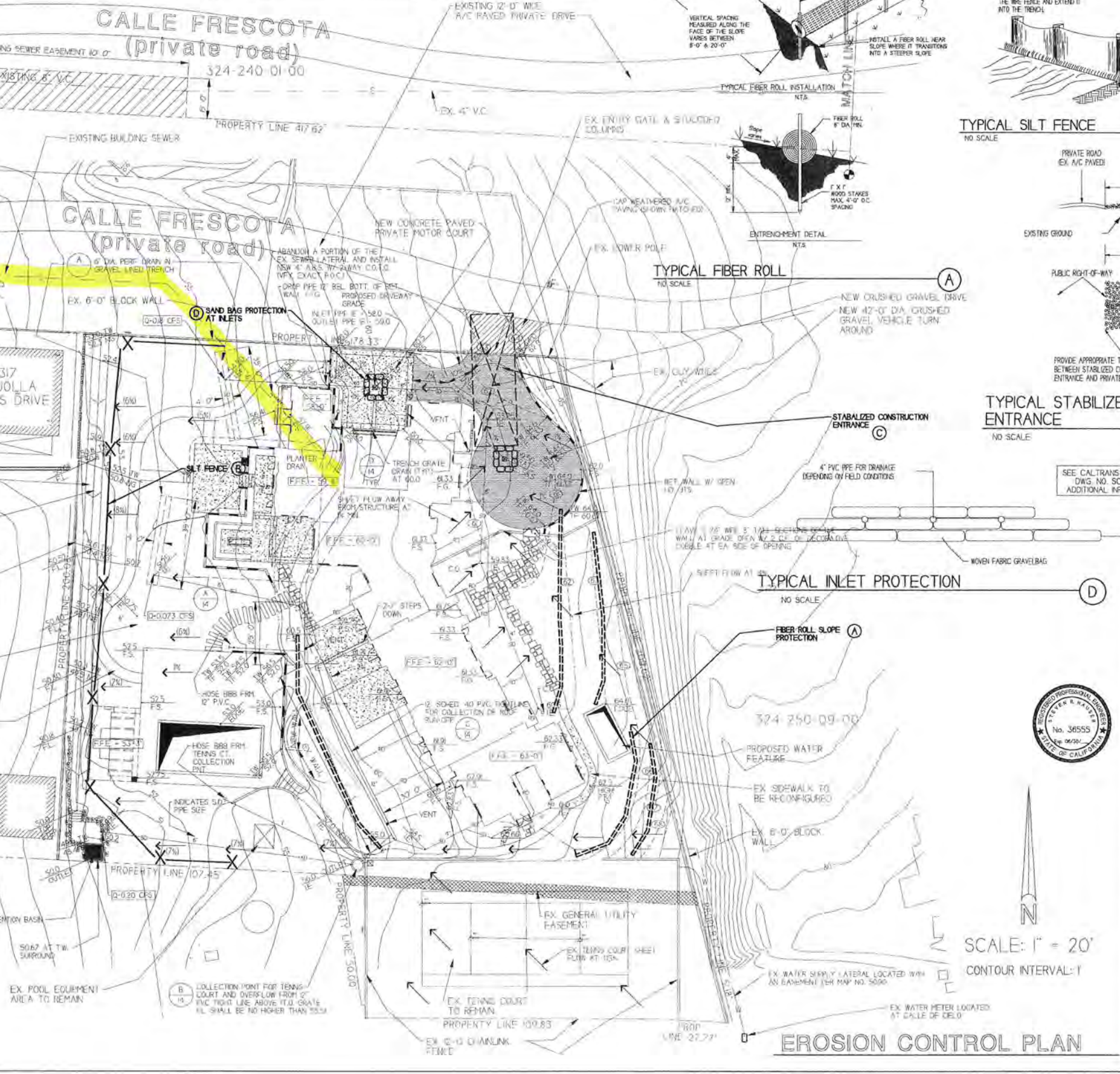
OWN RESPONSIBLE PARTY DESIGNER: PROPERTY OWNER/AGENCY/OTHER

INSPECTION FREQUENCY	MAINTENANCE FREQUENCY	MAINTENANCE METHOD	SERVICE FREQUENCY	SERVICE METHOD
PROPOSED SITE DESIGN				
PROPOSED TREATMENT CONTROL				
PROPOSED SOURCE CONTROL				



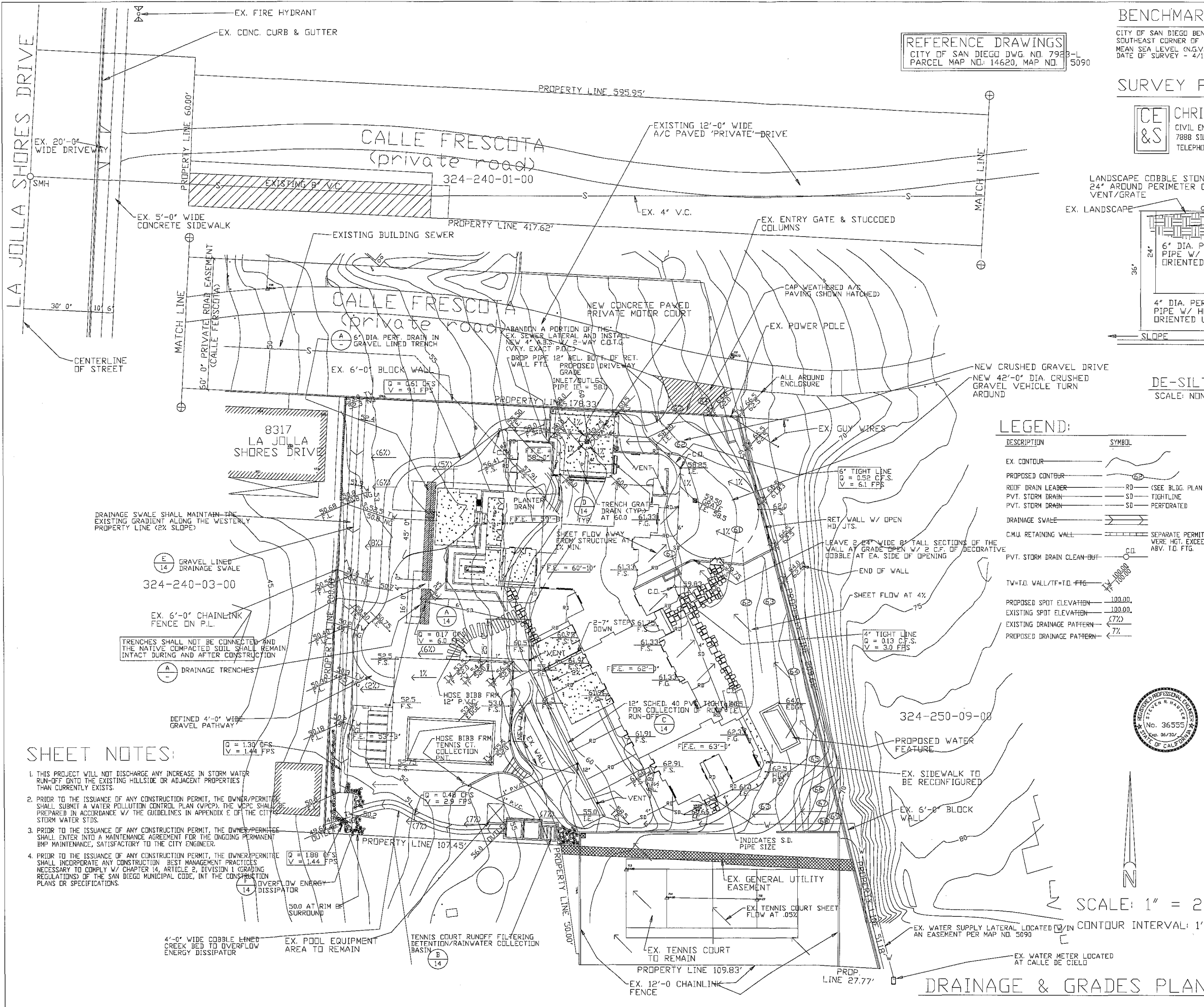
EROSION AND SEDIMENT CONTROL NOTES

- TEMPORARY EROSION/SEDIMENT CONTROL MEASURES TO COMPLETION OF FINAL IMPROVEMENTS SHALL BE PERFORMED BY THE CONTRACTOR OR QUALIFIED PERSON AS INDICATED BELOW.
- LISTED BELOW ARE BEST MANAGEMENT PRACTICES TO BE USED FOR SOIL STABILIZATION PURPOSES. THEY ARE SHOWN IN DETAIL ON THIS SHEET. THESE BMP'S HAVE BEEN SELECTED FROM PROVEN METHODS USED FOR CONTROLLING EROSION WITHIN THE GENERAL PROJECT AREA.
- SHORT TERM - CONSTRUCTION BMP'S**
- GRAVEL BAGS
 - FIBER ROLLS
 - SILT FENCE
 - STABILIZED CONSTRUCTION ENTRANCE
1. ALL REQUIREMENTS OF THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL, STORM WATER STANDARDS MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE PROPOSED GRADING/IMPROVEMENTS CONSISTENT WITH THE APPROVED STORM WATER POLLUTION PREVENTION PLAN SHEET AND/OR WATER POLLUTION CONTROL PLAN SHEET FOR CONSTRUCTION. ELEV. BMP'S AND FOR PERMANENT POST CONSTRUCTION TREATMENT CONTROL, PERMANENT BMP'S. THE WATER QUALITY TECHNICAL REPORT (WQTR) IF APPLICABLE.
 2. FOR STORM DRAIN INLETS, PROVIDE A GRAVEL BAG SILT BASIN IMMEDIATELY UPSTREAM OF INLET AS INDICATED ON DETAILS.
 3. FOR INLETS LOCATED AT SLOPES ADJACENT TO TOP OF SLOPES, THE CONTRACTOR SHALL ENSURE THAT WATER DRAINING TO THE SUMP IS DIRECTED INTO THE INLET AND THAT A MINIMUM OF 100' FREEBOARD EXISTS AND IS MAINTAINED ABOVE THE TOP OF THE INLET & FREEBOARD IS NOT PROVIDED BY GRADINGS SHOWN ON THESE PLANS, THE CONTRACTOR SHALL PROVIDE IT VIA TEMPORARY MEASURES, I.E. GRAVEL BAGS OR DUES.
 4. THE CONTRACTOR OR QUALIFIED PERSON SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON ADJACENT STREETS AND STORM DRAIN SYSTEM DUE TO CONSTRUCTION ACTIVITY.
 5. THE CONTRACTOR OR QUALIFIED PERSON SHALL CHECK AND MAINTAIN ALL USED AND UNUSED DITCHES AFTER EACH RAINFALL.
 6. THE CONTRACTOR SHALL REMOVE SILT AND DEBRIS AFTER EACH MAJOR RAINFALL.
 7. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 8. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OR RESIDENT ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
 9. THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION/SEDIMENT CONTROL MEASURES AS MAY BE REQUIRED BY THE RESIDENT ENGINEER DUE TO UNEXPECTED GRADING OPERATIONS OR UNFORESEEN CIRCUMSTANCES, WHICH MAY ARISE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE PROPOSED WATERS CREATE A HAZARDOUS CONDITION.
 11. ALL EROSION/SEDIMENT CONTROL MEASURES PROVIDED FOR THE APPROVED GRADING PLAN SHALL BE INCORPORATED HEREON. ALL EROSION/SEDIMENT CONTROL FOR INTERIM CONDITIONS SHALL BE DONE TO THE SATISFACTION OF THE RESIDENT ENGINEER.
 12. GRADED AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF THE SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
 13. ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN RAIN IS IMMINENT.
 14. THE CONTRACTOR SHALL ONLY GRADE INCLUDING CLEARING AND GRUBBING FOR THE AREAS FOR WHICH THE CONTRACTOR OR QUALIFIED PERSON CAN PROVIDE EROSION/SEDIMENT CONTROL MEASURES.
 15. THE CONTRACTOR SHALL ARRANGE FOR WEEKLY MEETINGS DURING OCTOBER 1ST TO APRIL 30TH FOR PROJECT TEAM (GENERAL CONTRACTOR, QUALIFIED PERSON, SUBCONTRACTOR IF ANY, ENGINEER OF WORK, OWNER/DEVELOPER AND THE RESIDENT ENGINEER) TO EVALUATE THE ADEQUACY OF THE EROSION/SEDIMENT CONTROL MEASURES AND OTHER RELATED CONSTRUCTION ACTIVITIES.



PROJECT DATA

Project Description:	Demolish Existing 4088 Sq Ft, Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct 2 New Two-Story Residence w/ 4 New Attached Two-Car Garage & Detached Pool House
Project Team:	DESIGNER: DO Design & Drafting 1877 Morena Boulevard #D San Diego, CA 92104 (619) 275-5882
Project Owner / Address:	Mark & Karen Leibowitz 8263 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals:	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number:	345-240-09
Legal Description:	Parcel 1 OF Parcel Map No. 15452, in The City of San Diego, County of San Diego, State of California, Filed in The Office of the County Recorder of San Diego County August 3, 1964.
Year of Construction:	1968 (Original Residence - See Historical Review PTS #3399901)
Lot Zoning:	LSPO-SF/Coastal (Non-Applicable) Overlay Zone
Lot Size:	48,787 Sq. Ft. 62 Acres
Proposed Building Sq. Ft.:	
Living Area:	6260 Sq. Ft.
First Floor:	225 Sq. Ft. (2375 Gross Sq. Ft.)
Second Floor:	8385 Sq. Ft. (8635 Gross Sq. Ft.)
Total Living Area:	8610 Sq. Ft. (8810 Gross Sq. Ft.)
Attached Garage:	800 Sq. Ft. (800 Gross Sq. Ft.)
Exterior Decks:	286 Sq. Ft.
Covered Porch:	157 Sq. Ft.
Pool House Bath/Storage:	350 Sq. Ft.
Pool House Covered Porch:	
Setbacks:	Front: 48.787' (1st/2nd/3rd/4th/5th/6th/7th/8th/9th/10th/11th/12th/13th/14th/15th/16th/17th/18th/19th/20th/21st/22nd/23rd/24th/25th/26th/27th/28th/29th/30th/31st/32nd/33rd/34th/35th/36th/37th/38th/39th/40th/41st/42nd/43rd/44th/45th/46th/47th/48th/49th/50th/51st/52nd/53rd/54th/55th/56th/57th/58th/59th/60th/61st/62nd/63rd/64th/65th/66th/67th/68th/69th/70th/71st/72nd/73rd/74th/75th/76th/77th/78th/79th/80th/81st/82nd/83rd/84th/85th/86th/87th/88th/89th/90th/91st/92nd/93rd/94th/95th/96th/97th/98th/99th/100th/101st/102nd/103rd/104th/105th/106th/107th/108th/109th/110th/111th/112th/113th/114th/115th/116th/117th/118th/119th/120th/121st/122nd/123rd/124th/125th/126th/127th/128th/129th/130th/131st/132nd/133rd/134th/135th/136th/137th/138th/139th/140th/141st/142nd/143rd/144th/145th/146th/147th/148th/149th/150th/151st/152nd/153rd/154th/155th/156th/157th/158th/159th/160th/161st/162nd/163rd/164th/165th/166th/167th/168th/169th/170th/171st/172nd/173rd/174th/175th/176th/177th/178th/179th/180th/181st/182nd/183rd/184th/185th/186th/187th/188th/189th/190th/191st/192nd/193rd/194th/195th/196th/197th/198th/199th/200th/201st/202nd/203rd/204th/205th/206th/207th/208th/209th/210th/211st/212nd/213th/214th/215th/216th/217th/218th/219th/220th/221st/222nd/223rd/224th/225th/226th/227th/228th/229th/230th/231st/232nd/233rd/234th/235th/236th/237th/238th/239th/240th/241st/242nd/243rd/244th/245th/246th/247th/248th/249th/250th/251st/252nd/253rd/254th/255th/256th/257th/258th/259th/260th/261st/262nd/263rd/264th/265th/266th/267th/268th/269th/270th/271st/272nd/273rd/274th/275th/276th/277th/278th/279th/280th/281st/282nd/283rd/284th/285th/286th/287th/288th/289th/290th/291st/292nd/293rd/294th/295th/296th/297th/298th/299th/300th/301st/302nd/303rd/304th/305th/306th/307th/308th/309th/310th/311st/312nd/313th/314th/315th/316th/317th/318th/319th/320th/321st/322nd/323rd/324th/325th/326th/327th/328th/329th/330th/331st/332nd/333rd/334th/335th/336th/337th/338th/339th/340th/341st/342nd/343rd/344th/345th/346th/347th/348th/349th/350th/351st/352nd/353rd/354th/355th/356th/357th/358th/359th/360th/361st/362nd/363rd/364th/365th/366th/367th/368th/369th/370th/371st/372nd/373rd/374th/375th/376th/377th/378th/379th/380th/381st/382nd/383rd/384th/385th/386th/387th/388th/389th/390th/391st/392nd/393rd/394th/395th/396th/397th/398th/399th/400th/401st/402nd/403rd/404th/405th/406th/407th/408th/409th/410th/411st/412nd/413th/414th/415th/416th/417th/418th/419th/420th/421st/422nd/423rd/424th/425th/426th/427th/428th/429th/430th/431st/432nd/433rd/434th/435th/436th/437th/438th/439th/440th/441st/442nd/443rd/444th/445th/446th/447th/448th/449th/450th/451st/452nd/453rd/454th/455th/456th/457th/458th/459th/460th/461st/462nd/463rd/464th/465th/466th/467th/468th/469th/470th/471st/472nd/473rd/474th/475th/476th/477th/478th/479th/480th/481st/482nd/483rd/484th/485th/486th/487th/488th/489th/490th/491st/492nd/493rd/494th/495th/496th/497th/498th/499th/500th/501st/502nd/503rd/504th/505th/506th/507th/508th/509th/510th/511st/512nd/513th/514th/515th/516th/517th/518th/519th/520th/521st/522nd/523rd/524th/525th/526th/527th/528th/529th/530th/531st/532nd/533rd/534th/535th/536th/537th/538th/539th/540th/541st/542nd/543rd/544th/545th/546th/547th/548th/549th/550th/551st/552nd/553rd/554th/555th/556th/557th/558th/559th/560th/561st/562nd/563rd/564th/565th/566th/567th/568th/569th/570th/571st/572nd/573rd/574th/575th/576th/577th/578th/579th/580th/581st/582nd/583rd/584th/585th/586th/587th/588th/589th/590th/591st/592nd/593rd/594th/595th/596th/597th/598th/599th/600th/601st/602nd/603rd/604th/605th/606th/607th/608th/609th/610th/611st/612nd/613th/614th/615th/616th/617th/618th/619th/620th/621st/622nd/623rd/624th/625th/626th/627th/628th/629th/630th/631st/632nd/633rd/634th/635th/636th/637th/638th/639th/640th/641st/642nd/643rd/644th/645th/646th/647th/648th/649th/650th/651st/652nd/653rd/654th/655th/656th/657th/658th/659th/660th/661st/662nd/663rd/664th/665th/666th/667th/668th/669th/670th/671st/672nd/673rd/674th/675th/676th/677th/678th/679th/680th/681st/682nd/683rd/684th/685th/686th/687th/688th/689th/690th/691st/692nd/693rd/694th/695th/696th/697th/698th/699th/700th/701st/702nd/703rd/704th/705th/706th/707th/708th/709th/710th/711st/712nd/713th/714th/715th/716th/717th/718th/719th/720th/721st/722nd/723rd/724th/725th/726th/727th/728th/729th/730th/731st/732nd/733rd/734th/735th/736th/737th/738th/739th/740th/741st/742nd/743rd/744th/745th/746th/747th/748th/749th/750th/751st/752nd/753rd/754th/755th/756th/757th/758th/759th/760th/761st/762nd/763rd/764th/765th/766th/767th/768th/769th/770th/771st/772nd/773rd/774th/775th/776th/777th/778th/779th/780th/781st/782nd/783rd/784th/785th/786th/787th/788th/789th/790th/791st/792nd/793rd/794th/795th/796th/797th/798th/799th/800th/801st/802nd/803rd/804th/805th/806th/807th/808th/809th/810th/811st/812nd/813th/814th/815th/816th/817th/818th/819th/820th/821st/822nd/823rd/824th/825th/826th/827th/828th/829th/830th/831st/832nd/833rd/834th/835th/836th/837th/838th/839th/840th/841st/842nd/843rd/844th/845th/846th/847th/848th/849th/850th/851st/852nd/853rd/854th/855th/856th/857th/858th/859th/860th/861st/862nd/863rd/864th/865th/866th/867th/868th/869th/870th/871st/872nd/873rd/874th/875th/876th/877th/878th/879th/880th/881st/882nd/883rd/884th/885th/886th/887th/888th/889th/890th/891st/892nd/893rd/894th/895th/896th/897th/898th/899th/900th/901st/902nd/903rd/904th/905th/906th/907th/908th/909th/910th/911st/912nd/913th/914th/915th/916th/917th/918th/919th/920th/921st/922nd/923rd/924th/925th/926th/927th/928th/929th/930th/931st/932nd/933rd/934th/935th/936th/937th/938th/939th/940th/941st/942nd/943rd/944th/945th/946th/947th/948th/949th/950th/951st/952nd/953rd/954th/955th/956th/957th/958th/959th/960th/961st/962nd/963rd/964th/965th/966th/967th/968th/969th/970th/971st/972nd/973rd/974th/975th/976th/977th/978th/979th/980th/981st/982nd/983rd/984th/985th/986th/987th/988th/989th/990th/991st/992nd/993rd/994th/995th/996th/997th/998th/999th/1000th/1001st/1002nd/1003rd/1004th/1005th/1006th/1007th/1008th/1009th/1010th/1011st/1012nd/1013th/1014th/1015th/1016th/1017th/1018th/1019th/1020th/1021st/1022nd/1023rd/1024th/1025th/1026th/1027th/1028th/1029th/1030th/1031st/1032nd/1033rd/1034th/1035th/1036th/1037th/1038th/1039th/1040th/1041st/1042nd/1043rd/1044th/1045th/1046th/1047th/1048th/1049th/1050th/1051st/1052nd/1053rd/1054th/1055th/1056th/1057th/1058th/1059th/1060th/1061st/1062nd/1063rd/1064th/1065th/1066th/1067th/1068th/1069th/1070th/1071st/1072nd/1073rd/1074th/1075th/1076th/1077th/1078th/1079th/1080th/1081st/1082nd/1083rd/1084th/1085th/1086th/1087th/1088th/1089th/1090th/1091st/1092nd/1093rd/1094th/1095th/1096th/1097th/1098th/1099th/1100th/1101st/1102nd/1103rd/1104th/1105th/1106th/1107th/1108th/1109th/1110th/1111st/1112nd/1113th/1114th/1115th/1116th/1117th/1118th/1119th/1120th/1121st/1122nd/1123rd/1124th/1125th/1126th/1127th/1128th/1129th/1130th/1131st/1132nd/1133rd/1134th/1135th/1136th/1137th/1138th/1139th/1140th/1141st/1142nd/1143rd/1144th/1145th/1146th/1147th/1148th/1149th/1150th/1151st/1152nd/1153rd/1154th/1155th/1156th/1157th/1158th/1159th/1160th/1161st/1162nd/1163rd/1164th/1165th/1166th/1167th/1168th/1169th/1170th/1171st/1172nd/1173rd/1174th/1175th/1176th/1177th/1178th/1179th/1180th/1181st/1182nd/1183rd/1184th/1185th/1186th/1187th/1188th/1189th/1190th/1191st/1192nd/1193rd/1194th/1195th/1196th/1197th/1198th/1199th/1200th/1201st/1202nd/1203rd/1204th/1205th/1206th/1207th/1208th/1209th/1210th/1211st/1212nd/1213th/1214th/1215th/1216th/1217th/1218th/1219th/1220th/1221st/1222nd/1223rd/1224th/1225th/1226th/1227th/1228th/1229th/1230th/1231st/1232nd/1233rd/1234th/1235th/1236th/1237th/1238th/1239th/1240th/1241st/1242nd/1243rd/1244th/1245th/1246th/1247th/1248th/1249th/1250th/1251st/1252nd/1253rd/1254th/1255th/1256th/1257th/1258th/1259th/1260th/1261st/1262nd/1263rd/1264th/1265th/1266th/1267th/1268th/1269th/1270th/1271st/1272nd/1273rd/1274th/1275th/1276th/1277th/1278th/1279th/1280th/1281st/1282nd/1283rd/1284th/1285th/1286th/1287th/1288th/1289th/1290th/1291st/1292nd/1293rd/1294th/1295th/1296th/1297th/1298th/1299th/1300th/1301st/1302nd/1303rd/1304th/1305th/1306th/1307th/1308th/1309th/1310th/1311st/1312nd/1313th/1314th/1315th/1316th/1317th/1318th/1319th/1320th/1321st/1322nd/1323rd/1324th/1325th/1326th/1327th/1328th/1329th/1330th/1331st/1332nd/1333rd/1334th/1335th/1336th/1337th/1338th/1339th/1340th/1341st/1342nd/1343rd/1344th/1345th/1346th/1347th/1348th/1349th/1350th/1351st/1352nd/1353rd/1354th/1355th/1356th/1357th/1358th/1359th/1360th/1361st/1362nd/1363rd/1364th/1365th/1366th/1367th/1368th/1369th/1370th/1371st/1372nd/1373rd/1374th/1375th/1376th/1377th/1378th/1379th/1380th/1381st/1382nd/1383rd/1384th/1385th/1386th/1387th/1388th/1389th/1390th/1391st/1392nd/1393rd/1394th/1395th/1396th/1397th/1398th/1399th/1400th/1401st/1402nd/1403rd/1404th/1405th/1406th/1407th/1408th/1409th/1410th/1411st/1412nd/1413th/1414th/1415th/1416th/1417th/1418th/1419th/1420th/1421st/1422nd/1423rd/1424th/1425th/1426th/1427th/1428th/1429th/1430th/1431st/1432nd/1433rd/1434th/1435th/1436th/1437th/1438th/1439th/1440th/1441st/1442nd/1443rd/1444th/1445th/1446th/1447th/1448th/1449th/1450th/1451st/1452nd/1453rd/1454th/1455th/1456th/1457th/1458th/1459th/1460th/1461st/1462nd/1463rd/1464th/1465th/1466th/1467th/1468th/1469th/1470th/1471st/1472nd/1473rd/1474th/1475th/1476th/1477th/1478th/1479th/1480th/1481st/1482nd/1483rd/1484th/1485th/1486th/1487th/1488th/1489th/1490th/1491st/1492nd/1493rd/1494th/1495th/1496th/1497th/1498th/1499th/1500th/1501st/1502nd/1503rd/1504th/1505th/1506th/1507th/1508th/1509th/1510th/1511st/1512nd/1513th/1514th/1515th/1516th/1517th/1518th/1519th/1520th/1521st/1522nd/1523rd/1524th/1525th/1526th/1527th/1528th/1529th/1530th/1531st/1532nd/1533rd/1534th/1535th/1536th/1537th/1538th/1539th/1540th/1541st/1542nd/1543rd/1544th/1545th/1546th/1547th/1548th/1549th/1550th/1551st/1552nd/1553rd/1554th/1555th/1556th/1557th/1558th/1559th/1560th/1561st/1562nd/1563rd/1564th/1565th/1566th/1567th/1568th/1569th/1570th/1571st/1572nd/1573rd/1574th/1575th/1576th/1577th/1578th/1579th/1580th/1581st/1582nd/1583rd/1584th/1585th/1586th/1587th/1588th/1589th/1590th/1591st/1592nd/1593rd/1594th/1595th/1596th/1597th/1598th/1599th/1600th/1601st/1602nd/1603rd/1604th/1605th/1606th/1607th/1608th/1609th/1610th/1611st/1612nd/1613th/1614th/1615th/1616th/1617th/1618th/1619th/1620th/1621st/1622nd/1623rd/1624th/1625th/1626th/1627th/1628th/1629th/1630th/1631st/1632nd/1633rd/1634th/1635th/1636th/1637th/1638th/1639th/1640th/1641st/1642nd/1643rd/1644th/1645th/1646th/1647th/1648th/1649th/1650th/1651st/1652nd/1653rd/1654th/1655th/1656th/1657th/1658th/1659th/1660th/1661st/1662nd/1663rd/1664th/1665th/1666th/1667th/1668th/1669th/1670th/1671st/1672nd/1673rd/1674th/1675th/1676th/1677th/1678th/1679th/1680th/1681st/1682nd/1683rd/1684th/1685th/1686th/1687th/1688th/1689th/1690th/1691st/1692nd/1693rd/1694th/1695th/1696th/1697th/1698th/1699th/1700th/1701st/1702nd/1703rd

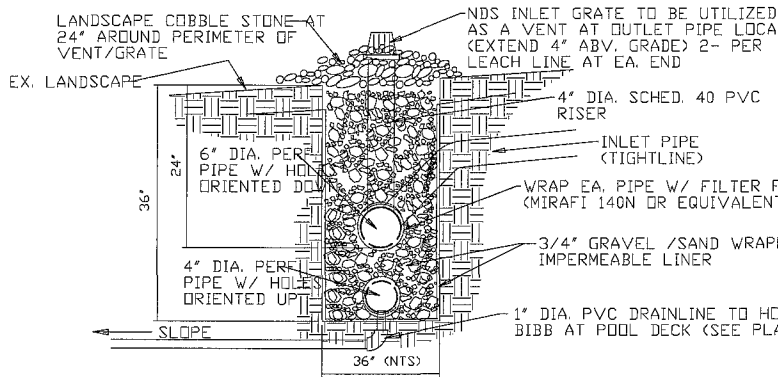


REFERENCE DRAWINGS
CITY OF SAN DIEGO DWG. NO. 7923-L
PARCEL MAP NO. 14620, MAP NO. 5090

BENCHMARK:
CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE
SOUTHEAST CORNER OF CALLE DEL ORD AND DEL ORD COURT. ELEVATION = 49.01'
MEAN SEA LEVEL (N.G.V.D. 1929).
DATE OF SURVEY - 4/13/13

SURVEY PREPARED BY:

CE & S CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS LAND SURVEYORS PLANNERS
7888 SILVERTON AVENUE, SUITE 'J', SAN DIEGO, CALIFORNIA 92126
TELEPHONE: (858)271-9901 FAX: (858)271-8912



LEGEND:

DESCRIPTION	SYMBOL
EX. CONTOUR	—
PROPOSED CONTOUR	—
ROOF DRAIN LEADER	RD
PVT. STORM DRAIN	SD
PVT. STORM DRAIN	SD
DRAINAGE SWALE	—
C.M.U. RETAINING WALL	—
PVT. STORM DRAIN CLEAN-OUT	—
TV=TO, WALL/TF=TO, FFG	—
PROPOSED SPOT ELEVATION	100.00
EXISTING SPOT ELEVATION	100.00
EXISTING DRAINAGE PATTERN	(7%)
PROPOSED DRAINAGE PATTERN	(7%)

GRADING QUANTITIES:

GRADED AREA	4800 SQ. FT./1.1 ACRES
CUT QUANTITIES	320 CU. YD.
FILL QUANTITIES	0
MAX. CUT DEPTH	1'-0"
MAX. FILL DEPTH	N/A
MAX. FILL SLOPE RATIO	4:1

IMPORT/EXPORT — DUE TO NATURE OF THE PROPOSED DRAINAGE DESIGN, NO EXPORT IS PROPOSED. HOWEVER, THE NEED MAY ARISE TO REMOVE CERTAIN UNSUITABLE MATERIALS AND REPLACE WITH ACCEPTABLE MATERIAL AS DEEMED APPROPRIATE BY THE GEOLOGIST.

THIS PROJECT PROPOSES TO EXPORT 320 +/- CUBIC YARDS OF MATERIAL FROM THIS SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED TO A LEAK DISPOSAL SITE. THE APPROVAL OF THE PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.

- SHEET NOTES:**
- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE OR ADJACENT PROPERTIES THAN CURRENTLY EXISTS.
 - 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 W/ THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STDS.
 - 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.
 - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY W/ CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PROJECT DATA

Project Description	Demolish Existing 4088 Sq. Ft. Single Story Single Family Dwelling w/ 2-car Attached Garage & Detached Pool House and Construct a New Two Story Residence w/ A New Attached Two Car Garage & Detached Pool House
Project Team	GENERAL CONTRACTOR/DESIGNER: T.B.D. CE & S Design & Drafting 1817 Morena Boulevard, #D San Diego, CA 92110 PH: (858) 270-1624
Project Owner / Address	Mark & Karen Leibowitz 8283 La Jolla Shores Drive, La Jolla, CA 92037
Required Permits & Approvals	Coastal Development/La Jolla Shores Planned District Permits
Assessors Parcel Number	246-240-19
Legal Description	Parcel 1 of Parcel Map No. 13452, In The City of San Diego, County of San Diego, State of California, Filed in The Office of The County Recorder of San Diego County August 31, 1984.
Year of Construction	1948 (Original Residence - See Historical Review PTS #339690)
Lot Zoning	LJSPD-SF/Coastal (Non-Appellable) Overlay Zone
Lot Size	48,787 Sq. Ft. (1.12 Acres)
Proposed Building Sq. Ft.	Living Area: First Floor: 6260 Sq. Ft. Second Floor: 2125 Sq. Ft. (2375 Gross Sq. Ft.) Total Living Area: 8385 Sq. Ft. (8635 Gross Sq. Ft.) Attached Garage: 860 Sq. Ft. Exterior Decks: 1210 Sq. Ft. Covered Patios: 286 Sq. Ft. Pool House Bath/Storage: 1200 Sq. Ft. Pool House Covered Patio: 300 Sq. Ft.
Setbacks	Front: General Conformity w/ Those Sides: Back: Existing Properties in the Vicinity Left: SDMC 1510.0304(b)(4)
Proposed F.A.R.	48,787 lot s.f./9495 s.f. gross floor area
F.A.R./Coverage Proposed	40,038/48,787 = .206 < .60
Applicable Codes	2013 CBC, CRC, CMC, CPC & CEC, C.A.C. TITLE 24, SDMC
Type of Construction	V3 - Sprinklered per NFPA 13-D
Building Occupancy	R3/UI
Geological Hazard Category	60+
Required Parking	Two Standard Spaces (9' x 18') Per Table 402-5.58 Three Standard Enclosed Spaces Provided Unobstructed
Condition of Soil	Undisturbed
NOTES:	1. ALL EXISTING EASEMENTS ARE SHOWN ON SITE PLAN. 2. THE EXISTING BUS/TRANSIT STOPS ARE SHOWN ON THE VICINITY MAP AND SITE PLAN. 3. MINIMAL GRADING IS PROPOSED FOR MINOR SLOPES TO PROVIDE DRAINAGE. 4. PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHPS POLICY P-00-5 (GFC 901.4.4)

REVISIONS

NO.	DATE	BY
1	3/5/15	
2	2/6/15	

DESIGN & DRAFTING
1817 MORENA BOULEVARD #D, SAN DIEGO, CA 92110
PHONE (858) 270-1624
FAX (619) 275-5882

The Sheet Title: drainage & grades plan

The Leibowitz Residence

DATE: 2/6/15
SCALE: AS NOTED
DRAWN: D.J.G.
JOB: LEIBOWITZ
SHEET 13
OF 13 SHEETS



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 LJSPD

Project Title

Project No. For City Use Only

Leibowitz Family Home

374521

Project Address:

8283 La Jolla Shores Drive, La Jolla CA 92037

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

Karen Leibowitz

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

8283 La Jolla Shores Drive

City/State/Zip:

La Jolla, CA 92037

Phone No:

(858)551-0845

Fax No:

(866)728-3493

Signature:

Karen Leibowitz

Date:

June 4, 2014

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):

Mark Leibowitz

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

8283 La Jolla Shores Drive

City/State/Zip:

La Jolla, CA 92037

Phone No:

(858)551-0845

Fax No:

(866)366-4223

Signature:

Mark Leibowitz

Date:

June 4, 2014

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date: