



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: September 23, 2021 REPORT NO. PC-21-049

HEARING DATE: September 30, 2021

SUBJECT: Villa K-L NDP/CDP, Process Two Appeal Decision

PROJECT NUMBER: [619886](#)

OWNER/APPLICANT: Scott Kivel, Owner/Applicant

### SUMMARY

Issue: Should the Planning Commission grant or deny an appeal of the Development Services Department approval of a Coastal Development Permit and Neighborhood Development Permit, an amendment to Coastal Development Permit No. 1217056 for an addition, accessory dwelling unit, and site improvements to an existing single-family residence located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan area?

Staff Recommendation: Deny the appeal and uphold the Development Services Department decision to approve Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447, an amendment to Coastal Development Permit No. 1217056.

Community Planning Group Recommendation: On February 4, 2021, the La Jolla Community Planning Association voted 16-0-1 to recommend denial of the project (Attachment 10). On September 2, 2021, the La Jolla Community Planning Association voted 9-4-2 to ratify the project appeal.

Environmental Review: Pursuant to Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) guidelines 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a or subsequent Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this Project. The proposed Project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in Mitigated Declaration No. 345149.

Fiscal Impact Statement: All costs associated with this action are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: On April 17, 2018, an inspection correction notice was issued for gates and retaining walls within the public right-of-way, and an opening in the existing carport. The applicant proposes to have the encroachments remain and has applied for a Neighborhood Development Permit as part of this application.

Housing Impact Statement: The La Jolla Community Plan and Local Coastal Program Land Use Plan designates the site for low density (5-9 dwelling units per acre) residential uses, and the project complies with the prescribed density. The proposed Project will convert an existing 487 square-foot section of the detached accessory structure into an accessory dwelling unit.

## BACKGROUND

The Villa K-L Project (Project) is located at 1228 Park Row on an existing 0.22-acre site and is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056 (Attachment 4). The site is in the RS-1-7 Zone, Coastal (Non-Appealable Area) Overlay Zone, Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Transit Priority Area, and Parking Impact Overlay Zone (Coastal Area) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) area (Attachments 1-3).

Pursuant to San Diego Municipal Code Section (SDMC) Section [126.0113](#), the project requires a Process Two, Coastal Development Permit (CDP), an amendment to CDP No. 1217056 for the proposed addition and accessory dwelling unit. Pursuant to SDMC Section [126.0402\(j\)](#), a Process Two, Neighborhood Development Permit is required for the construction of a privately owned structure proposed in the public right-of-way dedicated for a street or an alley, where the applicant is the record owner of the underlying fee title. The discretionary actions have been consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in SDMC Section [112.0103](#). Therefore, a Process Two, Development Services Department decision is required pursuant to SDMC Section [126.0404](#), and the decision is appealable to the Planning Commission.

## DISCUSSION

The proposed Project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an accessory dwelling unit, and associated site improvements. The Project is located within previously developed portions of the property and conforms with all of the development standards required by the underlying RS-1-7 Zone including density, building setbacks, and height that is below the 30-foot height limit, and floor area ratio that does not exceed 0.55% of the lot area (per SDMC Table 131-04J).

As previously described, a Neighborhood Development Permit is required for the construction of a privately-owned structure proposed into the public right-of-way dedicated for a street or an alley,

where the applicant is the record owner of the underlying fee title. City staff has reviewed and approved the location of the walls and gates in the public right-of-way, as shown in the development plans (Attachment 12) and includes a permit condition that requires an Encroachment Maintenance and Removal Agreement (EMRA) for the walls and gates.

The site is designated in the Community Plan for low density (5-9 dwelling units per acre) residential uses, and the Project complies with the prescribed density. The Project site, which is located less than a half mile east of the Pacific Ocean, is not located in the First Public Roadway or within a public view corridor, public vantage point or physical access route, as identified in the Community Plan. Public beach access is provided west and north of the project site and coastal views are provided just north and east of the project site. The Project conforms with the Community Plan goal of constructing energy efficient buildings through design, building orientation, and incorporating energy efficient appliances and technology. The Project site does not contain any sensitive vegetation and is not located within or adjacent to the City's Multiple Habitat Planning Area.

On July 30, 2021, the Development Services Department issued the City's Notice of Decision (Attachment 6) approving Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447, an amendment to Coastal Development Permit No. 1217056, and the City's appeal period for the decision ended on August 13, 2021.

On August 12, 2021, Diane Kane, President of the La Jolla Community Planning Association (Appellant) filed an Appeal (Attachment 7) of the Notice of Decision citing factual error, conflict with other with other matters, findings not supported, and new information.

#### Legal Standard for Appeal of Department of Development Services Decision

Pursuant to SDMC [Section 112.0504](#), an appeal of a Process Two decision may only be granted with evidence supporting one of the following findings:

1. Factual Error: The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or
2. New Information: New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or
3. Findings Not Supported: The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
4. Conflicts: The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

The Planning Commission can only deny the appeal and uphold approval of the Project if none of the above findings are supported by sufficient evidence, or grant the appeal and deny approval of

the project if the Planning Commission finds that one of the above-referenced findings is supported by sufficient evidence.

### PROJECT APPEAL DISCUSSION

The Appellant's appeal issues are identified below along with City staff's evaluation and responses.

**Appeal Issue No. 1:** *"The Floor Area Ratio (FAR) of the proposed remodel and addition violates Section 131.0446 of the San Diego Municipal Code (SDMC)."*

**Staff Response:** City staff conducted a comprehensive review of the Project plans and has concluded that the Project FAR conforms to the requirements of the underlying RS-1-7 Zone. With a total site area of 9,425 square feet and a maximum FAR of 0.55, the maximum permitted Gross Floor Area (GFA) is 5,184 square feet. The total project GFA is 5,183 square feet and conforms to the maximum 0.55 FAR (per SDMC Table 131-04J) of the underlying RS-1-7 Zone.

**Appeal Issue No. 2:** *"Visibility Areas and Public Safety, pursuant to SDMC Section 126.0404, the approval of a Neighborhood Development Permit explicitly requires that the proposed development not be detrimental to public safety. Among these considerations is the need for visibility areas adjoining driveways as defined in SDMC Section 113.0273."*

**Staff Response:** The visibility triangles on the Project plans (along Silverado Street and Park Row) have been reviewed by the City's engineering staff and meets the City standards. The Deputy City Engineer has also reviewed and approved the location of the walls and gates in the public right-of-way and included a permit condition that requires an EMRA for the walls and gates.

**Appeal Issue No. 3:** *"The applicant seeks under Section 129.0710 of the SDMC the issuance of an Neighborhood Development Permit for existing concrete retaining walls and gates that were constructed within the PROW without permits more than three years prior to this application. But this same section of the SDMC also clearly requires that a permit be issued before such construction can be undertaken. Further, Section 12.0201 of the SDMC states that "failing to comply with any of the mandatory requirements of this Code shall constitute a misdemeanor" and stipulates substantial fines that may multiply over the period of such infractions. And Section 121.0202 of the SDMC requires the City to develop policies for consistent and uniform enforcement of the Land Development Code."*

**Staff Response:** On April 17, 2018, an inspection correction notice was issued by the City's Code Enforcement staff for gates and retaining walls within the public right-of-way, and an opening in the carport. The Project's application for the Coastal Development Permit and Neighborhood Development Permit was deemed complete on December 4, 2018. Since then, the Project applicant has worked diligently with City staff to correct all project issues. The Project plans address all staff comments and is compliant with all of the development standards required by the underlying RS-1-7 Zone.



Conclusion:

City staff has reviewed the proposed Project, analyzed the appeal issues, and determined that the Project is in conformance with regulations of the Land Development Code, and the Community Plan. There were no inaccurate statements and insufficient evidence presented to the City staff upon the Development Services Department approving the Project. All information was disclosed and shared to interested parties during the review and decision process.

The Project is located within previously developed portions of the property and conforms with all of the development standards required by the underlying RS-1-7 Zone. The Project is consistent with the Community Plan and the findings can be made for a Coastal Development Permit and Neighborhood Development Permit. The appellant does not have sufficient evidence to support any of the four findings that are grounds for appeal. Therefore, City staff recommends that the Planning Commission deny the appeal and uphold the Development Services Department decision to approve the project.

ALTERNATIVES

1. Deny the appeal and uphold the Development Services Department decision to approve Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447.
2. Grant the appeal and deny the Development Services Department decision to approve Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447 in accordance with [Section 112.0504](#).

Respectfully submitted,



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Tim Daly  
Assistant Deputy Director  
Development Services Department



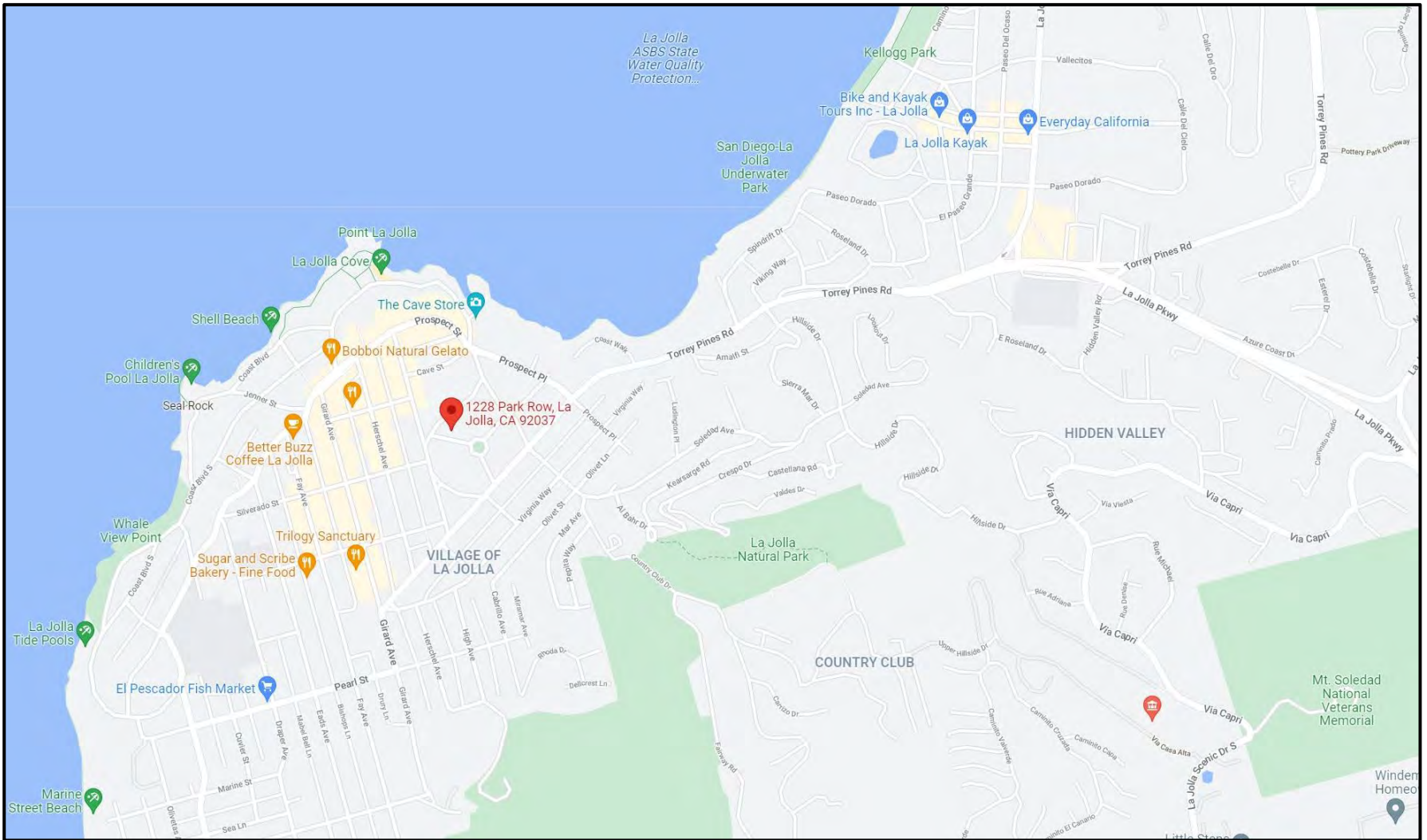
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Xavier Del Valle  
Development Project Manager  
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Coastal Development Permit No. 1217056

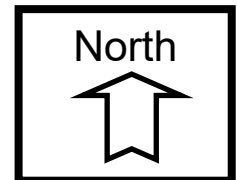
5. Project Data Sheet
6. Notice of Decision
7. Appeal Application
8. Draft Permit Resolution with Findings
9. Draft Permit with Conditions
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Plans



## Project Location Map

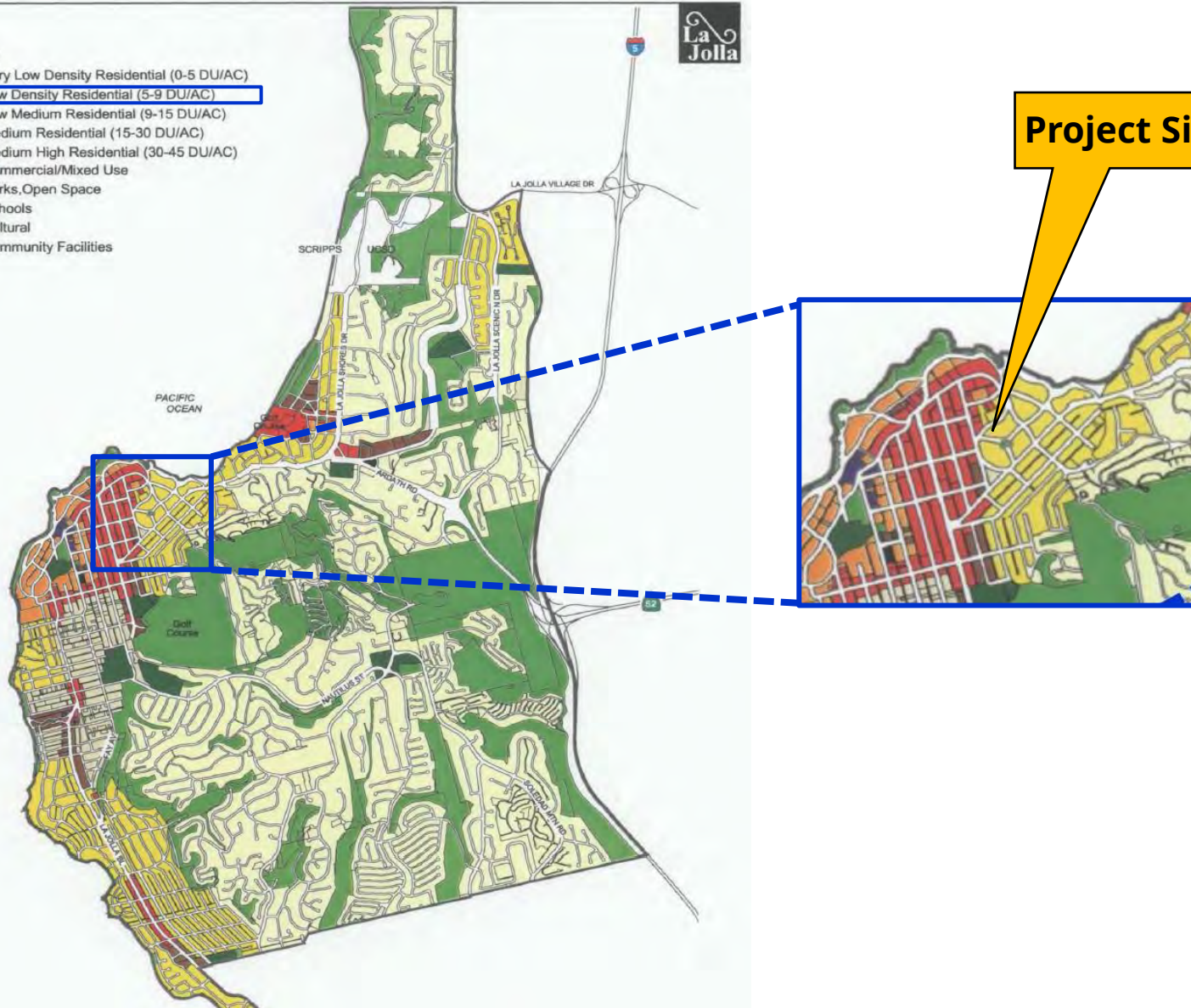
Villa K-L NDP/CDP

Project No. 619886 – 1228 Park Row



- 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

La Jolla



**Project Site**



## Land Use Map

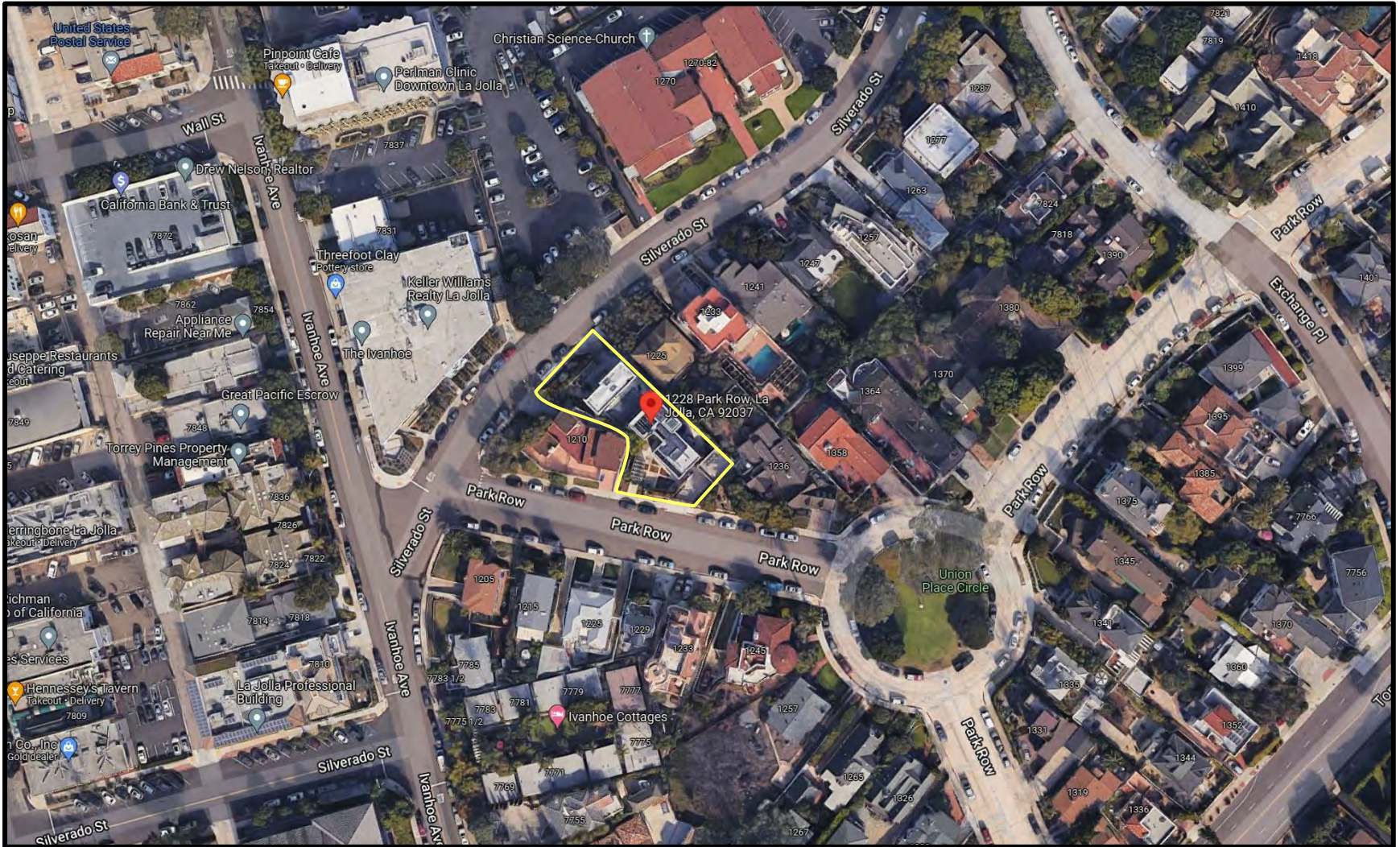
Villa K-L NDP/CDP

Project No. 619886 - 1228 Park Row

North



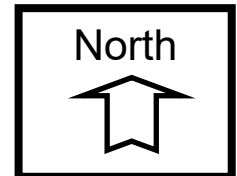




## Aerial Photograph

Villa K-L NDP/CDP

Project No. 619886 - 1228 Park Row



THE ORIGINAL OF THIS DOCUMENT  
WAS RECORDED ON MAY 07, 2014  
DOCUMENT NUMBER 2014-0185626  
Ernest J. Dronenburg, Jr., COUNTY RECORDER  
SAN DIEGO COUNTY RECORDER'S OFFICE  
TIME: 10:33 AM

**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: 24004178

**COASTAL DEVELOPMENT PERMIT NO. 1217056**  
**VILLA K-L - PROJECT NO. 345149**  
**DEVELOPMENT SERVICES DEPARTMENT**

This Coastal Development Permit No. 1217056 is granted by the Development Services Department of the City of San Diego to the LIA LUND and SCOTT KIVEL COMMUNITY PROPERTY TRUST, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.216 acre site is located at 1228 Park Row in the RS-1-7 Zone within the La Jolla Community Plan and Local Coastal Program area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact Area), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 1. The project site is legally described as: Lot 9 and 10 in Block 50 of La Jolla Park, in the City of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego County described as follows: Beginning at a point on the Southerly line of said Lot 10 distant thereon 72 feet Westerly from the Southeasterly corner of said Lot; thence Westerly along said Southerly line 110 feet to the Southwesterly corner of said Lot; thence Northerly along the Northwesterly line of said Lot being also along the Southeasterly line of Silverado Street, 78 feet, more or less, to the most Northerly corner of said Lot; thence Southeasterly along the Northeasterly line of said Lot 80.12 feet, more or less, to a point thereon, distant 82.38 feet Northwesterly from the most Easterly corner of said Lot; thence Southerly in a direct line 41.91 feet to the point of beginning.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the demolition of an existing single family dwelling unit and construction of a two-story, single family dwelling units with a detached guest quarters or habitable accessory building; described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 17, 2014, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing single family dwelling unit and construction of a two story, 3,110 square foot single family dwelling unit with a detached two story, 1,269 square foot guest quarters or habitable accessory building, and a 500 square foot two car garage;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Construction of associated site improvements (i.e. hardscape and site walls).
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption; and
- f. 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 **May 6, 2017**.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.



4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the



event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

10. 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.

11. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 345149, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

12. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 345149, 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 (Archaeological)

**ENGINEERING REQUIREMENTS:**

13. The project proposes to export 488 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.

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

15. 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.

16. Prior to the issuance of any building permits, the Owner/Permittee shall remove the existing private improvements in the Park Row and Silverado Street Right-of-Way that have not been approved by previous permits, satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA), from the City Engineer, for the low level garden walls in the Park Row and Silverado Street Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standards 12 foot wide SDG-162 Concrete Driveway for Confined Right-of-Way, adjacent to the site on Park Row and Silverado Street, satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized portions of the existing driveways with current City Standard curb, gutter and sidewalk, adjacent to the site on Park Row and Silverado Street Right-of-Way, satisfactory to the City Engineer.

20. 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.

21. 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 Municipal Code, into the construction plans or specifications.

22. 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.

**PLANNING/DESIGN REQUIREMENTS:**

23. Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces [total of three (3) off-street parking spaces are being provided] on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

24. Prior to issuance of a building permit for the guest quarters or habitable accessory building, the Owner/Permittee shall submit a signed agreement with the City that specifies that the guest quarters or habitable accessory building shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that neither the primary dwelling unit nor the guest quarters or habitable accessory building shall be sold or conveyed separately.

25. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in accordance with Council Policy 900-14.

26. Prior to the issuance of building permits, construction documents shall fully illustrate the compliance with the fence regulations in SDMC Chapter 14, Article 2, Division 3.

27. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

28. 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 Development Services Department of the City of San Diego on April 17, 2014, and Resolution No. CM-6406.

Permit Type/PTS Approval No.: CDP No. 1217056

Date of Approval: April 17, 2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

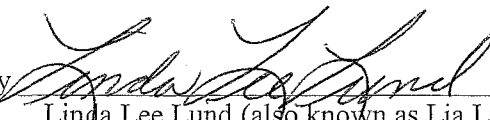
  
Jeffrey A. Peterson  
Development Project Manager

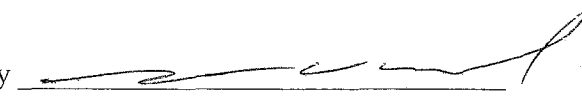
**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

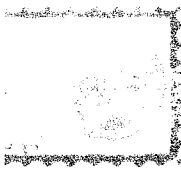
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The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**LIA LUND and SCOTT KIVEL COMMUNITY PROPERTY TRUST**  
Owner/Permittee

By   
Linda Lee Lund (also known as Lia Lund)  
Trustee

By   
Scott N. Kivel  
Trustee



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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**  
**CIVIL CODE § 1189**

State of California

County of San DiegoOn 5/6/2014

Date

before me,

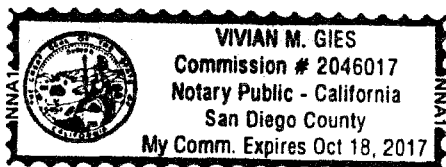
Vivian M. Gies, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Jeffrey A. Peterson

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Vivian M. Gies

Signature of Notary Public

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**Title or Type of Document: PTS 345149/Villa K-L/CDP 1217056 Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**ORIGINAL**

## ACKNOWLEDGMENT

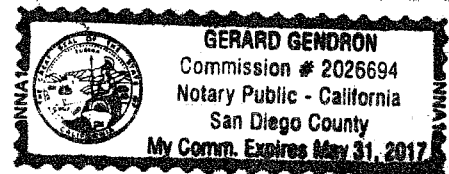
State of California

County of SAN DIEGOOn April 22, 2014 before me, GERARD GENDRON, Notary  
(insert name and title of the officer)

personally appeared LINDA LEE LUND and SCOTT N. KNEEL  
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
 subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
 paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

ORIGINAL

DEVELOPMENT SERVICES DEPARTMENT  
RESOLUTION NO. CM-6406-1  
COASTAL DEVELOPMENT PERMIT NO. 1217056  
**VILLA K-L - PROJECT NO. 345149**

WHEREAS, LIA LUND and SCOTT KIVEL COMMUNITY PROPERTY TRUST, Owner and Permittee, filed an application with the City of San Diego for a permit for the demolition of an existing single family dwelling unit and construction of a two-story, single family dwelling units with a detached guest quarters or habitable accessory building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1217056), on portions of a 0.216 acre site;

WHEREAS, the project site is located at 1228 Park Row in the RS-1-7 Zone within the La Jolla Community Plan and Local Coastal Program area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Coastal Impact Area), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 1;

WHEREAS, the project site is legally described as Lot 9 and 10 in Block 50 of La Jolla Park, in the City of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego County described as follows: Beginning at a point on the Southerly line of said Lot 10 distant thereon 72 feet Westerly from the Southeasterly corner of said Lot; thence Westerly along said Southerly line 110 feet to the Southwesterly corner of said Lot; thence Northerly along the Northwesterly line of said Lot being also along the Southeasterly line of Silverado Street, 78 feet, more or less, to the most Northerly corner of said Lot; thence Southeasterly along the Northeasterly line of said Lot 80.12 feet, more or less, to a point thereon, distant 82.38 feet Northwesterly from the most Easterly corner of said Lot; thence Southerly in a direct line 41.91 feet to the point of beginning;

WHEREAS, on April 17, 2014, the Development Services Department of the City of San Diego considered Coastal Development Permit No. 1217056 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Development Services Department of the City of San Diego as follows:

That the Development Services Department adopts the following written Findings, dated April 17, 2014.

FINDINGS:

**I. Coastal Development Permit - Section 126.0708(a)**

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

The 0.216 acre site is located at 1228 Park Row and is an interior lot and is located approximately 1,150 feet south of the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which are identified as Prospect Place at this location. Park Row at this location is not identified as view corridor, scenic overlook through the property or a physical accessway within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan. The proposed project has been designed to meet the development regulations of the underline zone and would not encroach upon any physical accessway and will protect public views to the Pacific Ocean from Park Row.

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

The project proposes the demolition of an existing single family dwelling unit and construction of a two-story, single family dwelling units with a detached guest quarters or habitable accessory building. The 0.216 acre site is located at 1228 Park Row and is located approximately 1,150 feet south of the Pacific Ocean. The site is approximately 150 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in Land Development Code (LDC) Section 113.0103.

A Mitigated Negative Declaration (MND) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addresses potential impacts to Historical Resources (Archaeological); and a Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to reduce the potential impacts to below a level of significance. The project proposes no deviations or variances from the applicable regulations and development standards in effect for this site. Therefore, it has been determined that the 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; and**

The 0.216 acre site is located at 1228 Park Row and is an interior lot and is located approximately 1,150 feet south of the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which are identified as Prospect Place at this location. Park Row at this location is not identified as view corridor, scenic overlook through the property or a physical accessway within the adopted LJCP and Local Coastal Program Land Use Plan. The proposed project has been designed to meet the development regulations of the underline zone and would not encroach upon any physical accessway and will protect public views to the Pacific Ocean from Rosemont Street.

The project proposes the demolition of an existing single family dwelling unit and construction of a two-story, single family dwelling units with a detached guest quarters or habitable accessory building. The single family dwelling unit shall have a maximum building of 28 feet 1 inch, and the guest quarters or habitable accessory building shall have a maximum



building of 27 feet 7 inches. Therefore, the buildings and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone (CHLOZ).

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The 0.216 acre site is located at 1228 Park Row and is an interior lot and is located approximately 1,150 feet south of the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea, which are identified as Prospect Place at this location. Park Row at this location is not identified as view corridor, scenic overlook through the property or a physical accessway within the adopted LJCP and Local Coastal Program Land Use Plan.

The proposed project has been designed to meet the development regulations of the underlying zone and no public view, public access to the water, public recreation facilities, or public parking facilities would be adversely affected by the approval of this development. Therefore, the proposed development has demonstrated conformance with the public access and recreation policies of the California Coastal Act as required by this finding.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Coastal Development Permit No. 1217056 is hereby GRANTED by the Development Services Department to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1217056 a copy of which is attached hereto and made a part hereof.



Jeffrey A. Peterson  
Development Project Manager  
Development Services

Adopted on: April 17, 2014

Internal Order No. 240041781

RESOLUTION NUMBER CM- 6406-2  
MITIGATED NEGATIVE DECLARATION NO. 345149  
**VILLA K-L CDP - PROJECT NO. 345149**  
ADOPTED ON April 17, 2014

WHEREAS, on November,25, 2013, LIA LUND and SCOTT KIVEL COMMUNITY PROPERTY TRUST, Owner submitted an application to Development Services Department for a Coastal Development Permit for the Villa K-L CDP (Project); and

WHEREAS, on April 17, 2014, the Development Services Department of the City of San Diego considered Coastal Development Permit No. 1217056 pursuant to the Land Development Code of the City of San Diego; 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 Development Services Department considered the issues discussed in Mitigation Negative Declaration No.345149 (Declaration) prepared for this Project; NOW THEREFORE,

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


during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Development Services Department 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 Development Services Department hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Development Services Department 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, 92101.

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

  
By: \_\_\_\_\_  
Jeffrey A. Peterson  
Development Project Manager  
Development Services Department

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

## EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM  
COASTAL DEVELOPMENT PERMIT NO. 1217056  
VILLA K-L CDP - PROJECT NO. 345149

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. 345149 shall be made conditions of Coastal Development Permit No. 1217056 as may be further described below.

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

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

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

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also

include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: *Qualified Archaeologist, Native American Monitor*

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

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

**2. MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 345149 and /or Environmental Document Number 345149, 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**

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

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS****HISTORICAL RESOURCES (ARCHAEOLOGY)****I. Prior to Permit Issuance****A. Entitlements Plan Check**

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

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

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

**II. Prior to Start of Construction****A. Verification of Records Search**

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

**B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make

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

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
  - 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 all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
  2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
  3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
  4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
  1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in

the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

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

IV. Discovery of Human Remains

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

A. Notification

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

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.



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

## V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVSR and submit to MMC via fax by 8AM of the next business day.

- b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
- c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

## VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation  
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
  - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  - 3. The cost for curation is the responsibility of the property owner.

- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  - 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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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.

PROJECT DATA SHEET																													
<b>PROJECT NAME:</b>	Villa K-L NDP/CDP																												
<b>PROJECT DESCRIPTION:</b>	Adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an accessory dwelling unit, and associated site improvements.																												
<b>COMMUNITY PLAN AREA:</b>	La Jolla																												
<b>DISCRETIONARY ACTIONS:</b>	Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447, an amendment to Coastal Development Permit No. 1217056.																												
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Low density (5-9 dwelling units per acre) residential uses.																												
<p align="center"><b>ZONING INFORMATION:</b></p> <p><b>ZONE:</b> RS-1-7</p> <table border="0"> <thead> <tr> <th></th> <th><u>REQUIREMENT</u></th> <th><u>PROPOSED</u></th> </tr> </thead> <tbody> <tr> <td><b>HEIGHT LIMIT:</b></td> <td>30'-0"</td> <td>28'-3"</td> </tr> <tr> <td><b>LOT SIZE:</b></td> <td>9,425 sf</td> <td>9,425 sf</td> </tr> <tr> <td><b>FLOOR AREA RATIO:</b></td> <td>.55</td> <td>.545</td> </tr> <tr> <td><b>FRONT SETBACK:</b></td> <td>15'-0"</td> <td>15'-0"</td> </tr> <tr> <td><b>SIDE SETBACK:</b></td> <td>Min. .08</td> <td>5'-0"</td> </tr> <tr> <td><b>STREETSIDE SETBACK:</b></td> <td>Min. 10</td> <td>6'-2"</td> </tr> <tr> <td><b>REAR SETBACK:</b></td> <td>15'-0"</td> <td>15'-0"</td> </tr> <tr> <td><b>PARKING:</b></td> <td>3</td> <td>3</td> </tr> </tbody> </table>				<u>REQUIREMENT</u>	<u>PROPOSED</u>	<b>HEIGHT LIMIT:</b>	30'-0"	28'-3"	<b>LOT SIZE:</b>	9,425 sf	9,425 sf	<b>FLOOR AREA RATIO:</b>	.55	.545	<b>FRONT SETBACK:</b>	15'-0"	15'-0"	<b>SIDE SETBACK:</b>	Min. .08	5'-0"	<b>STREETSIDE SETBACK:</b>	Min. 10	6'-2"	<b>REAR SETBACK:</b>	15'-0"	15'-0"	<b>PARKING:</b>	3	3
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<b>SOUTH:</b>	RS-1-7; Low Density Residential	Single-Family Residential																											
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<b>DEVIATION REQUESTED:</b>	Pursuant to SDMC Section 129.0710(a), a Neighborhood Development Permit is required for the construction of a privately-owned structure proposed into the public right-of-way dedicated for a street or an alley, where the applicant is the record owner of the underlying fee title. Staff has approved the location of the walls and gates in the public right-of-way as shown in the project plans. A condition of approval requires that the property owner obtain an Encroachment Maintenance Removal Agreement for the walls and gates in the public right-of-way.																												
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On February 4, 2021, the La Jolla Community Planning Association voted 16-0-1 to recommend denial of the project.																												





THE CITY OF SAN DIEGO

DATE OF NOTICE: July 30, 2021

# NOTICE OF DECISION

## DEVELOPMENT SERVICES DEPARTMENT

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<b>PROJECT NO:</b>	<b>619886</b>
<b>PROJECT NAME:</b>	<b><u>VILLA K-L NDP/CDP</u></b>
<b>PROJECT TYPE:</b>	<b>Coastal Development Permit Amendment and Neighborhood Development Permit, Mitigated Negative Declaration No. 345149, PROCESS TWO</b>
<b>APPLICANT:</b>	<b>Scott Kivel</b>
<b>COMMUNITY PLAN AREA:</b>	<b>La Jolla</b>
<b>COUNCIL DISTRICT:</b>	<b>1</b>
<b>CITY PROJECT MANAGER:</b>	<b>Xavier Del Valle, Development Project Manager</b>
<b>PHONE NUMBER/E-MAIL:</b>	<b>(619) 557-7941; <a href="mailto:xdelvalle@sandiego.gov">xdelvalle@sandiego.gov</a></b>

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On July 30, 2021, the Development Services Department approved an application for an Amendment to Coastal Development Permit No. 1217056 and a Neighborhood Development Permit for a remodel and addition to an existing 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement at 1228 Park Row. The project includes adding 45 square feet to the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements. The 0.22-acre site is in the RS-1-7 Zone, Coastal (Non-Appealable Area) Overlay Zone, Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Transit Priority Area, and Parking Impact Overlay Zone (Coastal Area) within the La Jolla Community Plan area. This development is within the Coastal Overlay Zone and the application was filed on December 4, 2018.

If you have any questions about this project, the decision, or wish to receive a copy of the resolution approving the project, please contact the City Development Project Manager listed above.

The decision by Development Services Department can be appealed to the **Planning Commission** no later than ten (10) business days after the decision date. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/sites/default/files/dsdib505.pdf) (<https://www.sandiego.gov/sites/default/files/dsdib505.pdf>). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the Planning Commission must be filed by email or in person as follows:

1. Appeals filed via email: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (including grounds for appeal and supporting documentation in pdf format) by email to [PlanningCommission@sandiego.gov](mailto:PlanningCommission@sandiego.gov) by 4:00 p.m. on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee per this bulletin. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within 5 business

days of invoice issuance will invalidate the appeal application.

2. Appeals filed in person: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off drop safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue in Downtown San Diego by 4:00 p.m. on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer". Include in the memo of the check the Project Number. Cash payments are only accepted by appointment; email [DSDCashiers@sandiego.gov](mailto:DSDCashiers@sandiego.gov) to schedule an appointment.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

The Development Services Department has determined that the project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the previous Mitigated Negative Declaration No. 345149 that was approved for the site under Coastal Development Permit No. 1217056.

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

Internal Order No.: 24008068

cc: Diane Kane, Chair, La Jolla Community Planning Association

  
**Development Services Department**  
Xavier Del Valle / Project No. 619886  
1222 First Ave., MS 501  
San Diego, California 92101-4140  
  
**RETURN SERVICE REQUESTED**



# Development Permit/ Environmental Determination Appeal Application

November 2017

<b>1. Type of Appeal:</b>	<input checked="checked" type="checkbox"/> Appeal of the Project <input type="checkbox"/> Appeal of the Environmental Determination
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Name:	E-mail:
La Jolla Community Planning Association, Diane Kane, President	info@LajollaCPA.org, dkane002@san.rr.com

Address:	City:	State:	Zip Code:	Telephone:
P.O. Box 889	San Diego	CA	92038	858-459-9490

VILLA K-L NDP/CDP

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination	City Project Manager:
CDP&NDP/619886 MND/345149 PROCESS TWO	July 30, 2021	Xavier Del Valle

Approval of an Amendment to CDP No. 1217056 and an NDP for a remodel and addition to an existing 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement at 1228 Park Row. Includes adding 45 square feet to the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an ADU, and associated site improvements, all within the Coastal Overlay Zone.

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

Please see the attached descriptions of three separate Grounds for Appeal and associated Exhibit.

Signature: Nadine F. Lane

Date: August 12, 2021

**Clear Form**

## Section 5: Description of Grounds for Appeal

### 5.1 Floor Area Ratio Violation

The Floor Area Ratio (FAR) of the proposed remodel and addition violates Section 131.0446 of the San Diego Municipal Code (SDMC).

The correct **as-built** floor areas, taken from the original construction drawings and certified by the original architect for the project, are listed for each level of the 1228 Park Row project in the attached Exhibit A. The floor areas given in the Notice of Decision (NOD), provided by the applicant based in-part on the original pre-construction permitted dimensions, are factually incorrect as representations of the current as-built residence.

The correct total **as-built** floor area of the existing residence is 4908 square feet, including a 521 square foot detached garage. The proposed remodel and addition would increase this area by 471 square feet, bringing the total to 5379 square feet. The gross lot area is 9425 square feet, and the maximum allowable FAR is 0.55, so the maximum allowable floor area is 5184 square feet. The requested remodeling permit therefore exceeds this allowable 0.55 FAR by 195 square feet, in clear violation of the SDMC.

***This Appeal seeks the Planning Commission's denial of this application because of its non-conformance with the FAR requirements of the SDMC.***

### 5.2 Visibility Areas and Public Safety

Pursuant to Section 126.0404 of the SDMC, the approval of a Neighborhood Development Permit (NDP) explicitly requires that the proposed development not be detrimental to public safety. Among these considerations is the need for visibility areas adjoining driveways as defined in Section 113.0273 of the SDMC. This is particularly relevant to the subject property because it adjoins a commercial district with resulting heavy use of adjacent public sidewalks, including by children and elderly neighbors with limited mobility.

The driveway on the Park Row side of the property does not conform to the visibility area requirements of this section of the SDMC, even if one takes the liberty of placing the street-side boundaries of the two visibility areas along the sidewalk rather than along the property line as the code specifies. The SDMC also assumes a level driveway that approaches the street perpendicularly. But in this case the driveway approaches the sidewalk at an angle, rising steeply at a measured slope of approximately 21% (not the 13.8% slope shown incorrectly on the current application), so that the visibility of a driver backing up toward the public sidewalk is additionally impaired by having a vantage point looking upward from below the grade of the sidewalk.

In addition, in its open position the edge of the motorized iron gate that adjoins the driveway in the PROW is 4'-1" closer to the street than the adjacent concrete retaining wall, thus reducing the already-limited visibility area for an exiting driver or an approaching pedestrian by roughly half. There is also no indication in the application of either of the property's two massive motorized iron gates being fitted with safety releases or other protections against crushing injuries within the PROW when they are actuated remotely.

While Section 113.0273(c) of the SDMC grants the City Engineer some flexibility in the interpretation of visibility areas, there is no question that the circumstances of the driveway on the Park Row side of this property are considerably more severe than those assumed by this section of the SDMC. Furthermore, the Development Services draft resolution for this project does not provide any justification for its proposed leniency in this regard.

***This Appeal seeks that the Planning Commission require the removal of the unpermitted motorized iron gate on the Park Row side of this property in the interest of public safety and in compliance with the expressed intent of the SDMC.***

### 5.3 Code Enforcement

The applicant seeks under Section 129.0710 of the SDMC the issuance of an NDP for existing concrete retaining walls and gates that were constructed within the PROW without permits more than three years prior to this application. But this same section of the SDMC also clearly requires that a permit be issued **before** such construction can be undertaken.

Further, Section 12.0201 of the SDMC states that “failing to comply with any of the mandatory requirements of this Code shall constitute a misdemeanor” and stipulates substantial fines that may multiply over the period of such infractions. And Section 121.0202 of the SDMC requires the City to develop “policies for consistent and uniform enforcement of the Land Development Code”.

Both the NDP and CDP applications explicitly require compliance with all applicable codes, none of which allow retroactive permitting.

The failure to exercise the enforcement provisions of the SDMC, particularly in such an extreme example involving multiple long-term code violations on this property, erodes the credibility of Development Services to enforce the Code with the members of the community who we represent.

***This Appeal seeks the Planning Commission’s recognition that misdemeanors have been committed and seeks meaningful enforcement by denying this and any other retroactive permit application absent payment of penalties or the removal of unpermitted constructions.***

MCINERNEY + COMPANY

1228 Park Row, La Jolla Calif 92037

1 August 2021

Dear Ms Kane

We were the general contracting firm hired to construct the new-build custom home at 1228 Park Row. The following floor areas are based on our As Built floorplans and calculations.

Gross Lot Area	9425sqft
FAR	0.55
GLA (9425sqft) x 0.55	5184sqft

### As Built Areas


	Currently Permitted	Additional Application	Totals
Lower Level	504sqft	405sqft	909sqft
Main Level	2412sqft	40sqft	2452sqft
Garage	521sqft	0sqft	521sqft
Upper Level	1471sqft	26sqft	1497sqft
<b>Totals</b>	<b>4908sqft</b>	<b>471sqft</b>	<b>5379sqft</b>

Allowable FAR	5,184sqft
---------------	-----------

As Built Permitted Plus Application      5,379sqft

**Sqft Over Maximum FAR** **195sqft**

The facts stated in this document are true.

The facts stated in this document  

 .

Patrick McInerney  
for McInerney + Co  
Cal Lic C3901712

PLANNING COMMISSION RESOLUTION NO. \_\_\_\_\_  
COASTAL DEVELOPMENT PERMIT NO. 2506627  
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2207447  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 1217056  
**VILLA K-L NDP/CDP - PROJECT NO. 619886**

WHEREAS, Scott Kivel, Owner/Permittee, filed an application with the City of San Diego for a permit for an addition, accessory dwelling unit, and site improvements to an existing single-family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Neighborhood Development Permit No. 2207447 and Coastal Development Permit No. 2506627, an amendment to Coastal Development Permit No. 1217056), on portions of a 0.22-acre site;

WHEREAS, the project site is located at 1228 Park Row and is in the RS-1-7 Zone, Coastal (Non-Appealable Area) Overlay Zone, Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Transit Priority Area, and Parking Impact Overlay Zone (Coastal Area) within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as portion of Lots 9 and 10, in Block 50 of La Jolla Park, in the City of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the Recorder of San Diego County, March 22, 1887; excepting all that portion of Lot 10 in Block 50 of La Jolla Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 352 filed in the Officer of the County Recorder;

WHEREAS, the City of San Diego, as Lead Agency, through the Development Services Department and pursuant to Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) guidelines 15162 has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a or subsequent Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this

Project. The Project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in Mitigated Declaration 345149;

WHEREAS, on September 30, 2021, the Planning Commission of the City of San Diego considered Neighborhood Development Permit No. 2207447 and Coastal Development Permit No. 2506627, an amendment to Coastal Development Permit No. 1217056 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, that it adopts the following findings with respect to Neighborhood Development Permit No. 2207447 and Coastal Development Permit No. 2506627, an amendment to Coastal Development Permit No. 1217056:

**A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]**

**1. Findings for all Coastal Development Permits:**

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

The project is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The project site, which is located less than a half mile east of the Pacific Ocean, is not located with the First Public Roadway or within a public view corridor, public vantage point or physical access route, as identified in the Community Plan. Public beach access is provided west and north of the project site and coastal views are provided just north and east of the project site. The project complies with the community goals regarding public view preservation and enhancement since the project is located within previously developed portions of the property.

The project also complies with all of the development standards required by the underlying RS-1-7 Zone including density, building setbacks, and height that is below the 30-foot height limit, and floor area ratio that does not exceed .55% of the lot area (per SDMC Table 131-04j). Therefore, the project will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan, and the proposed project 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.

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

The project is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The project site does not contain any sensitive vegetation and is not located within or adjacent to the City's Multiple Habitat Planning Area. Staff has concluded that the project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the previous Mitigated Negative Declaration No. 345149 that was approved for the site under Coastal Development Permit No. 1217056. Therefore, the proposed development will not adversely affect environmentally sensitive lands.

**c. 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 is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The 0.22-acre site is designated in the Community Plan for low density (5-9 dwelling units per acre) residential uses, and the project complies with the prescribed density. The project is located within previously developed portions of the property and

conforms with all of the development standards required by the underlying RS-1-7 Zone including density, building setbacks, and height that is below the 30-foot height limit, and floor area ratio that does not exceed .55% of the lot area (per SDMC Table 131-04J).

The project site, which is located less than a half mile east of the Pacific Ocean, is not located with the First Public Roadway or within a public view corridor, public vantage point or physical access route, as identified in the Community Plan. Public beach access is provided west and north of the project site and coastal views are provided just north and east of the project site. The project also conforms with the Community Plan goal of constructing energy efficient buildings through design, building orientation, and incorporating energy efficient appliances and technology. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. 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 is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The project site, which is located less than a half mile east of the Pacific Ocean, is not located with the First Public Roadway or within a public view corridor, public vantage point or physical access route, as identified in the Community Plan. Public beach access is provided west and north of the project site and coastal views are provided just north and east of the project site. The project is also located within previously developed portions of the property and will not adversely impact any public recreation opportunities. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.



**B. NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC Section 126.0404]****1. Findings for all Site Development Permits:****a. The proposed development will not adversely affect the applicable land use plan.**

The project is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The 0.22-acre site is designated in the Community Plan for low density (5-9 dwelling units per acre) residential uses, and the project complies with the prescribed density. The project is also located within previously developed portions of the property and conforms with all of the development standards required by the underlying RS-1-7 Zone including density, building setbacks, and height that is below the 30-foot height limit, and floor area ratio that does not exceed .55% of the lot area (per SDMC Table 131-04J).

The project site, which is located less than a half mile east of the Pacific Ocean, is not located with the First Public Roadway or within a public view corridor, public vantage point or physical access route, as identified in the Community Plan. Public beach access is provided west and north of the project site and coastal views are provided just north and east of the project site. The project also conforms with the Community Plan goal of constructing energy efficient buildings through design, building orientation, and incorporating energy efficient appliances and technology. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

The project will not be detrimental to the public health, safety, and welfare. The project is located within previously developed portions of the property and does not contain any sensitive vegetation and is not located within or adjacent to the City's Multiple Habitat Planning Area. The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include compliance with all applicable building codes and regulations, obtaining an Encroachment Maintenance Removal Agreement for the walls and gates in the public right-of way, and implementing storm water construction best management practices.

Staff has also determined that the project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the previous Mitigated Negative Declaration No. 345149 that was approved for the site under Coastal Development Permit No. 1217056. Therefore, the project will not be detrimental to the public, health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

The project is located at 1228 Park Row within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan) areas. The project site is developed with a two-story, 3,135 square-foot single-family residence with detached 500 square-foot garage and detached 747 square-foot accessory structure with 756 square-foot basement that was originally approved under Coastal Development Permit No. 1217056. The project includes adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet, converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit, and associated site improvements.

Pursuant to SDMC Section 129.0710(a), a Neighborhood Development Permit is required for the construction of a privately-owned structure proposed into the public right-of-way dedicated for a street or an alley, where the applicant is the record owner of the underlying fee title. Staff has approved the location of the walls and gates in the public right-of-way as shown in Exhibit A. A condition of approval requires that the property owner obtain an Encroachment Maintenance Removal Agreement for the walls and gates in the public right-of-way.

The project conforms with all other development standards required by the underlying RS-1-7 Zone including density, building setbacks, and height that is below the 30-foot height limit, and floor area ratio that does not exceed .55% of the lot area (per SDMC Table 131-04J). Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Neighborhood Development Permit No. 2207447 and Coastal Development Permit No. 2506627, an amendment to Coastal Development Permit No. 1217056 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. Neighborhood Development Permit No. 2207447 and Coastal Development Permit No. 2506627, an amendment to Coastal Development Permit No. 1217056, a copy of which is attached hereto and made a part hereof.

---

Xavier Del Valle  
Development Project Manager  
Development Services

Adopted on September 30, 2021

IO#: 24008068

**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**

INTERNAL ORDER NUMBER: 24008068

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2506627  
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2207447  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 1217056  
**VILLA K-L NDP/CDP - PROJECT NO. 619886**  
PLANNING COMMISSION

This Coastal Development Permit No. 2506627 and Neighborhood Development Permit No. 2207447, an amendment to Coastal Development Permit No. 1217056 are granted by the Development Services Department of the City of San Diego to SCOTT KIVEL, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708 and 126.0404. The 0.22-acre site is located at 1228 Park Row and is in the RS-1-7 Zone, Coastal (Non-Appealable Area) Overlay Zone, Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Transit Priority Area, and the Parking Impact Overlay Zone (Coastal Area) within the La Jolla Community Plan. The project site is legally described as: portion of Lots 9 and 10, in Block 50 of La Jolla Park, in the City of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the Recorder of San Diego County, March 22, 1887; excepting all that portion of Lot 10 in Block 50 of La Jolla Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 352 filed in the Officer of the County Recorder.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for an addition, accessory dwelling unit, and site improvements to an existing single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated Sept 30, 2021, on file in the Development Services Department.

The project shall include:

- a. Adding 45 square feet to the ground floor of the single-family residence for a total of 3,180 square feet and converting an existing 487 square-foot section of the detached accessory structure into an Accessory Dwelling Unit; and
- b. 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 14, 2024.
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 the Owner/Permittee signs and returns the Permit to the Development Services Department, and the Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required

to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

### **CLIMATE ACTION PLAN REQUIREMENTS:**

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

### **ENGINEERING REQUIREMENTS:**

12. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the walls and gates in the public right-of way, in a manner satisfactory to the City Engineer.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

**PLANNING/DESIGN REQUIREMENTS:**

14. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

15. 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 permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 September 30, 2021 and [Approved Resolution Number].

## Attachment 9

Coastal Development Permit No. 2506627  
Neighborhood Development Permit No. 2207447  
Amendment to Coastal Development Permit No. 1217056  
September 30, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

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Xavier Del Valle  
Development Project Manager

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

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

**Owner/Permittee**

By

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Scott Kivel

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



## La Jolla Community Planning Association

PO Box 889, La Jolla CA 92038  
<https://lajollacpa.org>  
[info@lajollacpa.org](mailto:info@lajollacpa.org)

## Trustee Meeting

## Final Minutes

4 February 2021 6pm

President: Diane Kane  
 1st Vice President: Greg Jackson  
 2nd Vice President: Helen Boyden  
 Secretary: Suzanne Weissman  
 Treasurer: Mike Costello

Regular Monthly Meetings: 1st Thursday, La Jolla Recreation Center, 615 Prospect St  
 Meetings are being held online during the pandemic health emergency

**Registration:** <https://lajollacpa.org/ljcpa-online-meeting-instructions/>  
**Materials:** <https://lajollacpa.org/ljcpa-trustees-2-4-2021-materials-comments/>

Viewing, listening, and speaking at meetings requires registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded. Mobile or noisy **devices should be off or silent**, and **microphones muted** except to speak.

**Refer to projects or issues, not to applicants or opponents.** For Action Items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

**LJCPA welcomes donations** in cash at physical meetings or by check to "LJCPA". Please email the Treasurer ([emsmike@san.rr.com](mailto:emsmike@san.rr.com)) for instructions and address.

The **public is encouraged to participate** in Committee/Board meetings before LJCPA discussion:

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm  
 DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm  
 PRC – La Jolla Shores Permit Review Committee, Chair Andy Fotsch, 3rd Monday, 4:00 pm  
 T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

**Election:** The [election](#) of new LJCPA Trustees will be in March. Candidates speak briefly at the February meeting.

**Quorum Present:** Ahern, Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Jackson, Kane, Mangano, Manno, Neil, Shannon, Steck, Weiss, Weissman

## 1. Call to Order (6:00pm, action)

### 1.1. Approve Agenda (action)

**Kane:** Modify agenda: Remove item 7.3.4, STVR letter. (unofficial information that this item will be on City Council agenda Feb.23. Not time to address tonight. Suggest individuals send letters with suggestions. (See Materials & Comments on website)

Item 5.1, 7595 Hillside Dr. remove from agenda

Item 4.5, 8405 Paseo del Ocaso pulled to be heard next month

Change order to hear item 5.4, La Jolla View Reservoir first, item 5.3, Coastal Rail Trail second, item 5.2, 416 Nautilus third.

Comment closed on 5.3, 5.4 comment on Chat or [lajollacpa.org](https://lajollacpa.org)

**Motion:** Approve agenda as modified. (Boyden/Steck) **Vote:** unanimous. Motion carries.

### 1.2. Approve Minutes (action)

**Motion:** Approve minutes as presented. (Boyden/Courtney) **Vote:** unanimous. Motion carries.

## 2. Non-Agenda Public Comment (discussion)

*Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No votes or action unless requests have been submitted to the President in writing and properly noticed at least 72 hours in advance.*

**Rasumssen:** Coast Walk parking spaces and turnaround: Calif. Coastal Commission has requested City of SD to conduct survey on how to determine configuration of parking spaces, required ADA parking spaces and how to make turnaround safe.

**Emerson:** UCSD is bringing deed restriction request to Land Use and Housing on Feb. 18. Contact me if you want to speak on this.

### 3. Election Update (action and information)

#### 3.1. Process (action, Emerson)

Approve proposed procedures for March Trustee election

**Emerson:** To set the election process during Covid the election committee studied our bylaws, incorporated suggestions from Mike Costello from his group and the City recommended protocols. Our two goals were to make it simple and follow the bylaws and keep everyone safe.

**Motion:** Ratify election protocol as posted in Materials & Comments on website. (Jackson/Costello). **Vote:** unanimous: Motion carries.

#### 3.2. Trustee candidate statements (information)

List of candidates at <https://lajollacpa.org/about/elections/2021-elections/>

Emerson: Anyone can declare intention to run until the end of this meeting.

Statements were heard from: Kane, Hostomska, Marengo, Rasmussen, Rudick, Shannon, Will (read by Emerson).

### 4. Consent Agenda (consolidated action)

The Consent Agenda enables LJCPA to ratify recommendations from joint Committees or Boards that findings CAN or CANNOT be made. Those recommendations thereby become LJCPA's. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LJCPA at a subsequent meeting.

#### 4.1. 9044 La Jolla Shores Ln (667987, Trettin)

(Process 4) After-fact SDP for the Emergency Agreement (PTS# 660175) issued for the relocation of failed coastal bluff materials that threatened ancillary residence and tram landing at the base of the coastal bluff located at 9044 La Jolla Shores Ln. within the RS-1-1 and RS-1-4 Base Zones, and Coastal (Appealable), Sensitive Coastal Bluff, and MHPA Overlay Zones and Geo Hazard Area 41 within the La Jolla Community Plan. Council Dist. 1

- **DPR: findings CAN be made 7-0-1**

#### 4.2. 1228 Park Row (619886, Kivel)

(Process 2) – A NDP and amendment to CDP No. 1217056 for new work at 1228 Park Row that includes a steel lattice structure, barbeque, metal rods at roof parapet, vehicle gates that encroach into the public ROW, and air conditioning condensers on the garage roof. Fences, retaining walls, trees in ROW, and carport opening identified in the IC notice dated 4/17/19. The 0.22-acre site is located in the RS-1-7 Zone, and Coastal Overlay Zone (Non-App.) within the La Jolla CPA, and CD 1.

- **DPR: findings CANNOT be made 6-0-1**
- **Measurements to be verified by independent, certified surveyor; Park Row gate encroaches on public way, unsafely designed in contravention of public interest;**

**proposed ADU not yet noticed, therefore not properly permitted; design of gates inconsistent with neighborhood**

**4.3. 7007 Country Club Dr (508125, Coston)**

(Process 3) Tentative Map, Coastal Development Permit, and Site Development Permit to create two lots with existing single dwelling unit on a lot and new lot with construction of a new 14,226 SF two-story single dwelling unit with attached garage, pool house, and pool on a site containing ESL. The 8.77-acre site is located at 7007 Country Club Dr. within the RS-1-4 zone and the Coastal Overlay Zone (Non-Appealable Area 1) of the La Jolla Community Plan area. CD 1.

- **DPR: findings CAN be made 7-0-1**

**4.4. 8561 El Paseo Grande (670093, Fortune)**

(Process 3) Coastal Development Permit and Site Development Permit to demo an existing dwelling unit and construct a new 6,153 sf two story dwelling unit with basement parking garage. The .0.15-acre site is located at 8561 El Paseo Grande in the LJSPD-SF zone and the Coastal (N-App) Overlay Zone within the La Jolla Community Plan Area and Council District 1.

- **PRC: findings CANNOT be made 6-0-1**
- **Bulk and scale**

**4.5. 8405 Paseo del Ocaso (560839, Wilson) *PULLED***

(Process 3) Coastal Development Permit and Site Development Permit to demolish an existing single dwelling and construct a 4,430 sq-ft two story single to tie into an existing garage located at 8405 Paseo De Ocaso. The 0.12-acre site is in the Coastal Overlay Zone (non-appealable) in the SF zone(s) of the La Jolla Shores Planned District of the La Jolla Community Plan area. CD 1.

- **PRC: findings CAN be made 5-1-1**

**4.6. 8216 Caminito Maritimo (629762, Sammon)**

(Process 3) Site Development Permit and Neighborhood Development Permit for the addition of 4,515 square feet to an existing single residential condominium unit of 4,771 square feet for a total of 9,286 square feet located at 8216 Caminito Maritimo. The 0.18 acre site of the LJSPD-SF base zone of the La Jolla community plan area with prior development approval SDP#630146 & NDP# 644794. CD 1.

- **PRC: findings CANNOT be made 6-0-1**
- **Bulk and scale, 29'6" retaining wall, substandard driveway length**

**4.7. MTS Route #140 bus line**

Approve the MTS (Metropolitan Transit System) proposed Route #140 bus line connecting the Village to the new Mid-Coast trolley's Balboa Station, and request electronic informational signage be included at the Village terminus on Silverado Street between Girard Avenue and Herschel Street.

- **T&T: Approve 8-0-0**

Item 4.5, 8405 Paseo del Ocaso Pulled

**Motion:** Approve Consent items 4.1, 4.2, 4.3, 4.4, 4.6, 4.7. (Jackson/Boyden) **Vote:** unanimous, Motion carries.

## 5. Project Reviews (action)

These may be *de novo* considerations. Actions by committees are listed for information only. Written comments can be submitted via the Materials & Comments page, link above. In general, applicants for each project have 10-15 minutes to present, an individual representing organized opponents (if there are such) has 10 minutes to respond, and members of the public have 15 minutes for 2-minute comments not already covered in presentations. Trustees then discuss the project for 20 minutes, at which point the President may call for motions and votes.

### 5.1. ~~7595 Hillside (522708, Gonzales)~~

~~(Process 3) Site Development Permit and Coastal Development Permit to demolish an existing dwelling and construct a 7,091 sq ft 2-story over basement dwelling located at 7595 Hillside Dr. The 0.797-acre site is in the single family (SF) zone of the La Jolla Shores Planned District, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan Area. CD 1.~~

- ~~• **PRC: Findings CANNOT be made 5-1-1**~~
- ~~• **Height of structure and lack of drawings showing solid guardrail and metal fence at street**~~

### 5.2. La Jolla View Reservoir (331101, Oriqat/Eicher)

Coastal Development and Site Development Permit Process CIP-2 (WBS# S-15027.02.06) for a proposed 3.11 million gallon circular concrete reservoir to replace the existing reservoir, replace the existing Muirlands Pipeline in County Club Drive with a larger 30" PVC pipeline; and to demolish the existing La Jolla View Reservoir. Coastal Non App 1, Council District 1, Notice Cards 3. Notice of Final Decision to go to CCC.

**This is NOT a full project review.** The project previously reviewed by DPR & Trustees has not changed. However, the CEQA-related Environmental Document has evolved from an MND to an EIR. **Discussion will focus solely on potential project impacts and mitigation measures identified in the EIR.** Draft LJCPA response to EIR to be discussed/ratified.)

- **DPR: findings CANNOT be made 7-0-1**
- **EIR inadequate: contractor oversight, evaluation of access alternatives, traffic management, pedestrian and other nearby resident safety, excavation soil handling, trail access and restoration, how and where species mitigation best benefits the community, revegetation, and handling of properties project will vacate; extend comment period by at least 60 days for EIR revision in collaboration among relevant City and community organizations.**

**Kane:** This item has been heard twice at DPR with extensive public comment. A list of issues came out of these meetings. Bilal Oriqat is here to address those questions, things not clarified in the EIR. We are not discussing the merits of the project.

**McGrory:** I own a home on Remley Pl. net to this park. I am associated with a group of residents below and above Exchange Pl. in the Country Club area. Extensive discussions

were held with staff going from the MND to the full EIR. With the EIR coming out on Jan. (sic) 31, with 45 days to review expiring Feb. 14. This loosely knit group felt they needed more time to review and work with City staff. James Nagelvordt, City Engineer in charge of Capital Improvements, agreed today to support a 45 day extension and more if needed if we would ask for it. We, as a community, are willing to put off the EIR for 45 days from Feb. 14, to continue to work with Bilal, James and City staff to try to work out solutions to the many problems we have identified. This is a big project, \$25m, to close down a natural park for 2 or 3 years with traffic impacts that need a lot of time. I think City staff will agree. I suggest a coalition of community groups – CPA, Parks & Beaches, T & T, DPR and neighborhood residents to meet weekly to go over all these impacts and find solutions. We need the benefit of enhanced reservoir but must also recognize reality of impacts on community and environment.

**Motion:** Ask City to extend review period of EIR for an additional 45 days. (Jackson/Weiss)

**Vote:** unanimous. Motion carries

**Discussion: Arnhart:** A typical extension is 14 days. DSD has authority to set extension time. We ask that when you ask for 45 day extension also ask DSD for support stating that Engineering Capital projects supports the 45 day extension. Ask Catherine Rom in writing and follow up with a phone call.

**McGrory:** I am confident the 45 day extension will be approved.

**Motion:** Authorize Diane Kane to appoint an appropriate committee to work with City and community on this project. (Jackson/Boyden) **Vote:** unanimous: Motion carries.

**Motion:** Defer/continue/ postpone further discussion of this project until next available meeting of this group. (Jackson/Ahern) **Vote:** 8-9-0: Motion fails.

**In favor:** Costello, Courtney, Davidson, Fitzgerald, Jackson, Mangano, Manno, Weissman.

**Opposed:** Ahern, Boyden, Brady, Ish, Kane, Neil, Shannon, Steck, Weiss (*Kane breaks tie*)

**Abstain:** none

**Staff Presentation:** Replies to questions on EIR.

- Contractor Oversight: **Oriqat:** Resident engineer, City inspector will be on site full time. Also, construction manager hired by City to inspect full time. Constant checking of site. Contractor is liable; we are incorporating community comments into contract.
- Evaluation of Access Alternatives: **Mulvey:** Contractor can use conveyor belts, means of soil handling which best fits his operations. Access road required for large earth working equipment, cement trucks etc. **Sanchez:** Alternative routes considered; route chosen in EIR is most direct and affects least residential streets. Alternative Route from Hillside Dr. was considered; it is 1 1/2 mile longer, has more curves, part on road with no trucks over 5 tons allowed.
- Traffic Management: **Mulvey:** Country Club Dr. used only in pipeline phase 2 to 3 months. One lane always open for ingress and egress of residents and emergency vehicles. Traffic control measures for safety of bicycle and pedestrians. Remainder of construction activity is responsibility of contractor. City requirements and oversight of contractor described.

- Pedestrian & Other Nearby Resident Safety: **Oriqat:** We are beginning a preliminary analysis of where we can incorporate sidewalks safely. We will begin after this project separately because this topic is important to community.
- Excavation Soil Handling: **Mulvey:** Minimizing truck trips; will keep as much soil on site as possible; back fill existing LJ View Reservoir to historical grade to place soil there and also place soil to existing Exchange PI site. We are requesting contractor to submit plan to keep as much soil on site to reduce total number of trips.
- Trail Access & Recreation: **Arnhart:** Showed plan to provide temporary access during construction and are revising restoration plans to restore trails as part of the revegetation efforts to retain access after completion.
- Biological Mitigation Within Community & Revegetation: **Eichler:** Described EIR section 5.5 on mitigation, monitoring and reporting program that addressed biological resource impacts. Mitigation of sensitive habitat required 2:1. After review of several alternative locations the Los Penasquitos location best met the criteria. Revegetation Plan also described.
- Handling of Properties the Project Will Vacate: **Cetin:** We cannot make any binding statements for future of this property. For now, Public Utilities Department plans to keep it within their use.

**McGrory:** City does not prequalify contractors as evidenced by prior projects. I must see plans before project begins. This is 42 acres of pristine environmental land that will be destroyed by keeping dirt on site. I do not agree with City mitigation plans on EIR.

**Ahern:** Agree

**Kane:** Thanked City reps for hard work and willingness to work with community.

**Hadley:** Our Council member has asked for input from larger community to find consensus. He will be very appreciative of action tonight to form ad hoc committee. Thanks to staff for continuing to work with us.

### **5.3. Coastal Rail Trail/Gilman Bike Track (Gonzalez Nava)**

This project creates a One-Way Cycle Track (Class IV) along both sides of Gilman Drive. The project proposes the following: protected North and South bound one-way cycle track (Class IV), continuous sidewalk along the west side, retains street parking, street lighting, traffic signal modifications, and new signal at La Jolla Village Drive. The project connects in the north to UCSD and the Genesee Avenue Class I Bikeway. The project connects in the south to the existing Class I bikeway under I-5 and SANDAG's Class I Bikeway along Santa Fe Street.

- **T&T: Approve 8-0-0**
- **Subject to adding sharrows in the southbound lane on Gilman**
- **University City CPG: Approve 17-0-1**

#### **Presentation to address concerns: Alejandra Gonzalez:**

Described goals and location of project. Improvements included a painted buffer and parking between cyclists and traffic; at the intersection with I-5 improved signals and

dedicated space for cyclists, striping for crossing, red arrow and no turn on red signs. Similar improved signals, striping and signage at major intersections; painted buffer warning signs and no parking near driveways. Details see minutes of T & T meeting in Materials & Comments.

**Kane:** There are two audiences: experienced cyclists and casual cyclists. Experienced cyclists want to be in main traffic lanes. I recommend sharrows in north and southbound lanes. Gilman Dr. from LJ Village Dr. to I-5 needs fundamental rethinking and restructuring to accommodate and balance its evolving uses for commuting and recreation including transit, autos, other motorized vehicles, bicycles and pedestrians in the long term. The planning process should consider traffic mix, land use, transit loading platforms and include pedestrian crosswalks, median enhancements and include revising Gilman's functional classification with the goal of lowering speeds to accommodate multi-modal transportation.

**Motion:** Accept T & T motion to approve City's Coastal Rail Trail Improvement Project for Gilman Drive between I-5 and LJ Village Drive with the addition of sharrows on the southbound side with the exception of adding sharrows along the northbound side as well. (Boyden/Brady)

**Vote 11-5-1:** Motion carries

**In Favor:** Ahern, Boyden, Brady, Ish, Jackson, Manno, Neil, Shannon, Steck, Weiss, Weissman

**Opposed:** Costello, Courtney, Davidson, Fitzgerald, Mangano

**Abstain:** Kane (chair)

**Motion:** The City should begin working immediately with the LJCPA, UCPG, UCSD and other community stakeholders to develop a more comprehensive plan for Gilman Dr. by 2026.

**Vote: 14-2-1.** Motion carries.

**In Favor:** Ahern, Boyden, Brady, Costello, Davidson, Fitzgerald, Ish, Jackson, Mangano, Manno, Shannon, Steck, Weiss, Weissman

**Opposed:** Courtney, Neil

**Abstain:** Kane (chair)

#### **5.4. 416 Nautilus (669815, Marengo)**

(Process 2) Coastal Development Permit to convert an existing 263 sf room over a 449 sf detached garage into a Companion Unit at 416 Nautilus St. The project includes adding 104 sf for a Companion Unit totaling 367 sf. The 0.072-acre site contains 2 detached residences on a single lot at 414 and 416 Nautilus Street. The site is in the RM-1-1 Zone, the Coastal (Non-App.-2) Overlay Zone, the Geo Hazard Zone 53, and the Transit Priority area within the La Jolla CPA, and CD 1.

- **DPR: Findings CAN be made 5-2-1**

**Neil Hyytinen,** Attorney for Brian Teel: Issues raised by opponent are about set back requirements in rear and side yard, and whether you can have an ADU on this lot. City staff supports our position; City staff will look into the historicity of garage unit fronting an alley on Nautilus.

**Marengo:** Showed location and layout of lot. Narrow lot, widening the garage for larger car. ADU above garage described. Code says structure can be on both rear and side property lines. Roof deck steps back further. Materials will match main structure.

**Merten:** Showed ADU and garage. Garage is not existing, still under construction. Previously a ministerial permit was approved to demolish existing garage and construct a new garage. Plans showed 72% of existing exterior walls to be demolished. Since over 50% of walls were demolished, a CDP was required. Staff noted their error and asked for an after the fact CDP for demolition of previous garage. New garage also requires a CDP. It is not in compliance with the SDMC because of setbacks. Staff will review and add decision to next cycle review. An accessory unit can extend into a rear setback line OR a side setback line, not both. Since garage structure is still under consideration, it is premature to consider the ADU to be built above.

**Neil:** What if we did approve this today and the City later decided the permits were in error. Confusion is about email from Denise Vo saying City will review. **Reply:** We are allowed to fluctuate while we are under construction.

**Jackson:** Code language use of OR is an inclusive use.

**Boyden:** Response from City sounded like they were considering bundling this whole thing into one CDP. It may be worthwhile to wait until City resolves.

**Motion:** Deny because garage requires a CDP and does not meet current SDMC requirements for setbacks (Costello/Manno)

**Jackson:** We never wait for final cycle before.

**Ahern:** Previous setback precedents, DPR approval and need for housing, it is reasonable to support Project.

**Marengo:** Anything that comes out of City review will be packaged into the CDP that already exists. Further comments that setback issue resolved; City is looking into historicity issue only.

**Vote:** 5-11-1 Motion fails.

**In Favor:** Costello, Davidson, Ish, Manno, Neil

**Opposed:** Ahern, Boyden, Brady, Courtney, Fitzgerald, Jackson, Mangano, Shannon, Steck, Weiss, Weissman

**Abstain:** Kane (chair)

**Motion:** Findings can be made to approve project. (Steck/Jackson) **Vote:** 11-5-1 Motion carries

**In Favor:** Ahern, Boyden, Brady, Courtney, Fitzgerald, Jackson, Mangano, Shannon, Steck, Weiss, Weissman

**Opposed:** Costello, Davidson, Ish, Manno, Neil

**Abstain:** Kane (chair)

## **6. Non-Project Discussions & Reviews (action as noted)**

none

## **7. Officer Reports (information, discussion, or action as noted)**

### **7.1. Treasurer (see [Materials & Comments](#) for report)**

No activity. Balance \$793.21



## **7.2. Secretary**

If you register and attend an online meeting your attendance will count towards your meeting attendance requirement

LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit owners at least 18 years of age.

Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at on-line at the LJCPA website: [www.lajollacpa.org/](http://www.lajollacpa.org/). In the interest of time, I refer you to the website for further details on membership and the updated attendance records.

Those in attendance tonight who are not already members are encouraged to join during February and be eligible to vote in the election in March. Check the Membership page on the LJCPA website for the membership application form.

### **7.2.1. Draft Annual Report (discussion), Weissman; see [Materials & Comments](#) for text)**

I also want to draw the attention of the Trustees to the draft Annual Report for 2020/2021 in the Materials & Comments page. Let me know of any corrections or additions to this report. I would like this to be a joint effort of all Trustees to tell of our accomplishments during the past year. We will vote to approve this report next month to send to the city.

## **7.3. President (action) as noted, see [Materials & Comments](#) for details)**

### **7.3.1. Authorize appeal of 8423 El Paseo Grande project pending Hearing Officer decision scheduled on Feb 10 (action, Kane)**

**Weisman:** Let Hearing Officer know we are party of interest to file appeal.

Comments that as a planning group we may automatically be eligible to appeal.

Bylaws say we must appeal a contrary decision.

**Motion:** Approve email to HO that LJCPA is interested party. (Boyden/Courtney) **Vote:** unanimous: Motion carries.

### **7.3.2. Approve letter supporting PARC revisions to Master Parks Plan (action, Kane)**

**Motion:** Approve letter (Jackson/Manno) **Vote:** unanimous: Motion carries

### **7.3.3. Approve changes in appointees to Coastal View Corridor Ad Hoc Committee (action, Kane)**

Mary Lynn Hyde, a BRCC appointee, is being replaced by Joe Terry. The LJA has appointed Ted Haas to the committee.

**Motion:** Approve appointees to Coastal View Corridor ad hoc Committee (Jackson/Weiss) **Vote:** unanimous: Motion carries.

## **8. Representatives of Officials, Agencies, & Other Entities (information)**

### **8.1. Council 1 (Joe LaCava): Steve Hadley, 619-236-6611, [srhadley@sandiego.gov](mailto:srhadley@sandiego.gov)**

**Hadley:** In October, City Council approved extension of services of PATH, an organization that works with homeless. Two teams, one a local response and a rapid response team as part of a request for social services to help police address and help homeless people and not just looking

for crime. Perhaps they can help individuals in LJ who are not committing crime but need help. The outdoor dining pathway between tables has to be only 4' wide for ADA compliance in answer to complaints that not enough sidewalk space is available. Restaurants can stay open past 10 pm when people are eating or waiting for food until 11 pm.

**8.2. SD Mayor's Office (Todd Gloria):** Matt Griffith, [griffithm@sandiego.gov](mailto:griffithm@sandiego.gov) not present

**8.3. Assembly 78 (Chris Ward):** tbd not present

**8.4. Senate 39 (Toni Atkins):** Miller Saltzman, 619-645-3133, [Miller.Saltzman@sen.ca.gov](mailto:Miller.Saltzman@sen.ca.gov) not present

**8.5. SD Planning:** Marlon Pangilinan, [mpangilinan@sandiego.gov](mailto:mpangilinan@sandiego.gov) not present

**8.6. UCSD Planning:** Anu Delouri, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu)

**Delouri:** Report on University Covid efforts to remain in most restrictive mode and is doing research about virus. Low level of cases on campus is continuing. New vaccination site will open on Feb. 8, at REMAC site on campus. La Jolla Innovation Center project described. On Feb. 5, the draft EIR will be released open for public comment from Feb. 5, through March 22. A public hearing will be held on Feb. 25, from 6 to 7 pm. with important information on project.

[commplan@ucsd.edu](mailto:commplan@ucsd.edu) for information

## **9. Non-Agenda Trustee Comment (discussion)**

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less

**Boyden:** Could we have a current list of ad hoc committees and when they were established? **Kane** will provide.

**Mangano:** When should we start thinking about capital improvement list? **Hadley:** Usually August or September.

**Courtney:** We should limit time spent on major city projects at our meetings

## **10. Reports from Standing, Ad Hoc, and Other Committees (discussion)**

**Courtney:** Playa del Norte committee: The second crosswalk moving forward.

## **11. Adjourn to next LJCPA meeting**

Regular meeting 4 March 2021, 6pm

Prepared by:  
Suzanne Weissman  
Secretary

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
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**Approval Type:** Check appropriate box for type of approval(s) requested: ☒ Neighborhood Use Permit ☐ Coastal Development Permit  
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance  
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other \_\_\_\_\_

**Project Title:** \_\_\_\_\_ **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 1228 Park Row La Jolla

**Specify Form of Ownership/Legal Status (please check):**

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
☐ Partnership ☒ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. 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.

**Property Owner**

Name of Individual: Scott Kivell ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: 1228 Park Row  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 858-455-3900 Fax No.: \_\_\_\_\_ Email: scottkivell@kivelllaw.com  
 Signature: [Signature] Date: \_\_\_\_\_  
 Additional pages Attached: ☐ Yes ☒ No

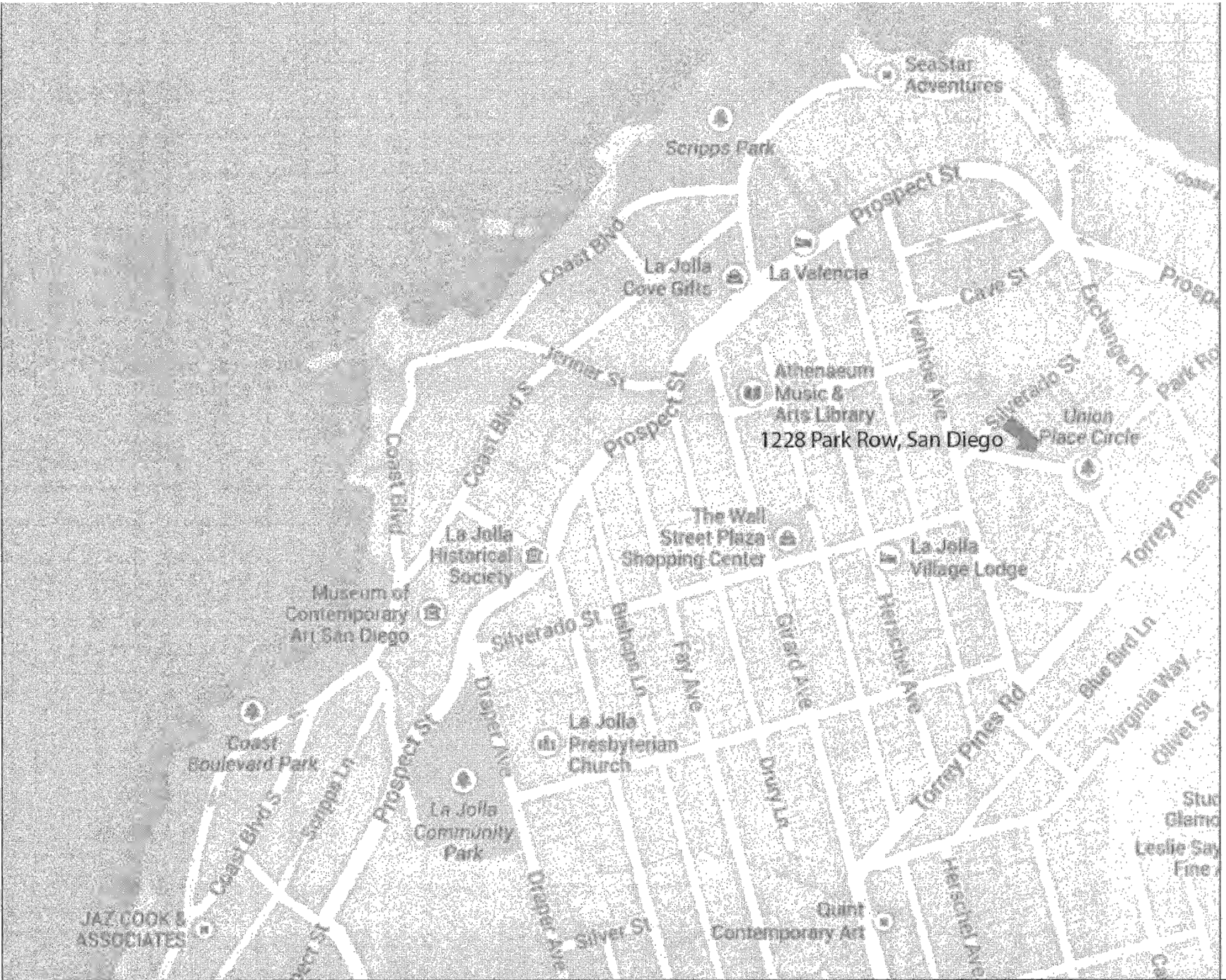
**Applicant**

Name of Individual: Same ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached: ☐ Yes ☐ No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached: ☐ Yes ☐ No





PROJECT SITE MAP

**GENERAL NOTES**

IN THE EVENT OF UN-AUTHORIZED USE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY WILL HOLD MCINERNEY AND CO LTD HARMLESS.

ALL DIMENSIONS ARE TO BE CHECKED ON SITE


ANY DISCREPANCIES FOUND WITHIN THESE DRAWINGS ARE TO BE REPORTED TO THE MCINERNEY AND CO PRIOR TO CONSTRUCTION

TYPE OF CONSTRUCTION TYPE V- NON RATED
APPLICABLE CODES CALIFORNIA BUILDING CODE 2013 CALIFORNIA RESIDENTIAL CODE 2013 CALIFORNIA PLUMBING CODE 2013 CALIFORNIA MECHANICAL CODE 2013 NATIONAL ELECTRIC CODE 2010 AS AMENDED BY THE STATE OF CALIFORNIA CALIFORNIA ENERGY CODE 2013 CALIFORNIA ELEVATOR SAFETY CODE CALIFORNIA FIRE CODE 2013 CALIFORNIA GREEN BUILDING CODE 2013
<b>OCCUPANCY CLASS</b>
CALIFORNIA BUILDING CODE R-3
<b>NOTES</b>
1. A CERTIFICATE OF SATISFACTORY COMPLETION OF WORK REQUIRING SPECIAL INSPECTION MUST BE COMPLETED AND SUBMITTED TO THE INSPECTION SERVICES DIVISION.
2. PROPERLY COMPLETED AND SIGNED COPIES OF THE PROPERTY OWNER / CONTRACTOR AGREEMENT FORM FOR SPECIAL INSPECTION AND CONSTRUCTION MATERIAL TESTING MUST BE SUBMITTED AT HE PERMIT SERVICES DIVISION PRIOR TO ISSUANCE OF THE PERMIT (TWO SETS)
3. THE DRAWINGS SHOW DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTIONS DETAILS TO BE CONFIRMED BY CONTRACTOR/ MANUFACTURER BY SUBMITTING SHOP DRAWINGS FOR DESIGNERS APPROVAL.
4. THE DRAWINGS ARE NOT TO BE SCALED FOR PRODUCTION AND CONSTRUCTION PURPOSES
5. ALL DISCREPANCIES ON SITE MUST BE REPORTED TO THE DESIGNER FOR COMMENT AND / OR APPROVAL PRIOR TO COMMENCEMENT OF WORK.

PROJECT INFORMATION	
OWNER	
MRS LIA LUND 1228 PARK ROW LA JOLLA CALIFORNIA 92037	
SITE ADDRESS	
1228 PARK ROW LA JOLLA CALIFORNIA 92073	
CONSTRUCTION	
TYPE- V- NON RATED	
APN	
APN: 350-192-02	
ZONING INFORMATION	
ZONE	RS-1-7
GROSS LOT AREA	9425SQFT
FRONT SETBACK	15FT MIN (SEC131.0442(A)1
AVG. WIDTH OF LOT (FIRST 50')	62.3' (62'- 3")
MIN. SIDE SETBACK	.08 (62'-3") = 5'
MIN. STREET SIDE SETBACK	.10 (62'-3") = 6'-2"
MIN REAR SETBACK	15FT MIN
MAXIMUM STRUCTURE HEIGHT	24' / 30'
GROSS LOT AREA (GLA)	9425SQFT
MAX ALLOWABLE FAR	.55% OF GLA (TABLE 131 04J)
9425GLA X (55%)	5184SQFT FAR MAXIMUM
MAX GFA	5184SQFT
MAX ALLOWABLE GFA FOR ACCESSORY STRUCTURE	GFA X .25% = MAX 5184SQFT X .25% = 1296SQFT
LEGAL DESCRIPTION	
LOT DESCRIPTION PORTION OF LOTS 9&10, IN BLOCK 50 OF LA JOLLA PARK, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 352, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, MARCH 22 1887; EXCEPTING ALL THAT PORTION OF LOT 10 IN BLOCK 50 OF LA JOLLA PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 352 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY DESCRIBED AS FOLLOWS:  BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 10 DISTANT THERON 72 FEET WESTERLY FROM THE SOUTHEASTERLY CORNER OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 110 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT BEING ALSO ALONG THE SOUTHEASTERLY LINE OF SILVERADO STREET, 76 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOT 80.12 FEET, MORE OR LESS, TO A POINT THERON, DISTANT 82.38 FEET NORTHWESTERLY FROM THE MOST EASTERLY CORNER OF SAID LOT, THENCE SOUTHERLY IN A DIRECT LINE 41.91 FEET TO THE POINT OF BEGINNING.	
EXISTING CONSTRUCTION	
EXISTING GARAGE (UNHEATED)	221SQFT
EXISTING FLOOR AREA GROUND FLOOR (HEATED)	1810SQFT
EXISTING FLOOR AREA BASEMENT	535SQFT
TOTAL EXISTING FLOOR AREA	2566SQFT
NEW CONSTRUCTION	
PROPOSED BASEMENT (HEATED)	487SQFT
PROPOSED GROUND FLOOR (HEATED)	2411SQFT
PROPOSED GARAGE	500SQFT
PROPOSED SECOND FLOOR (HEATED)	1471SQFT
TOTAL PROPOSED FLOOR AREA	4869SQFT
ACCESSORY STRUCTURE 5184SQFT (GFA) X 25% = 1296SQFT	
LOT AREA	
APPROXIMATELY 9425SQFT	
FAR	
FLOOR AREA RATIO MAX FLOOR AREA ALLOWED = 5184SQFT 4869 / 9425 SQFT = 52%	

MAXIMUM PAVING
MAXIMUM ALLOWABLE PAVING AND HARDSCAPE 60% MAXIMUM HARDSCAPE IN FRONT YARD)
CALCULATION FOR PAVING / HARDSCAPE GROSS LOT AREA 9425SQFT LESS FOOTPRINT OF HOUSE / ACCESSORY 4869SQFT
GLA LESS FOOTPRINT OF HOUSE = 4556SQFT
SILVERADO DRIVEWAY PAVING AREA 390SQFT EXTERNAL STAIR AREA 80SQFT POOL TERRACE AREA 1000SQFT PARK ROW DRIVEWAY AREA 500SQFT OVERALL SITE TOTAL 1970SQFT = (43%) FRONT YARD 2800SQFT / 390SQFT (DRIVE) = 14% PAVING
<b>LIST OF DRAWINGS</b>
TITLE SHEET T1.0 F.A.R. DATA SP1.5 SITE PLAN/EXISTING FLOOR PLAN SP1.8 LOWER LEVEL (BASEMENT)/ ACCESSORY STRUCTURE A1.0 FIRST FLOOR PLAN/ PERIMETER PLAN A1.1 EXISTING SECOND FLOOR PLAN A1.2 EXISTING ROOF PLAN A1.3 WEST ELEVATION/SECTION A1.4 ACCESSORY SECTION, EAST WALL/ FENCE ELEVATIONS. A1.5 IMAGES A1.7
<b>SCOPE OF WORK</b>
1. PLANS (IN BLACK) SHOW WORK "AS-BUILT" (BY MCINERNEY AND CO. LTD.) UNDER PREVIOUS PERMIT (1949408)-PROPOSED WORK IS SHOWN IN RED AND NOTED AS "CLARIFICATION" OR "NEW", AND IS A PART OF THIS PERMIT.  2. PROPOSED WORK INCLUDES a) STEEL LATTICE STRUCTURE, BARBEQUE, METAL RODS FOR BIRD WIRE AT ROOF PARAPET, VEHICLE GATES, AND AIR CONDITIONING CONDENSERS ON GARAGE ROOF. b)CONVERSION OF EXISTING OF LOWER LEVEL APPROVED ACCESSORY STRUCTURE INTO A "COMPANION UNIT", (NO CHANGE TO FAR, SEE SHT. SP1.5) c)CONVERSION OF ENCLOSED TRASH ROOM INTO LAUNDRY ROOM-46 SF TO BE ADDED TO EXISTING FAR (SEE SHEET A1.5) d) ENCLOSED STORAGE CONVERSION ADDED TO FAR, (SEE SHEET SP1.5) e) SOUTH/EAST WALL MODIFICATIONS, (SEE SHEET A1.5)  3. PRIOR APPROVAL NUMBERS: ORIGINAL NDP/CDP PERMIT No. 1217056  ORIGINAL BUILDING PERMIT No. 363355 NO CHANGES TO STRUCTURE/FAR  SILVERADO EMRA APPROVAL No. 345149

INFORMATION (CONTINUED)
<b>PERMITS REQUIRED</b>
COASTAL DEVELOPMENT PERMIT NUMBER 1217056 (PTS345149)
<b>HAZZARDS</b>
GEOLOGIC HAZZARD CATEGORY 52
<b>ZONING DESIGNATION</b>
ZONE RS-1-7 COASTAL OVERLAY ZONE (NON-APPEALABLE 2) COASTAL HEIGHT LIMITATION OVERLAY ZONE PARKING IMPACT ZONE RESIDENTIAL TANDEM PARKING ZONE TRANSIT AREA OVERLAY ZONE COASTAL IMPACT AREA OF THE PARKING IMPACT OVERLAY ZONE LA JOLLA COMMUNITY PLAN LOCAL COASTAL PROGRAM



CORE CONSULTING GROUP INC.  
ARCHITECTS • CONTRACTORS • FORENSICS  
10660 SCRIPPS RANCH ROAD | SUITE 200 | SAN DIEGO, CA 92131

REQUEST FOR A NEIGHBORHOOD DEVELOPMENT PERMIT.

PROJECT:  
**VILLA K-L**

PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:

1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

SHEET TITLE:  
TITLE SHEET

DATE:  
5/19/2019

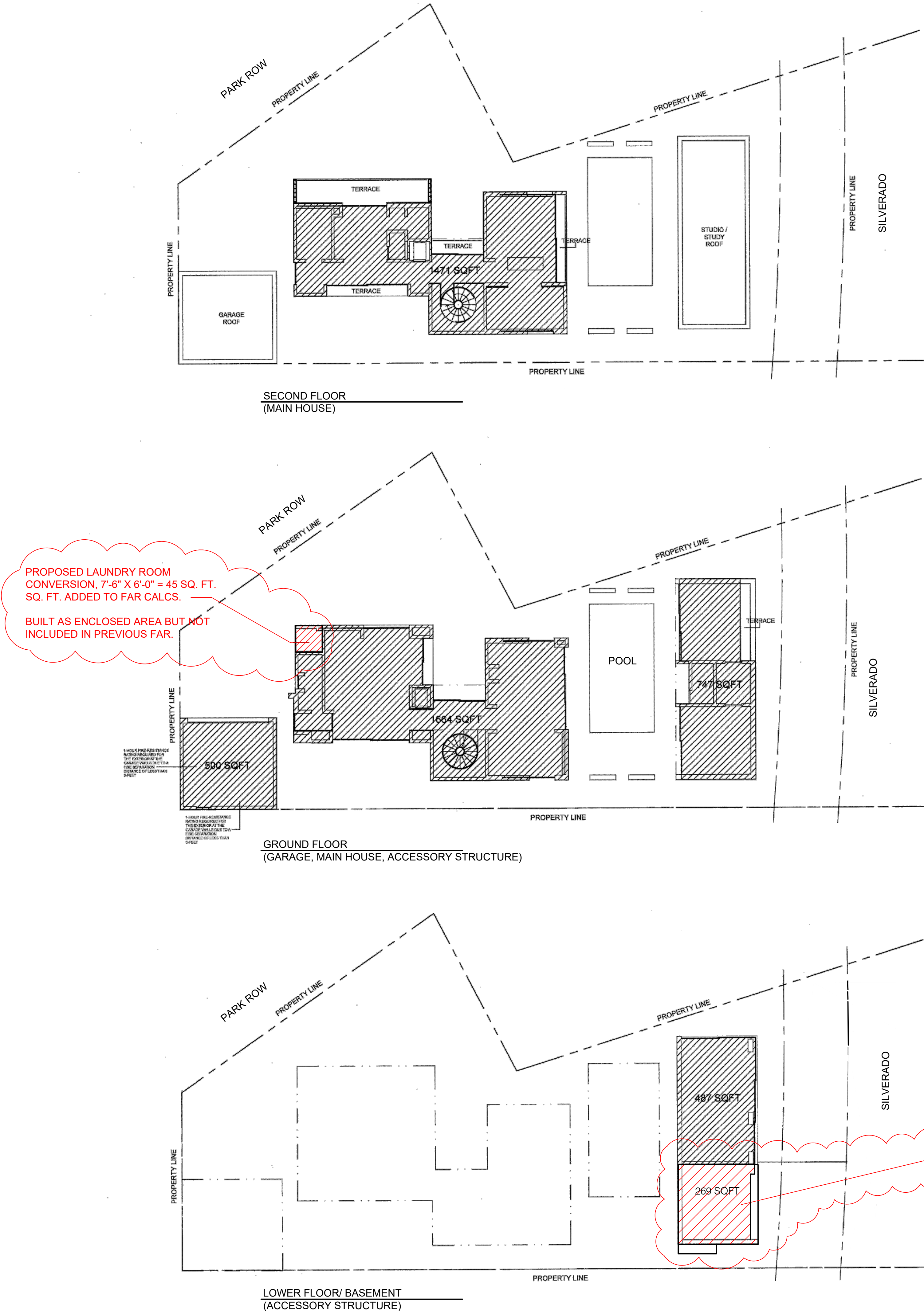
PROJECT NO.:  
619886

**T1.0**

SHEET: 1 OF 10



C:\Users\lanep\Dropbox\lan\18.04-Kivel Residence\CD-Resubmittal\18.04-SP1.5 FAR Calculation.dwg, 6/18/2021 4:05:09 PM



FAR SUMMARY

TOTAL AREA	
EXISTING SECOND FLOOR - MAIN RESIDENCE	1,471 SQ. FT.
EXISTING GARAGE/ GROUND FLOOR (UNHEATED)	500 SQ. FT.
EXISTING GROUND FLOOR - MAIN RESIDENCE	1,664 SQ. FT.
PROPOSED GROUND FLR. LAUNDRY ROOM ADDITION	45 SQ. FT.
EXISTING GROUND FLOOR (ACCESSORY)	747 SQ. FT.
EXISTING LOWER FLOOR (BASEMENT)	487 SQ. FT.
(PROPOSED ADU CONVERSION/NO ADDED SQUARE FOOTAGE)	
EXISTING LOWER FLR. (BASEMENT)	269 SQ. FT.
(PROPOSED CONVERSION FROM CARPORT TO POOL EQUIPMENT/STORAGE)	
GFA TOTAL:	5,183 SQ.FT.
PROPOSED FAR -	
GROSS SITE AREA	= 9425 SQ. FT.
FAR	= 55% (5183/9425 = 55%)
ALLOWABLE FAR	= 55%

REQUEST FOR A NEIGHBORHOOD  
DEVELOPMENT PERMIT

PROJECT:  
**VILLA K-L**  
PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:	
1	5-29-2019
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4	3-30-2021
5	6-18-2021

**AS BUILT AREA  
PRIOR DESIGNER/GENERAL  
CONTRACTOR DID NOT INCLUDE  
AS-BUILT ENCLOSED (APPROVED)  
AREA IN ORIGINAL FLOOR AREA  
RATIOS. RE-CALCULATED AREA IS  
WITHIN THE ALLOWABLE FAR.**

SHEET TITLE:  
FAR DATA

DATE:  
5/19/2019

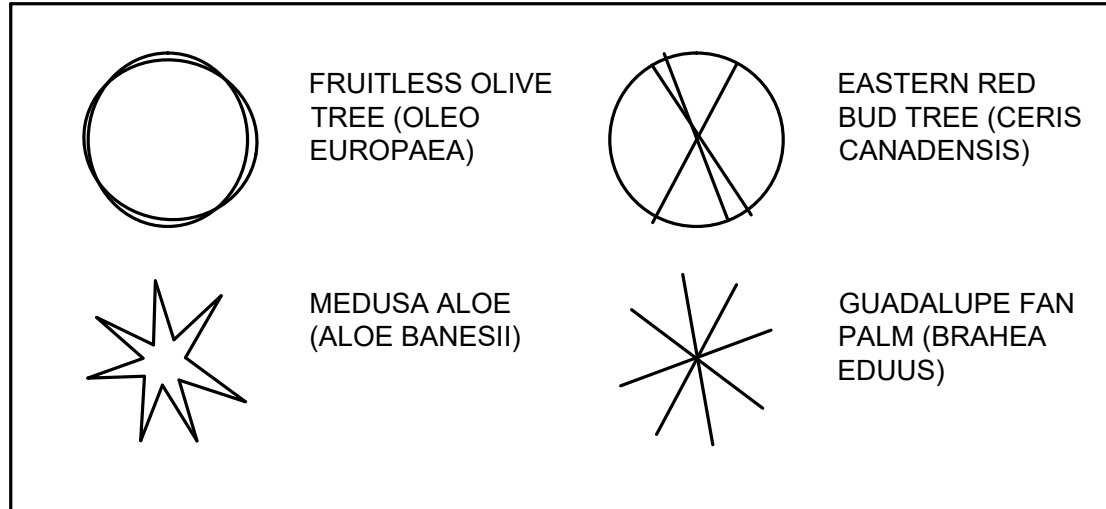
PROJECT NO.:  
619886

**SP1.5**

SHEET: 2 OF 10



PARK ROW GATE  
APPROVAL WAS GRANTED BY DEPUTY DIRECTOR EDRIC  
DORINGO AND SENIOR CIVIL ENGINEER THOMAS BUI.  
GATE TO REMAIN AT CURRENT LOCATION,  
ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT,  
(EMRA) WILL BE A CONDITION OF THE PERMIT.



NEW TREES IN ROW

1. PER SECTION 142.04.09  
TABLE 142-04E OF THE LANDSCAPE  
REGULATIONS.
2. TREES SHALL BE 24" BOX MIN.
3. ROW IRRIGATION IS LOW FLOW DRIP  
EMITTERS.



EXISTING IMAGE OF THE SILVERADO ST. ROLLING GATE  
INDICATING THE TOP 3' AS A 75% 'OPEN FENCE' AS PER  
SECTION 142.0310(c)(3)(A) OF THE SDMC.

**CORE CONSULTING GROUP INC.**  
ARCHITECTS • CONTRACTORS • FORENSICS  
10660 SCRIPPS RANCH ROAD | SUITE 200 | SAN DIEGO, CA 92131

PROJECT:  
**VILLA K-L**  
PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:

1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

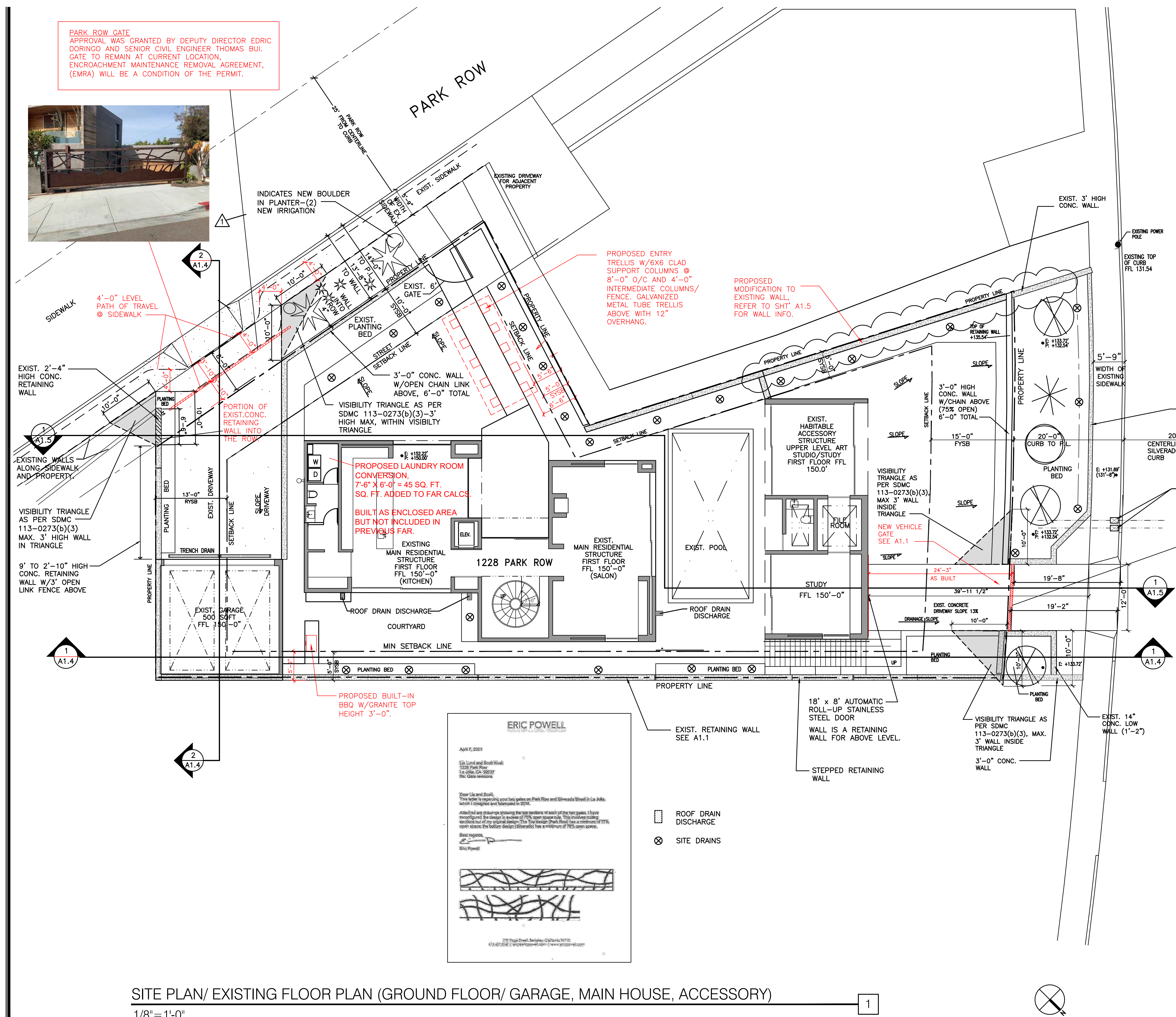
SHEET TITLE:  
SITE PLAN/ EXISTING  
GROUND FLOOR PLAN

DATE:  
5/19/2019

PROJECT NO.:  
619886

**SP1.8**

SHEET: 3 OF 10



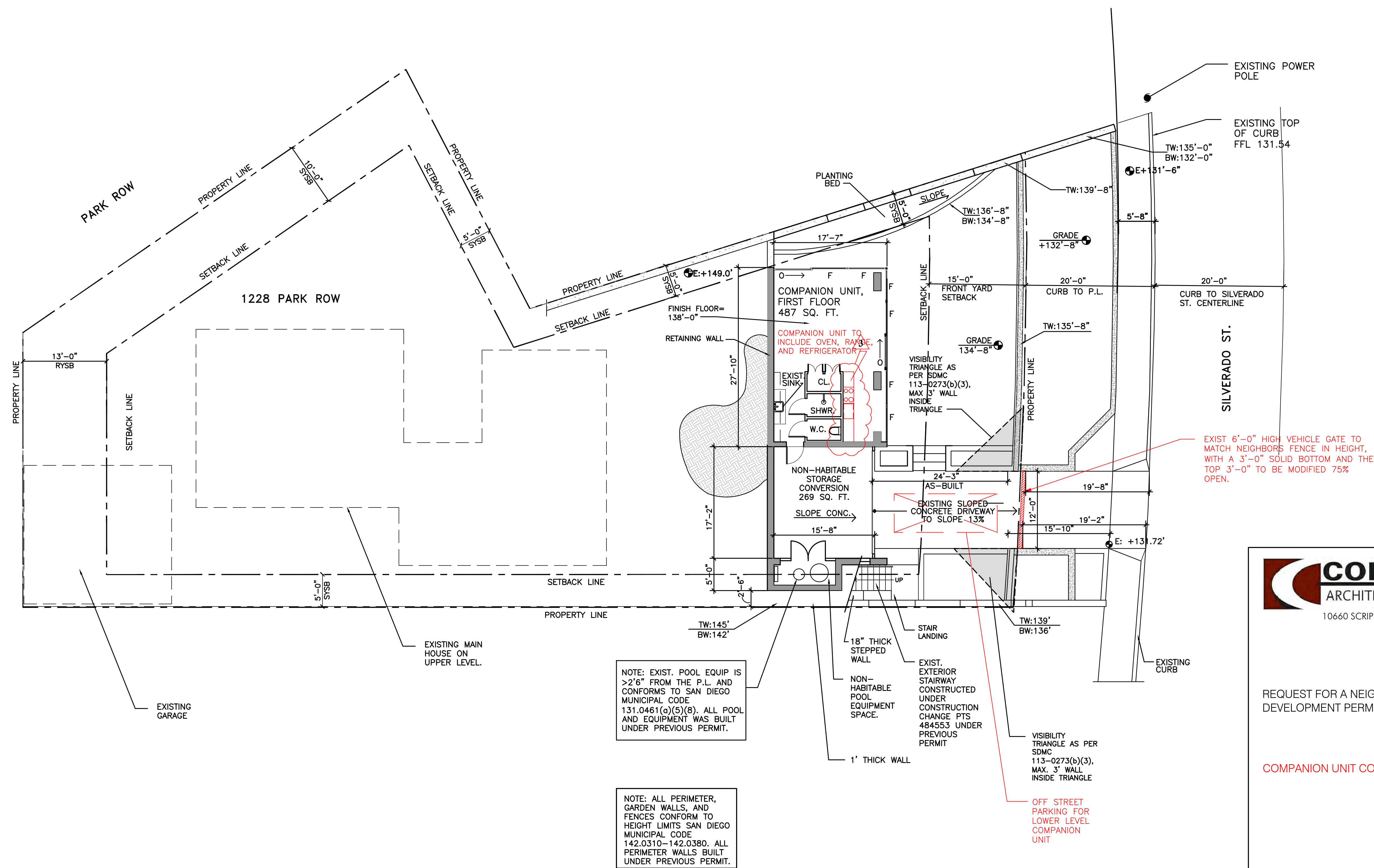
**ERIC POWELL**  
REGISTERED CIVIL ENGINEER  
April 7, 2021  
1228 Park Row  
La Jolla, CA 92037  
Re: Villa K-L  
Dear Sir and Scott:  
This letter is regarding your two gates on Park Row and Silverado Street in La Jolla, which I designed and fabricated in 2014.  
Attached are drawings showing the top sections of each of the two gates. I have reconfigured the design in excess of 75% open space rule. This involves cutting sections out of my original design. The Top Design (Park Row) has a minimum of 75% open space the bottom design (Silverado) has a minimum of 75% open space.  
Best regards,  
Eric Powell  
2700 Ridge Street, Berkeley, CA 94704  
415-867-7256 | eric@ericpowell.com | www.ericpowell.com

SITE PLAN/ EXISTING FLOOR PLAN (GROUND FLOOR/ GARAGE, MAIN HOUSE, ACCESSORY)

1/8" = 1'-0"



NOTE: TW =  
TOP OF  
CONCRETE WALL.



NOTE: EXIST. POOL EQUIP IS  
>2'6\"/>

NOTE: ALL PERIMETER,  
GARDEN WALLS, AND  
FENCES CONFORM TO  
HEIGHT LIMITS SAN DIEGO  
MUNICIPAL CODE  
142.0310-142.0380. ALL  
PERIMETER WALLS BUILT  
UNDER PREVIOUS PERMIT.

**CORE CONSULTING GROUP INC.**  
ARCHITECTS • CONTRACTORS • FORENSICS  
10660 SCRIPPS RANCH ROAD | SUITE 200 | SAN DIEGO, CA 92131

PROJECT:  
**VILLA K-L**  
PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:  
5-29-2019  
4-16-2020  
10-30-2020  
3-30-2021  
6-18-2021

SHEET TITLE:  
COMPANION UNIT, LOWER  
(BASEMENT) FLOOR PLAN/  
ACCESSORY STRUCTURE

DATE:  
5/19/2019  
PROJECT NO.:  
619886

**A1.0**  
SHEET: 4 OF 10



VISIBILITY TRIANGLE  
AS PER SDMC  
113-0273(b)(3)  
MAX. 3' HIGH WALL  
IN TRIANGLE

EXIST. 2'-4'  
HIGH CONC.  
RETAINING  
WALL

EXISTING TOP  
OF CURB  
FFL 155.54 -

GATE EQUIP.  
MOTOR 7

PORTION OF  
EXIST.CONC.  
RETAINING  
WALL INTO  
THE ROW.

- EXISTING TANKLESS WATER HEATER
- WASHER DRYER RELOCATED FROM GARAGE DURING ORIGINAL CONSTRUCTION

TW:156'  
BW:150'  
CONC. WALL  
W/3'-0" WOOD  
FENCE-6' TOTAL

TW:156'  
BW 150'  
3' WOOD FENCE OVER  
3' CONC FENCE SEE  
PHOTO 1 ON A1.7

SEE 2/A1.5 FOR WALLHEIGHT TO BE MODIFIED INTO  
CONFORMANCE PER ON SITE MEETING W/ CITY  
STAFF

NOTE: ALL SITE WALL HEIGHTS TO CONFORM TO  
SDMC 142.0340(d)(1), 142.0340(d)(2), 142.0340(c)  
SEE PHOTO 3 ON A1.7

EXISTING POWER POLE

1'-2" HIGH CONC.  
WALL. APPROVED  
— EMRA#345149

SILVERADO ST.

— 3' CONC. WALL— W/3'  
(OPEN) CHAIN LINK  
FENCE

— 1'-2" HIGH CONC.  
WALL.

9'-2'10" HIGH —  
CONC. RETAINING  
WALL W/3' OPEN  
LINK FENCE ABOVE

"RETAINING WALL  
HEIGHT EXCEPTION'  
142.0340(f)(4)(B)

TW:156'  
BW:150'  
RETAINING TOP OF  
PARAPET—  
164.5'

TW:159'  
BW:150'  
EXISTING 6' CONC.  
RETAINING WALL, W/3'  
CONC. FENCE ABOVE

TW:159'  
BW:150'  
EXISTING 6' CONC.  
RETAINING WALL, W/3'  
CONC. FENCE ABOVE

TW:159'  
BW:150'  
EXISTING 6' CONC.  
RETAINING WALL, W/3'  
CONC. FENCE ABOVE

TW:156'  
 BW:150'  
 RETAINING WALL  
 3'-0" CONC.  
 W/3'-0" WOOD  
 FENCE

3' CONC. WALL  
W/3'(OPEN)  
CHAIN LINK  
FENCE-6'  
TOTAL-SEE  
PHOTOS 4&5  
ON SHT. A1.7

— 3 / CONC. WALL

EXISTING TOP  
OF CURB  
FFL 131.72



PROJECT:  
VILLA K-L

PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:

1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

SHEET TITLE:  
FIRST FLOOR PLAN/  
PERIMETER WALLS/  
FENCE ELEVATIONS.

DATE:  
5/19/2019

PROJECT NO.:  
619886

## A1.1

SHEET: 5 OF 10

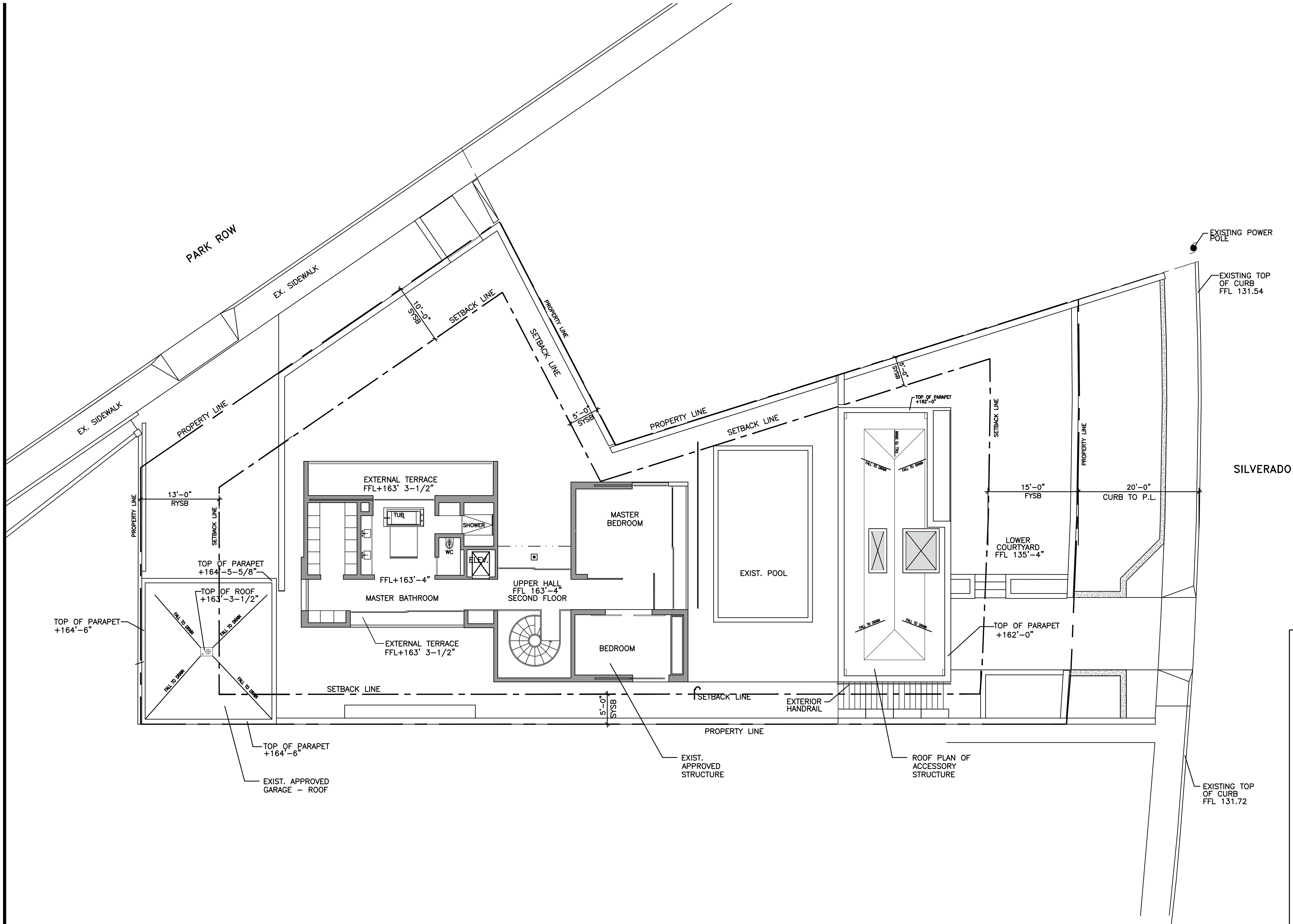
## FIRST FLOOR PLAN/ PERIMETER WALL/ FENCE ELEVATIONS

---


$$1/8'' = 1' - 0''$$

1

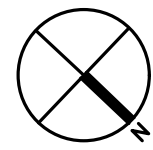




EXISTING SECOND FLOOR PLAN/ROOF PLAN AT EXISTING STRUCTURE

1/8" = 1'-0"

1



**CORE** CONSULTING GROUP INC.  
ARCHITECTS • CONTRACTORS • FORENSICS  
10660 SCRIPPS RANCH ROAD | SUITE 200 | SAN DIEGO, CA 92131

PROJECT:  
**VILLA K-L**

PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REQUEST FOR A NEIGHBORHOOD  
DEVELOPMENT PERMIT.

REVISIONS:

1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

SHEET TITLE:  
EXISTING SECOND  
FLOOR/ ROOF PLAN AT  
ACCESSORY STRUCTURE

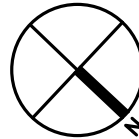
DATE:  
5/19/2019

PROJECT NO.:  
619886

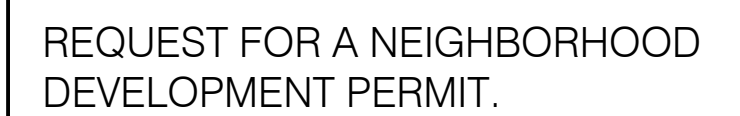
**A1.2**

SHEET: 6 OF 10




$$1/8'' = 1' - 0''$$

1



REVISIONS:

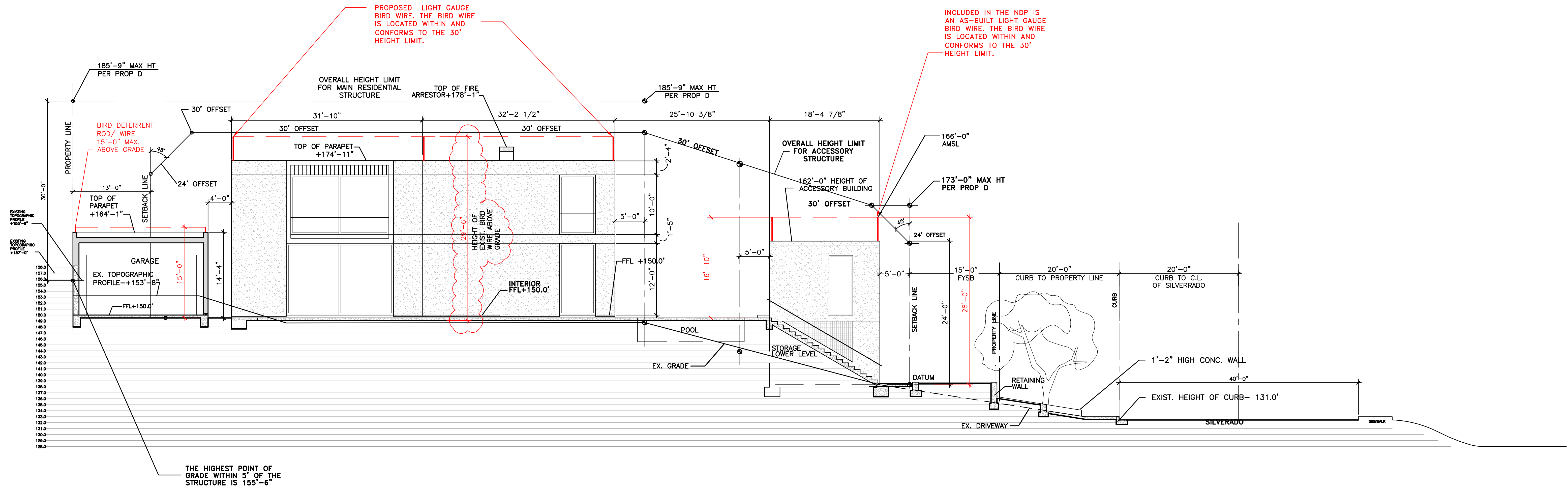
1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

PROJECT NO.:  
619886

## A1.3

SHEET: 7 OF 10





GARAGE MAY ENCR OACH INTO A REQUIRED SIDE YARD OR REAR YARD

(A) THE LOT SIZE IS LESS THAN 10,000 SQFT

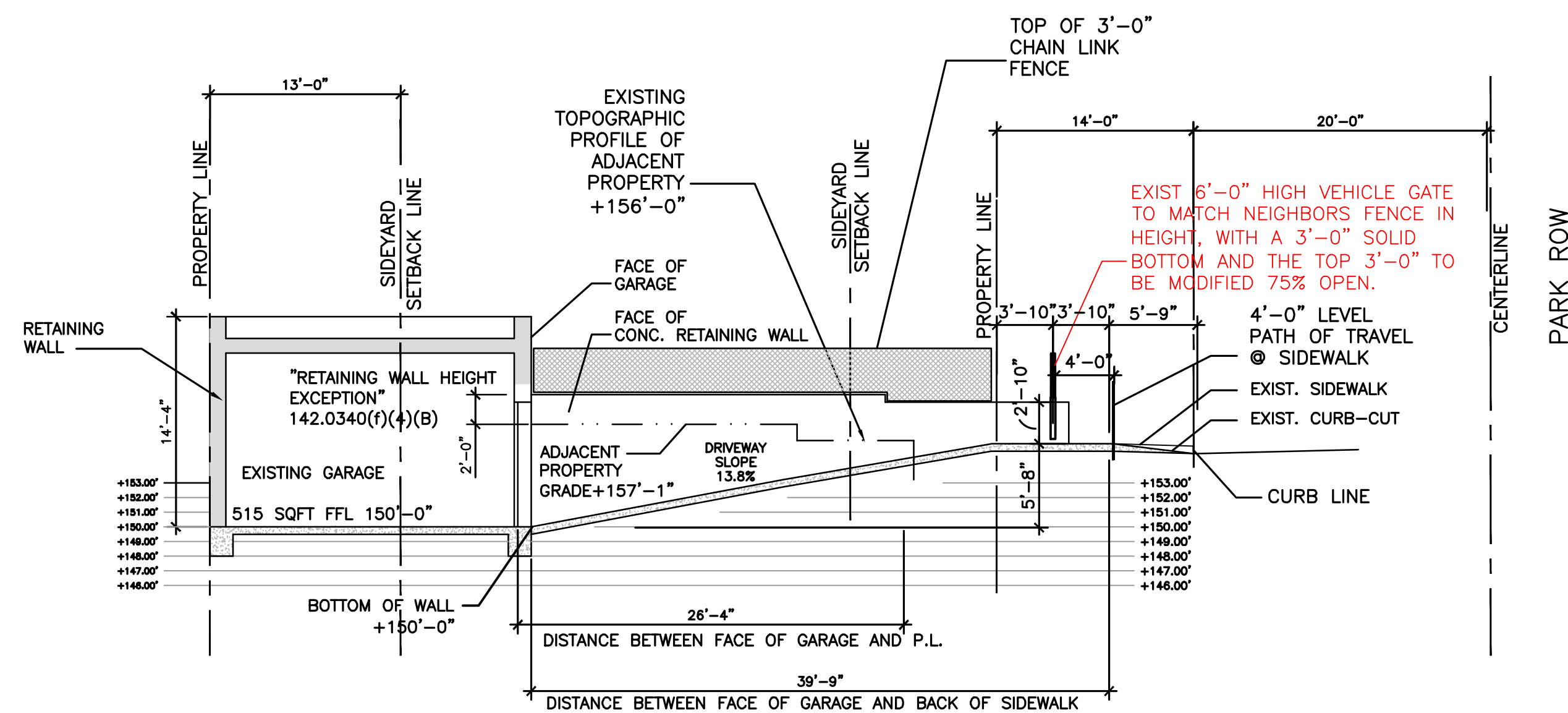
(B) THE GARAGE IS LESS THAN 15' HIGH

(C) THE GARAGE DOES NOT EXCEED A MAXIMUM LENGTH OF 30' WITHIN ANY GIVEN SETBACK

(D) THE GARAGE DOES NOT EXCEED 525 SQ FT

## WEST ELEVATION/ SECTION VIEW TOWARDS SOUTHWEST

SCALE: 1/8"=1'-0"



## SECTION THROUGH GARAGE AND DRIVEWAY AT PARK ROW

SCALE: 1/8"=1'-0"

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PROJECT:  
**VILLA K-L**  
PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

REVISIONS:	
1	5-29-2019
2	4-16-2020
3	10-30-2020
4	3-30-2021
5	6-18-2021

SHEET TITLE:  
PROPERTY PROFILE  
BUILDING SECTIONS

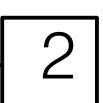
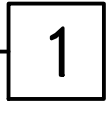
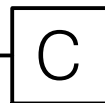
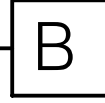
DATE:  
5/19/2019

PROJECT NO.:  
619886

**A1.4**

SHEET: 8 OF 10





SHEET: 9 OF 10





① 3' FENCE OVER 3' WALL AT EAST PROPERTY LINE



② FENCE AT SILVERADO SOUTH



③ FENCE AT SILVERADO SOUTH



④ WALL AT SILVERADO NORTH



⑤ WALL AT SILVERADO NORTH



⑥ VEHICLE GATE AT SILVERADO ST.



⑦ ADJACENT FENCE TO NEIGHBOR'S GATE AT PARK ROW



⑧ VEHICLE GATE AT PARK ROW

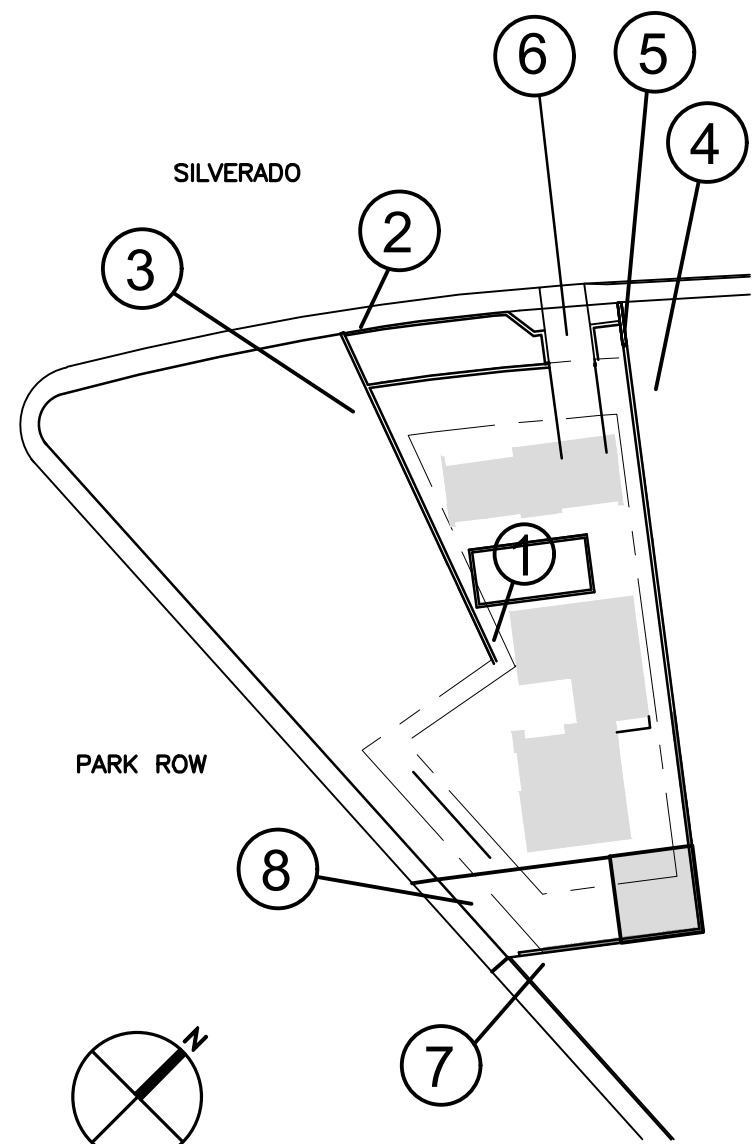


PHOTO KEY LEGEND

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10660 SCRIPPS RANCH ROAD | SUITE 200 | SAN DIEGO, CA 92131

REVISIONS:

①	5-29-2019
②	4-16-2020
③	10-30-2020
④	3-30-2021
⑤	6-18-2021

REQUEST FOR A  
NEIGHBORHOOD  
DEVELOPMENT PERMIT.  
NO CHANGES TO  
STRUCTURE/FAR UNDER THIS  
PERMIT.

PROJECT:  
**VILLA K-L**  
PROJECT ADDRESS:  
1228 PARK ROW  
SAN DIEGO, CA 92073

SHEET TITLE:  
SITE IMAGES

DATE:  
5/19/2019

PROJECT NO.:  
619886

**A1.7**

SHEET: 10 OF 10