



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: February 26, 2014 REPORT NO. HO-14-006

ATTENTION: Hearing Officer

SUBJECT: **SADBERRY RESIDENCE**
PTS PROJECT NUMBER - 304002.
PROCESS 3.

LOCATION: 8039 and 8053 Calle del Cielo

APPLICANT: Mr. and Mrs. Colton and Cyndi Sudberry, Owner (ATTACHMENT 11) /
Haley Duke, Architect

SUMMARY

Requested Action - Should the Hearing Officer approve the demolition of two existing residences and construction of a new, two-story, single family residence within the La Jolla Community Plan area?

Staff Recommendation –

1. CERTIFY Mitigated Negative Declaration, Project No. 304002, and Adopt the Mitigation Monitoring and Reporting Program (MMRP); and
2. APPROVE Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753.

Community Planning Group Recommendation – The La Jolla Community Planning Association voted 13-0-2 to recommend approval of the project at their meeting of September 5, 2013, with no conditions (ATTACHMENT 10).

Other Recommendations – The La Jolla Shores Advisory Board voted 4-0 to recommend approval of the project at their meeting of March 19, 2013.

Environmental Review – A Mitigated Negative Declaration (Project No. 304002) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines and a Mitigation, Monitoring and Reporting Program (MMRP) would be implemented to reduce the potential impacts to Paleontological Resources to a level below significance.

BACKGROUND

The project site is made up of two legal lots, currently each lot is developed with an existing single family residence and they are located within a well established La Jolla Shores residential neighborhood. The project site is located at 8039 and 8053 Calle del Cielo (ATTACHMENTS 1-3), within the SF Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and within the La Jolla Community Planning Area. The both existing homes were built in 1966 and were viewed as potentially historically significant. Both homes were reviewed by the City's Historic Staff and both were found not to be historically significant. The proposed demolition, construction and grading constitutes, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit. A Site Development Permit is required, by the Land Development Code (Section 103.0302.3), for the proposed development within the La Jolla Shores Planned District.

DISCUSSION

The project proposes to demolish the existing two residences and construct a new, two-story, 18,403 square-foot, single family residence with an attached five car garage, front yard pool and spa, long arched driveway to a rear yard motor court, existing batting cage/play area to remain located on a 44,140 square-foot property. The proposed new residence will be placed generally in the same location as the existing two homes. The project site has been fully disturbed with a fairly flat pad area where the current homes are located and an approximate 35 foot high upward manufactured slope in the rear yard or east side of the project site. The project site is not located on or adjacent to an identified public views, as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project does not propose any deviations or variances to the development regulations. The applicant submitted a neighborhood survey which demonstrated that this proposed project was in general conformity with the building setbacks and building massing with existing development within the vicinity. This overall design was found to be in conformance with the La Jolla Shores Planned District Ordinance, La Jolla Community Plan and Local Coastal Land Use Plan.

The proposed building elevations indicate the use of "Santa Barbara" white stucco exterior walls, with white dressed stone on the lower level walls, dark stained wood windows and shutters with flat grey roof tile. The proposed grading would consist of 1,700 cubic yards of cut material for a depth of 12 feet. Approximately 1,300 cubic yards of fill with a maximum depth of 8 feet is proposed. A total of 400 cubic yards would be exported off-site to an approved site. The project is designed to comply with the 30 foot height limit with the height of the new structure being at 28 feet 10 inches high.

The proposed structure meets the development setbacks and height limit required by the underlying zone. Vehicular access to the property will be provided from an existing public street at the front of the property from Calle del Cielo. The proposed project design includes an attached garage with a minimum of five off street parking spaces to meet the requirements of the Parking Impact Overlay Zone. The existing character and pedestrian design of the streetscape adjacent to the project will remain residential.

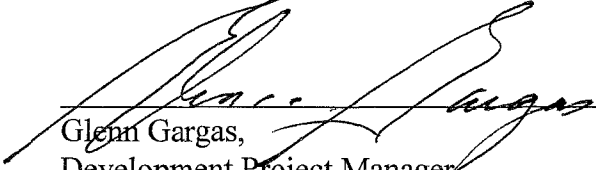
CONCLUSION

Staff has reviewed the request for the Coastal Development Permit and Site Development Permit for the proposed demolition of the existing residences, construction of a single family residence and found the project to be in conformance with all the applicable sections of the San Diego Municipal Code regulating coastal development in this area, the La Jolla Community Plan and Local Coastal Land Use Plan and the La Jolla Shores Planned District Ordinance. Staff believes the required findings can be supported and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753, with modifications.
2. Deny Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,


Glenn Gargas,
Development Project Manager

Attachments:

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

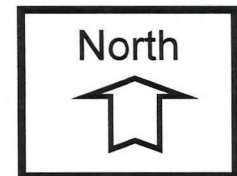
12. Copy of the Public Notice

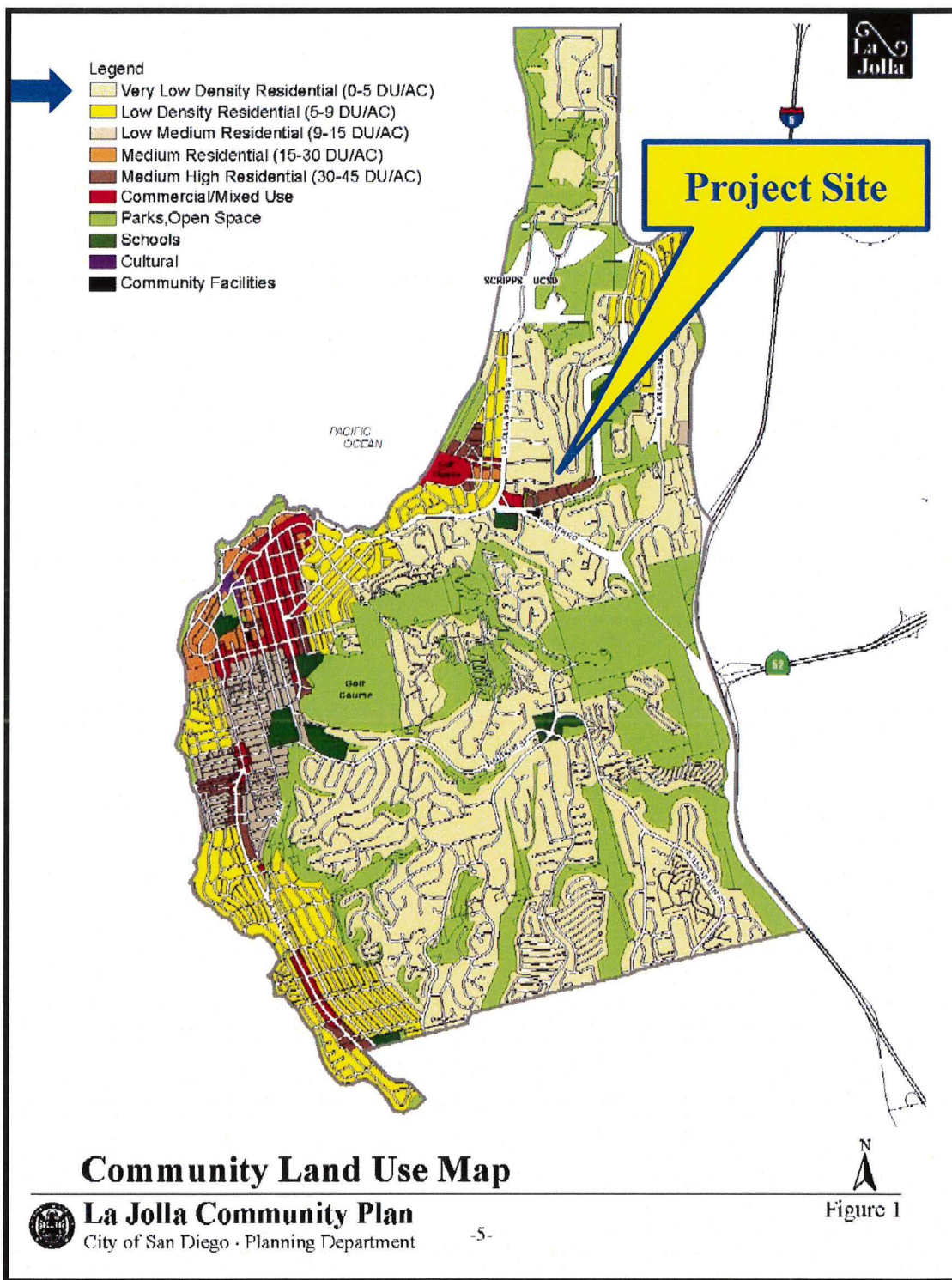
Internal Order Number: 24003409



Aerial Photo

SADBERRY RESIDENCE - 8039 & 8053 CALLE del CIELO
PROJECT NO. 304002

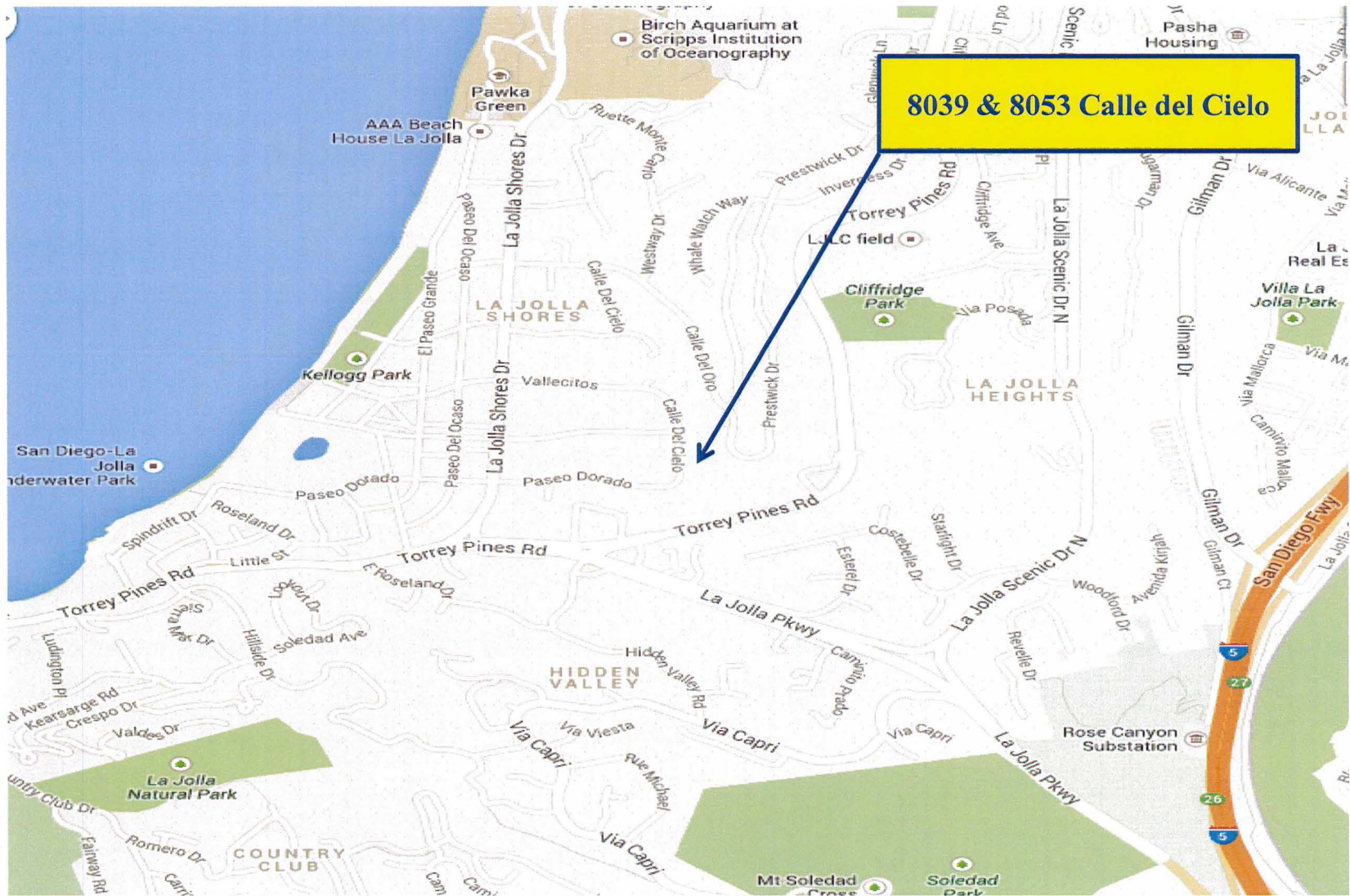




Land Use Map

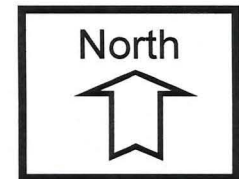
SADBERRY RESIDENCE – 8039 & 8053 CALLE DEL CIELO
PROJECT NO. 304002 La Jolla





Project Location Map

SADBERRY RESIDENCE – 8039 & 8053 CALLE del CIELO
PROJECT NO. 304002



PROJECT DATA SHEET

| | | |
|---|--|--------------------------|
| PROJECT NAME: | Sudberry Residence – Project No. 304002 | |
| PROJECT DESCRIPTION: | Coastal Development Permit and Site Development Permit to demo two existing residences and construct an approximate 18,403 square foot single family residence on a 44,140 square foot property. | |
| COMMUNITY PLAN AREA: | La Jolla | |
| DISCRETIONARY ACTIONS: | Coastal Development Permit & Site Development Permit. | |
| COMMUNITY PLAN LAND USE DESIGNATION: | Very Low Density Residential (0-5 DUs per acre) | |
| <u>ZONING INFORMATION:</u> | | |
| ZONE: SF Zone of the La Jolla Shores Planned District | | |
| HEIGHT LIMIT: 30-Foot maximum height limit. | | |
| LOT SIZE: Approx. 18,000 square-foot minimum lot size – two existing lots total 44,140 sq. ft. | | |
| FLOOR AREA RATIO: NA (PDO – none) (0.40 as reference only) | | |
| FRONT SETBACK: 20 feet | | |
| SIDE SETBACK: 5 feet (south side) / 22 feet (north side) | | |
| STREETSIDE SETBACK: NA. | | |
| REAR SETBACK: 98 feet 8 inches | | |
| PARKING: 5 parking spaces required. | | |
| <u>ADJACENT PROPERTIES:</u> | LAND USE DESIGNATION & ZONE | EXISTING LAND USE |
| NORTH: | Very Low Density Residential; SF Zone of La Jolla PDO. | Single Family Residence |
| SOUTH: | Very Low Density Residential; SF Zone of La Jolla PDO. | Single Family Residence |
| EAST: | Very Low Density Residential; SF Zone of La Jolla PDO. | Single Family Residence |

ATTACHMENT 4

| | | |
|---|--|-------------------------|
| WEST: | Very Low Density Residential; SF Zone of La Jolla PDO. | Single Family Residence |
| DEVIATIONS OR VARIANCES REQUESTED: | None. | |
| COMMUNITY PLANNING GROUP RECOMMENDATION: | On September 5, 2013, the La Jolla Community Planning Association voted (13-0-2) to recommend approval of this project. The recommendation did not include any conditions. | |

HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 1067752 AND
SITE DEVELOPMENT PERMIT NO. 1067753
SUDBERRY RESIDENCE - PROJECT NO. 304002 (MMRP)

WHEREAS, Colton T. Sudberry and Cynthia J. Sudberry, Co-Trustees of The CC Sudberry Family Trust, dated October 13, 2003, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish two residences and construct a two-story, single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1067752 and 1067753), on portions of a 44,140 square foot property;

WHEREAS, the project site is located at 8039 and 8053 Calle Del Cielo, in the SF Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lots 31 and 32, of La Jolla Del Norte No. 3, Map No. 4018;

WHEREAS, on February 26, 2014, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753 pursuant to the Land Development Code of the City of San Diego;

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

That the Hearing Officer adopts the following written Findings, dated February 26, 2013.

FINDINGS:

Coastal Development Permit - Section 126.0708

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

The 44,140 square foot project site is currently developed with two existing single family residences. The development proposes to demolish the existing residences and construct a two-story single family residence in approximately the same location on the lot as the existing residences. The project site is located approximately one half mile from the coastline. The proposed development is for a low profile one and two-story single family residence and is contained within the existing legal lot area of the two lots, which will not encroach upon any existing or proposed physical access to the coast. The project site is not located adjacent to any identified public view as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project site is situated along Calle Del Cielo, within a developed single family residential neighborhood. The proposed new single family residence meets the development setbacks and height limit required by the underlying zone and the proposed development will

enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Land Use Plan.

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

The 44,140 square foot project sites is currently developed with two single family residences, are previously graded and fully developed properties. The surrounding properties are also fully developed properties. Due to the previous disturbance of this site and surrounding properties, this proposed project was determined not to be subject to the Environmentally Sensitive Lands Regulations. The environmental review determined that this project may have a significant environmental effect on Paleontological Resources. A Mitigated Negative Declaration No. 304002 was prepared in accordance with the California Environmental Quality Act (CEQA). The project includes mitigation measures for potential impacts to Paleontological Resources, to reduce the potential impacts to below a level of significance. Thus, with the implementation of the Mitigation Monitoring and Reporting Program the proposed project would not adversely affect environmentally sensitive lands. The project proposes grading to approximately 58 percent of the site, with the home placement primarily within the area of the existing residences and will not result or propose any adverse affect to Environmentally Sensitive Lands. City Staff's review determined that the existing eastern slope on both lots has previously been disturbed, does not contain sensitive vegetation and is not a slope of a natural landform over 50 feet in height. Based on that information staff determined that this project site was not subject to the Environmentally Sensitive Lands Regulations. Thus the proposed project will not adversely affect environmentally sensitive lands.

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

The proposed development to demolish two existing single family residences and construction of a new single family residence is located on a site which has a Low Density Single Family Residential land use designation. The environmental review determined that this project may have a significant environmental effect on Paleontological Resources. A Mitigated Negative Declaration No. 304002 was prepared in accordance with the California Environmental Quality Act (CEQA). The project includes mitigation measures for potential impacts to Paleontological Resources, to reduce the potential impacts to below a level of significance. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the SF Zone of the La Jolla Shores Planned District and Coastal Overlay Zone. The project site is not located adjacent to any identified public view as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. The project was designed to increase the side yard setbacks, a relatively low profile home design and revised landscape planting which was determined by City Staff and the La Jolla Community Planning Association to bring the project into compliance with the La Jolla Community Plan and Local Coastal Land Use Plan. Due to these factors the proposed single family residence was found to be in compliance with the City of San Diego's adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development

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

The 44,140 square foot site, currently developed with two existing residences, is located within a well developed residential neighborhood approximately one half mile from the coastline. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the two legal lots/private property. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the re-development of this site. The proposed single family residential project is designed to take access off the existing public street, with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will be improved or remain unaltered.

Site Development Permit - Section 126.0504

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

The proposed demolition of two single family residences and construction of a two-story, single family residence with an attached garage to total approximately 18,403 square-feet of gross floor area will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the plan's Low Density Residential land use designation, the development regulations of the SF Zone of the La Jolla Shores Planned District Ordinance, allowed density, and design recommendations. The project site is not located adjacent to any public view as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. This overall design was found to bring the project into compliance with the La Jolla Community Plan and Local Coastal Land Use Plan. Due to these factors the proposed single family residential re-development of the site was determined that it will not adversely affect the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

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

The proposed demolition of two single family residences and construction of a two-story, single family residence with an attached garage for a total of approximately 18,403 square-feet of gross floor area on an 44,140 square-foot property has been designed to comply with all of the applicable development regulations, including those of the SF Zone of the La Jolla Shores Planned District Ordinance. The environmental review determined that this project may have a significant environmental effect on Paleontological Resources. A Mitigated Negative Declaration No. 304002 was prepared in accordance with the California Environmental Quality Act (CEQA). The project includes mitigation measures for potential impacts to Paleontological Resources, to reduce the potential impacts to below a level of significance. The Mitigated Negative Declaration included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The construction of a new single family residence with an attached garage would therefore not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The proposed demolition of two single family residences and construction of a two-story, single family residence with an attached garage, to total approximately 18,403 square-feet of gross floor area, will comply with the development regulations of the SF Zone of the La Jolla Shores Planned District Ordinance and the Local Coastal Program for the La Jolla Community Plan area. The project does not propose any deviations to any of the applicable development regulations. The proposed development does not negatively impact any public views as identified by the La Jolla Community Plan and Local Coastal Land Use Plan. Due to these factors the proposed single family residential re-development of the site was found to be in compliance with all of applicable development regulations, specifically those of the SF Zone of the La Jolla Shores Planned District Ordinance and the Coastal Overlay Zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1067752 and 1067753 a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas, AICP
Development Project Manager
Development Services

Adopted on: February 26, 2014

Job Order No. 24003409

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: 24003409

COASTAL DEVELOPMENT PERMIT NO. 1067752 and
SITE DEVELOPMENT PERMIT NO. 1067753
SUDBERRY RESIDENCE, PROJECT NO. 304002 [MMRP]
HEARING OFFICER

This Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753 are granted by the Hearing Officer of the City of San Diego to Colton T. Sudberry and Cynthia J. Sudberry, Co-Trustees of The CC Sudberry Family Trust, dated October 13, 2003, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702 and 1510.0201. The 1.01-acre site is located at 8039 and 8053 Calle Del Cielo, in the SF Zone of the La Jolla Shores Planned District, Coastal (non-appealable), Coastal Height Limitation, Parking Impact Overlay Zones of the La Jolla Community Plan. The project site is legally described as: Lots 31 and 32, of La Jolla Del Norte No. 3, Map No. 4018.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish two residences and construct a one-story over basement single family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 26, 2014, on file in the Development Services Department.

The project shall include:

- a. Demolition of two existing residences; construction of a 18,403 square foot two-story single family residence, pool, spa, motorcourt; existing batting cage/play area to remain on a 44,140 square foot property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking, five parking spaces;

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 12, 2017.
2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
3. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
8. All of the conditions contained in this Permit have been considered and were 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.

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

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. 304002 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. 304002, 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:

Paleontological Resources

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
14. This project proposes to export 400 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
15. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.
16. 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 Appendix G of the City's Storm Water Standards, satisfactory to the City Engineer.
17. The drainage system proposed for this development is private and subject to approval by the City Engineer.
18. All driveways and curb openings shall comply with City Standard Drawings SDG-159 and SDG-164.
19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for existing retaining wall at Calle Del Cielo, satisfactory to the City Engineer.
20. Prior to the issuance of the building permit, the applicant shall obtain a Neighborhood Development Permit (NDP) for the portion of the existing retaining wall within the public right-of-way at Calle Del Cielo satisfactory to the City Engineer.
21. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the underdrains from the bioretention areas discharging to the public right-of-way, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

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

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

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

25. Prior to the issuance of a building permit for the construction of the two-story single family residence, the batting cage shall either be removed or a building permit shall be obtained to maintain the batting cage at the location shown on the approved Exhibit A.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on February 26, 2014, by Resolution No. ____.

RESOLUTION NUMBER R- _____

ADOPTED ON FEBRUARY 26, 2014

WHEREAS, on February 26, 2014, Colton and Cyndi Sudberry submitted an application to the Development Services Department for a Coastal Development Permit and Site Development Permit to demolish an existing one-story single family residence at 8053 Calle del Cielo and a portion of an existing one-story single family residence at 8039 Calle del Cielo (two lots), and construct a new two-story 14,077 square-foot single family residence, with an attached 3,787 square-foot garage, swimming pool, new landscaping, paving, and site walls on both lots (the Sudberry Residence project); and

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

WHEREAS, the issue was heard by the Hearing Officer on February 26, 2014; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigation Negative Declaration No. 304002 (Declaration) prepared for this Project; NOW THEREFORE,

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

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

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as

required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

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

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

By: _____
Glenn Gargas, Development Project Manager

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

EXHIBIT A**MITIGATION MONITORING AND REPORTING PROGRAM**

**COASTAL DEVELOPMENT PERMIT NO.1067752 AND SITE DEVELOPMENT PERMIT
NO. 1067753**

PROJECT NO. 304002

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. 304002 shall be made conditions of Coastal Development Permit No. 1067752 and Site Development Permit No. 1067753 as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM: To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures shall be the responsibility of the applicant. The mitigation measures are 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 Paleontologist

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) 282667, 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

[List all and only project specific required verification documents and related inspections table below]

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

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL RESOURCES

- 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 Paleontological Monitoring have been noted on the appropriate construction documents.
- 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 paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution 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.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME 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 conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **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 PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery 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.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - 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. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) 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.

- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on 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 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.

V. Post Construction

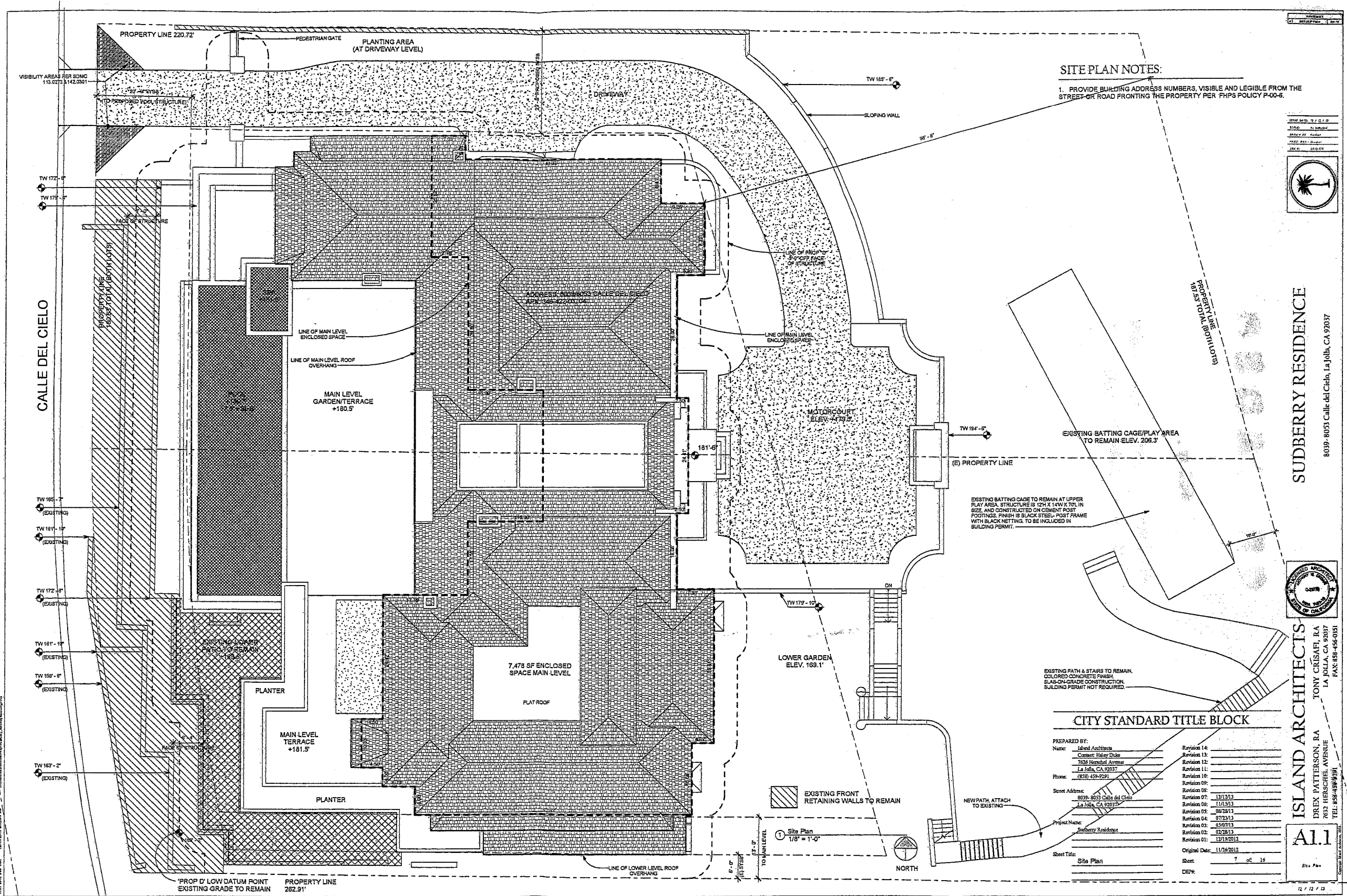
- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum 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 Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 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.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report 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 until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

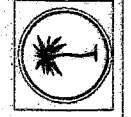
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The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring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



SITE PLAN NOTES:
 1. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-40-6.

| | |
|-----------------------------|-------------------------|
| DATE: 11/26/2013 | SCALE: 1/8" = 1'-0" |
| DRAWN BY: [Signature] | CHECKED BY: [Signature] |
| PROJECT: Sudderry Residence | SHEET: 1 OF 16 |



SUDBERRY RESIDENCE
 8039-8053 Calle del Cielo, La Jolla, CA 92037

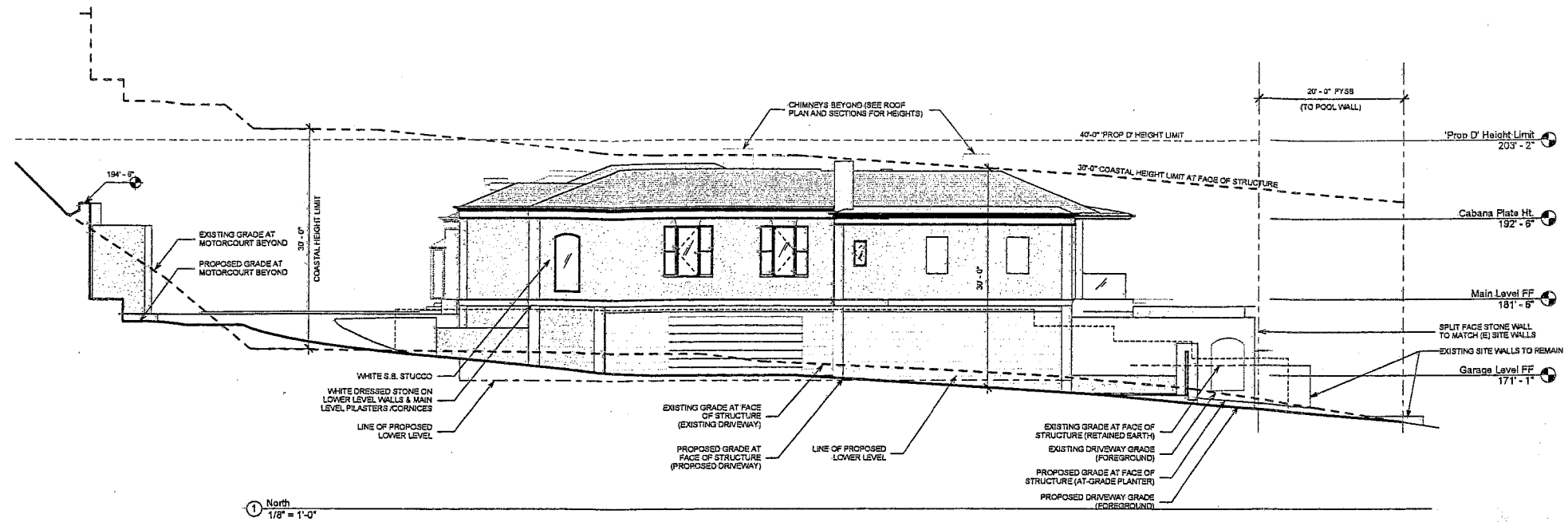


ISLAND ARCHITECTS
 TONY CRISAFI, RA
 DREX PATTERSON, RA
 7632 HENSCHDEL AVENUE
 LA JOLLA, CA 92037
 TEL: 858-458-9391 FAX: 858-456-0351

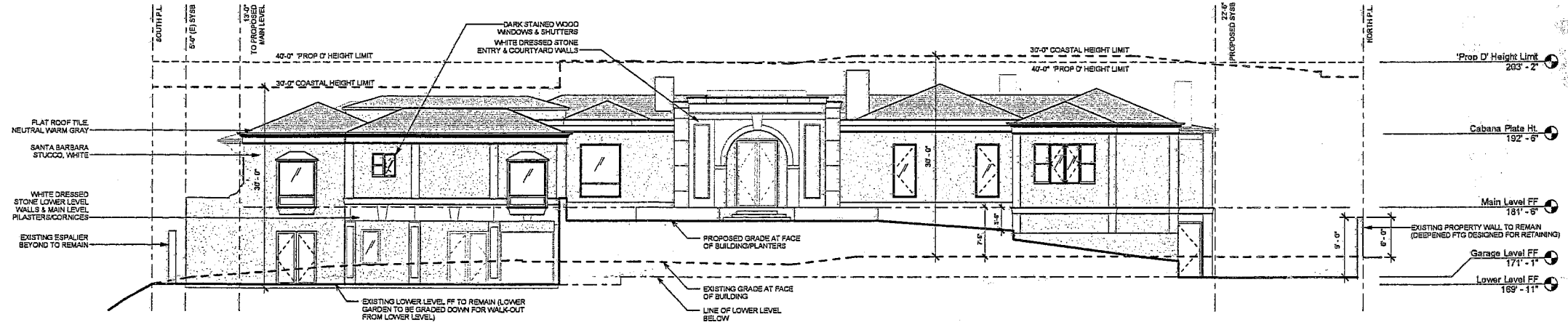
CITY STANDARD TITLE BLOCK

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| <p>PREPARED BY: Name: Island Architects Company: Henry Diller 7026 Hensched Avenue La Jolla, CA 92037 Phone: (858) 439-9291</p> <p>Street Address: 8039-8053 Calle del Cielo La Jolla, CA 92037</p> <p>Project Name: Sudderry Residence</p> <p>Sheet Title: Site Plan</p> | <table border="1"> <tr><td>Revision 14</td><td></td></tr> <tr><td>Revision 13</td><td></td></tr> <tr><td>Revision 12</td><td></td></tr> <tr><td>Revision 11</td><td></td></tr> <tr><td>Revision 10</td><td></td></tr> <tr><td>Revision 09</td><td></td></tr> <tr><td>Revision 08</td><td></td></tr> <tr><td>Revision 07</td><td>12/12/13</td></tr> <tr><td>Revision 06</td><td>11/11/13</td></tr> <tr><td>Revision 05</td><td>08/28/13</td></tr> <tr><td>Revision 04</td><td>07/23/13</td></tr> <tr><td>Revision 03</td><td>05/07/13</td></tr> <tr><td>Revision 02</td><td>12/28/12</td></tr> <tr><td>Revision 01</td><td>12/19/2012</td></tr> </table> <p>Original Date: 11/26/2013 Sheet: 7 of 16 Date:</p> | Revision 14 | | Revision 13 | | Revision 12 | | Revision 11 | | Revision 10 | | Revision 09 | | Revision 08 | | Revision 07 | 12/12/13 | Revision 06 | 11/11/13 | Revision 05 | 08/28/13 | Revision 04 | 07/23/13 | Revision 03 | 05/07/13 | Revision 02 | 12/28/12 | Revision 01 | 12/19/2012 |
| Revision 14 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Revision 07 | 12/12/13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 06 | 11/11/13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 05 | 08/28/13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 04 | 07/23/13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 03 | 05/07/13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 02 | 12/28/12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revision 01 | 12/19/2012 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

ALL
 Site Plan



1 North
1/8" = 1'-0"



2 East
1/8" = 1'-0"

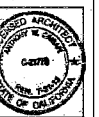
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|--------------|-----------------|---|-------------------------|
| PREPARED BY: | Name: | Michael Ambrosio | Revision 14: |
| | Address: | 7924 Herndal Avenue La Jolla, CA 92037 | Revision 13: |
| | Phone: | (858) 459-9231 | Revision 12: |
| | Street Address: | 8039-8053 Calle del Ciclo La Jolla, CA 92037 | Revision 11: |
| | Project Name: | Sudberry Residence | Revision 10: |
| | Sheet Title: | Exterior Elevations | Revision 09: |
| | | | Revision 08: |
| | | | Revision 07: 12/13/13 |
| | | | Revision 06: 11/15/13 |
| | | | Revision 05: 08/29/13 |
| | | | Revision 04: 07/25/13 |
| | | | Revision 03: 05/07/13 |
| | | | Revision 02: 02/28/13 |
| | | | Revision 01: 12/19/2012 |
| | Original Date: | 11/26/2013 | Sheet: |
| | | | 14 of 16 |
| | | | DEPN: |

REVISION
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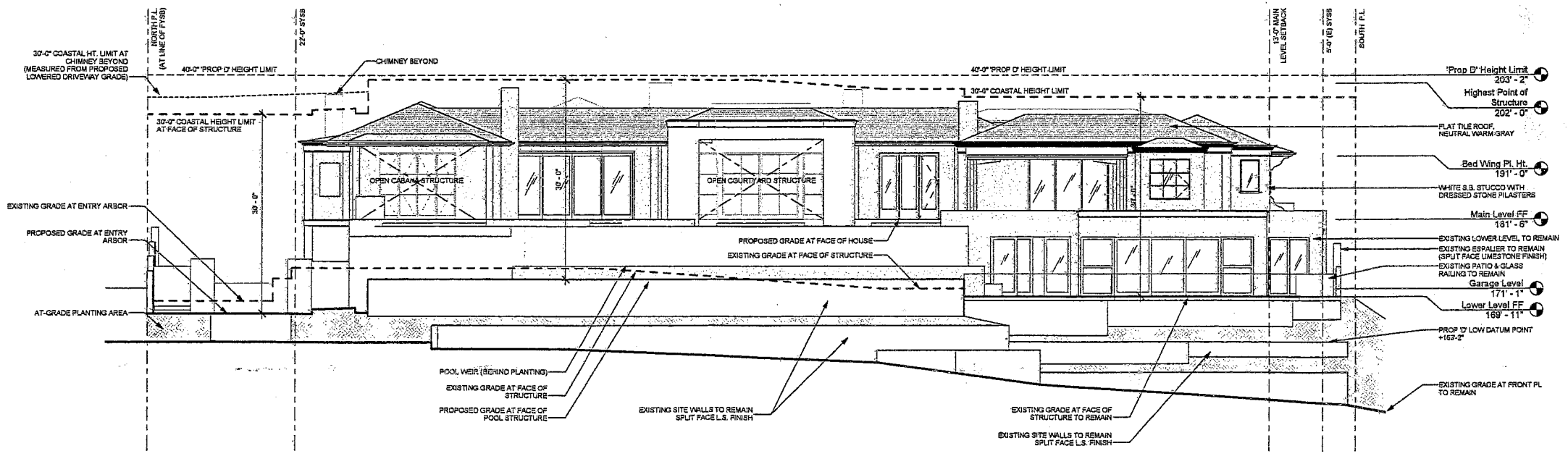
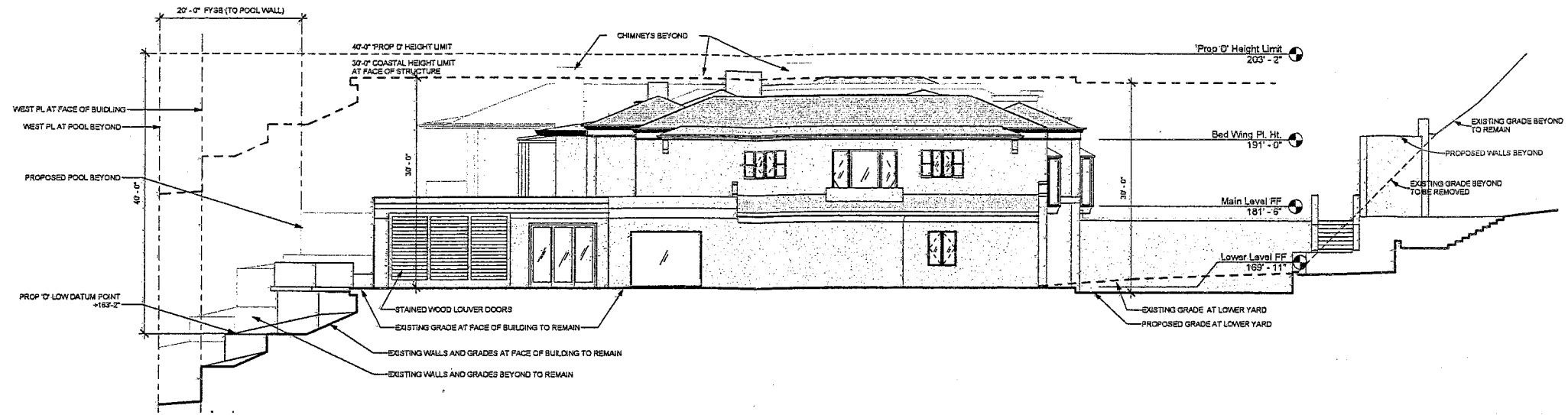
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SUDBERRY RESIDENCE
8039-8053 Calle del Ciclo, La Jolla, CA 92037



ISLAND ARCHITECTS
TONY CRISAFI, RA
LA JOLLA, CA 92037
DREX PATTERSON, RA
7652 HERSCHEL AVENUE
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FAX: 858-456-0351

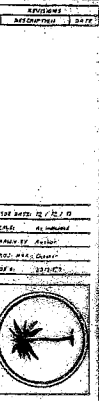
A4.1
Exterior Elevations



West
1/8" = 1'-0"

CITY STANDARD TITLE BLOCK

| | | | |
|-----------------|-------------------------------------|----------------|------------------------|
| PREPARED BY: | Name: <u>Island Architects</u> | Revision 14: | |
| | Address: <u>7515 Henshel Avenue</u> | Revision 13: | |
| | City: <u>La Jolla, CA 92037</u> | Revision 12: | |
| | Phone: <u>(619) 459-9291</u> | Revision 11: | |
| | | Revision 10: | |
| | | Revision 09: | |
| Street Address: | <u>8039-8055 Calle del Cielo</u> | Revision 08: | <u>12/13/13</u> |
| | <u>La Jolla, CA 92037</u> | Revision 07: | <u>11/15/13</u> |
| | | Revision 06: | <u>08/28/13</u> |
| | | Revision 05: | <u>07/23/13</u> |
| Project Name: | <u>Sudberry Residence</u> | Revision 04: | <u>05/07/13</u> |
| | | Revision 03: | <u>02/28/13</u> |
| | | Revision 02: | <u>12/19/2012</u> |
| Sheet Title: | <u>Exterior Elevations</u> | Original Date: | <u>11/26/2012</u> |
| | | Sheet: | <u>15</u> of <u>16</u> |
| | | DEPP: | |



SUDBERRY RESIDENCE
8039-8055 Calle del Cielo, La Jolla, CA 92037



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A4.2



LA JOLLA COMMUNITY PLANNING ASSOCIATION

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

<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 5 September 2013

Attention: Paul Godwin, PM
City of San Diego

Project: Sudberry Residence
8039 & 8053 Calle Del Cielo
PN: 304002

Motion: That the findings can be made for an amendment to the CDP
and SDP.

Vote: 13-0-3

05 Sept. 2013

Submitted by: Joe LaCava, Vice President
La Jolla CPA

Date

LA JOLLA SHORES PLANNED DISTRICT

Applicant: Mr. and Mrs. Sudberry

Item: #2 Sudberry
Date: March 19, 2013

To: Planning Director
From: La Jolla Shores Planned District Advisory Board
Subject: Proposal Within La Jolla Shores Planned District

The La Jolla Shores Planned District Advisory Board has reviewed the applicant for:

Continued to allow La Jolla Shores PDC
the opportunity to review this project.
Items reviewed are overall health, setbacks,
retaining wall configuration, materials, and
compatible compatibility with the
neighborhood

located _____

and recommends:

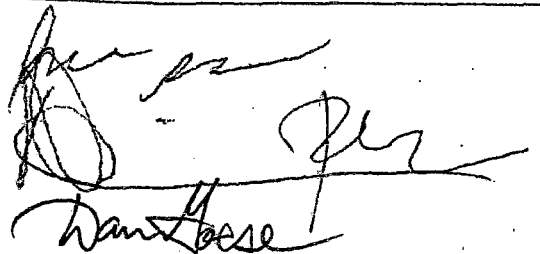
- A. Approval because of conformity to criteria and design standards adopted by the City Council
- B. Denial because of nonconformity to criteria and design standards adopted by the City Council. (Reasons for nonconformity on reverse side.)
- C. Approval subject to the following modifications to ensure conformity to criteria and design standards adopted by the City Council.

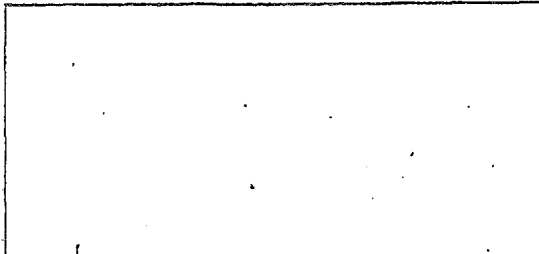
- D. Denial because of lack of four affirmative votes.

Board Signatures


Approving Item: 4

Disapproving Item: _____





Absentees:


Chairman



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

Ownership Disclosure Statement

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

Project Title Project No. For City Use Only

SUDBERRY RESIDENCE

304002

Project Address:

8039-8053 CALLE DEL CIELO, LA JOLLA, CA 92037

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

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

Additional pages attached Yes No

Name of Individual (type or print):

Colton Sudberry

Owner Tenant/Lessee Redevelopment Agency

Street Address:

8039-8053 Calle Del Cielo

City/State/Zip:

La Jolla CA 92037

Phone No:

(619) 546-3000

Fax No:

(619) 546-3000

Signature:

Colton Sudberry

Date:

11/20/12

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

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THE CITY OF SAN DIEGO

DATE OF NOTICE: February 11, 2014

NOTICE OF PUBLIC HEARING

HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

| | |
|-----------------------|---|
| DATE OF HEARING: | February 26, 2014 |
| TIME OF HEARING: | 8:30 A.M. |
| LOCATION OF HEARING: | Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101 |
| PROJECT TYPE: | COASTAL DEVELOPMENT PERMIT & SITE DEVELOPMENT PERMIT / MITIGATED NEGATIVE DECLARATION / PROCESS THREE |
| PROJECT NO: | 304002 |
| PROJECT NAME: | <u>SADBERRY RESIDENCE</u> |
| APPLICANT: | Haley Duke |
| COMMUNITY PLAN AREA: | La Jolla |
| COUNCIL DISTRICT: | District One |
| CITY PROJECT MANAGER: | Glenn Gargas, Development Project Manager |
| PHONE NUMBER/E-MAIL: | (619) 446-5142 / ggargas@sandiego.gov |

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a **Coastal Development Permit and Site Development Permit (for location in La Jolla Shores Planned District) for demolition of two existing residences and construction of a 18,403 square foot, two-story, single family residence on a 44,140 square foot property. The 1.01-acre site is located at 8039 and 8053 Calle Del Cielo, in the SF Zone of the La Jolla Shores Planned District, Coastal Zone (non-appealable), Coastal Height Limitation, Parking Impact Overlay Zones within the La Jolla Community Plan area. The application was filed on December 21, 2012.**

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at

The decision made by the Planning Commission is the final decision by the City.

The certification of an Environmental Impact Report, adoption of a Mitigated Negative Declaration or Negative Declaration may be appealed to the City Council after all other appeal rights have been exhausted. All such appeals must be filed by 5:00 PM within ten (10) business days from the date of the Planning Commission's certification/adoption of the environmental document. Please do not e-mail appeals as they will not be accepted. The proper forms are available from the City Clerk's Office, located on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at

(619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24003409

Revised 04/08/10 HRD