



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: March 18, 2015

REPORT NO. HO 15-042

ATTENTION: Hearing Officer

SUBJECT: JOHNSON RESIDENCE - PROJECT NO. 372627

LOCATION: 8486 El Paseo Grande

APPLICANT: Edward Sutton, Island Architects

SUMMARY

Issue(s): Should the Hearing Officer approve a Site Development Permit for the construction of retaining walls, patio deck, and landscaping at an existing single family residence in the La Jolla Community Plan area?

Staff Recommendation: APPROVE Site Development Permit No. 1322065.

Community Planning Group Recommendation: On January 5, 2015, the La Jolla Community Planning Association voted 11-0-1 to recommend approval. There were no additional comments or conditions provided by the planning group.

Other Recommendations: On March 20, 2012, the La Jolla Shores Planned District Advisory Board voted 5-0-1 to recommend approval. There were no additional comments or conditions provided by the Advisory Board.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction (Attachment 7). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 6, 2015, and the opportunity to appeal that determination ended February 23, 2015.

BACKGROUND

The project site is located at 8486 El Paseo Grande and developed with a 1,518 square-foot, single story, single family residence with a detached two car garage constructed in 1951. The 0.25-acre site is located in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay

Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan.

On March 2, 2012, The City's Neighborhood Code Compliance Division issued a Notice of Violation (Case #203753) on the project site for the construction of three retaining walls and the excavation of soil for footings for a rear yard deck within environmentally sensitive lands (Sensitive Coastal Overlay Zone) without obtaining required discretionary and ministerial permits. The property owner ceased all construction activities and on August 4, 2014, the property owner applied for a Site Development Permit to complete the construction of three retaining walls and rear yard deck, all attached to the single family residential structure, and landscaping.

DISCUSSION

The project proposes to construct a rear yard patio deck of approximately 418 square feet; construct two verdura planter walls approximately 40'-6" length and 2'-0" height, and 34'-6" length and 1'-0" height; and construct a new 1'-2" high Concrete Masonry Unit (CMU) curb bolted to the existing concrete walkway. The proposed improvements are connected to the existing residential structure and therefore are exempt from a Coastal Development Permit pursuant to SDMC 126.0704(a)(7). However, the improvements are located within the coastal beach area of the Sensitive Coastal Overlay Zone and require a Site Development Permit for environmentally sensitive lands on the premises pursuant to SDMC 143.0110, Table 143-01A.

The proposed retaining walls and deck are constructed on existing fill soils of the developed and graded rear portion of the site and not within the actual coastal beach area. The developed portion of the site is completely separated from the coastal beach area by an existing, less than 5 feet high, retaining/seawall with a common walkway that runs along the rear of this and six other properties. A Cultural Resources Report (HDR, Feb. 24, 2012) was prepared and determined the ground disturbance did not impact any subsurface cultural resource deposits.

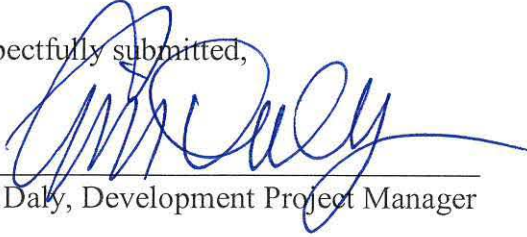
The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction. CEQA Section 15303 allows for the construction of limited numbers of new facilities, including but not limited to, accessory or appurtenant structures including garages, patios, carports, swimming pools, and fences. The proposed project does not impact any environmentally sensitive lands and does not require any mitigation measures as a condition of the permit for the accessory structures to the existing single family residence.

City staff has determined that the project complies with the development regulations of all applicable sections of the Land Development Code and all the required findings can be made. Therefore, staff recommends approval of the project as proposed.

ALTERNATIVES:

1. **Approve** Site Development Permit No. 1322065 with modifications; or
2. **Deny** Site Development Permit No. 1322065, if the findings required for approving the project cannot be affirmed.

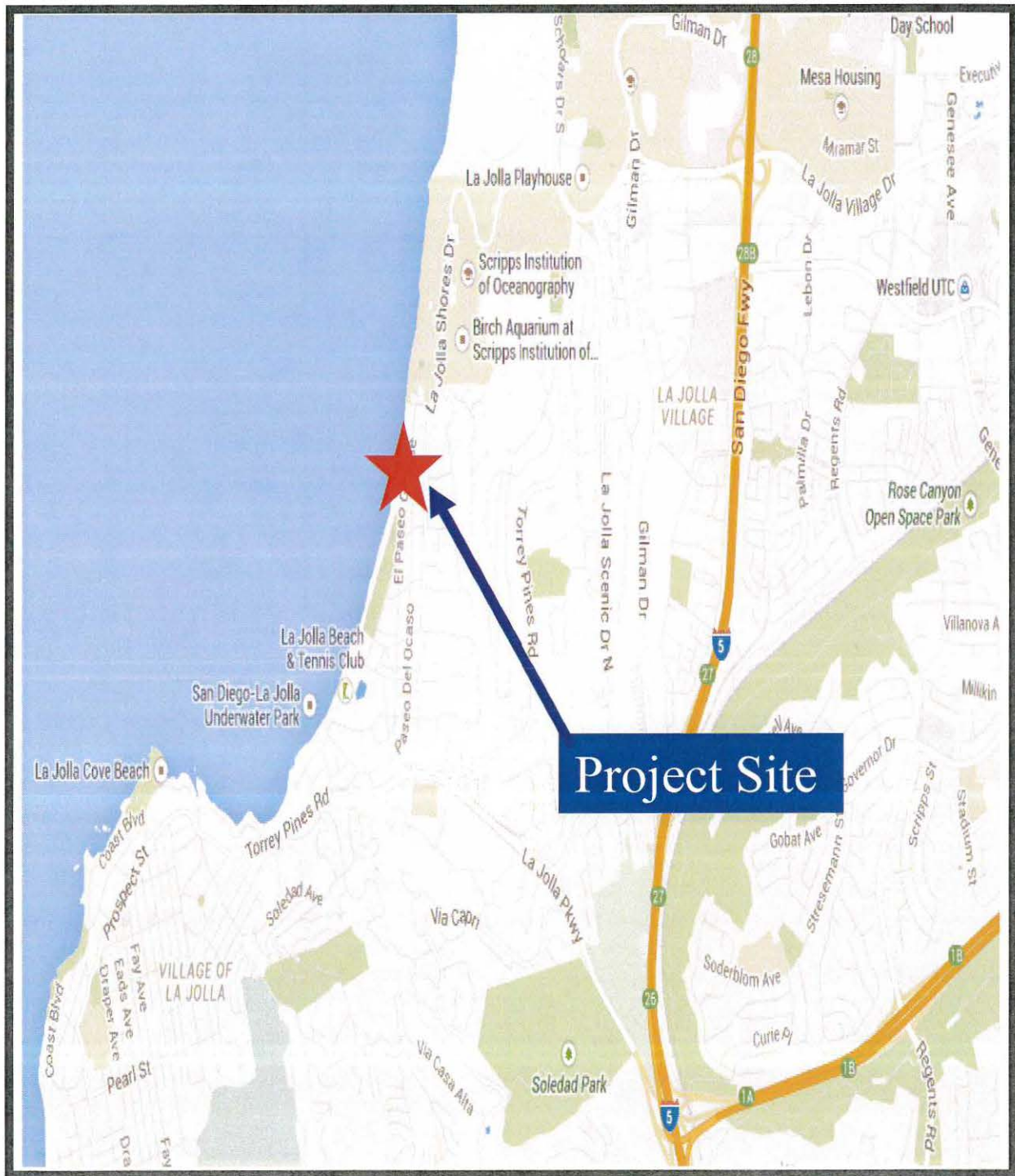
Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Tim Daly', is written over a horizontal line.

Tim Daly, Development Project Manager

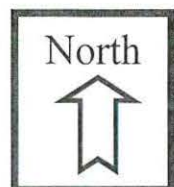
Attachments:

1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. La Jolla Shores Planned District Advisory Board Recommendation
9. Ownership Disclosure Statement
10. Project Data Sheet
11. Project Plans (Hearing Officer only)



Project Location

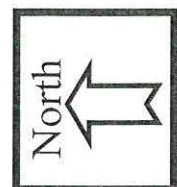
Johnson Residence, Project No. 372627
8486 El Paseo Grande

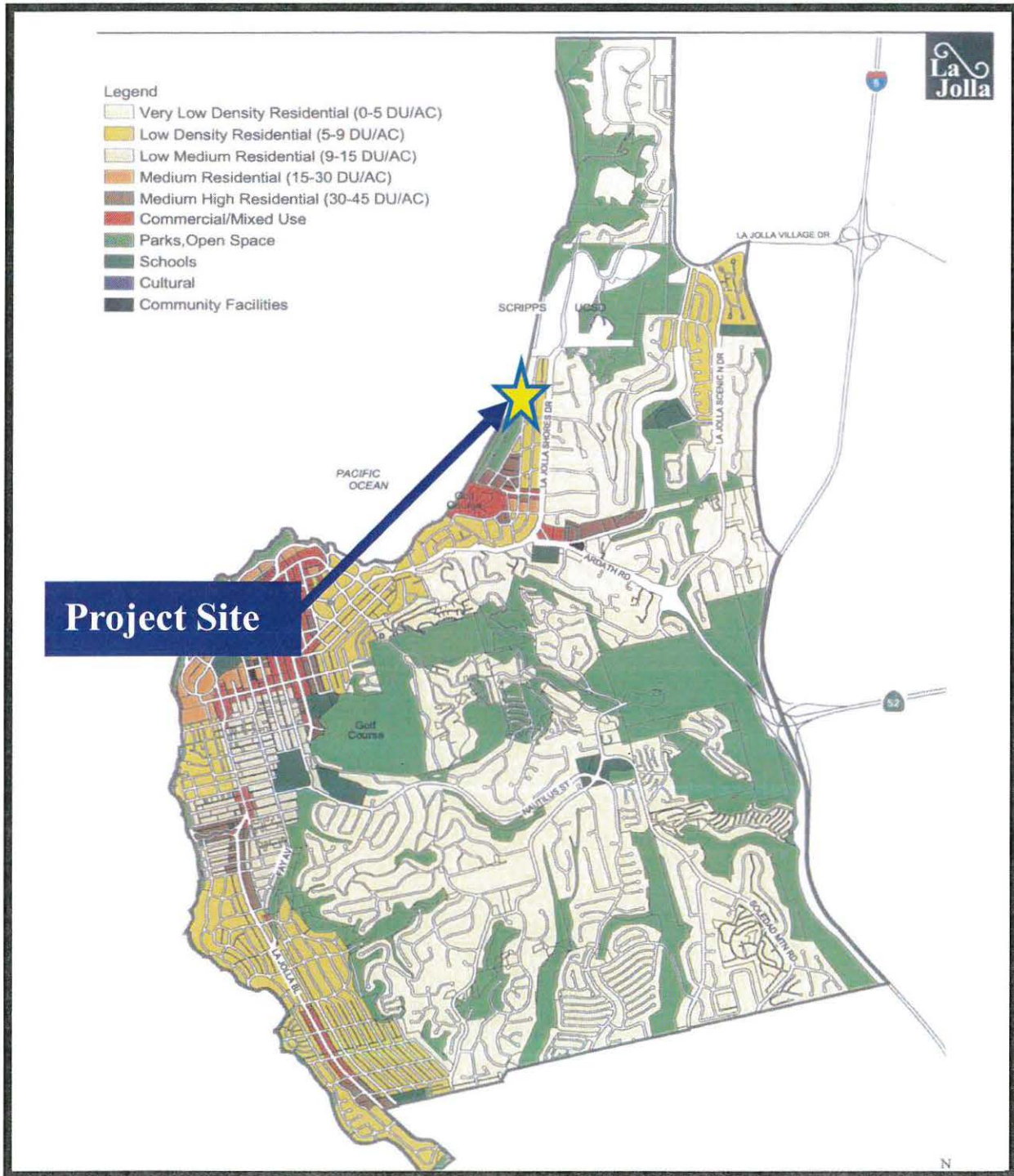




Aerial Photo

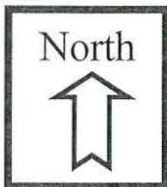
Johnson Residence, Project No. 372627
8486 El Paseo Grande





La Jolla Community Plan Land Use Map

Johnson Residence, Project No. 372627
8486 El Paseo Grande



HEARING OFFICER RESOLUTION NO. XXXXXXXX
SITE DEVELOPMENT PERMIT NO. 1322065
JOHNSON RESIDENCE - PROJECT NO. 372627

WHEREAS, Richard D. Johnson and Paula M. Johnson, Trustees of Richard Dean Johnson Sr. Living Trust, Owner/Permittee, filed an application with the City of San Diego for a permit to construct new concrete masonry unit walls, verdura planter walls, patio deck, and landscaping (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1322065), on portions of a 0.25-acre site;

WHEREAS, the project site is located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as portion of Lot 1 of Compton Terrace, in the City of San Diego, County of San Diego, State of California, according to Map 2705, filed in the Office of the County Recorder, San Diego County, September 25, 1950;

WHEREAS, on March 18, 2015, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1322065 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 6, 2015, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Section 15303; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated March 18, 2015.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The project proposes to construct three 12" to 24" tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The proposed project is consistent with the land use designation of the LJCP by replacing an existing landscaped sloped rear yard with a new landscaped rear yard with three low attached retaining walls and a slightly above grade patio deck. The new landscape area will not increase the structure height, lot coverage, gross floor area and setbacks of the existing single family dwelling unit. The development would meet the goals of the LJCP by maintaining residential development and not encroaching within a public access or public views to the beaches and bays.

The LJCP recommends that community character be maintained through several measures including: 1) new developments provide a high quality residential environment respectful of the sea, hillsides, and open space; 2) promote a development of a variety of housing types; 3) reducing bulk and scale; and 4) maintain the character of residential area by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and existing developments. No work is occurring to the existing house so the community character as it pertains to the bulk and scale and the great variation of architectural styles in the neighborhood will be maintained.

The existing single family residence with proposed the accessory improvements will continue to meet the land use regulations including compliance to the San Diego Municipal Code development regulations which include height, coverage, parking, and landscape. The project proposes no deviations or variances from the applicable regulations and is consistent with the goals and recommendations within the applicable policy documents. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project proposes to construct three 12” to 24” tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The proposed development will be constructed entirely within a previously graded site on fill soil with no encroachment into the coastal beach sand. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction. CEQA Section 15303 allows for the construction of limited numbers of new facilities, including but not limited to, accessory or appurtenant structures including garages, patios, carports, swimming pools, and fences. The proposed project does not require any mitigation measures as a condition of the permit for the accessory structures to the existing single family residence. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects to those

persons or other properties in the vicinity. Therefore, the proposed project conforms to the development regulations and will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The project proposes to construct three 12” to 24” tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project is consistent with the development regulations of the SF zone and all other pertinent regulations of the Land Development Code which includes coverage, setbacks, siting of improvements, height, grading, landscaping and architectural design. The project presents a bulk, mass, scale, and lot coverage that is proportionate to the surrounding neighborhood. The project was designed in conformance with the underlying zone and land use plan and is not requesting deviations or variances to the Land Development Code. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The project proposes to construct three 12” to 24” tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project site contains environmentally sensitive lands in the form of coastal beaches. The proposed retaining walls and deck are constructed on existing fill soils in the coastal beach area and will not affect any established view corridors. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects to those persons or other properties in the vicinity. The project site is located in an established urban neighborhood and is supplied with all utilities.

The land supports no native vegetation and is not in or adjacent to the City's Multiple Habitat Planning Area. The proposed deck and retaining walls will be constructed entirely over previously existing ornamental landscape. The proposed project would not restrict physical access to the beach and shoreline, in accordance with the Natural Resources and Open Space System

Elements of the LJCP. The proposed retaining walls, deck and associated landscape improvements, will not obstruct any visual resources or public vantage points as identified in LJCP. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The project proposes to construct three 12” to 24” tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project’s proposed development is located behind an existing seawall and the new retaining walls and deck will be built on fill soils so there will be no impact to natural landforms, erosional forces, and will not create any additional flood hazards impacts. The retaining walls and deck are of minimal height there will be no undue risk from geologic forces. The construction materials are comprised of primarily non-combustible materials and the patio deck boards will meet the Class B fire-resistance rating, as required by the California State Fire Marshall, and will not increase any fire hazards for the site. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The project proposes to construct three 12” to 24” tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project site contains environmentally sensitive lands in the form of sensitive coastal beaches. The proposed development will be constructed entirely within a previously graded site on fill soil with no encroachment into the coastal beach sand which is less than 5 feet below the existing grade. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction. CEQA Section 15303 allows for the construction of limited numbers of new facilities, including but not limited to, accessory or appurtenant structures including garages, patios, carports, swimming pools, and fences. The proposed project does not require any mitigation measures as a condition of the permit for the accessory structures to the existing single family residence. Therefore, the proposed development is sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The project proposes to construct three 12" to 24" tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA). Therefore, the project is not inconsistent with the City's MSCP.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The project proposes to construct three 12" to 24" tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project site is adjacent to the public beach, but the site is separated and behind an existing retaining wall. The permit is conditioned to require the Owner/Permittee to submit a Water Pollution Control Plan (WPCP) prior to the issuance of any construction permit. The WPCP will be prepared in accordance with the guidelines of the City's Storm Water Standards to ensure the project will not impact the abutting beach area. There are no proposed changes to the existing retaining wall and therefore the developed single family residence will continue to not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The project proposes to construct three 12" to 24" tall retaining walls and a slightly above grade wood deck with new landscape in a previous landscaped rear yard located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP).

The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction. CEQA Section 15303 allows for the construction of limited numbers of new facilities, including but not limited to, accessory or appurtenant structures including garages, patios, carports, swimming pools, and fences. The proposed project does not require any mitigation measures as a condition of the permit for the accessory structures and there will not be any negative impacts created by the proposed development.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 1322065 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. 1322065, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: March 18, 2015

Internal Order Number: 24004746

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: 24004746

SITE DEVELOPMENT PERMIT NO. 1322065
JOHNSON RESIDENCE - PROJECT NO. 372627
Hearing Officer

This Site Development Permit No. 1322065 is granted by the Hearing Officer of the City of San Diego to Richard D. Johnson and Paula M. Johnson, Trustee of Richard Dean Johnson Sr. Living Trust, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 0.25-acre site is located at 8486 El Paseo Grande in the Single Family (SF) Zone of the La Jolla Shores Planned District, Coastal Overlay Zone (Appealable Area), First Public Roadway, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay Zone, and the Sensitive Coastal Overlay Zone of the La Jolla Community Plan. The project site is legally described as portion of Lot 1 of Compton Terrace, in the City of San Diego, County of San Diego, State of California, according to Map 2705, filed in the Office of the County Recorder, San Diego County, September 25, 1950.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct new concrete masonry unit walls, verdura planter walls, patio deck, and landscaping described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 18, 2015, on file in the Development Services Department.

The project shall include:

- a. Construct a patio deck of approximately 418 square feet; construct two verdura planter walls approximately 40'-6" length and 2'-0" height, and 34'-6" length and 1'-0" height; and construct new 1'-2" high concrete masonry unit curb bolted to existing concrete walkway, all connected to the primary dwelling unit structure;
- b. New rear yard landscaping (planting, irrigation and landscape related improvements);
and

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

STANDARD REQUIREMENTS:

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

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

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

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

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

12. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2,

Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

13. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

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

15. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit Landscape Plans showing the required 30% landscaped area as required by the La Jolla Shores Planned District Ordinance, SDMC 1510.0304(h), and the required Street Trees as per SDMC 142.0610, Public Facility Regulations. Any modifications or changes to the "Landscape Plan" existing or proposed plant material, as shown on the Approved Exhibit "A," is permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores PDO [SDMC 1510.0304(h)].

16. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

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

PLANNING/DESIGN REQUIREMENTS:

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

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 March 18, 2015 and resolution No. HO-XXXXXX.

Permit Type/PTS Approval No.: Site Development Permit No. 1322065
Date of Approval: March 18, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Tim Daly
Development Project Manager

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

**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.**

Richard D. Johnson, Trustee of Richard
Dean Johnson Sr. Living Trust
Owner/Permittee

By _____

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



P. O. BOX 889
LA JOLLA
CALIFORNIA 92038

LA JOLLA COMMUNITY PLANNING ASSOCIATION

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

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

Regular Meeting – 5 January 2015

Attention: Michelle Sokolowski, PM, City of San Diego

Project: Johnson Residence
8486 El Paseo Grande
PN: 372627

Motion: Findings can be made for an SDP for the Johnson site walls and deck. **Vote: 11-0-1**

Submitted by:

Joseph LaCava

1/05/2015

Joe LaCava, President
La Jolla CPA

Date

LA JOLLA SHORES PLANNED DISTRICT

Applicant: Johnson Residence Item: # 1
8486 El Paseo Grande Date: March 20, 2012

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:

WOOD DECK + LANDSCAPING ELEMENTS - CONCEPT

(THIS PROJECT DID NOT HAVE ANY L.J. SHORES PDO ISSUES)

located TO WEST SIDE OF PROPERTY

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: 5-0-1

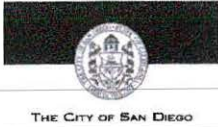
Disapproving Item: _____

James Potts
Dan M...
Suzanne Weigman
Dan Golsch

(Empty signature box)

Absentees:

[Signature]
 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**
 Johnson Yard Improvements 372627

Project Address:
 8486 El Paseo Grande, 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): Richard Johnson <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency <hr/> Street Address: 8486 El Paseo Grande City/State/Zip: La Jolla, CA 92037 Phone No: _____ Fax No: _____ 8168042513 Signature: <u>Richard Johnson</u> Date: <u>3-11-14</u>	Name of Individual (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency <hr/> Street Address: City/State/Zip: Phone No: _____ Fax No: _____ Signature : _____ Date: _____
---	--

Name of Individual (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency <hr/> Street Address: City/State/Zip: Phone No: _____ Fax No: _____ Signature : _____ Date: _____	Name of Individual (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency <hr/> Street Address: City/State/Zip: Phone No: _____ Fax No: _____ Signature : _____ Date: _____
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PROJECT DATA SHEET

PROJECT NAME:	Johnson Residence	
PROJECT DESCRIPTION:	Construction of rear yard retaining walls, patio deck, and landscaping.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential (0-5 du/ac)	
<u>ZONING INFORMATION:</u>		
ZONE: La Jolla Shores Planned District, Single Family (SF)		
HEIGHT LIMIT: 30 maximum height limit		
LOT SIZE: 11,081 square feet		
FLOOR AREA RATIO: N/A		
SIDE YARD SETBACK: Min. 4 feet; 5 feet min. provided		
ALL OTHER SETBACKS: None required		
PARKING: 2 parking spaces required; 4 provided		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; LJSPDO SF	Single Family Residential
SOUTH:	Residential; LJSPDO SF	Single Family Residential
EAST:	Residential; LJSPDO SF	Single Family Residential
WEST:	OP-1-1	Beach/Ocean
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On January 5, 2015 the La Jolla Community Planning Association voted 11-0-1 to recommend approval of the proposed project with no additional conditions.	