

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	June 10, 2015	REPORT NO. HO-15-059
ATTENTION:	HEARING OFFICER	
SUBJECT:	FENTISOVA RESIDENCE; PROJECT NO PROCESS 3	0. 341980
LOCATION:	8374 Paseo Del Ocaso	
OWNER/ APPLICANT:	Viacheslav and Elena Fentisova	

SUMMARY

<u>Requested Action</u>: Should the Hearing Officer approve the demolition of an existing single family dwelling unit and to construct a single-family dwelling unit on a 0.12 acre site located at 8374 Paseo Del Ocaso in the La Jolla Shores Planned District within the La Jolla Community Plan and Local Coastal Program Land Use Plan Area?

Staff Recommendation:

- 1. **ADOPT** Mitigated Negative Declaration No. 341980 and **ADOPT** the Mitigation, Mitigation, Monitoring, and Reporting Program; and
- 2. **APPROVE** Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434.

<u>Community Planning Group Recommendation</u>: On February 5, 2015, the La Jolla Community Planning Association voted 12-0-2 to recommend approval of the project (Attachment 10).

<u>Other Recommendations</u>: On November 18, 2014, the La Jolla Shores Advisory Board voted 4-0-0 to recommend denial of a previous version of the project based on bulk and scale, and setbacks (Attachment 11).

<u>Environmental Review</u>: A Mitigated Negative Declaration (MND) No. 341980 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, which address potential impacts to Historical Resources

(Archaeology). A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project, which will reduce the potential impacts to below a level of significance.

BACKGROUND

The proposed project site is located at 8374 Paseo Del Ocaso (Attachment 1), south of Camino Del Oro (Attachment 2). The property is in the SF Zone of the La Jolla Shores Planned District (Attachment 3) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Attachment 4), Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, La Jolla Shores Archaeological Study Area, Parking Impact Overlay Zone (Beach Impact Area), and the Residential Tandem Parking Overlay. The zoning designation is a single family residential zone which allows for the development of a single dwelling unit. The La Jolla Community Plan (LJCP) designates the proposed project site for Low Density Residential land use at 5-9 dwelling units per acre (DU/AC). The project site, occupying 0.12 acres, could accommodate one dwelling unit based on the underlying zone and one dwelling unit based on the community plan. The surrounding properties have been previously graded and developed with existing single-family dwelling units. The properties are zoned SF within the La Jolla Shores Planned District (LJSPD), and the land use designation is Low Density Residential at 5-9 DU/AC.

The project site is an interior lot with frontage on Paseo Del Ocaso. The parcel has been previously graded and developed with an existing single-family dwelling unit. The existing single-family dwelling unit was constructed in 1960. A historical assessment was performed and City staff reviewed the photos, Assessor's Building Record, water and sewer records, written description of the property and alterations, chain of title, and listing of occupants, as well as any available historic photographs, Sanborn maps, and Notices of Completion. In addition, staff has considered any input received through applicable public noticing and outreach, and have made the determination that the property and associated structure would not be considered historically or architecturally significant in terms of architectural style, appearance, design, or construction associated with important persons or events in history. In addition, the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

DISCUSSION

Project Description:

The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the gross floor area (GFA)) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an

office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is an interior lot, and is located approximately 500 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea and Paseo Del Ocaso at this location is not designated as a physical accessway or view corridor, and does not contain intermittent or partial vistas, viewsheds or scenic overlooks as indentified within the adopted LJCP and Local Coastal Program Land Use Plan. The Residential Element of the LJCP identifies Community Character as common development pattern and streetscape themes throughout the neighborhood. Elements of character are illustrated through bulk and scale, street and site fixtures, and materials and colors used in pavement and in structural design. One of the goals within the LJCP is to maintain the character of the residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.

The project site is immediately adjacent to a one-story single family dwelling unit to the north and a two-story single family dwelling unit to the south. Development along the block consists of various architectural styles and are comprised mostly of two-story single family dwelling units with some one-story residences and a three-story single family dwelling unit. The proposed development incorporates various horizontal and vertical off setting planes and complies with the maximum allowable height of the zone and with the required setbacks. In addition, the project provides articulation along the facades, architectural projections, and uses stucco, textured limestone, wooden gray marble veneer, mahogany wood veneer, and various green wall/screens on the exterior of the building. The use of these upgraded, quality finishes and materials and muted earth-tone colors are consistent with what has been generally used in the surrounding development. The proposed setbacks, in addition to the offsetting planes, variation in building materials help break up the perceived bulk and scale and are an adequate transition between the proposed development and the existing one- and two-story single family dwelling units, and implement the community character recommendations within the LJCP.

The project site slopes down approximately eight feet easterly from the public right-of-way toward the western rear property line. The site is approximately 11.8 feet above Mean Sea Level (MSL) at the rear property line and 19.6 feet above MSL at the front property line, and is located above the 100-year floodplain. The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103. The project proposes a maximum building height of 29 feet 9 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone (CHLOZ).

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Development of the proposed project requires the approval of a Process 2 Coastal Development Permit (CDP) for coastal development in the Non-Appealable Area 2 of the Coastal Overlay Zone, and a Process 3 Site Development Permit (SDP) for development within the LJSPD. Because the project utilizes renewable technologies and qualifies as a Sustainable Building, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Environmental Analysis:

A Mitigated Negative Declaration (MND) No. 341980 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, which address potential impacts to Historical Resources (Archaeology). A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project, which will reduce the potential impacts to below a level of significance.

As outlined in Archaeology Section of MND No. 341980, the project site is located on the City of San Diego's Historical Resources Sensitivity Map. Furthermore the project site is located within an area of La Jolla Shores that requires special considerations due to archaeological sensitivity of the area with respect to the Spindrift archaeological site and there is a high potential for project grading to impact unknown prehistoric resources including human remains. A record search of the California Historic Resources Information System (CHRIS) digital database was reviewed to determine presence or absence of potential resources within the project site by qualified archaeological City staff. Although no recorded archaeological sites were located within or adjacent to the project site, due to the project's location within the Spindrift site and redevelopment of the site, there is a potential for the project to impact archaeological resources. Therefore, archaeological and Native American monitoring during ground disturbing activities is required, and a MMRP, as detailed within Section V of the MND, would be implemented. With the implementation of the historical resources monitoring program, potential impacts on historical resources would be reduced to less than significant.

La Jolla Shores Advisory Board:

On November 18, 2014, the La Jolla Shores Advisory Board (LJSAB) voted 4-0-0 to recommend denial of the project based on the member's concerns regarding bulk and scale, and setbacks (Attachment 11). Since the LJSAB meeting, the applicant has revised the design to increased front setback to 19 feet (from previous 15 feet), a 13.5 foot rear setback, and reduced GFA to 4,275 square feet, which includes the garage area (from previous 6,500 square feet). The revised project design provides articulation along the facades, architectural projections, and uses stucco, textured limestone, wooden gray marble veneer, mahogany wood veneer, and various green wall/screens on the exterior of the building. The use of these upgraded, quality finishes and materials and muted earth-tone colors are consistent with what has been generally used in the surrounding development. The proposed setbacks, in addition to the offsetting planes, variation in building materials help break up the perceived bulk and scale and are an adequate transition

between the proposed development and the existing one- and two-story single family dwelling units, and implement the community character recommendations within the LJCP. The revised design was presented to the La Jolla Community Planning Association, and on February 5, 2015, the group voted 12-0-2 to recommend approval of the project (Attachment 10).

Conclusion:

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site per the adopted LJCP, LJSPD, Local Coastal Program Land Use Plan, SDMC, and the General Plan. Therefore, staff recommends to the Hearing Officer to approve the CDP and SDP as presented.

ALTERNATIVES

- 1. **ADOPT** Mitigated Negative Declaration No. 341980 and **ADOPT** the Mitigation, Mitigation, Monitoring, and Reporting Program; and **APPROVE** Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434, with modifications.
- 2. **DO NOT ADOPT** Mitigated Negative Declaration No. 341980 and **DO NOT ADOPT** the Mitigation, Mitigation, Monitoring, and Reporting Program; and **DENY** Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Jeffrey A. Peterson Development Project Manager Development Services Department

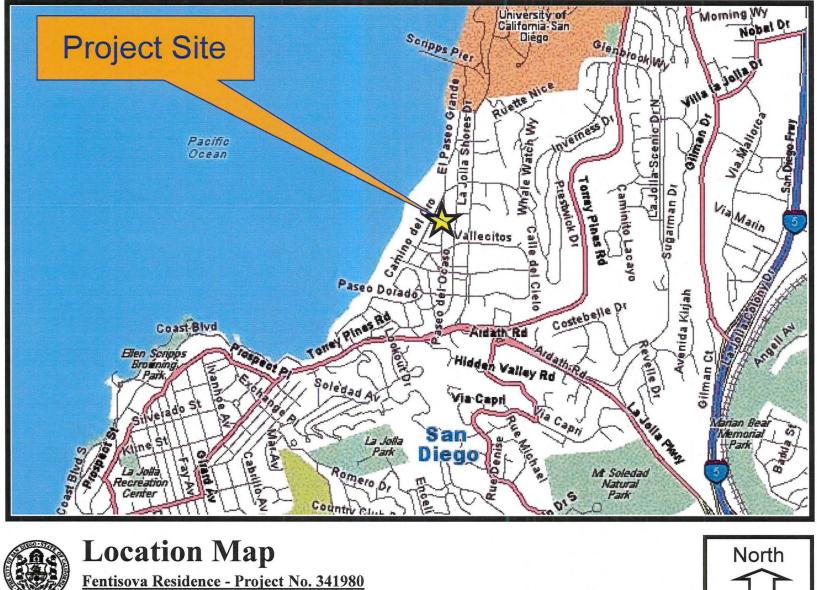
PETERSON/JAP

Attachments:

- 1. Location Map
- 2. Aerial Photograph
- 3. Zoning Map
- 4. Community Plan Land Use Map
- 5. Project Data Sheet
- 6. Project Plans
- 7. Draft CDP and SDP Permit with Conditions
- 8. Draft CDP and SDP Resolution with Findings

- 9. Draft MND Resolution
- 10. La Jolla Community Planning Association Recommendation
- 11. La Jolla Shores Advisory Board Recommendation
- 12. Ownership Disclosure Statement
- 13. Project Chronology
- 14. Copy of Public Notice (forwarded to HO)
- 15. Copy of Project Plans (full size-forwarded to HO)

Internal Order No. 24004174

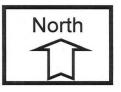


8374 Paseo Del Ocaso

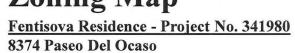


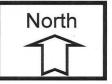


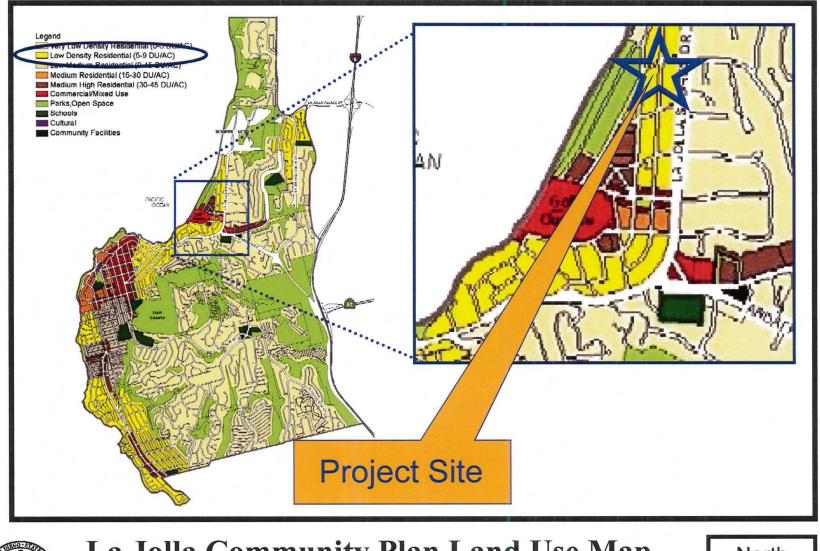
Aerial Photograph <u>Fentisova Residence - Project No. 341980</u> 8374 Paseo Del Ocaso













8374 Paseo Del Ocaso

La Jolla Community Plan Land Use Map Fentisova Residence - Project No. 341980



PROJECT DATA SHEET

PROJECT NAME:	Fentisova Residence - Project No. 341980	
PROJECT DESCRIPTION:	Demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the gross floor area (GFA)) and associated site improvements that includes an in-ground pool on a 0.12 acre site.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Coastal Development Permit and Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential (5-9 dwelling units per acre)	

ZONING INFORMATION:

ZONE: SF (Single Family) of LJSPD

HEIGHT LIMIT: 30-foot maximum height limit

LOT SIZE: Any size legal lot

FLOOR AREA RATIO: NA

LOT COVERAGE: 60 percent

FRONT SETBACK: General Conformity to the Neighborhood

SIDE SETBACK: General Conformity to the Neighborhood

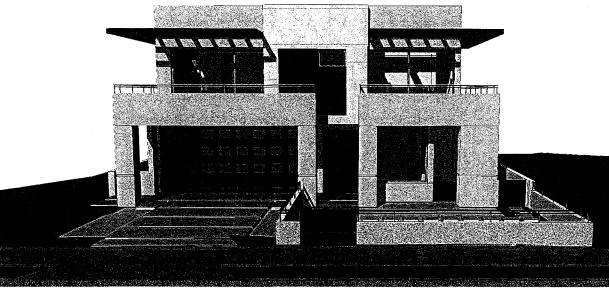
STREETSIDE SETBACK: NA

REAR SETBACK: General Conformity to the Neighborhood

PARKING: 2

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Low Density Residential; Single Family Residence SF		
SOUTH:	Low Density Residential; SF	Single Family Residence	
EAST:	Low Density Residential; SF	Single Family Residence	
WEST:	Low Density Residential; SF	Single Family Residence	
DEVIATIONS OR VARIANCES REQUESTED:	None		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 5, 2015, the La Jolla Community Planning Association voted 12-0-2 to recommend approval of the project. On November 18, 2014, the La Jolla Shores Advisory Board voted 4-0-0 to recommend denial of a previous version of the project based on bulk and scale, and setbacks.		

FENTISO $\overline{\sqrt{}}$ D)E



, 1888 18 i	· · · · ·			
	This project incorporates t development techniques a	the following sustainable, clean, and green building and conservation efforts, consistent with the San Diego	OWNER	í,
	General Plan conservation CE-A.5.a. • Minimizing energy use th factors such as sun-shadt 1. Building is orient 2. Cross ventilation East and West fa 3. Openings on the	1 Element: rough Innovative site design and building orientation that addresses patterns, prevailing winds, landscape, and sun-acreens: daround a patio to the southwast to take advantage of sun; from prevailing west wind is facilitated by operable openings on the cades; South Pacade are minimal and lower Glass is used to prevent solar.	MR. SLAVA & MRS. 6 8374 PASEO DEL OC LA JOLLA, CA 92037	ELENA FENTI XASO
	heat gain and wh 4. Eaves, overhang	lle allowing for natural lighting; s and trellis sun screens are used over West facing windows.	L	
	Employing self generation Photovoltaic Pan Reducing levels of non-e	ite allowing for natura injuring; s and trellis sun screens are used over West facing windows. n of energy using renewable technologies, i.e. photovoltaic system: els are planned for the South and West facing roots; ssential lighting, heating and cooling;	EXISTIN	IG SI
	the design to create a	an efficient building that will not need the use of electric lighting		
١	gain or loss; • Using energy efficient ap 1. New appliances a equivalent. CE-4.7	and lighting will be energy efficient and Energy Star rated or the	SINGLE STORY, SIN 50FT X 105FT AT 837	GLE FAMILY 74 PASEO DE
\	Construct and operate built	idings using materials, methods, and mechanical and electrical athful indoor air quality. Avoid contamination by carcinogens, volatile		
$\overline{}$	organic compounds, fungi a. Eliminate the use of chi	, molds, bacteria, and other known toxins. orofluorocarbon-based refrigerants in newly constructed facilities tions and retroffs for all heating, ventilation, air conditioning, and systems. Indoor air contaminants that are odorous or potentially	PROJEC	CT TE
	irritating to protect installer	rs and occupants' health and comfort. Where feasible, ves, paints, coatings, carpet systems, composite wood,	DESIGNER:	KLUBHA HILARY I PO BOX SAN DIE
	Reduce construction and o PF-I.2, or by renovating or	demolition waste in accordance with Public Facilities Element, Policy adding on to existing buildings, rather than constructing new		PHONE:
_	 Demolition waste CE-A.9. 	is kept to the minimum amount necessary to the project. will be recycled and/or reused where possible.	LAND SURVEYOR:	TEAS LA WILLIAM 2364 OAI ESCOND
	derived from sustainable o	use materials that have recycled content, or use materials that are ir rapidly renewable sources to the extent possible, through factors	GEOTECHNICAL:	PHONE: ALLIED E
	including:	nstruction and recycling activities to take place during	GEOTECHNICAL:	ROBERT 7915 SIL
	Using life cycle costing in techniques. Life cycle cost	struction phases. decision-making for materials and construction ing analyzes the costs and benefits over the life of a		SAN DIE PHONE:
	particular product, technol • Implementing effective e	ing analyzes the costs and benefits over the life of a ogy, or system; conomic incentives to recycle construction and		PHONE:
	demolition debris (see also CE-A.10.	Public Facilities Element, Policy PF-I.2).	LANDSCAPE ARCHITECT:	JD DESI
	Include features in building and associated refuse stor	is to facilitate recycling of waste generated by building occupants age areas. iquate, and convenient space for individual building		JD DESIC JOE DOC 3571 ING
	occupants to collect refuse	and recyclable material.		SAN DIE (812) 350
	will remain.	eady designated on the West side of the house in a gated area and		
	The space should allow for plastic metals, yard waste	ollection area that serves the entire building or project. the separation, collection and storage of paper, glass, and other materials as needed.		
	 This area is alrea will remain. 	dy designated on the West side of the house in a gated area and	BUILDIN	IG C
	 These accommod CE-A.11. 	lations are adequate for a single family residential unit.		
	Implement sustainable lan 1. The new landscag irrigation throughout a. Use integrated pest man dependence on the use of b. Encourage composting	decape design and maintenance. sing will in incorporate draught resistant planting and high efficiency agement techniques, where feasible, to delay, reduce, or eliminate pesticides, horbiddes, and synthetic farilitares. efforts through education, incentives, and ober activities.	CONSTRUCTION: OCCUPANCY CLASS NUMBER OF STORIE GOVERNING CODES	S
		impervious surfaces in developments, especially where public es are proposed to serve as recreation opportunities ent, Policy RE-A.5 and A.7). uous shade trees, evergreen trees, and drought tolerant native to contribute to sustainable development goals.	SPRINKLER SYSTEM AIRPORT APPROACE AIRPORT ENVIRONS	H:
	e. Reduce use of lawn type	es that require high levels of irrigation.	THIS PROJECT WILL	COMPLY W
	g. Minimize the use of land h. Implement water conser	ting mature trees and native vegetation into site designs. iscape equipment powered by fossil fuels. vation measures in site/building design and landscaping.	CALIFORNIA CONST 2010 CALIFORNIA RI BUILDING CODE, TH THE 2010 CALIFORN	ESIDENTIAL
	 Encourage the use of hig the use of potable water fo projects to the maximum e 	 Interfacione (inigation technology, and recycled site water to reduce r inigation. Use recycled water to meet the needs of development xtent feasible. (see Policy CE-A-12). 	THE 2010 CALIFORN CALIFORNIA MECHA	IA PLUMBING
	<u> </u>		ARCHITE	CTU
		SHEET INDEX		.010
	Sheet Number	Sheet Name	DI	MENSION
	02 - PLANS A1.0	SITE PLAN		
	A1.0	SURVEY MAP	DI	MENSION
	A1.2	WATER POLLUTION CONTROL PLAN		
	A1.3	LANDSCAPE PLAN		
	A1.4	PLANTING LEGEND & NOTES		

A1.4 A2.0

A3.0

A3.1 A3.2 A3.3

A5.1

A5.2

A6.1

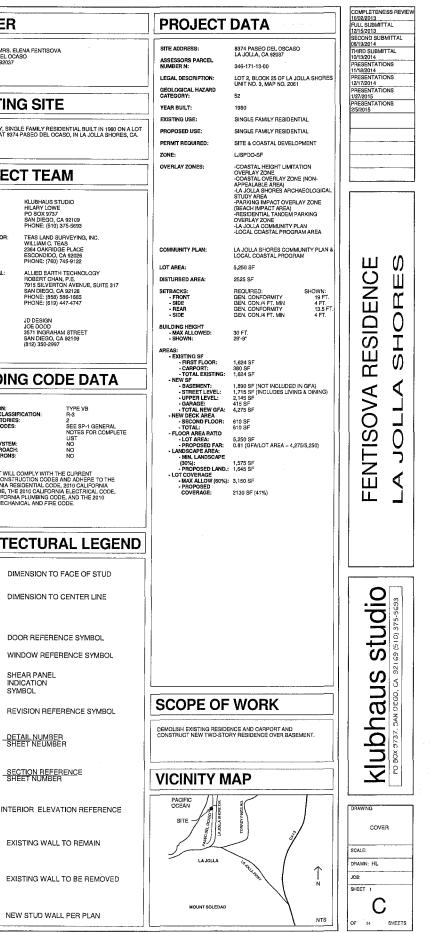
A6.2

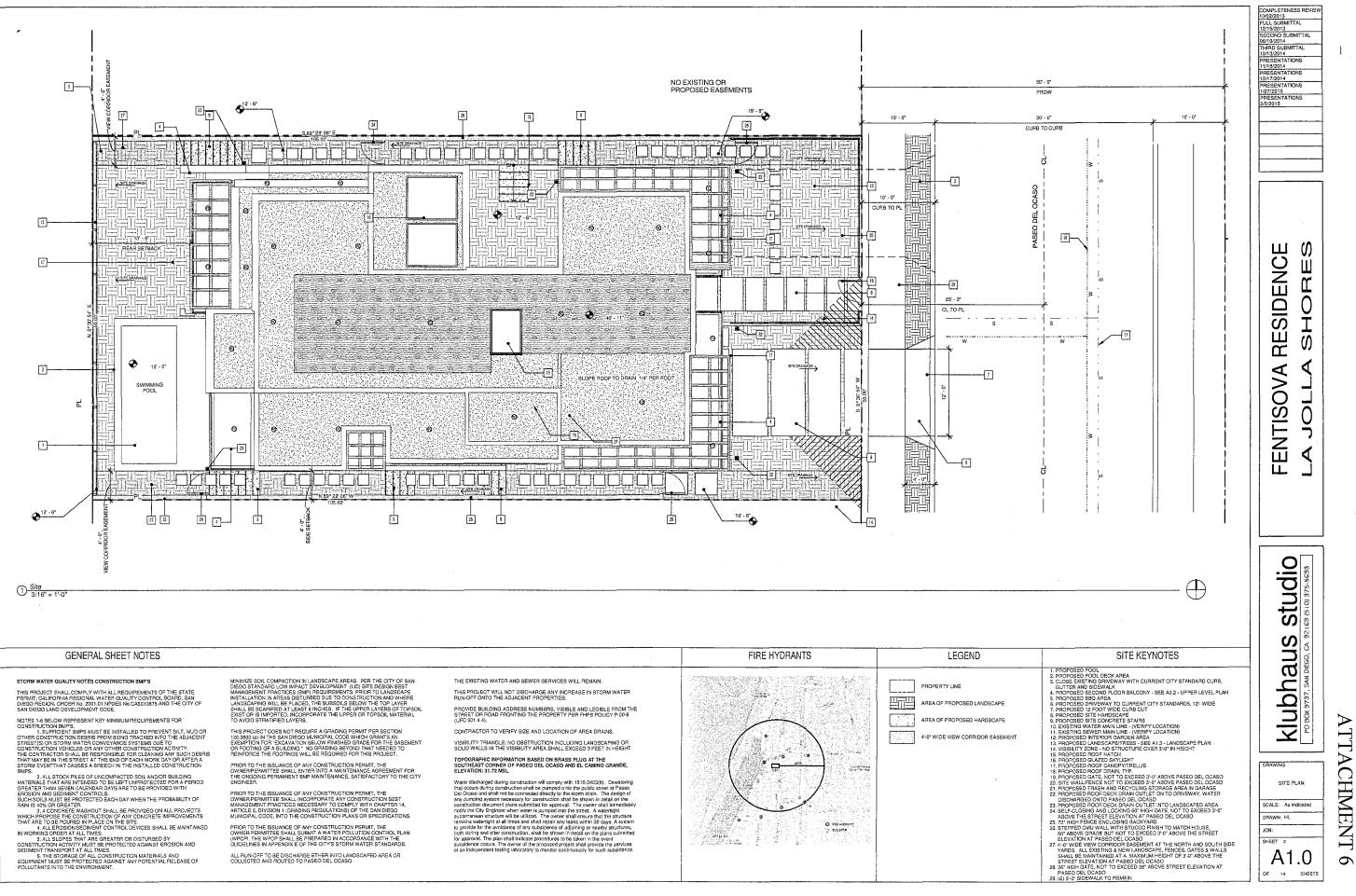
03 - ELEVATIONS

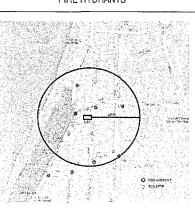
04 - SECTIONS

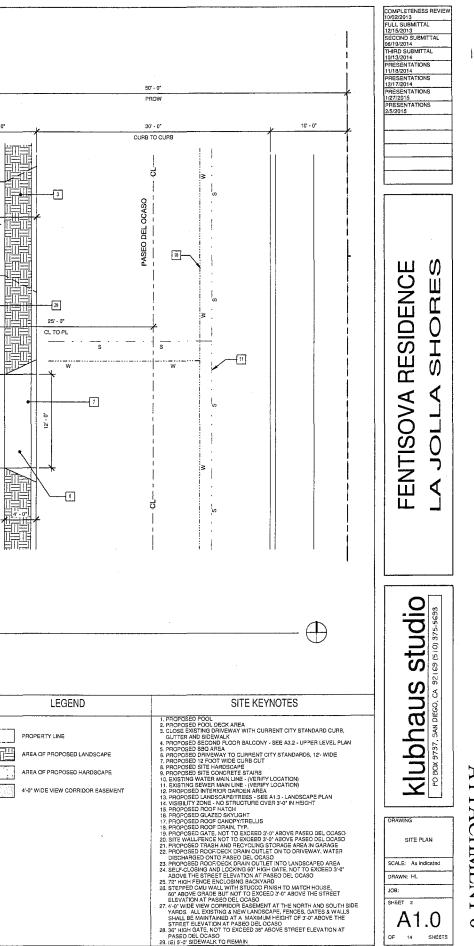
SITE PLAN		
SURVEY MAP	1 -	DIMENSION 1
WATER POLLUTION CONTROL PLAN		
LANDSCAPE PLAN		
PLANTING LEGEND & NOTES		
DEMO PLAN		DOOR REFER
BASEMENT LEVEL		
STREET LEVEL		WINDOW RE
MASTER/UPPER LEVEL	l ~	
ROOF LEVEL		SHEAR PANE
		INDICATION SYMBOL
EXTERIOR ELEVATIONS		
EXTERIOR ELEVATIONS	$ \bigtriangleup$	REVISION RE
0000000	$ \square$	DETAIL NUM
SECTIONS		SHEET NEUM
SECTIONS		
		SECTION DES
		SHEET NUME
	Ú	
	$ \Delta$	INTERIOR ELE
		EXISTING WA
	E==1	EXISTING WA
	Sec. B. Sec.	NEW STUD W

ATTACHMENT 6

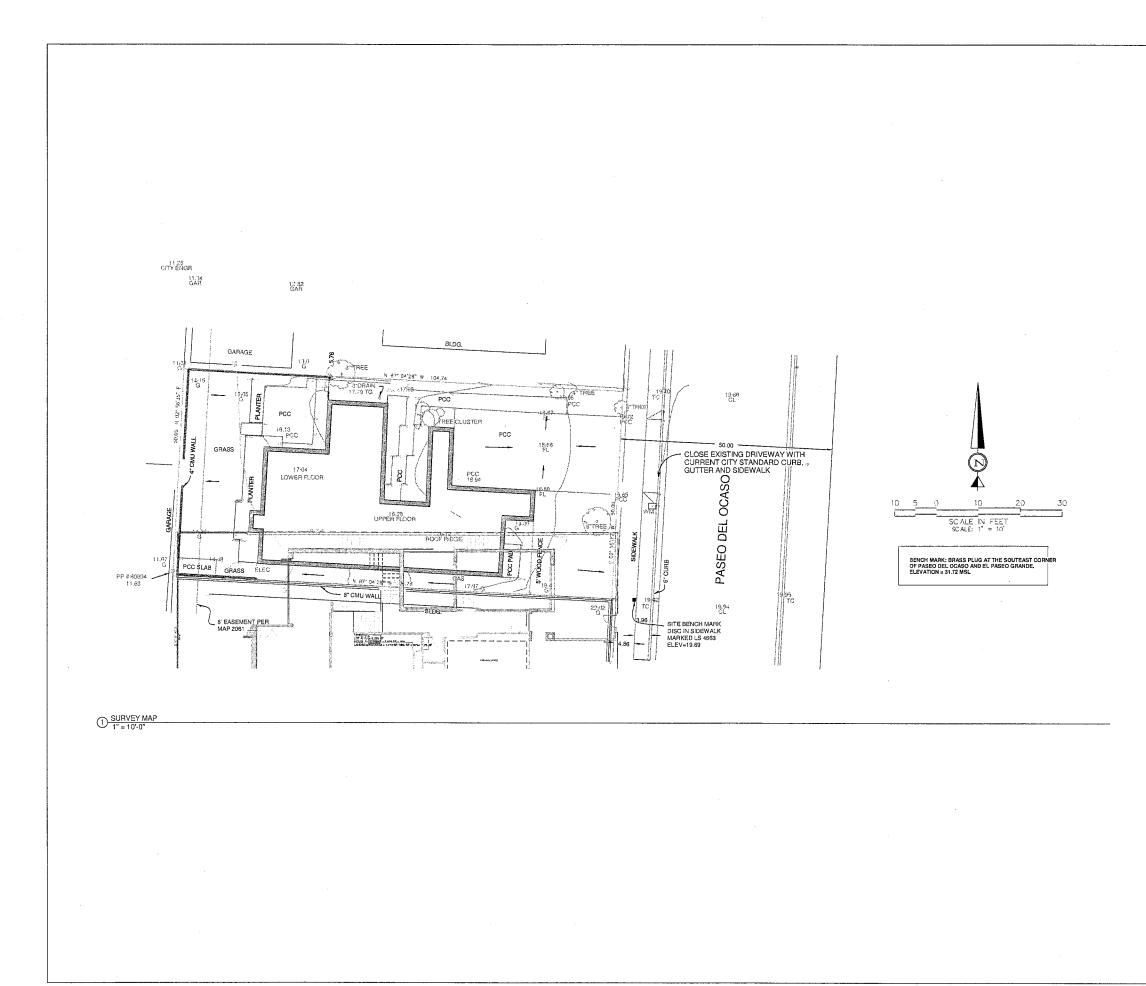




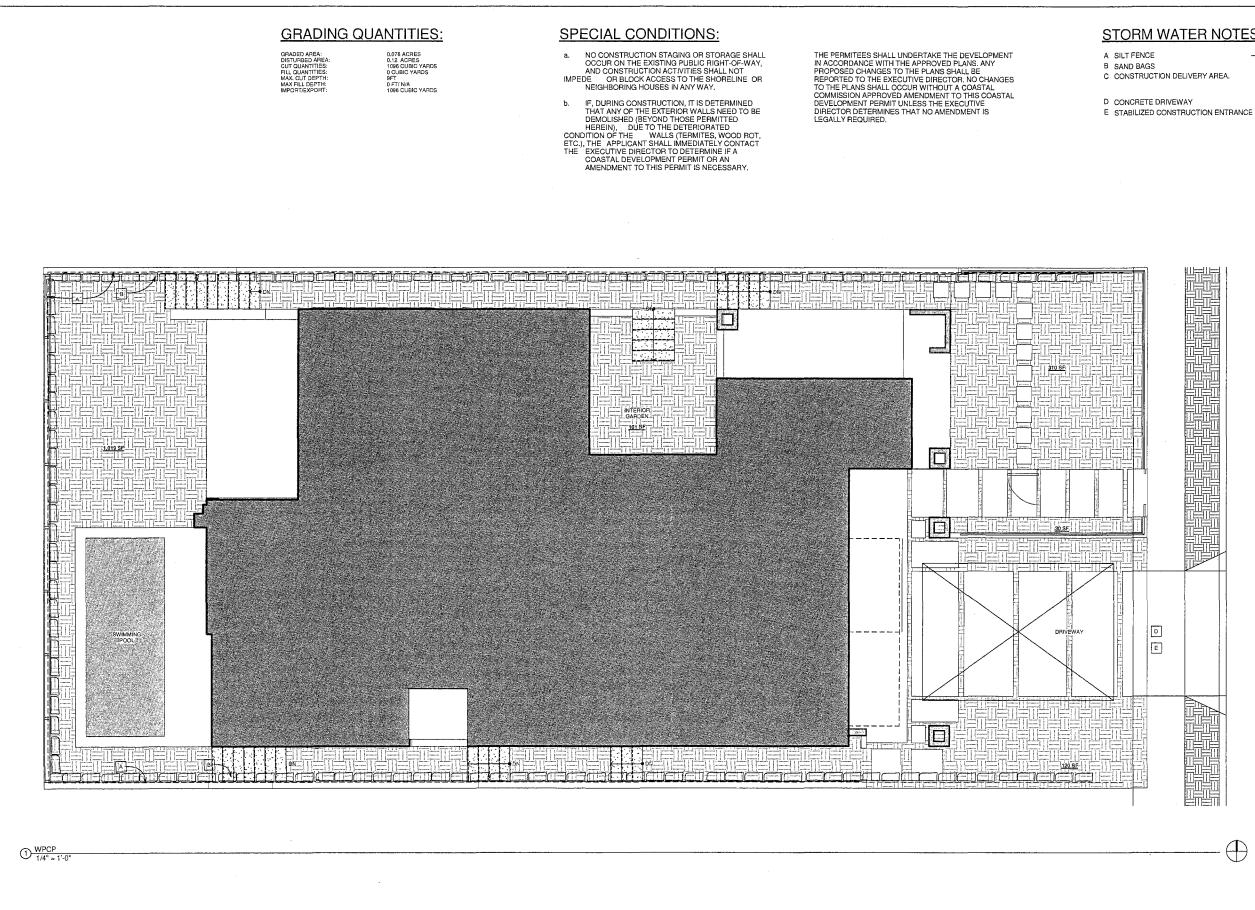




ACHMENT



GENERAL SHEET NOTES	COMPLETENESS REVIEW 10/02/2013 FULL SUBMITTAL 12/13/2013 SECOND SUBMITTAL 05/13/2014 THIRD SUBMITTAL 10/13/2014 PRESENTATIONS 12/17/2014 PRESENTATIONS 12/17/2015 PRESENTATIONS 25/2015
LEGEND	FENTISOVA RESIDENCE LA JOLLA SHORES
	LOBOX 9727, SAN DEGO, CA 921 EG (10) 375-553 PRAMAD RELATION OF 14 SHEEL2



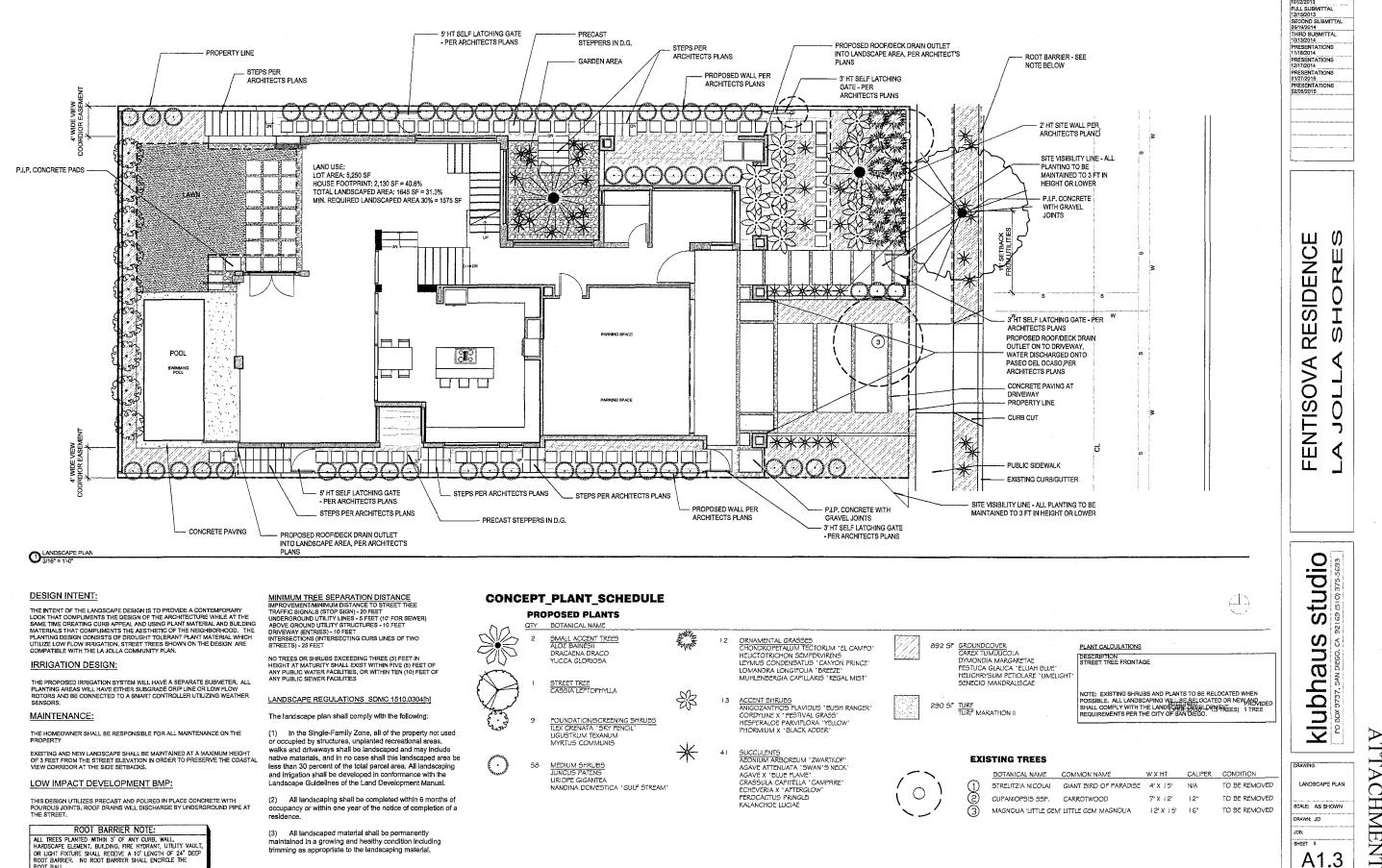
OMPLETENESS REVIEW COMPLETENESS REVIE 10/02/2013 FULL SUBMITTAL 12/15/2013 SECOND SUBMITTAL D6/19/2014 THIRD SUBMITTAL 10/02/014

10/13/2014 PRESENTATIONS

STORM WATER NOTES:







ROOT BARRIER. NO ROOT BARRIER SHALL ENCIRCLE THE

ATTACHMENT 6

COMPLETENESS REVIEW

TT \triangleright CHMENT

9

OF 14

SHEETS

CONCEPT_PLANT_SCHEDULE

	EXIS	TING TREES					
\sim		BOTANICAL NAME COMMON NAME	W X HT CALIPER				
\sim)	1	STRELITZIA NICOLAI GIANT BIRD OF PARA	ADISE 4'X 5' N/A	TO BE REMOVED			
\bigcirc ;	ð	CUPANIOPSIS SSP. CARROTWOOD	7'X 2' 2"	TO BE REMOVED			
$\sim -'$	3	MAGNOLIA 'LITTLE GEM' LITTLE GEM MAGNOL	IA 12'X 15' 16"	TO BE REMOVED			
		POSED PLANTS				MATURE SPREAD X	
00	QTY	BOTANICAL NAME	COMMON NAME	FORM	FUNCTION	HEIGHT	SIZE
	2	SMALL ACCENT TREES ALOE BAINESII DRACAENA DRACO YUCCA GLORIOSA	ALOE DRAGON TREE SPANISH DAGGER	UPRIGHT/VASE UPRIGHT/VASE UPRIGHT/VASE	EVERGREEN ACCENT EVERGREEN ACCENT EVERGREEN ACCENT	15' X 25' 20' X 20' 8' X 10'	24" BOX/100%
\mathcal{D}	I	STREET TREE CASSIA LEPTOPHYLLA	GOLD MEDALLION TREE	BROAD CANOPY	SEMI-DECIDUOUS/FLOWERIN	G 30' X 25'	24" BOX/100%
	9	FOUNDATION/SCREENING SHRUBS ILEX CRENATA `SKY PENCIL` LIGUSTRUM TEXANUM MYRTUS COMMUNIS	SKY PENCIL JAPANESE HI TEXAS PRIVET COMMON MYRTLE	OLLY UPRIGHT UPRIGHT UPRIGHT	EVERGREEN/FOUNDATION EVERGREEN/FOUNDATION EVERGREEN/FOUNDATION	8' X 10' 8' X 10' 5' X 6'	5 GAL/ 100%
MUNUCLE HE HER	58	MEDIUM SHRUBS JUNCUS PATENS LIRIOPE GIGANTEA NANDINA DOMESTICA `GULF STREAM`	CALIFORNIA GRAY RUSH GIANT LIRIOPE HEAVENLY BAMBOO	UPRIGHT/VASE VASE SHAPED ROUNDED	EVERGREEN/FOUNDATION EVERGREEN/FOUNDATION EVERGREEN/FOUNDATION	2' X 2' 3' X 3' 2' X 2'	5 GAL/ 100%
South States	12	ORNAMENTAL GRASSES CHONDROPETAILIM TECTORUM 'EL CAMPO' HELICTOTRICHON SEMPERVIRENS LEYMUS CONDENSATUS 'CANYON FRINCE' LOMANDRA LONGIFOLIA 'BREEZE' MUHLENBERGIA CAPILLARIS 'REGAL MIST'	CAPE RUSH BLUE OAT GRASS NATIVE BLUE RYE DWARF MAT RUSH MUHLY	CAPE RUSH FULL SWORD SHAPED WEEPING FULL	MASSING MASSING MASSING MASSING MASSING	4' X 3' 3' X 3' 3' X 4' 3' X 3' 3' X 3' 3' X 3'	5 GAL/ 1 00%
	13	ACCENT SHRUBS ANIGOZANTHOS FLAVIDUS 'BUSH RANGER' CORDYUNE X 'FESTIVAL GRASS' HESPERALOE PARVIFLORA 'YELLOW' PHORMIUM X 'BLACK ADDER'	KANGAROO PAW DRACAENA YELLOW YUCCA NEW ZEALAND FLAX	VASE SHAPED WEEPING VASE SHAPED SWORD SHAPED	ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR	2' X 2' 2' X 2' 2' X 2' 3' X 3'	5 GAL/ 100%
*	41	SUCCULENTS AEONIUM ARBOREUM 'ZWARTKOP' AGAVE ATTENUATA 'SWAN'S NECK' GRASSULA CATIELLA 'CAMPFIRE' ECHEVERIA X 'AFTERGLOW' FEROCACTUS PRINGLEI KALANCHOE LUCIAE	BLACK ROSE AEONIUM AGAVE BLUE FLAME AGAVE CAMPFIRE CRASSULA AFTERGLOW ECHEVERIA BARREL CACTUS PADDLE PLANT	STALKED CLUMPING RADIAL SPREADING CLUMPING UPRIGHT FULL	ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR ACCENT/COLOR	VARIES 5' X 5' 3' X 3' 2' X 2' 1 8" X 1 8" 2' X 4' 3' X 3'	5 GAL/ 50% I GAL/ 50%
	892 SF	GROUNDCOVER CAREX TUMULICOLA DYMONDIA MARGARETAE FESTUCA GLAUCA 'ELIJAH BLUE' HELICHRYSUM PETICULAE 'UMELIGHT' SENECIO MANDRALISCAE	BERKELEY SEDGE DYMONDIA BLUE FESCUE LIMELIGHT LICORICE PLAN BLUE FINGER	CLUMPING SPREADING CLUMPING T SPREADING SPREADING	GROUNDCOVER GROUNDCOVER GROUNDCOVER GROUNDCOVER GROUNDCOVER	8" X 8" 6" X 2" ' X 1 4' X 8" 8" X 3'	i gal/ go% Flats/ 40%
	290 SF	TURF TURF MARATHON II	MARATHON II	-			

LANDSCAPE DEVELPMENT AND BRUSH MANAGEMENT NOTES

AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A RETAINING WALLS: HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE WHERE RETAINING ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.

IRRIGATION SYSTEM SHALL BE DESIGNED WITH A COMBINATION OF STREAM ROTOR AND SPRAY HEADS LOCATED TO MAXIMIZE PRECIPITATION OFFICIENCY.

ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT CODE, LANDSCAPE REGULATIONS; THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS' AND ALL OTHER CITY AND REGIONAL STANDARDS.

MINIMUM TREE SEPARATION DISTANCE

	MIN DISTANCE (FEET)
IMPROVEMENT	TO STREET TREE
TRAFFIC SIGNAL/STOP SIGN	. 20
UNDERGROUND UTILITY LINES	5
ABOVE GROUND UTILITY STRUCTURES	10
DRIVEWAY ENTRIES	10
INTERSECTIONS .	25
SEWER LINES	10

* INTERSECTING CURS LINES OF TWO STREETS

MAINTENANCE

ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PROPERTY OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

MULCH: ALL REQUIRED PL COVERED WITH N AND AREAS PLAN

WHERE RETAINING WALLS (6 FEET IN HEIGHT OR GREATER) ARE PROPOSED, PROVIDE PLANTING IN FRONT OF THE RETAINING WALLS, PLANTING IN CELL OF A WALL (MINIMUM TWO CELLS DEEP) AND PLANTING ON TOP OF THE WALL.

PERMANENT REVEGETATION AND AN AUTOMATIC ABOVE GRADE TEMPORARY IRRIGATION SYSTEM IS REQUIRED PER TABLE (142-04F) FOR ALL DISTURBED AREAS WITHIN (100) FEET OF NATIVE OR NATURALIZED VEGETATION AREAS WITH A MINIMUM (4:1) SLOPE ANGLE AND HEIGHT GREATER THAN (15) FEET. ALL PROPOSED VEGETATION SHALL COINCIDE WITH THE PROPOSED BRUSH MANAGEMENT PROGRAM. PLANTING IN THE DISTURBED AREA SHALL CONSIST OF ROOTED CUTTINGS OR A HYDROSEED MX GROUND COVER AND (1) GALLON MINIMAL SIZE CONTAINER OF NATIVE OR NATURALIZED TREE(5) AND/OR SHRUB(5) PLANTED AT A MINIMUM RATE OF (1) CONTAINER PLANT PER (100) SQUARE FEET OF DISTURBED AREA.

ALL REQUIRED REVEGETATION AND EROSION CONTROL SHALL BE COMPLETED WITHIN 20 CALENDAR DAYS OF COMPLETION OF GRADING OR DISTURBANCE.

CODE.

REGULAR INSPECTIONS AND MAINTENANCE OF THE LANDSCAPE IS REQUIRED TO MINIMIZE THE POTENTIAL DAMAGE OR LOSS OF PROPERTY FROM BRUSH FIRES OR OTHER NATURAL HAZARDS INCLUDING SLOPE EROSION AND SLOPE FAILURES. VARIABLE CONDITIONS CAUSE A PRECISE MAINTENANCE SCHEDULE TO BE INFERIABLE ENDED BY MINDLE COMMINING WHICH ANAGEMENT FOR PROPERTY OWNERS' MAINTENANCE SHOULD BE EXPECTED ACCORDING TO THE GUIDELINES OF EACH BRUSH MANAGEMENT ZONE:

ATTACHMENT 6

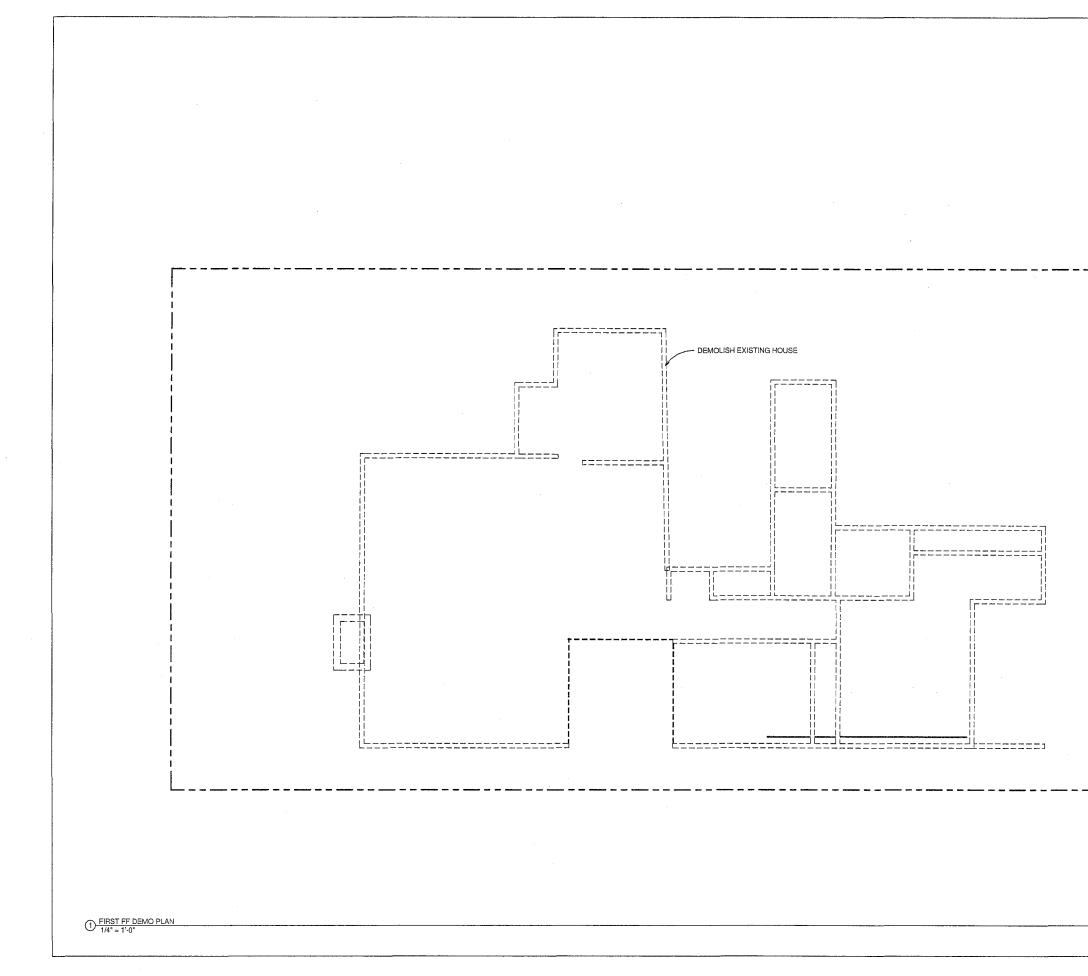
ANTING AREAS AND EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE
NULCH TO A MINIMUM DEPTH OF 2 INCHES. SLOPES REQUIRING REVEGETATION
ITED WITH GROUND COVER ARE NOT REQUIRED TO BE COVERED WITH MULCH.

ALL BRUSH MANAGEMENT ZONES SHALL BE PLANTED OR MAINTAINED IN ACCORDANCE TO THE STANDARDS REFERENCED WITHIN THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS AND THE REQUIREMENTS REFERENCED WITH SECTION 132,0407 OT THE LAND DEVELOPMENT

COMPLETENESS REVIEW
10/02/2013
FULL SUBMITTAL
12/15/2013
SECOND SUBMITTAL
06/19/2014
THIRD SUBMITTAL
10/13/2014
PRESENTATIONS
11/18/2014
PRESENTATIONS
12/17/2014
PRESENTATIONS
01/27/2015
PRESENTATIONS
02/05/2015
020072010
1
1
1

() RESIDENCE SHORE FENTISOVA 1 -----0 7 1

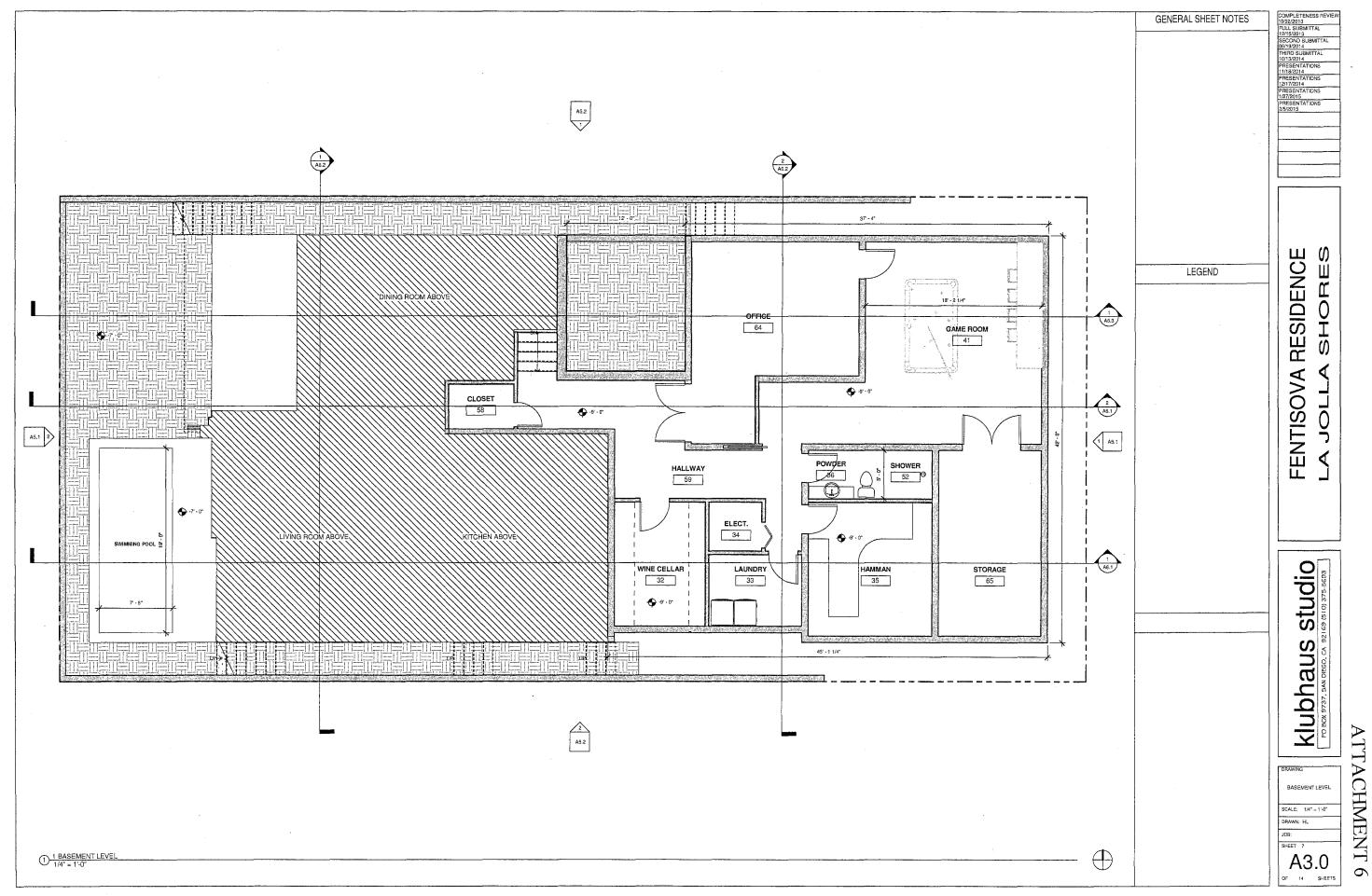
iudio	
klubhaus studio	Α
DRAWING PLANTING LEGEND & NOTES	TTACH
SCALE: DRAWN: JD JOB; SHEET 6 A1.4 OF 14 SHEETS	MENT 6

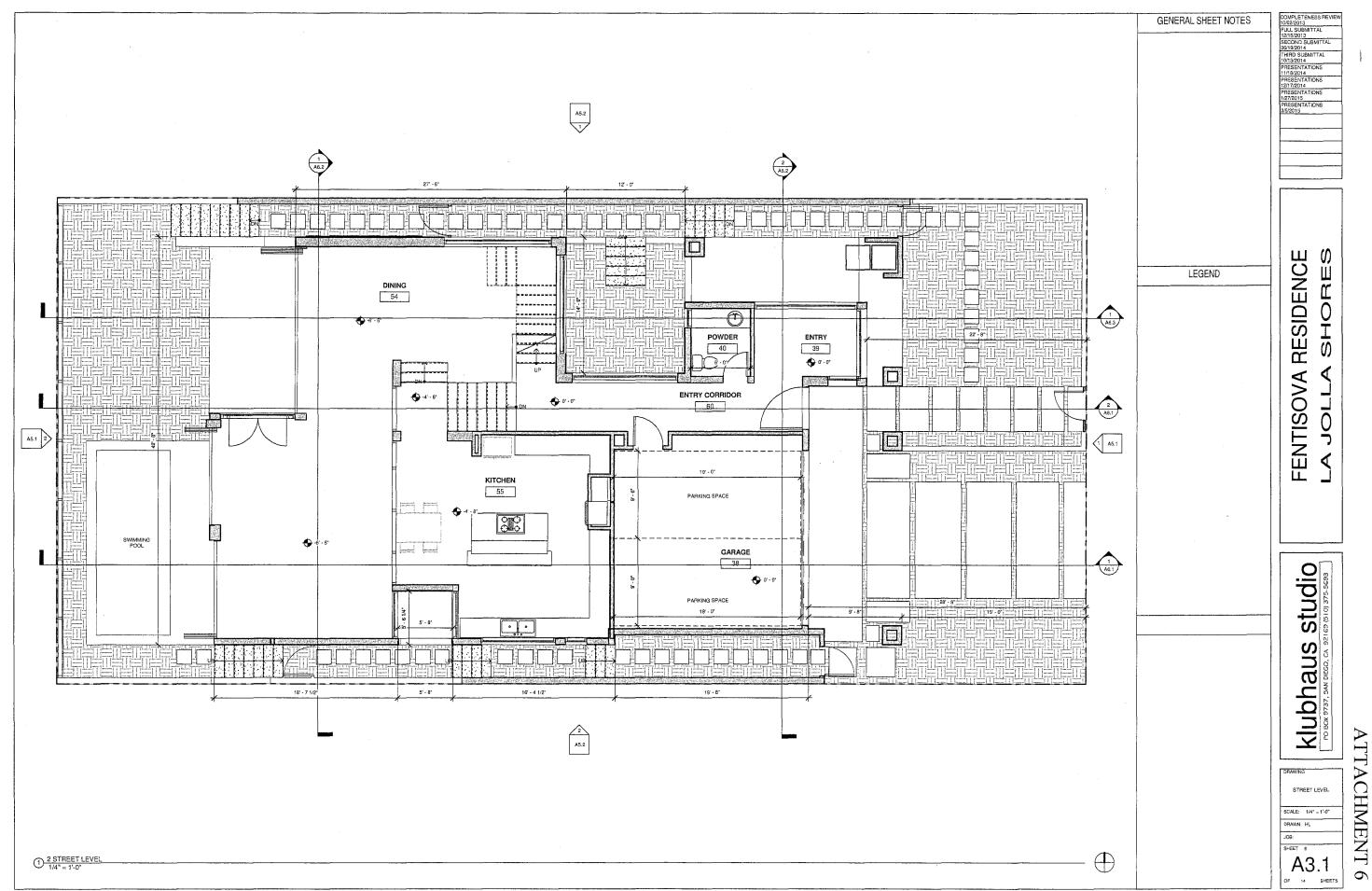


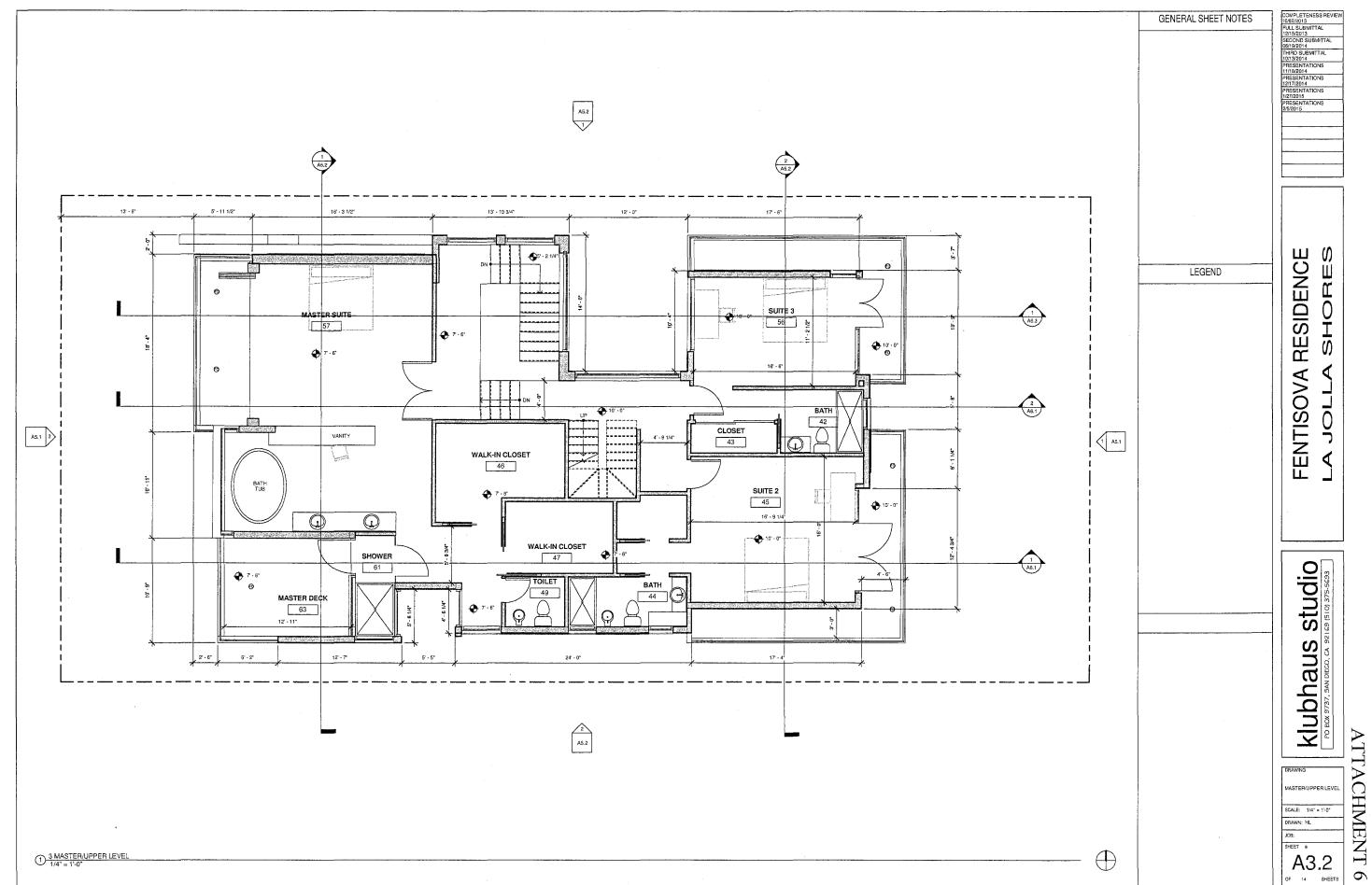
ž

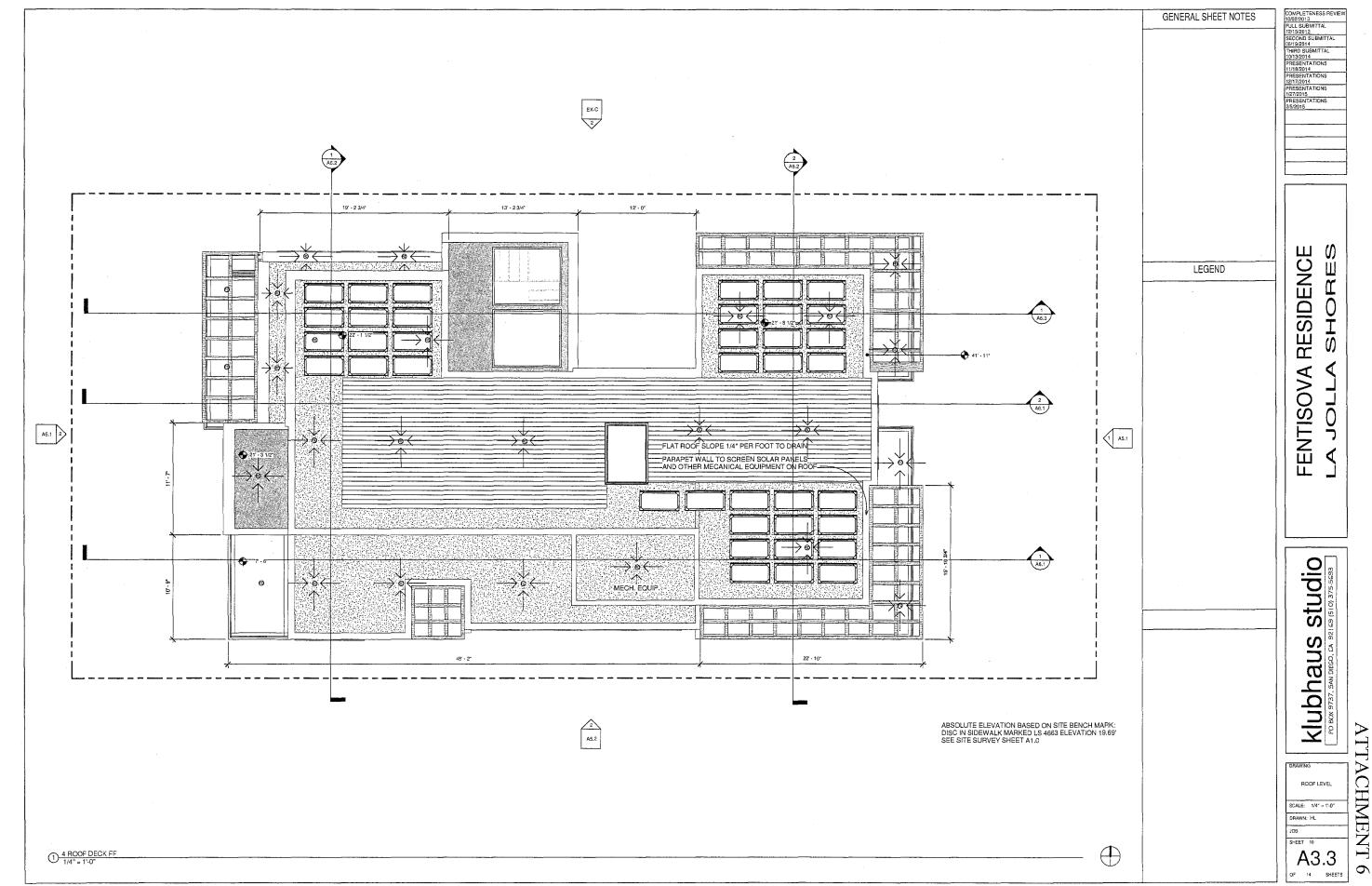
.

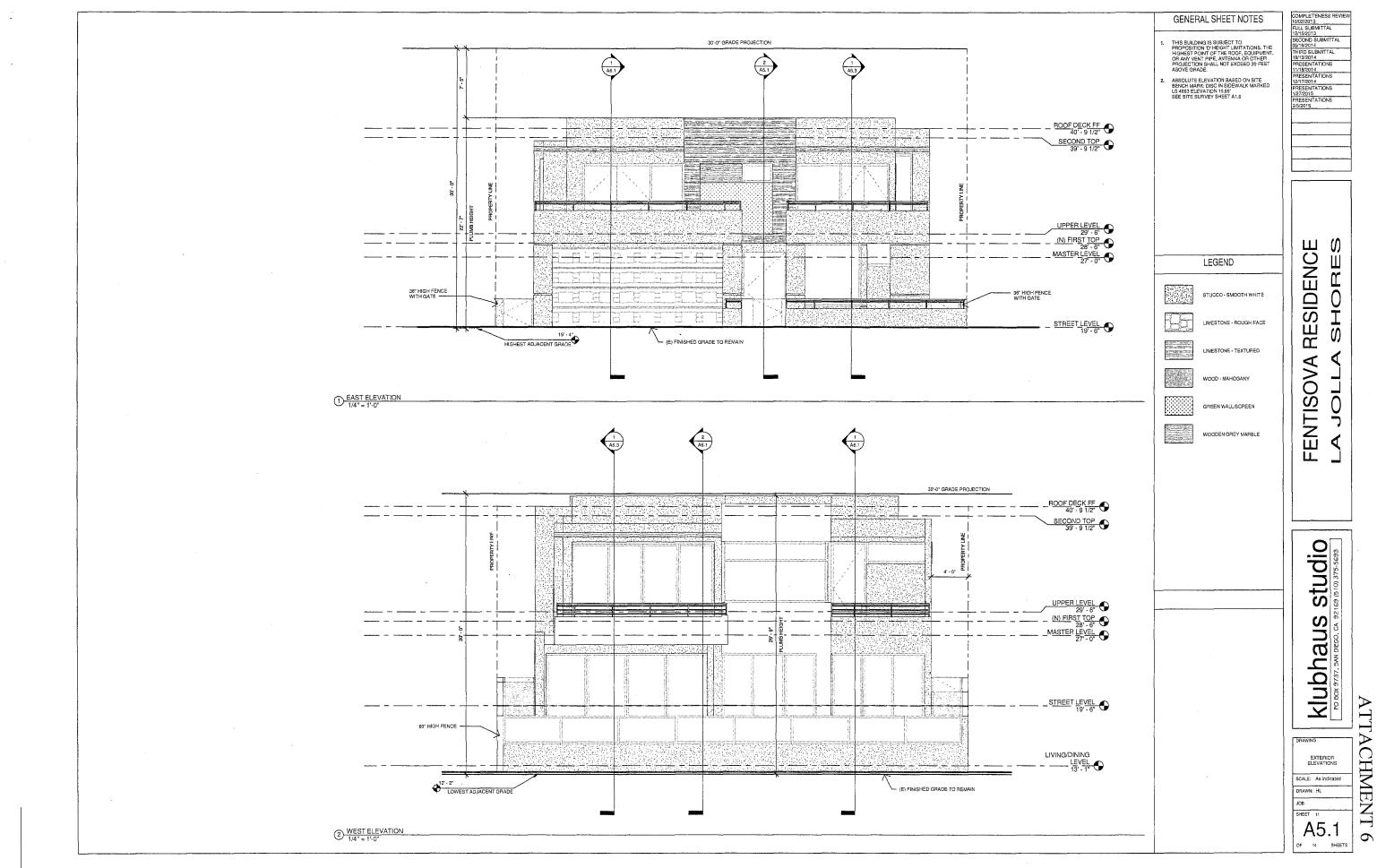
ATTACHMENT 6

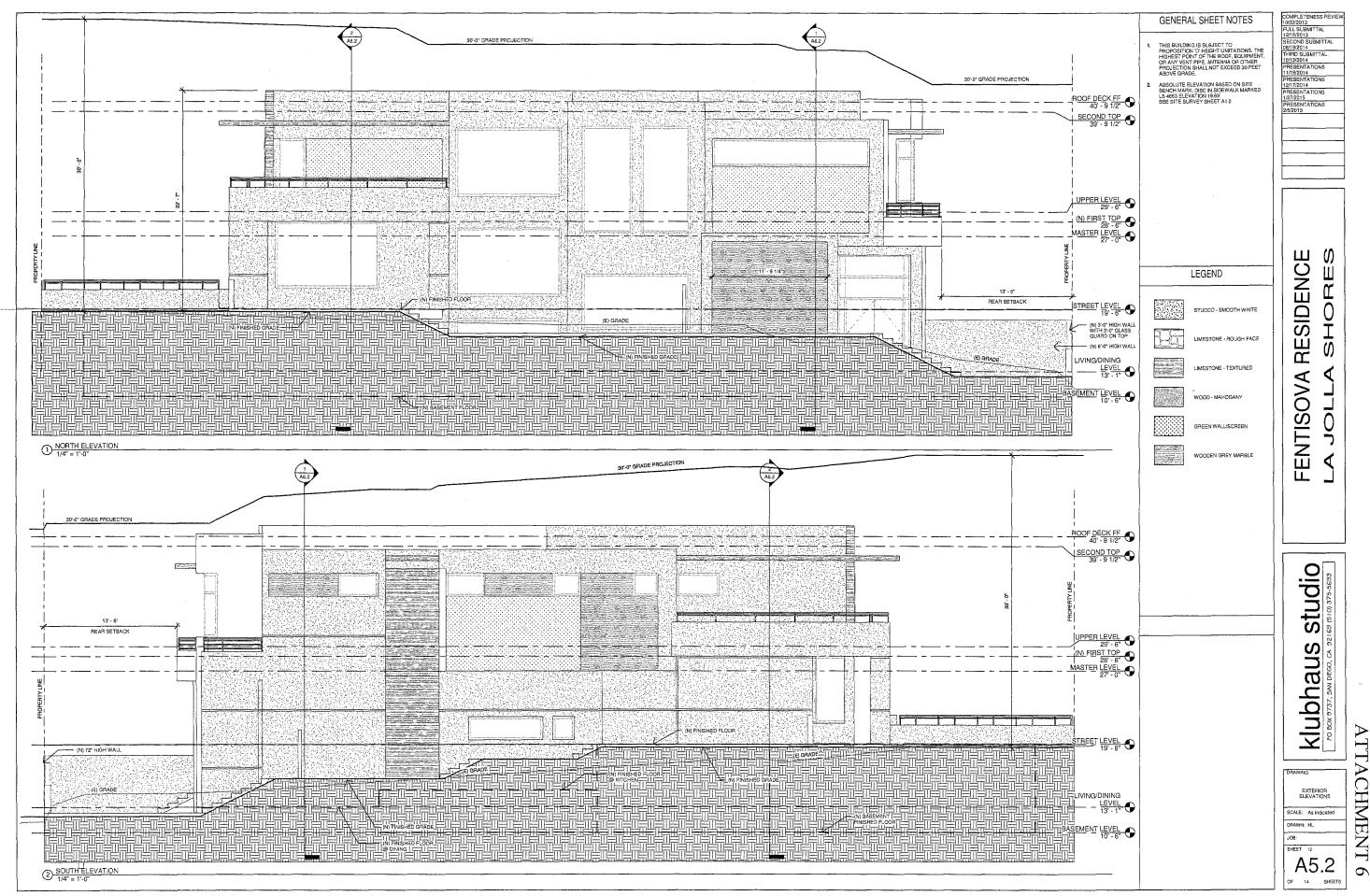


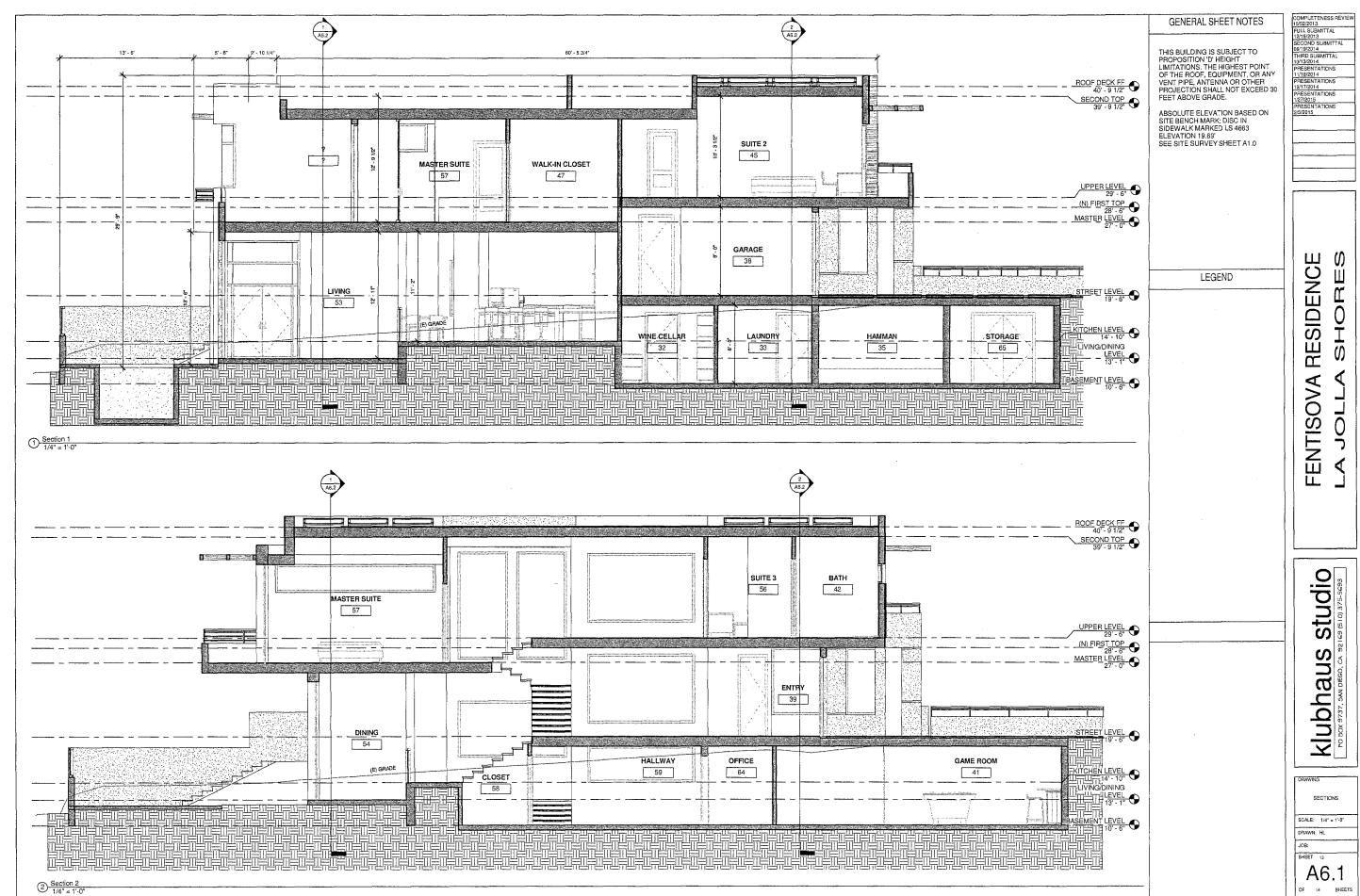


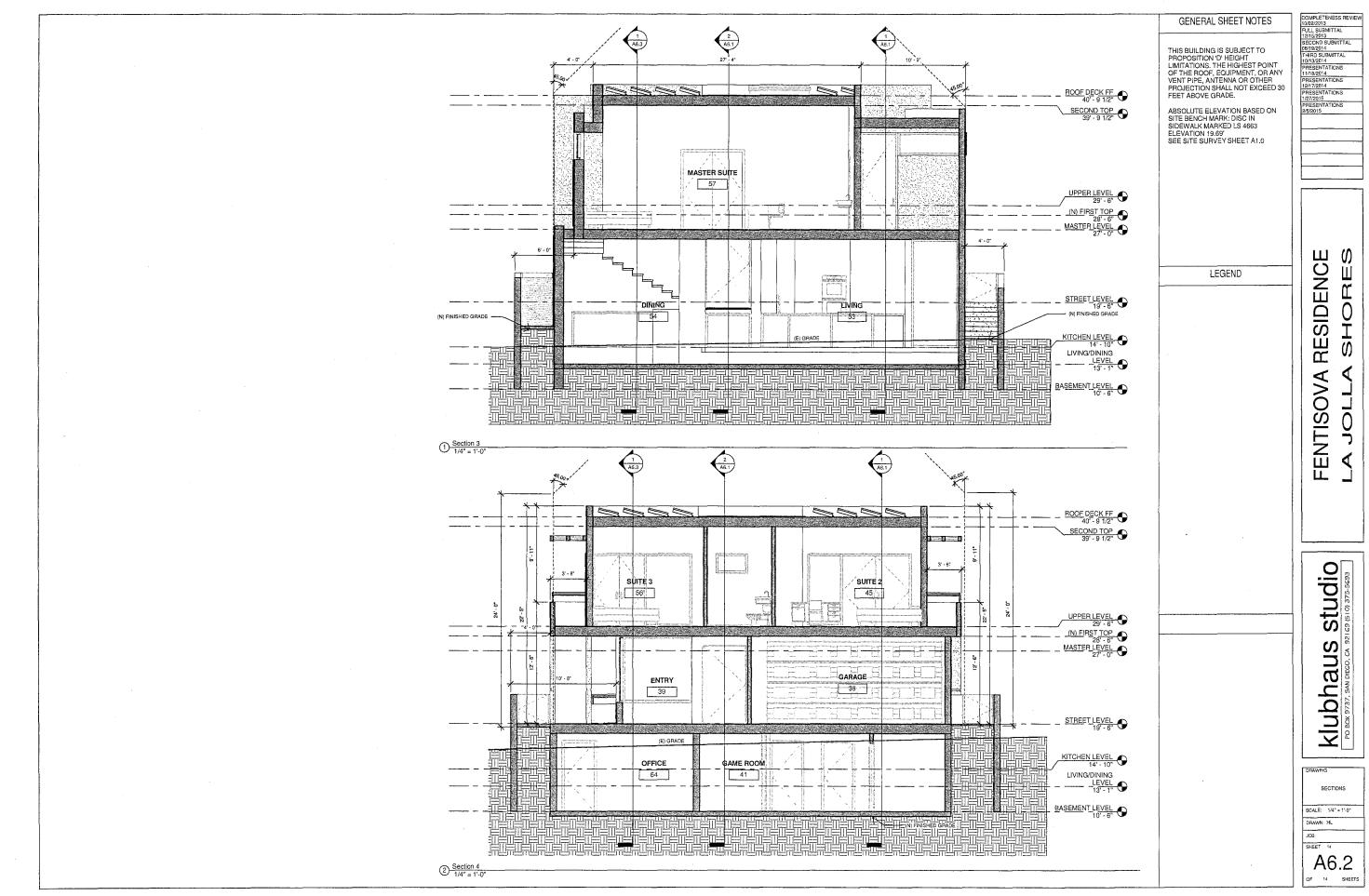












ĩ,

ATTACHMENT 6

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: 24004174

COASTAL DEVELOPMENT PERMIT NO. 1210433 SITE DEVELOPMENT PERMIT NO. 1210434 FENTISOVA RESIDENCE - PROJECT NO. 341980 [MMRP] HEARING OFFICER

This Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434 are granted by the Hearing Officer of the City of San Diego to the VIACHESLAV AND ELENA FENTISOVA, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0504 and 126.0708. The 0.12-acre site is located at 8374 Paseo Del Ocaso in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan and Local Coastal Program area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, La Jolla Shores Archaeological Study Area, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay, and Council District 1. The project site is legally described as: Lot 2 in Block 25 of La Jolla Shores Unit No. 3, in the City of San Diego, State of California, according to Map thereof No. 2061, filed in the Office of the County Recorder of San Diego County, September 30, 1927.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the demolition of an existing single family dwelling unit and to construct a new single family dwelling unit, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 10, 2015, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in GFA) on a 0.12-acre site;
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking;
- d. Construction of associated site improvements (i.e. in-ground pool, hardscape and site walls).
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by **June 24, 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 determinednecessary 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

12. The mitigation measures specified in the MMRP and outlined in MITIGATED NEGATIVE DECLARATION No. 341980, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in MITIGATED NEGATIVE DECLARATION No. 341980, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Historical Resources (Archaeology)

ENGINEERING REQUIREMENTS:

14. The project proposes to export 991 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

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

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized driveway with current City Standard curb, gutter and sidewalk, adjacent to the site on Paseo Del Ocaso, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a current City Standard 12 foot wide concrete driveway, adjacent to the site on Paseo Del Ocaso, satisfactory to the City Engineer.

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

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

21. 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. Within the La Jolla Shores Planned District, no subsurface waters shall be discharged onto the public streets, or into a storm drain system that discharges onto the beach.

LANDSCAPE REQUIREMENTS:

22. Prior to issuance of a grading or building permit, the Owner/Permittee shall submit a site/plot plan consistent with the plans submitted for a building permit showing the required 30% landscaped area in a crosshatch pattern and labeled 'Landscape Area Diagram.'

23. Provide the following note on the 'Landscape Area Diagram': "All of the landscape to meet the 30% area requirement shall be installed as required by the La Jolla Shores Planned District Ordinance prior to final inspection."

24. Any modifications or changes to the 'Landscape Area Diagram' and existing or proposed plant material, as shown on the approved Exhibit "A" Landscape Concept Plan, is permitted provided the resulting landscape meets the minimum area requirements of the La Jolla Shores Planned District Ordinance.

25. 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.

26. 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:

27. 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.

28. Prior to the issuance of any construction permits, the Owner/Permittee shall record 4-foot wide View Corridor Easements at the north and south side yards as shown on Exhibit "A," in accordance with SDMC section 132.0403.

29. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

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

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

GEOLOGY REQUIREMENTS:

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

a. The geotechnical report and construction plans must provide design criteria for a mat foundation and basement walls which are waterproof and able to withstand the anticipated hydrostatic pressures.

b. The geotechnical report and construction plans must provide recommendations and details to monitor and avoid any subsidence of adjoining or nearby structures, both during and after construction. The plan shall indicate procedures to be taken in the event subsidence occurs.

c. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

33. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service outside of any driveway, and the disconnection at the main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

34. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the

Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

35. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

36. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

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 June 10, 2015, and Resolution No. HO-_____.

Permit Type/PTS Approval No.: CDP No. 1210433 & SDP No. 1210434 Date of Approval: June 10, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson Development Project Manager

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

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.

VIACHESLAV AND ELENA FENTISOVA Owner/Permittee

By _

Viacheslav Fentisova

VIACHESLAV AND ELENA FENTISOVA Owner/Permittee

By_

Elena Fentisova

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

HEARING OFFICER RESOLUTION NO. HO-_____ COASTAL DEVELOPMENT PERMIT NO. 1210433 SITE DEVELOPMENT PERMIT NO. 1210434 FENTISOVA RESIDENCE - PROJECT NO. 341980 [MMRP]

WHEREAS, VIACHESLAV AND ELENA FENTISOVA, Owner and Permittee, filed an application with the City of San Diego for a permit to demolish an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1210433 and No. 1210434), on portions of a 0.12-acre site;

WHEREAS, the project site is located at 8374 Paseo Del Ocaso in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan and Local Coastal Program area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, La Jolla Shores Archaeological Study Area, Parking Impact Overlay Zone (Beach Impact Area), Residential Tandem Parking Overlay, and Council District 1;

WHEREAS, the project site is legally described as: Lot 2 in Block 25 of La Jolla Shores Unit No. 3, in the City of San Diego, State of California, according to Map thereof No. 2061, filed in the Office of the County Recorder of San Diego County, September 30, 1927;

WHEREAS, on June 10, 2015, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434 pursuant to the Land Development Code of the City of San Diego; 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 June 10, 2015.

FINDINGS:

I. <u>Coastal Development Permit - Section 126.0708(a)</u>

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

The 0.12-acre site is located at 8374 Paseo Del Ocaso, south of Camino Del Oro. The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the gross floor area (GFA)) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining

room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is an interior lot, and is located approximately 500 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea and Paseo Del Ocaso at this location is not designated as a physical accessway or view corridor, and therefore will not encroach upon any physical accessway or view corridor. The site does not contain intermittent or partial vistas, viewsheds or scenic overlooks as indentified within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan.

The project proposes a maximum building height of 29 feet 9 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone (CHLOZ). The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development has been designed to meet the development regulations of the underlying zone and would enhance and protect any public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

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

The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is an interior lot, and is located approximately 500 feet from the Pacific Ocean and is not located between the sea and the first public roadway paralleling the sea. The project site slopes down approximately eight feet easterly from the public right-of-way toward the western rear property line. The site is approximately 11.8 feet above Mean Sea Level (MSL) at the rear property line and 19.6 feet above MSL at the front property line, and is located above the 100-year floodplain. The property is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103

A Mitigated Negative Declaration (MND) No. 322356 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, which address potential impacts to Historical Resources (Archaeology). A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project, which will reduce the potential impacts to below a level of significance. Therefore, the proposed coastal development would not adversely affect ESL.

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

The project site is located at 8374 Paseo Del Ocaso, south of Camino Del Oro, in the SF Zone of the La Jolla Shores Planned District (LJSPD) within the LJCP and Local Coastal Program Land Use Plan. The zoning designation is a single family residential zone which allows for the development of a single dwelling unit. The LJCP designates the proposed project site for Low Density Residential land use at 5-9 dwelling units per acre (DU/AC). The project site, occupying 0.12 acres, could accommodate one dwelling unit based on the underlying zone and one dwelling units based on the community plan.

The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is an interior lot, and is located approximately 500 feet from the Pacific Ocean. The property is not located between the sea and the first public roadway paralleling the sea and Paseo Del Ocaso at this location is not designated as a physical accessway or view corridor, and therefore will not encroach upon any physical accessway or view corridor. The site does not contain intermittent or partial vistas, viewsheds or scenic overlooks as indentified within the adopted LJCP and Local Coastal Program Land Use Plan.

The project proposes a maximum building height of 29 feet 9 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the CHLOZ. The project is not requesting nor does it require any deviations or variances from the applicable

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

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

The project site is located at 8374 Paseo Del Ocaso, south of Camino Del Oro. The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. The property is an interior lot, and is located approximately 500 feet from the Pacific Ocean and is not located between the sea and the first public roadway paralleling the sea. Therefore, the proposed development does not have to comply with the public access and recreation policies of Chapter 3 of the California Coastal Act.

II <u>Site Development Permit - Section 126.0504(A)</u>

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

The project site is located at 8374 Paseo Del Ocaso, south of Camino Del Oro, in the SF Zone of the LJSPD within the LJCP and Local Coastal Program Land Use Plan. The zoning designation is a single family residential zone which allows for the development of a single dwelling unit. The LJCP designates the proposed project site for Low Density Residential land use at 5-9 DU/AC. The project site, occupying 0.12 acres, could accommodate one dwelling unit based on the underlying zone and one dwelling units based on the community plan.

The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site, including conformance with the LJSPD. 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; and

The project proposes demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions within the permit have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as described in Coastal Development Permit (CDP) No. 1210433 and Site Development Permit (SDP) No. 1210434, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the owner/permittee shall be required to obtain a public improvement permit. Therefore, the proposed development 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 demolition of an existing 1,624-square foot single family dwelling unit and to construct a 3,860-square foot single family dwelling unit with an attached 415-square foot garage, over a 1,890-square foot basement (not included in the GFA) and associated site improvements that includes an in-ground pool on a 0.12 acre site. The proposed single-family dwelling unit would consist of a two car garage, living room, kitchen, dining room, and a half bathroom on first floor. The second floor would consist of the master bedroom suite, two additional bedrooms, two bathrooms, and three decks. The basement would consist of an office, game room, wine cellar, laundry room, half bathroom, and additional storage rooms. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site, including conformance with the LJSPD, and complies with the applicable regulations of the Land Development Code (LDC).

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1210433 and No. 1210434 a copy of which is attached hereto and made a part hereof.

Jeffrey A. Peterson Development Project Manager Development Services

Adopted on: June 10, 2015

Internal Order No. 24004174

HEARING OFFICER RESOLUTION NO. HO-_____ FENTISOVA RESIDENCE - PROJECT NO. 341980 [MMRP] MITIGATED NEGATIVE DECLARATION NO. 341980 ADOPTED ON JUNE 10, 2015

WHEREAS, on December 17, 2013, VIACHESLAV AND ELENA FENTISOVA, Owner and Permittee, submitted an application to Development Services Department for a Coastal Development Permit and Site Development Permit for the Fentisova Residence (Project); and

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

WHEREAS, the issue was heard by the Hearing Officer on June 10, 2015; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 341980 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer, that it is certified that the Mitigated Negative Declaration No. 341980 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 Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, 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 Report 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, which is attached hereto as Exhibit A.

By ______ Jeffrey A. Peterson Development Project Manager

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

FENTISOVA RESIDENCE - PROJECT NO. 341980

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 Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 341980 shall be made conditions of Coastal Development Permit No. 1210433 and Site Development Permit No. 1210434 as may be further described below.

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

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

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

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

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
- 2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 341980 and /or Environmental Document Number 341980, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc
 - NOTE: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.
- 3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency *Not Applicable*

- 4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.
 - NOTE: Surety and Cost Recovery When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.
- 5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

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

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORICAL RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance

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

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

II. Prior to Start of Construction

1.

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the $\frac{1}{4}$ mile radius.
- B. PI Shall Attend Precon Meetings
 - Prior to beginning any work that requires monitoring; the
 Applicant shall arrange a Precon Meeting that shall include
 the PI, Native American consultant/monitor (where Native
 American resources may be impacted), Construction
 Manager (CM) and/or Grading Contractor, Resident
 Engineer (RE), Building Inspector (BI), if appropriate, and
 MMC. The qualified Archaeologist and Native American
 Monitor shall attend any grading/excavation related Precon
 Meetings to make comments and/or suggestions concerning
 the Archaeological Monitoring program with the
 Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate,

prior to the start of any work that requires monitoring.

- 2. Identify Areas to be Monitored
 - Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 - The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
 The Native American consultant/monitor shall determine
 - The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If

prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

- 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
- 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
 - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 - 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 - 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
 - 1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American

consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

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

- A. Notification
 - 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
 - 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 - 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
 - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

- C. If Human Remains ARE determined to be Native American
 - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
 - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 - 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 - 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 - 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;

(2) Record an open space or conservation easement on the site;

- Record a document with the County. (3)Upon the discovery of multiple Native American d. human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A.

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

VI. Post Construction

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

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

Archae Private_101211.doc

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.



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 February 2015

Attention:Jeff Peterson, PM, City of San DiegoProject:Fentisova Residence
8374 Paseo del Ocaso
PN: 341980Motion:That the findings can be made for a Site
Development Permit and a Coastal
Development Permit for the Fentisova

Residence at 8374 Paseo del Ocaso for a 4275 sf, (0.81 FAR) residence based on plans submitted to the LJCPA dated February 5, Vote: 12-0-2

Submitted by:

Joseph La Cava

2015.

Joe LaCava, President LJCPA 2/05/2015

Date

ATTACHMENT 11

La Jolla Shores Planned District (LJSPD) Advisory Board Agenda Item Record 8374 Paseo de Ocaso Project: 34/980 Fentisova Residena Item: A Date: 11/18/14 Applicant: Michael Shumard 1624 emolish storn Description: home home 470057 Story Eleventi 350 SE asement. above strend lived e Mike Schumasd Presenter: Hillary Lowe . 94 FAR Recommendation A. Minor Project-Process 1. Project conforms to the LJSPD as adopted by the City Council. B. Major Project-Process 3. Project conforms to the LJSPD as adopted by the City Council C. Denial. The project does not conform to the LJSPD as adopted by the City Council D. Approval subject to the following modifications to ensure conformity to the LJSPD. E. No recommendation due to a lack of four affirmative votes. F. Concept Review Only____ **Board Signatures** Trustee Disapprove/Abstain **Dolores** Donovan Nathaniel Fisher Dan Goese PAR Jane Potter ¢ Susan Starr Susanne Weissman 1annell Absentees: Chairperson

ATTACHMENT 12

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 THE CITY OF SAN DIEGO (619) 446-5000	Ownership Disclosure Statement					
Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map Waive						
Project Title	Project No. For City Use Only					
Fentisova Residence	34/1980					
Project Address:						
8374 Paseo Del Ocaso, 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 above, will be filed with the City of San Diego on the subject property, with below the owner(s) and tenant(s) (if applicable) of the above referenced pi who have an interest in the property, recorded or otherwise, and state the ty individuals who own the property). A signature is required of at least one of from the Assistant Executive Director of the San Diego Redevelopment Age Development Agreement (DDA) has been approved / executed by the Cit Manager of any changes in ownership during the time the application is bei the Project Manager at least thirty days prior to any public hearing on the information could result in a delay in the hearing process. Additional pages attached Yes No Name of Individual (type or print): Fextisova ElennaYowner Tenant/Lessee Redevelopment AgencyStreet Address: $B 3 - 7 4 Pa Seo Del CoursoCity/State/Zip:La JollaaPhone No: 404.3634055 Fax No:Signature :Date:24.09.2013$	<u>n the intent to record an encumbrance against the property</u> . Please list roperty. The list must include the names and addresses of all persons /pe of property interest (e.g., tenants who will benefit from the permit, all of the property owners. Attach additional pages if needed. A signature ency shall be required for all project parcels for which a Disposition and y Council. Note: The applicant is responsible for notifying the Project ing processed or considered. Changes in ownership are to be given to					
Name of Individual (type or print):	Name of Individual (type or print):					
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency					
Street Address:	Street Address:					
City/State/Zip:	City/State/Zip:					
Phone No: Fax No:	Phone No: Fax No:					
Signature : Date:	Signature : Date:					

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

DEVELOPMENT SERVICES DEPARTMENT PROJECT CHRONOLOGY FENTISOVA RESIDENCE - PROJECT NO. 341980

Date	Action	Description	City Review Time (Working Days)	Applicant Response (Working Days)
12/17/2013	First Submittal	Project Deemed Complete	-	-
1/21/2014	First Assessment Letter		18 days	
6/19/2014	Second Submittal			108 days
7/2/2014	Second Assessment Letter		9 days	
10/13/2014	Third Submittal			70 days
10/31/2014	Third Assessment Letter	Only minor Landscape comments remaining and community group recommendations	14 days	
11/14/2014	Environmental	Draft MND distributed for public review (20 calendar days)		14 days
12/4/2014	Environmental	Draft MND public review period ends	9 days	
2/25/2015	Fourth Submittal			50 days
3/12/2015	Fourth Assessment Completed		11 days	
5/13/2015	Environmental	MND Final Report	43 days	
6/10/2015	Public Hearing	First available date	19 days	
TOTAL STAFF TIME		(Does not include City Holidays or City Furlough)	123 days	
TOTAL APPLICANT TIME		(Does not include City Holidays or City Furlough)		242 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Hearing	365 working days (540 calendar days)	