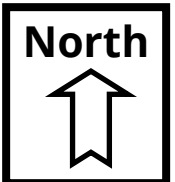
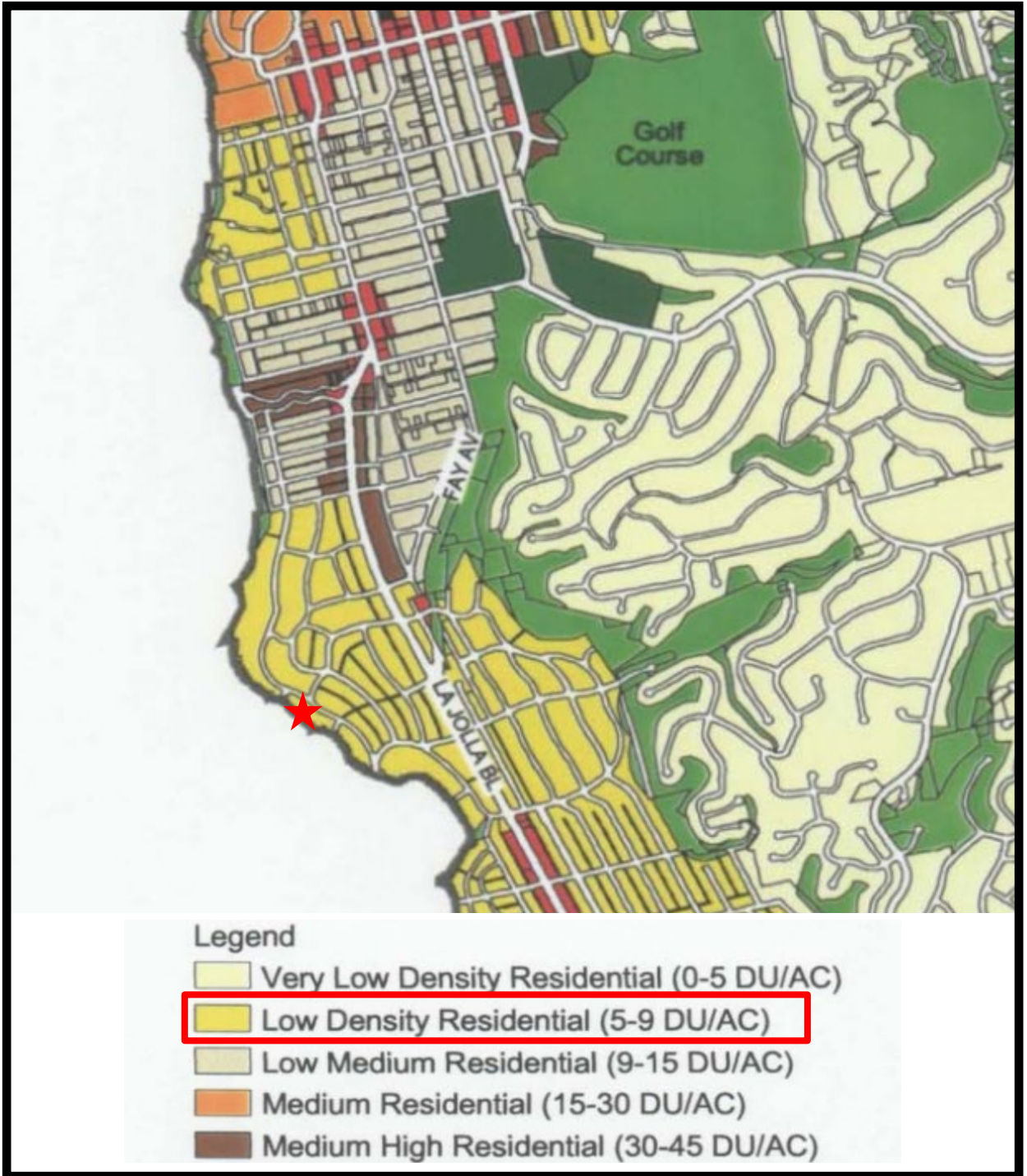


Project Location

6110 Camino De La Costa
PROJECT NO. PRJ-1066101



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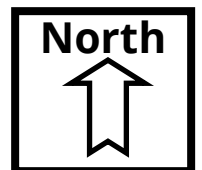


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Aerial Photo

6110 Camino De La Costa
PROJECT NO. PRJ-1066101



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RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009320

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3169345
SITE DEVELOPMENT PERMIT NO. PMT-3169346
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3275100
6110 CAMINO DE LA COSTA PROJECT NO. PRJ-1066101 MMRP
PLANNING COMMISSION

This Coastal Development Permit No. PMT-3169345, Site Development Permit No. PMT-3169346, and Neighborhood Development Permit No. PMT-3275100 is granted by the Planning Commission of the City of San Diego to JMAN AT THE Q, L.P. a California limited partnership, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0702, 126.0502, 143.0251, and 126.0402. The 0.37-acre project site is located at 6110 Camino de la Costa in the RS-1-5 (Residential Single Unit) Base Zone, Coastal (Appealable) Overlay Zone, Coastal Height Limit Overlay Zone, First Public Roadway, Parking Impact Overlay Zone (PIOZ Coastal Impact and Beach Impact), Complete Communities Mobility Choices (CCMC) Mobility Zone 2, Sensitive Coastal Overlay Zone – Coastal Bluff (SCOZ-CB), Transit Area Overlay Zone, Transit Priority Area and Paleontological Sensitivity Area within the La Jolla Community Plan area, Council District 1. The project site is legally described as: LOT 10 IN BLOCK 1-A, IN LA JOLLA HERMOSA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1810, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, NOVEMBER 21, 1924.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee JMAN at the Q, L.P. a California limited partnership, to demolish an existing designated historic two-story residence (Historical Resources Board [HRB] Site No. 1481) and construct an 8,649 square-foot two-story dwelling unit with a basement, a swimming pool, a spa, and associated hardscape and landscape improvements within the sensitive coastal bluff described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 8, 2024, on file in the Development Services Department.

The project shall include:

- a. The demolition of an existing designated historic 3,036-square-foot two-story residence and internal demolition and exterior structural modifications to an existing 510-square-foot detached two-car garage (HRB Site No. 1481). The demolition of sections of the existing site wall within the side yard setbacks, the removal of an existing twelve-foot and

two-inch (12'-2") driveway and driveway apron, the removal of existing walls and stairs within the coastal bluff (west of the project site), and the demolition of associated hardscape and landscape.

- b. The retention of an existing designated historic garage structure with a structural modification to the easterly exterior side (facing Camino de la Costa) and the retention of the site wall with the exception of portions within the side yard setbacks.
- c. The construction of an 8,649 square-foot two-story dwelling unit with a basement, a swimming pool, a spa, associated hardscape and landscape improvements. The addition of a new eighteen-foot (18'-0") wide driveway, and driveway apron from Camino de la Costa leading to the existing garage structure. The addition of two new garage doors facing easterly towards Camino de la Costa, and the installation of automobile lifts within the garage to provide four (4) vehicle parking spaces.
- d. The reservation of a seven-foot one-inch (7'-1") view corridor within the northern side yard setback. The preservation of a one-foot three-inch (1'-3") view corridor within the southern side yard setback.
- e. The project includes the following modifications:
 - 1. A modification from SDMC Section 142.0560 to propose an eighteen-foot (18'-0") driveway width when the maximum allowed is twelve-foot (12'-0") to the satisfaction of the City Engineer.
 - 2. A modification from SDMC Section 113.0273 to reduce the visibility triangle for a driveway where the minimum visibility triangle is ten feet by ten feet (10'-0" x 10'-0"), and the installation of convex mirror(s) adjacent to the garage door openings, and/or pedestrian-alerting devices to the satisfaction of the City Engineer.
- f. Landscaping (planting, irrigation and landscape related improvements);
- g. Public and private accessory improvements shall include:
 - 1. Removal of an existing twelve-foot two-inch (12'-2") driveway, driveway apron, and repair of the existing sidewalk, curb and gutter fronting the property per City standards along Camino de la Costa.
 - 2. The addition of an eighteen-foot (18'-0") wide driveway, and driveway apron per City standards along Camino de la Costa.
 - 3. Proposed one-inch (1") water service per City Standards.
 - 4. Proposed new backflow preventer per City Standards.
 - 5. Interpretive sign(s) to describe the history and significance of Casa De Los Amigos per the Historic Resource Mitigation Program.
 - 6. The installation of convex mirror(s) adjacent to the garage door openings, and/or pedestrian-alerting devices satisfactory to the City Engineer.

- h. 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.
- i. A covenant of easement (COE) recorded with the County of San Diego Recorder's Office for preservation of the portion of the site westward of the existing coastal bluff to mean high tide, to protect on-site coastal resources .

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 August 22, 2027.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.
3. No building or demolition 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.
4. 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.
5. 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).

8. The Owner/Permittee shall secure all necessary building or demolition 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.

9. 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.

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

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] for **Environmental Impact Report (EIR) No. 1066101/SCH No. 2023070270** shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in **EIR NO. SCH No. 2023070270**, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in **EIR NO. 1066101/SCH NO. 2023070270**, to the satisfaction of the Development Services Department and the City Engineer and/or Mitigation Monitoring Coordination, as applicable. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Land Use
- Historical Resources

CLIMATE ACTION PLAN REQUIREMENTS:

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

LANDSCAPE REQUIREMENTS:

16. Prior to the issuance of any building or demolition permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

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

18. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the public right-of-way unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in

a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

PLANNING REQUIREMENTS:

20. Owner/Permittee shall maintain a minimum of four (4) off-street parking spaces on the property at all times consistent with Exhibit "A." Parking spaces shall comply with the SDMC and shall not be converted for any other uses unless otherwise authorized by the appropriate decision maker in accordance with the SDMC.

21. 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.

22. 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.

23. Prior to issuance of any building or demolition permits, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside of the allowable development area on the premises as shown on "Exhibit A."

24. Prior to the issuance of any building or demolition permits, the Owner/Permittee shall execute and record View Corridor Easement(s) for the preservation of public view corridors of not less than the required side yard setback of seven-foot one-inch (7'-1") along the northerly property line and the existing side yard setback of one-foot three-inches (1'-3") along the southerly property line, as shown on "Exhibit A."

25. In accordance with the requirements of the SDMC (§)143.0143(f)(1), the Owner/Permittee waives all rights to shoreline protective devices associated with the subject property.

26. Assumption of Risk

Assumption of Risk, Waiver of Liability, and Indemnity Agreement. By acceptance of this permit, the Owner/Permittee acknowledge and agree (i) that the site may be subject to hazards from erosion, wave action, and coastal bluff collapse; (ii) to assume the risks to the Owner/Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the City, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the City, its officers, agents, and employees with respect to the City's approval of the project against any and all liability, claims, demands, damages, costs (including costs

and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

27. Monitoring and Future Removal Plan

Monitoring and Future Removal of New Development. Prior to recordation of the Coastal Development Permit (CDP), the Owner/Permittee shall submit to the Development Services Department (DSD), Geology Section, a plan prepared by a licensed geologist or geotechnical engineer familiar and experienced in shoreline processes. The plan shall provide a schedule and methodology for monitoring and reporting on the location of the blufftop edge in relation to the existing residence. In addition, the plan shall provide a detailed description of how the new development, including the basement, will be removed if it becomes threatened. The plan shall include, at a minimum, the following:

- A. Reference Points.** Provisions for establishing, prior to construction, numbered monuments or surveyed points of measurement (reference points) to be located along the seaward edge of the approved development with a minimum of points at 25-foot increments, as well as at the most downcoast and most upcoast portions of the seaward edge of the approved development, including underground infrastructure.
- B. Measurement Episodes.** Provisions for a licensed surveyor, in coordination with a certified engineering geologist, civil engineer, and/or geotechnical engineer familiar and experienced in shoreline processes, to conduct measurements in feet of the linear distance, measured perpendicular from the shoreline, between the established reference points and the blufftop edge. Measurements shall be taken within ten calendar days of the date of issuance of the CDP Permit No. PMT-3169345, every five years from the date of issuance of the CDP, and within five calendar days after any event that results in the blufftop edge eroding inland five feet or more, but no government agency has ordered that the structures not be occupied. The plan shall provide a methodology consistent with standard surveying and blufftop delineation methods for determining the location of the blufftop edge and documenting distances on land. The results of each measurement episode shall be summarized in a report and submitted to the Development Services Department within a three-month period from the date of the measurements as a Single Discipline Preliminary Review by the City of San Diego Development Services Department's Geology Section.

Each measurement episode shall also be documented through identification of:

- I. The date of the measurement;
- II. The person making the measurement and their qualifications;
- III. Tidal and weather details for the times and dates of the measurement episode, including each date/time associated with each photo taken; and
- IV. Photos in color, in hard copy 8.5" by 11" and electronic jpg formats or equivalent, and at a scale and resolution that allows for comparison by the naked eye between photos of the same location taken at different times of:

- a. The area between each reference point and the blufftop edge, providing full photographic coverage of the blufftop area between each reference point and the blufftop edge;
 - b. Each reference point and the surrounding area; and
 - c. The point on the blufftop edge from which each measurement derives and the surrounding area, including photos from both the blufftop and a beach vantage so as to provide full photographic coverage of the bluff face itself and the bluff edge. The photo documentation shall be accompanied by a site plan that identifies the location and orientation of each photo, each view of which shall be numbered. Measurement episodes shall include photos from the same vantage points each time to the extent feasible, and shall include additional vantage points and coverage as necessary to document the required photographic area.
- C. Removal Plan.** Provisions for the development described in CDP No. PMT-3169345 in the event the development becomes threatened as determined by a geotechnical evaluation prepared by a licensed geologist or geotechnical engineer familiar and experienced in shoreline processes. The removal plan shall provide for detailed options including removal of the residential structure, relocation of part of the structure, and moving of the structure landward off the bluff-top setback.

ENGINEERING REQUIREMENTS:

- 28. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
- 29. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA), from the City Engineer, for all private improvements such as landscape/irrigation in Camino De La Costa right-of-way.
- 30. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall assure by permit and bond the construction of curb/gutter, and sidewalk per current City standards adjacent to the site on Camino De La Costa, satisfactory to the City Engineer.
- 31. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall assure, by permit and bond, the closure of the existing driveway and restore curb/gutter, and sidewalk per current City Standards.
- 32. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall assure by permit and bond the construction of an additional maximum-width, eighteen-foot (18'-0") driveway per current City Standards adjacent to the site on Camino De La Costa, satisfactory to the City Engineer.

33. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA), from the City Engineer, for modified site visibility triangles and width of the driveway in the Camino de la Costa right-of-way.

34. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall install convex mirror(s) adjacent to the garage door openings, and/or pedestrian-alerting devices, satisfactory to the City Engineer. The mirrors and/or devices shall be placed to facilitate the detection of pedestrians, vehicles or other obstructions when exiting the garage.

GEOLOGY REQUIREMENTS:

35. Prior to the issuance of any construction permit (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed construction plans. The geotechnical investigation report shall be review for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

HISTORIC REQUIREMENTS:

36. The Owner/Permittee shall incorporate the Treatment Plan as approved by City Heritage Preservation staff into all construction drawings submitted during the ministerial permitting phase. Heritage Preservation staff will confirm that the Treatment Plan is incorporated into the plans prior to the issuance of each building or demolition permit.

37. Prior to the issuance of a building or demolition permit, the Historical American Building Survey (HABS) documentation as approved by City Heritage Preservation staff shall be submitted for archival storage with the City of San Diego HRB, South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society, and/or other historical society group(s).

38. Prior to the issuance of a building or demolition permit, the Owner/Permittee shall submit a Salvage Plan prepared by a qualified historic preservation professional (QHPP) to City Heritage Preservation staff for review and approval. The Salvage Plan shall catalogue and identify elements proposed for removal and shall include historic-period elements, including the original clay roof tiles and decorative medallions at the roofline of the main structure. The materials shall be removed prior to or during demolition. Contaminated, unsound or decayed materials shall not be included in the salvage program nor be available for future use. Once the items for salvage are identified, the QHPP shall submit this information to the City's Heritage Preservation Section for approval. Salvaged material will be first used to replace any damaged pieces on the garage or site wall rehabilitation as required. Following the City's approval of the Salvage Plan, the QHPP, in concert with the City's Heritage Preservation Section, shall notify the La Jolla Community Planning Group, the La Jolla Historic Society, the University of California, San Diego Historical Archives, and local preservation groups via email concerning the availability of the salvaged materials. Interested parties shall make arrangements to pick up the materials after they have been removed from the property. The project applicant shall be responsible for storing the salvaged materials in an appropriate climate-controlled storage space for no more than 90 days after proper notice is given to the above parties. Prior to

any plans to no longer use the storage space, the applicant will provide the City's Heritage Preservation Section with an inventory of any materials that were not donated to any interested parties and measures to be taken by the project applicant to dispose of these materials.

39. During construction of the Project, the Owner/Permittee shall implement the Monitoring Plan as approved by HRB and City Heritage Preservation staff. The Project's Principal Investigator shall send monitoring reports as described in the Monitoring Plan to the City's Mitigation Monitoring staff and Heritage Preservation staff.

The Principal Investigator may submit a detailed letter to City staff prior to the start of work or during construction requesting a modification to the Monitoring Plan. This request shall be based on relevant information and site conditions.

40. The Owner/Permittee shall create interpretive sign(s) as approved by the Heritage Preservation staff. The signage shall be installed at the site in a publicly visible location by the applicant prior to the certificate of occupancy. The Owner/Permittee shall be responsible for funding and implementation of the long-term management of the signage in perpetuity.

WATER AND SEWER REQUIREMENTS:

41. Prior to the issuance of any building or demolition permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

42. Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department 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.

43. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

44. 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.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this Permit are fully completed and all required ministerial permits have been issued and received final inspection.

ATTACHMENT 4

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on August 8, 2024 and [Approved Resolution Number].

DRAFT

ATTACHMENT 4

Coastal Development Permit No. 3169345
Site Development Permit No. 3169346
Neighborhood Development Permit No. 3275100
Date of Approval: August 8, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Martin R. Mendez
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.

**JMAN at the Q, L.P.,
a California Limited Partnership**
Owner/Permittee

By _____
Matthew Segal
Manager

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

PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 3169345
SITE DEVELOPMENT PERMIT NO. 3169346
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 3275100
6110 CAMINO DE LA COSTA PROJECT NO. PRJ-1066101 MMRP
PLANNING COMMISSION

WHEREAS, JMAN AT THE Q. L.P, a California limited partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing designated historic two-story residence (Historical Resources Board [HRB] Site No. 1481) and construct a new 8,649 square-foot two-story dwelling unit with a basement, a swimming pool, and a spa, and associated hardscape and landscape within the coastal bluff described and identified by size, dimension, quantity, type, and location (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit (CDP) No. 3169345; Site Development Permit (SDP) No. 3169346; and Neighborhood Development Permit (NDP) No. 3275100), on portions of a 0.37-acre site;

WHEREAS, the project site is located at 6110 Camino de la Costa in the RS-1-5 (Residential Single Unit) Base Zone of the La Jolla Community Plan area.

WHEREAS, the project site is legally described as LOT 10 IN BLOCK 1-A, IN LA JOLLA HERMOSA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1810, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, NOVEMBER 21, 1924.

BE IT RESOLVED by the Planning Commission of the City of San Diego that it adopts the following findings with respect to Coastal Development Permit No. PMT-3169345; Site Development Permit No. PMT-3169346; and Neighborhood Development Permit No. PMT-3275100;

A. Findings for all Coastal Development Permits (CDP) – San Diego Municipal Code (SDMC) Section 126.0708(a).

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

The 0.368-acre (16,058-square-foot [SF]) site at 6110 Camino de la Costa is currently developed with an existing residence within an established residential neighborhood. The project site contains Environmental Sensitive Lands (ESL) in the form of sensitive coastal bluffs. The project site is located within the RS-1-5 base zone, Coastal (Appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Sensitive Coastal Overlay Zone, First Public Roadway Overlay Zone, and Transit Priority Area within the La Jolla Community Plan (LJCP) area. Additionally, the project site is located within the La Jolla Hermosa neighborhood of the LJCP. La Jolla Hermosa consists of single-dwelling unit residential homes on 5,000 to 7,000 SF lots (LJCP, pg. 75). The LJCP designates the project site as Low Density Residential allowing five to nine dwelling units per acre (5-9 du/ac). The project site is located along Camino de la Costa, where Camino de la Costa is identified as a Shoreline Access (LJCP, Subarea G: La Jolla Hermosa, page 153) which designates Camino de la Costa as "easiest natural access to shoreline in the area, Scenic vista point, and good access to La Jolla Boulevard."

The project requires a CDP, SDP, and NDP to remove an existing historically designated residence while rehabilitating the existing wall along the frontage of the site and the existing detached garage and construct a single-dwelling unit with associated site improvements. Additionally, the project proposes to protect sensitive coastal bluffs through the recordation of a 6,150 SF Covenant of Easement (COE) along the westerly bluff edge and the protection of public coastal views through the recordation of View Corridor Easements along the northern and southern property lines.

The proposed residential development includes the construction of an 8,649 SF single dwelling unit consistent with the development regulations of the SDMC which allow one dwelling unit per lot and a minimum lot size of 8,000 SF for projects within the RS-1-5 base zone, and consistent with the LJCP residential designation which allows five to nine dwelling units per acre. The project is consistent with the relevant policy documents' goals and recommendations.

One project objective is to retain the historic garage and stucco site wall in compliance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (Standards), specifically the rehabilitation standards. Due to compelling community input related to the home's historical significance and the legally nonconforming nature of the existing circa 1924 front yard site wall and associated garage, the typically required view corridors along the side yards are not achievable.

The project site does not contain and is not located adjacent to a public coastal accessway identified in the Local Coastal Program (LCP) land use plan and the project does not propose a public coastal accessway. The LJCP is the LCP for the La Jolla Community applicable to the site, it

illustrates Physical Access and Subarea Boundaries in Figure 6 of the LJCP, which does not propose access at this location. However, the site is located along Camino de la Costa, which is designated as having intermittent views to the ocean in Figure 9, Identified Public Vantage Points, of the LJCP. To comply with the requirements of the Land Development Code and Local Coastal Program, the new residential dwelling unit would be placed on-site to allow for the creation of a seven-foot-one-inch wide, deed-restricted view corridor with an easement to be recorded along the northern property line, allowing intermittent views to the ocean across the property. Along the southern property line, where the existing historic garage is to be maintained, a deed-restricted view corridor of one foot-three-inch wide will also be established through a recorded easement. A visually permeable fence would replace short sections of the existing stucco site wall to facilitate views through the view corridors. With the proposed view corridors and modifications to the existing site wall the project proposes to enhance public views to the ocean and coastal areas.

Portions of the existing site wall will be removed to comply with Coastal Overlay Zone view corridor requirements, and if possible, the column motif at the northernmost portion of the wall will be preserved. The column motif of the existing wall at the northernmost portion is comprised of stucco finish and materials that have been aged by exterior exposure; thus, preservation of the existing in its entirety may present challenges. The new entry to the residence is proposed at this location, and open fencing and setback from the property line will be installed. The open fencing will not exceed six feet in height and will have at least 75 percent of the vertical surface area of each six-foot section open to light.

Therefore, 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.

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

The project is described in CDP Findings A.1 above, is incorporated herein by reference. The project site is located within an urbanized area of La Jolla, was previously graded, and has been developed with a residential dwelling unit since 1924. Reviewing resource maps and aerial and street-level photography shows that the project site contains no sensitive biological resources. The project site contains no sensitive riparian habitat or other identified habitat communities. Furthermore, the project site does not contain, nor is it adjacent to, Multi-Habitat Planning Area (MHPA) designated lands.

The project site contains environmentally sensitive lands (ESL) in the form of Sensitive Coastal Bluffs and Special Flood Hazard Areas on the westerly side of the project site. The proposed removal of the legally non-conforming residence and associated basement will preserve and enhance the sensitive lands. Easterly (inland) of the 40-foot coastal bluff setback, excavation for a basement will occur to implement the project. The residence's existing basement and adjacent crawl spaces exist within the proposed excavation and thus will reduce the total excavation required for the proposed development. A Geologic Investigation Report and addendums were

prepared that address geologic hazards for the project site by Christian Wheeler Engineering in 2022 and 2023, as well as a Wave Run-up Study by Geosoils Inc. The prepared reports for the project indicate that the site is underlain by relatively stable formational soils suited for the proposed dwelling unit and associated site improvements. Incorporating an engineering design in conformance with current standards will ensure that the potential for geologic impacts from regional hazards will not be significant.

The proposed development will occur within previously disturbed areas of the site and will observe a 25-foot bluff edge setback, in conformance to the applicable regulations of SDMC Section 143.0143(f)(1), Development Regulations for Sensitive Coastal Bluffs. A 25-foot coastal bluff edge setback can be supported for the project based upon evidence in the geologic investigation report (Christian Wheeler, April 26, 2023), concluding that no geotechnical conditions exist on the subject property that would preclude the construction of the proposed residence and associated improvements provided the recommendations presented in the report are followed, furthermore the site is suitable for the proposed development. The submitted geotechnical investigation report analyzed bluff stability and potential geologic hazards. According to the report, the project site's gross slope stability was adequate overall, and the site was suitable for the proposed development at the 25-foot bluff setback.

The western portion of the site containing the Coastal Bluff and Special Flood Hazard Area will be protected by recording a COE as a condition of the permit. Existing site drainage currently flows to the Pacific Ocean. The proposed site drainage will mitigate any further bluff edge retreat and/or erosion and is designed to drain into a sump basin and be pumped via an under-sidewalk drain to the Camino de la Costa public street right-of-way. Based on the review of the project application and pursuant to Section 15060(d) of the California Environmental Quality Act (CEQA), the Environmental Analysis Section (EAS) of the City's Development Services Department has determined that the project may have significant effects on the environment and the preparation of a project-level Environmental Impact Report (EIR) was required.

The proposed development includes removing all portions of the existing single-family dwelling unit and associated site improvements, including those closer to 25 feet to the bluff edge. The existing sitework, rock walls, sidewalk, and other non-compliant bluff edge improvements will be removed. These improvements were not constructed as a retaining wall and were not engineered nor designed to be shoreline protective devices. The site has historically experienced limited erosion and wave action. Given these circumstances and the nature of the development being on a previously developed site with a proposed substantial increase in the bluff edge setback, the project will not have substantial adverse impacts on coastal resources. Therefore, the proposed coastal development will not adversely affect Environmentally Sensitive Lands.

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

The proposed project is described in CDP Findings A.1 and A.2 above and is incorporated herein by reference. The proposed development has been designed to achieve a harmonious visual relationship between the bulk and scale of the existing and adjacent residences as outlined in the LJCP recommendations for Community Character (LJCP, page 76). The proposed

development complies with all applicable development regulations, except for modifications to the driveway width and required visibility areas. This is necessary to protect the historically significant front yard wall, iconic entryway, and detached garage. The proposed residence's daylighted basement will be formed on top of a mat foundation to mitigate all excavation impacts and reduce the overall depth of excavation. Furthermore, the proposed basement will partially encompass areas of the existing basement to reduce overall excavation and help manage bulk and scale.

A majority of the existing historic residences in the area currently do not conform to the requirements of the SDMC in terms of bluff edge setback. As a result of this and the analysis in the letter from DCI Engineers, Jonathan Deck, PE, SE, Associate Principal dated May 19, 2023, identifying that the continued use and occupancy of the existing residence in its present state pose a severe risk to occupants and visitors, necessitating comprehensive remediation measures, the existing single-family historic residence will be removed excluding the existing garage structure that will be modified for reuse and the existing street fronting site wall that will also be modified as part of the proposed project. The proposed project will occur within previously disturbed areas of the site and has been designed to observe a 25-foot bluff edge setback, as allowed by SDMC Section 143.0143(f)(1), Development Regulations for Sensitive Coastal Bluffs. A 25-foot coastal bluff edge setback can be supported for the project based upon evidence in the Geologic Investigation Report and addendums that were prepared that address geologic hazards for the project site by Christian Wheeler Engineering in 2022 and 2023, as well as a Wave Run-up Study by Geosoils Inc., concluding that no geotechnical conditions exist on the subject property that would preclude the construction of the proposed residence and associated improvements provided the recommendations presented in the report are followed, furthermore the site is suitable for the proposed development. The submitted project reports analyzed bluff stability and potential geologic hazards. According to the report, the project site's gross slope stability was adequate overall, and the site was suitable for the proposed development at the 25-foot bluff setback. As designed and conditioned, the project will ensure that the proposed development will not adversely impact the coastal bluff.

The LJCP Residential Land Use Element contains the following goals and policies, which the project supports:

- Provide a high quality residential environment in La Jolla that respects its relationship to the sea, hillsides and open space.

The house to be constructed will consist of high quality building materials and finishes, including but not limited to concrete, glazing, stucco finish, metal and wood finishes consistent with building materials used on adjacent neighboring properties. Additionally the project will dedicate view easements to the ocean and shoreline areas,

- Promote the development of a variety of housing types and styles in La Jolla.

The proposed design for the dwelling unit will be a modern design with clean lines, rectangular forms and large spans of glass providing a variety in the style of architecture within the established neighborhood. The bulk and scale of the proposed development will be consistent with the neighboring homes and will be in conformance with the 30-foot

coastal height limit.

- The City should ensure that new residential development within La Jolla complies with the landscape and streetscape guidelines that are identified in this element and in Appendix E of this plan.

The project will install street trees and landscaping in accordance with the requirements of Appendix E of the Community Plan.

- The City should ensure that residential projects along the coastal bluff maintain yards and setbacks as established by the underlying zone and other applicable regulations in the Land Development Code in order to form view corridors and to prevent a walled-off appearance from the street to the ocean.

The project will dedicate view easements adjacent to the northern and southern property lines and will maintain a 25-foot setback from coastal bluff edge in conformance with the applicable regulations of SDMC Section 143.0143(f)(1), Development Regulations for Sensitive Coastal Bluffs.

- The City should ensure that bluff stability is a foremost consideration in site design. New development on or near the coastal bluff will be designed in a manner that will protect the bluff from erosion.

The project will conform with the applicable regulations of SDMC Section 143.0143(f)(1), Development Regulations for Sensitive Coastal Bluffs and built in conformance with the recommendations of the geotechnical report prepared by Christian Wheeler Engineering (April 26, 2023).

The project is consistent with the recommended land use and development standards in effect for the subject property per the adopted La Jolla Community Plan and Local Coastal Program Land Use Plan and the General Plan, which recommend that the subject property be developed with single-family residential development in accordance with development regulations of the existing RS-1-5 zone. Except for necessary modifications for driveway width and required visibility areas, which support the rehabilitation of the existing historic garage and site wall, the proposed project complies with all applicable provisions of the Land Development Code and Local Coastal Program land use plan. Thus, the proposed coastal development conforms 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 proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. The project site is within an established residential neighborhood. It is currently developed with a two-story single-family residence with an existing basement. No

public access or recreation facilities exist on or adjacent to the site.

Furthermore, the project will ensure visual access through the recordation of View Corridor Easements for the preservation and enhancement of public coastal views. The new residential structure would be placed on-site to allow for the creation of a seven-foot-one-inch wide, deed-restricted view corridor with an easement to be recorded along the northern property line. Along the southern property line, where the existing historic garage is to be maintained, a deed-restricted view corridor of one-foot-three-inches wide will also be established through a recorded easement. A visually permeable fence would replace short sections of the existing stucco site wall to facilitate views through the view corridors. Therefore, the project is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. Findings for all Neighborhood Development Permits – SDMC Section 126.0404(a).

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

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. The La Jolla Community Plan designates the project site for single-family residential development at 5-9 dwelling units per acre. The project entails the removal of a legally non-conforming single-family dwelling unit and the construction of a new single-family dwelling unit on a previously developed bluff lot.

The proposed design will be compatible with the appearance of the existing neighborhood and incorporate façade, articulation, and architectural details that will improve the aesthetic appeal when viewed from the street and along the coast. Specifically, the proposed residence will be partially below grade, minimizing the bulk and scale above grade. The architectural style will use glass and thin concrete decks to emphasize the light, airy California modern international style. This will be supported by the retention and rehabilitation of the existing site wall and garage. In doing so, this design will preserve the charm of the old neighborhood and conceal a vast majority of the new development behind the historic site wall and garage. The non-descript elevation of the historic garage will be rehabilitated to add two garage doors and provide increased articulation and detailing. The expansive glazing generates a light and airy atmosphere and, in turn, reduces any perceived mass to promote pedestrian-scale development.

Portions of the site wall will be removed to comply with Coastal Overlay Zone view corridor requirements, and if possible, the column motif at the northernmost portion of the wall will be preserved. The new entry to the residence is proposed at this location where open fencing setback from the property line will be installed. This open fencing will not exceed six-feet in height and will have at least 75-percent of the vertical surface area of each six-foot section open to light.

The proposed project was reviewed and determined to be consistent with the Local Coastal Program land use plan as outlined in CDP finding A.3 above, as well as the development regulations of the RS-1-5 zone., including front setback where the new structure conforms to the

required 20-foot setback and the front setback varies for the existing previously conforming structures; side setback where the required side setback is seven-foot-one-inch in accordance with SDMC Section 113.0243(C) where the proposed new structures conform to the regulations and the side setback varies for the existing previously conforming structures to remain; rear yard setback varies from 78 feet to 110 feet where the regulations require a 20-foot rear yard setback; Floor Area Ratio (FAR) where the project proposes an FAR of 0.41 where 0.48 is the maximum FAR in accordance with Table 131-04J, SDMC Section 131.0446(a)(1); and height where the proposed maximum height will be 30-foot at the plumb line where the maximum height allowed is 30-foot at the plumb line plus 10 feet in accordance with the SDMC Section 132.0505. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. The subject site is developed, zoned for, and surrounded by single-family residential use with various architectural styles. The permit controlling the development and continued use of the development proposed for this site contains conditions addressing project compliance with the City's regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and working in the area.

The project includes the removal of the existing residence and all site improvements within the bluff edge setback, specifically those most at risk from erosion. A 25-foot coastal bluff edge setback can be supported for the proposed project based on evidence in the Geologic Investigation Report (geotechnical report) by Christian Wheeler Engineering Inc. in 2022, supplemented in 2023, and the and wave run-up study prepared by Geosoils Inc. in 2023. The submitted Geotechnical Investigation Report and Wave Run-up study were prepared and reviewed to analyze bluff stability and other potential geologic hazards. According to the reports, the project site's gross slope stability was adequate overall, and the site was suitable for the proposed development at the 25-foot bluff setback. The removal of the existing structure, preservation of the bluff edge, and proposed structure will meet current safety standards to minimize risk from geologic hazards.

No geotechnical conditions were encountered that would preclude the construction of the subject project. The coastal blufftop site is in an area relatively free of geologic hazards that will significantly affect the proposed dwelling unit and associated site improvements over its design life. The most likely geologic hazard that could affect the site is ground shaking due to seismic activity along one of the regional active faults. However, construction in accordance with the requirements of the California Building Codes and the local government agencies should provide a level of life safety suitable for the type of development proposed.

The project geotechnical report did not indicate signs of recent bluff top erosion at the site or adjacent properties. However, there were signs of historical marine erosion at the base of the bluff nearby to the west in the form of blocks of failed bedrock. The site is in an area of bluff/shoreline composed of a very erosion-resistant bedrock material fronted by a broad bedrock shore platform. The shore platform and erosion-resistant bedrock protect the site from

waves and erosion.

The project's Coastal Hazard and Wave Runup Analysis performed by Geosoils, Inc. indicates that the proposed development is safe from coastal hazards including over six feet of Sea Level Rise (SLR). The elevation of the development prevents site flooding from the ocean and wave runup in consideration of the 0.5-percent SLR (CCCSLRG, 2018). Finally, the site is well setback from the impact of shoreline erosion in consideration of SLR. No protective devices will be necessary to protect the proposed development from any existing or anticipated future coastal hazards over the lifetime of the proposed development.

The proposed development requires modifications to the driveway width and visibility areas to retain the historically significant garage and site wall. As a condition of approval, the project will be required to include added safety measures at the garage's location to address any safety concerns.

Conditions of approval require compliance with several operational constraints and development controls intended to assure the continued health, safety, and general welfare of persons residing or working in the area. All California Building Codes and the City regulations governing the construction and habitation apply to this site to prevent adverse effects on those persons or other nearby properties. All aspects of the development comply with the land use regulations so that the proposed development, with the conditions of the permit, which include compliance with all applicable building codes, regulations, and standards, will not be detrimental to public health, safety, and welfare.

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

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. This project complies with all applicable the development regulations of the RS-1-5 zone, including front setback where the new structure conforms to the required 20-foot setback and the front setback varies for the existing previously conforming structures; side setback where the required side setback is seven-foot-one-inch in accordance with SDMC Section 113.0243(C) where the proposed new structures conform to the regulations and the side setback varies for the existing previously conforming structures to remain; rear yard setback varies from 78 feet to 110 feet where the regulations require a 20-foot rear yard setback; Floor Area Ratio (FAR) where the project proposes an FAR of 0.41 where 0.48 is the maximum FAR in accordance with Table 131-04J, SDMC Section 131.0446(a)(1); and height where the proposed maximum height will be 30-foot at the plumb line where the maximum height allowed is 30-foot at the plumb line plus 10 feet in accordance with the SDMC Section 132.0505; and the Local Coastal Program land use plan, as outlined in finding A.3 above. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code

C. Supplemental Findings--Environmentally Sensitive Lands – SDMC Section 126.0404(b)

1. The site is physically suitable for the design and siting of the proposed development

and the development will result in minimum disturbance to environmentally sensitive lands.

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. The project site is located within an urbanized area of La Jolla. The proposed development includes removing all portions of the existing single-family dwelling unit and associated site improvements, including those closer to 25 feet to the bluff edge. The project site has previously been graded, and the proposed project requires excavation for a daylighted basement and mat foundation. The existing basement and adjacent crawl spaces exist within the proposed excavation area for the new basement and will reduce the total excavation required for the proposed development. The excavation required for a majority of the proposed basement is located entirely within the artificial fill that is undocumented, potentially compressible, and obscuring the natural bluff space and the natural landform. A Geologic Report and addendums were prepared that address geologic hazards for the project site by Christian Wheeler Engineering in 2022 supplemented in 2023, as well as a Wave Run-up Study prepared by Geosoils Inc. in 2023. Compliance with the City's geotechnical permit conditions will ensure that proposed coastal development will be constructed in such a fashion to reduce the potential for geologic impacts from regional hazards. The project's footprint is not within a flood overlay zone or a potentially sensitive area for fire hazards. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. Removing the existing residence and all existing site improvements, including those within the bluff edge setback, will mitigate future erosion. Existing site drainage on and around the existing single-family historic residence has uncontrolled flow across the site to the Pacific Ocean. The proposed site drainage will mitigate any further bluff edge retreat and/or erosion and is designed to consolidate on-site water drainage into a sump basin to be pumped via an under-sidewalk drain to the Camino de la Costa public street right-of-way.

A Geologic Report and addendums were prepared that address geologic hazards for the project site by Christian Wheeler Engineering in 2022, supplemented in 2023, as well as a Wave Run-up Study by Geosoils Inc. in 2023. In accordance with the previously referenced project reports the proposed project will not destabilize or result in the settlement of any adjacent structures, nor will it contribute to the instability of the bluff and will have factors of safety of 1.5 or greater against gross and surficial slope/bluff failures. Compliance with the City's Geology permit conditions will ensure that new structures will be built to reduce the potential for geologic impacts from regional hazards.

Neither the project's geotechnical report nor the coastal hazard and wave runup analysis identified conditions that would preclude the construction of the subject project. The coastal blufftop site is located in an area relatively free of geologic hazards that will significantly affect the proposed residence over its design life. The most likely geologic hazard that could affect the

site is ground shaking due to seismic activity along one of the regional active faults. However, construction in accordance with the requirements of the California Building Code and the local government agencies should provide a level of life safety suitable for the type of development proposed.

Project reports did not identify signs of recent bluff top erosion at the site or adjacent properties. There were signs of historical marine erosion at the base of the bluff nearby to the west in the form of blocks of failed bedrock. The site is in an area of bluff/shoreline composed of a very erosion-resistant bedrock material fronted by a broad bedrock shore platform. The shore platform and erosion-resistant bedrock protect the site from waves and erosion.

The proposed development is safe from coastal hazards including over six feet of SLR. The elevation of the development prevents site flooding from the ocean and wave runoff in consideration of the 0.5-percent SLR (California Coastal Commission Sea Level Rise Guidance [CCCSLRG], 2018). Finally, the site is well setback from the impact of shoreline erosion in consideration of SLR. No protective devices will be necessary to protect the proposed development from any existing or anticipated future coastal hazards over the lifetime of the new residence.

The overall excavation consists of 1,155 cubic yards. The native soil to be excavated is limited to 150 yards, whereas the artificial fill to be excavated will be 1,005 cubic yards.

The project is not within a flood overlay zone or a potentially sensitive area for fire hazards. Therefore, the proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. The project site contains Environmentally Sensitive Lands in the form of Coastal Bluffs along the project site's western blufftop. The proposed development will occur entirely within private property and not encroach on the coastal bluffs or environmentally sensitive lands.

The western portion of the site contains the Coastal Bluff and Special Flood Hazard Area, which will remain and be protected by recording a COE as a condition of the permit. Existing site drainage on and around the existing single-family historic residence has uncontrolled flow across the site to the Pacific Ocean. The proposed site drainage will mitigate any further bluff edge retreat and/or erosion and is designed to consolidate on-site water drainage into a sump basin to be pumped via an under-sidewalk drain to the Camino de la Costa public street right-of-way.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State, and Federal regulations to prevent detrimental impacts on the health, safety, and welfare of persons residing there. These conditions address requirements relating to stormwater runoff, runoff during construction, and landscaping. All

Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects on those persons or other properties in the vicinity.

The project was previously graded for crawl spaces and a basement. The proposed two-story single-family residence and basement proposes grading predominantly in artificial fill to create a new larger daylighted basement and mat foundation for structural support. Therefore, the proposed development will be sited and designed to prevent adverse impacts on adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Program (VPHCP).

The proposed project is described in CDP Findings 1, 2 and 3 above, which are incorporated herein by reference. The site is not adjacent to the MSCP Multiple Habitat Planning Area (MHPA), so it is not subject to the City of San Diego's MSCP Subarea Plan. The project site contains no vernal pools and is not subject to the VPHCP.

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

The proposed project is described in CDP Findings 1, 2 and 3 above, incorporated herein by reference. The proposed development takes place entirely within private property and stays within the area of the existing development. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State, and Federal regulations to prevent detrimental impacts on the health, safety, and welfare of persons residing there. These conditions address requirements relating to stormwater runoff, runoff during construction, and landscaping. All applicable California Building Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects on those persons or other properties in the vicinity. Site drainage currently exists and is designed to drain toward the Camino de la Costa public street right-of-way with the aid of a sump pump.

A Geologic Report and addendums were prepared and reviewed that address geologic hazards for the project site by Christian Wheeler Engineering in 2022, supplemented in 2023, as well as a Wave Run-up Study prepared by Geosoils Inc in 2023. The Geotechnical Investigation determined that the proposed project would have no significant geological impacts and would not require mitigation related to geotechnical issues. More specifically, the investigation found no geotechnical conditions exist on the subject property that would preclude the construction of the proposed residence and associated improvements provided project implements the recommendations contained in the report. The primary geotechnical conditions affecting the subject project are the presence of potentially compressible fill soils and native soils underlying the proposed construction area and a cut/fill transition.

According to the project Geotechnical Report prepared by Christian Wheeler Engineering, in their present condition, the existing potentially compressible fill materials and uppermost

portions of the old paralac deposits are considered unsuitable for the support of settlement-sensitive improvements. These materials extend to a maximum estimated combined depth of about nine feet below the existing grade. Structural slabs are recommended for the proposed on-grade concrete floor slabs. In addition, special site preparation is recommended.

The proposed development scheme and the recommended site preparation are anticipated to result in cut/fill transitions and heterogeneous soils underlying the proposed structure. Cut/fill transitions are not recommended due to the potential for differential settlement due to the different compression characteristics of compacted fill, old paralac deposits, and materials of the Point Loma Formation. The recommendations provided in the previous paragraph will also mitigate this condition.

It is important to emphasize that this project features a daylight basement, distinguishing it from a traditional basement. The western portion is entirely open and a walk-out basement to the landscape and does not act as potentially future shoreline protection, but rather, the opposite. The excavation required for a majority of this basement is located entirely within the artificial fill.

The Geotechnical Report prepared by Christian Wheeler Engineering referenced above identified fill material that is old undocumented, potentially compressible, and obscuring the natural bluff space and the natural landform. This daylight walk in the basement area involves limited native soil engagement, and where it does, the subject is located nearly 60 feet from the bluff edge.

More importantly, this lower level does not contribute to the long-term deterioration of the bluff edge. On the contrary, removing this artificial fill and stabilizing the bluff edge are essential measures to prevent any further impacts on the bluff edge. The proposed project would restore the entire western portion of the property, and all developments made since the original development of the project site will be meticulously removed.

The permit is conditioned on Standard, Geologic, Climate Action Plan, Historic, Landscape, Water and Sewer, Engineering, Combined, Structural, Environmental, and Planning conditions of approval that are reasonably related to and calculated to alleviate any adverse impacts created by the proposed development. Therefore, the nature and extent of mitigation required as a condition of the permit are reasonably related to and calculated to alleviate negative impacts created by the proposed development.

D. Findings for all Site Development Permits (SDP) – SDMC Section 126.0505(a)

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

See NDP Findings B.1 above, incorporated herein by reference.

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

See NDP Findings B.2 above, incorporated herein by reference.

3. The proposed development will comply with the applicable regulations

of the Land Development Code.

See NDP Findings B.3 above, incorporated herein by reference.

E. SDP Supplemental Findings—Environmentally Sensitive Lands – SDMC Section 126.0505(b)

6. The site is physically suitable for the design and siting of the proposed development, which will result in minimum disturbance to environmentally sensitive lands.

See NDP Findings C.1 above, incorporated herein by reference.

2. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

See NDP Findings C.2 above, incorporated herein by reference.

7. The proposed development will be sited and designed to prevent adverse impacts on adjacent environmentally sensitive lands.

See NDP Findings C.3 above, incorporated herein by reference.

8. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).

See NDP Findings C.4 above, incorporated herein by reference.

9. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, which are incorporated herein by reference. The proposed development takes place entirely within private property and stays within the area of the existing development. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State, and Federal regulations to prevent detrimental impacts on the health, safety, and welfare of persons residing there. These conditions address requirements relating to stormwater runoff, runoff during construction, and landscaping. All California Building Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects on those persons or other properties in the vicinity. Site drainage currently exists and is designed to drain toward the Camino de la Costa public street right-of-way with the aid of a sump pump.

A Geologic Report and addendums were prepared and reviewed that address geologic hazards for the project site by Christian Wheeler Engineering in 2022, supplemented in 2023, as well as a Wave Run Up Study prepared by Geosoils Inc in 2023. In accordance with the previously referenced project reports, the proposed project will not destabilize or result in the settlement of

any adjacent structures, nor will it contribute to the instability of the bluff and will have factors of safety of 1.5 or greater against gross and surficial slope/bluff failures.

As a condition of permit approval, the Owner/Permittee would waive all rights to shoreline protective devices associated with the subject property. The permit requirement will ensure the absence of any shoreline protection and would allow the natural process of bluff erosion to continue, contributing to a supply of shoreline sand. Under the Coastal Act, development is required to be sited and designed to minimize risks, assure stability and structural integrity, and neither create nor contribute significantly to erosion or require the construction of protective devices that would substantially alter the natural landforms along bluffs and cliffs (Section 30253). Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact the local shoreline sand supply.

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

The proposed project is described in CDP Findings A.1, A.2 and A.3 above, and is incorporated herein by reference. A Geologic Report and addendums were prepared and reviewed that address geologic hazards for the 6110 Camino De La Costa project site by Christian Wheeler Engineering in 2022, supplemented in 2023, as well as a Wave Run-up Study prepared by Geosoils Inc in 2023. The referenced project reports determined that the proposed project would have no significant geological impacts and would not require mitigation related to geotechnical issues. More specifically, the previously referenced project reports determined that no geotechnical conditions exist on the subject property that would preclude the construction of the proposed residence and associated improvements provided the recommendations by the provided Report. The primary geotechnical conditions affecting the subject project are the presence of potentially compressible fill soils and native soils underlying the proposed construction area and a cut/fill transition.

In their present condition, the existing potentially compressible fill materials and uppermost portions of the old paralic deposits are considered unsuitable for the support of settlement-sensitive improvements. These materials extend to a maximum estimated combined depth of about nine feet below the existing grade. In order to mitigate this condition, structural slabs are recommended for the proposed on-grade concrete floor slabs. In addition, special site preparation is recommended.

The proposed development scheme and the recommended site preparation are anticipated to result in cut/fill transitions and heterogeneous soils underlying the proposed structure. Cut/fill transitions are not recommended due to the potential for differential settlement due to the different compression characteristics of compacted fill, old paralic deposits, and materials of the Point Loma Formation. The recommendations provided in the previous paragraph will also mitigate this condition.

The development is conditioned with Standard, Geologic, Climate Action Plan, Historic, Landscape, Water and Sewer, Engineering, Combined, Structural, Environmental, and Planning conditions of approval that are reasonably related to, and calculated to alleviate any adverse

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

F. SDP Supplemental Findings—Historical Resources Deviation for Substantial Alteration of a Designated Historical Resource or Within a Historical District – SDMC Section 126.0505(i)

1. No feasible measures, including a less environmentally damaging alternative, can further minimize the potential adverse effects on the designated historical resource or historical district.

The Herbert York/ Herbert Palmer House/ La Casa de Los Amigos (HRB #1481) was designated in January 2023 under Criterion A for its association with the early development of the La Jolla Hermosa neighborhood, under Criterion B for its association with nuclear physicist Herbert York, under Criterion C as an example of the Spanish Colonial Revival style and under Criterion D as a notable work of Master Architect Herbert Palmer. The Resource's significance, particularly under Criterion A, is closely associated with the La Jolla Hermosa neighborhood due to its coastal bluff location and for being the oldest intact residential structure in La Jolla Hermosa.

The conditions of the project site and the regulations applicable to the project site are complex and provide significant limitations for development and include not only the presence of a designated historical resource, but also substantial structural concerns as identified in the structural report prepared by DCI Engineering (May 19, 2023), the requirements of the Coastal Act, and an environmentally sensitive coastal bluff on the site.

The applicant explored various options for rehabilitating the existing Resource; however, during a structural investigation conducted by DCI Engineering, project geological reports and the structural report from DCI Engineering (May 19, 2023) concluded that the continued use and occupancy of the existing residence in its present state pose a severe risk to occupants and visitors, necessitating comprehensive remediation measures. Substantial repairs and retrofit/replacement are required and, if elected, should be performed prior to occupancy of the residence." According to the referenced structural report, the structural integrity of the building would make rehabilitation of the Resource as a residence infeasible unless significant structural repairs occurred.

The western portion of the main residence is currently located on the coastal bluff within the bluff edge setback. For the main residence to retain its historic location, any new development on the site or structural upgrades would need to be conducted in such a way that it would allow the structure to retain its previously conforming status and avoid demolition of the portion of the Resource located within the bluff setback. Previously conforming status of a structure located on a premises that contains or abuts a coastal bluff edge shall terminate upon "destruction, demolition or removal of 50 percent or more of the capacity of the lateral or vertical load resisting system of the previously conforming structure." As documented in the structural report, the extensive foundation repairs required to stabilize the structure would require removal of at least 60 percent or more of the lateral or vertical load system which would cause the structure to lose its previously conforming status. Termination of the previously conforming status would require any structures on the site to conform to current development

standards and would involve the removal of the western portion of the Resource within the coastal bluff setback.

From a regulatory standpoint, it is feasible to retain a larger portion of the historic structure; however, a deviation to the coastal bluff setback would be required. This would have to be considered from a variety of perspectives including that of coastal development, development on a site with environmentally sensitive lands, and modifications to a designated historical resource. The deviation would result in a project that is inconsistent with the certified local coastal program land use plan and the goals and policies established for the preservation of coastal resources, namely coastal bluffs. Furthermore, the deviation would require additional findings to be made for deviations to the environmentally sensitive regulations. One such finding aims to establish that there are no feasible measures that can further minimize potential adverse effects on environmentally sensitive lands. As seen by the project put forth, it is evident there are feasible measures that further minimize potential adverse impacts to environmentally sensitive lands through compliance with the required coastal bluff setback. Therefore, the alternative that would have the least environmentally damaging impact, retaining and rehabilitating the Resource on site without relocation of a portion of the structure would require deviations from both the coastal bluff setback and the environmentally sensitive lands regulations.

The proposed project (Base Project – Alternative 1) includes the total demolition of the Resource for the development of an 8,649-square-foot two-story dwelling unit with a basement, a swimming pool and a spa, and associated hardscape and landscape improvements. In order to minimize adverse impacts to the Resource, the applicant proposes to retain the historic garage structure (with internal and external structural modifications), demolish the interior of the garage to accommodate for automobile lifts, build new dual garage door openings facing east (towards Camino de la Costa), retain the existing driveway gate, and retain the existing site wall except for portions within the side yard setbacks which will be removed to provide the required Coastal View Corridors. The existing driveway and curb cut will be removed and a new eighteen-foot (18'-0") driveway curb cut and driveway are proposed from Camino de la Costa directly to the existing garage structure. The proposed demolition of the Resource is not consistent with the Standards.

In order to provide a less environmentally damaging alternative, the applicant explored the option to retain the existing historic garage and site wall; however, the existing driveway would be non-functional without adding garage doors that face directly onto Camino de la Costa. The existing driveway leading to the existing garage doors facing north consumes most of the space within the front yard and restricts the amount of landscape within the front yard.

Additionally, the project site is restricted by the coastal bluff edge, identified as Environmentally Sensitive Lands (ESL), which requires a forty-foot setback unless the City Manager may permit structures to be located between twenty-five feet (25'-0") and forty-feet (40'-0") from the bluff edge where the evidence contained in a geology report indicates that the site is stable enough to support the development at the proposed distance from the coastal bluff edge and the project can be designed so that it will not be subject to or contribute to significant geologic instability throughout the anticipated life span of the primary structures, and no shoreline protection is

required per SDMC 143.0143(f)(1). Therefore, the proposed Base Project would need to be pushed landward towards the front yard on Camino de la Costa. The radius required for vehicular access to the existing garage entry leaves the existing driveway impassable. Subsequently, the installation of garage doors facing east directly towards Camino de la Costa and the development of a new 18-foot-wide curb cut and driveway would facilitate vehicle access to and from the residence and allow for a landscaped front yard.

An economic analysis of six different alternatives, including the Base Project (Alternative 1), was prepared in an Economic Feasibility Study (Feasibility Study) prepared by JMAN Investments, Inc. Alternative 2 studied the removal of the portions of the Resource within the forty-foot (40'-0") coastal bluff setback and rehabilitation of the remaining sections of the building, including the garage and site wall, to conform with current standards. Alternative 3 studied the on-site relocation of the single-family residence behind the forty-foot (40'-0") bluff edge setback, the preservation of the garage and site wall, and the rehabilitation of the remaining building sections to conform to habitable standards. Alternative 4 studied the on-site partial relocation and preservation of the northern wing and dormer of the existing single-family residence, the preservation of the garage and site wall, the removal of the remaining residence within the forty-foot (40'-0") bluff edge setback, and the construction of a new two-story and basement structure. Alternative 5 studied the complete relocation of the entire Resource within the La Jolla's Hermosa community. Alternative 6 studied the removal of all portions of the historic structure within the 25'-0" setback and the construction of a two-story addition on the east elevation. While the Base Project has the most negative impact on the historical resource, it is the only economically feasible project given the constraints of the site, including the coastal bluff and setback, and structural deficiencies of the existing structure requiring repair that would cause the Resource to lose its previously conforming status. The following six alternatives were evaluated for their respective Total Net Development Profit and Development Margin versus that of the Base Project (Alternative 1), which is summarized in the table below:

Alternative	Description	Total Sqft	Impact to Resource
Base Project (Alternative 1)	Development of a 8,649-square-foot two-story dwelling unit with a basement, a swimming pool and a spa, structural modification to the existing garage and site wall, and associated hardscape and landscape improvements.	8,649	Total demolition of historic single-dwelling-unit, structural modification of the garage to accommodate new doors and automobile lifts, removal of portions of the site wall.
Alternative 2	Partial removal of the Resource within the forty-foot (40'-0") coastal bluff setback and rehabilitate the remaining sections of the Resource.	1,453	Partial removal of the main residence, retention of portions of the structure outside the coastal bluff setback including the existing garage and site wall.

Alternative 3	On-site relocation of the Resource to behind the forty-foot (40'-0") coastal bluff setback and rehabilitate the remaining sections.	3,994	Removal of the courtyard, removal of portions of structure flanking each side of the entryway and archways along the northern and southern wings. Retention of the existing garage and site wall.
Alternative 4	Partial removal of the Resource within the forty-foot (40'-0") coastal bluff setback, on-site partial relocation of the northern wing, construction of a new two-story structure.	8,099	Removal of the courtyard. Partial relocation and preservation of the northern wing and dormer. Addition of a new two-story plus basement structure. Retention of the existing garage and site wall.
Alternative 5	Complete off-site relocation of the Resource to a different location within La Jolla Hermosa community.	5,086	Retention of the entire Resource in new location.
Alternative 6	Partial removal of the Resource within the twenty-five-foot (25'-0") coastal bluff setback and construction of a two-story addition on the east façade.	4,051	Partial removal of the main residence, impacts to the courtyard, addition of a new second story, retention of portions of the structure outside the coastal bluff setback including the existing garage and site wall.

According to the Feasibility Study, the applicant has assumed a \$700.00 per square foot construction cost for the Base Project (Alternative 1) and Alternative 2, and \$800.00 per square foot construction cost for Alternatives 3, 4 and 6 due to the relocation, storage, and the adoption of the existing structures to new foundations. The cost per square-foot is based on the applicant's professional and recent construction experience and industry information of \$700 to \$1,000 per square foot for high-end custom homes. Additionally, the Feasibility Study identifies recent sales in the area and used a \$3,000.00 per square foot sales price, which reflects the median sales price of homes recently sold on Camino de la Costa. The Feasibility Study concludes that the Base Project (Alternative 1) is the only economically feasible option among those presented and that the other less environmentally damaging alternatives studied are not economically feasible. The Feasibility Study provided project performance in the form of a Development Margin of 11.61-percent or \$3,013,382.00 for the Base Project (Alternative 1).

According to the Feasibility Study:

- Alternative 2 is not economically feasible. Upon completion of the partial removal of the residence that exists within the coastal bluff edge setback and the rehabilitation of the remaining portion of the Resource results in a house that is only 1,453 square feet. When compared to the cost of construction and acquisition, the resulting residence value is \$4,359,000 representing a net development loss of \$11,386,661 or -261.22-percent and would not support the total project costs associated with this alternative. Furthermore, this alternative proposes a significant adverse impact to the Resource

- because it proposes demolition of the majority of the main residence to the point where it will no longer retain historical integrity as it relates to HRB Criteria A, B, C and D.
- Alternative 3 is not economically feasible. Upon completion of the partial removal of the north and south wings and the relocation and rehabilitation of the western portion of the Resource, the resultant house is 3,994 square feet. When compared to the cost of construction and acquisition, the resulting residence value is \$11,982,000 representing a net development loss of \$6,800,678 or -56.76-percent and would not support the total project costs associated with this alternative. Furthermore, this alternative proposes a significant adverse impact to the Resource because it proposes the demolition of the north and south wings, relocation of a large portion of the main residence and would also result in the loss of the courtyard and the property would no longer retain historic integrity as it relates to HRB Criteria A, B, C and D.
 - Alternative 4 is not economically feasible. Upon completion of the partial removal of the residence, relocation of the north wing and construction of a new two-story with basement structure, the resultant house is 8,099 square feet. When compared to the cost of construction and acquisition, the resulting residence value is \$24,297,000 representing a net development gain of \$1,074,169.000 or 4.42-percent and would not meet the necessary return on investment for financing. Furthermore, this alternative proposes a significant adverse impact to the Resource because it proposes the demolition of the majority of the resource and its architecturally character defining features, the relocation of the north wing, and the loss of the courtyard. The property would no longer retain historic integrity as it relates to HRB Criteria A, B, C and D.
 - Alternative 5 is not economically feasible. In order to retain its historic significance under Criterion A, the resource would need to be relocated within the La Jolla's Hermosa neighborhood. Relocation of the Resource to a location outside of La Jolla Hermosa and away from the coast has a significant impact on the property's ability to retain its historic significance under HRB Criterion A. As of October 2023, available properties in La Jolla Hermosa are listed for the following costs, \$17,000,000.00, \$16,800,000.00, \$38,000,000.00 and \$16,800,000.00 and all the residences consume a majority of the footprint of the site, not allowing for the relocation of the Resource. To relocate the Resource to one of these sites would require the existing home on one of these properties to be demolished and the land excavated to accommodate the relocated Resource. The Resource would then have to be segmented and relocated piece by piece and then restored. For this analysis, the applicant has examined taking the least expensive property available at \$16,800,000.00 and assumed the existing 5,674 square-foot house would be demolished and the site cleared. The applicant has assumed the cost of \$1,000.00 a square foot due to the demolition, site work, additional foundations, and relocation of the Resource. We have assumed the existing property value when vacant would be \$9,375,000.00 and provided this as development value in our economic analysis. When compared to the cost of construction and acquisition, the resulting residence and vacant property value is a combined \$24,633,000.00 representing a net development loss of \$25,982,897 or -170.29-percent and would not support the total project costs associated with this alternative. Relocation of the resource would impact its integrity of location, setting and feeling as it relates to its significance under Criteria A and B; however, it would have less of an adverse impact on the historical resource than

the base project because it would retain integrity of design, materials and workmanship as it relates to Criteria C and D. Although Alternative 5 is a less environmentally damaging alternative, it is not economically feasible.

- Alternative 6 is not economically feasible. Upon completion of the removal of the western portion of the basement, ground level and level two dormer the home has only 1979 square feet of occupiable space. In order to provide a path to feasibility with this footprint retaining the existing courtyard this Alternative proposes to add back 2,072 square feet over the entirety of the ground level retain structure. When compared to the cost of construction and acquisition, the resulting residence value is \$12,153,000 representing a net development loss of \$6,679,891 or -54.96-percent margin.

As demonstrated by the Feasibility Study, the Base Project is the only economically feasible option due to historical resource designation, the location of the historical resource, the constraints of the coastal bluff edge setback requirements, and the Total Net Development Profit and Development Margin. Therefore, for these reasons, there are no feasible measures, including a less environmentally damaging alternative that can further minimize the potential adverse effects on the designated historical resource.

2. The deviation is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the historical resource have been provided by the applicant.

The City's Historical Resources Regulations require that all designated historical resources be maintained consistent with the Standards. The proposed project is a substantial alteration that is not consistent with the Standards; therefore, a deviation from the Historical Resources Regulations is being requested. As demonstrated by the Economic Feasibility Study (Feasibility Study) prepared by JMAN Investments, Inc. (Applicant), demolition of the Resource is the minimum deviation from the City's Historical Resources Regulations necessary to afford relief and accommodate the development of the site due to restraints of the coastal bluff setback.

While the proposed development will result in substantial alterations to the Resource, the proposed project will take steps to mitigate this impact. Historical resource mitigation measures have been developed for adoption within the Casa de la Amigos Draft Environmental Impact Report (Project No. PRJ-1066101, Attachment 4), with which the Base Project has been evaluated and deemed necessary. The Mitigation Monitoring and Reporting Program (MMRP) for the Resource requires the implementation of a documentation program submitted to City Historic Resources Division staff for review and approval, implementation of the Treatment Plan (Attachment 7), architectural salvage and a Monitoring Plan, and interpretive signage to ensure appropriate implementation of the Base Project. Additionally, the project has been designed to further minimize impacts to the Resource while still accommodating development.

In order to mitigate the impacts to the Resource, the Applicant will be required to submit Historic American Building Survey (HABS) documentation prior to the issuance of a demolition permit. The HABS documentation shall include detailed drawings, photo documentation and written documentation of the Resource consistent with National Park Service guidance. A copy of this documentation will be archived with the City and other depositories as outlined in the

MMRP.

The Treatment Plan and accompanying drawings outline how the remaining historic elements, including the garage and site wall, will be modified to accommodate the new development. Portions of the site wall will be removed to accommodate Coastal View Corridor requirements, but the remainder of the wall will be repaired and restored consistent with the Standards. The garage will be modified to accommodate new, historically appropriate garage doors on Camino de la Costa and a portion of the rear staircase and wall will be removed to accommodate construction of the new residence. The existing garage door opening will be infilled with glazing to indicate its historic location. Roof tiles salvaged from the house will be used to reroof the garage.

Prior to the issuance of the demolition permit, the applicant shall assess the Resource and create a Salvage Plan that indicates architectural elements that are proposed for salvage. These elements shall include, but are not limited to, decorative medallions on the exterior of the main residence and roof tiles. Once the items for salvage are identified, the Project's qualified historic preservation professional (QHPP) shall submit this information to the City's Heritage Preservation Section for approval. Following the City's approval of the Salvage Plan, the QHPP in concert with the City's Heritage Preservation Section, shall notify local preservation groups via email concerning the availability of the salvaged materials. Interested parties shall make arrangements to pick up the materials after they have been removed from the property. The applicant shall be responsible for storing the salvaged materials in an appropriate climate-controlled storage space for ninety (90) days after the notice is given to interested parties.

The Monitoring Plan establishes specific timeframes within the construction timeline of the Project in which a Historical Monitor will be present. The Monitor will document these visits to the site and submit reports to City staff for review. A pre-construction meeting will be held on-site in to clarify selective demolition methods, including the identification of elements proposed for salvage, and protection of the garage and site wall during construction.

An interpretive signage display panels or storyboards shall be installed in a publicly visible location, near the northern corner of the property, in the public sidewalk right-of-way. The installation shall describe the history and significance of Casa De Los Amigos under Criteria A, B, C, and D. The installation shall be reviewed and approved by the City's Heritage Preservation Staff.

Therefore, the project is designed with the minimum necessary deviations to afford relief from the restrictions of the Historical Resources Regulations and accommodate the development and all feasible measures to mitigate for the loss of any portions of the historical resource have been provided by the applicant.

3. The denial of the proposed development would result in economic hardship to the owner. For purposes of this finding, "economic hardship" means there is no reasonable beneficial use of a property and it is not feasible to derive a reasonable economic return from the property.

As discussed above, adaptive reuse of the existing historical residence is infeasible due to the

existing condition of the building’s structural elements. Any attempts to upgrade the building to meet current life and safety standards would cause the loss of previously conforming status in the coastal bluff setback and would require demolition of the portion of the structure within the setback. Due to the high purchase price of the property, \$11,500,000, acquisition of the property without the relief provided by a deviation from the City’s Historical Resources Regulations would result in an economic hardship to the owner as set forth in the Alternatives analyzed.

An economic analysis of five different alternatives was prepared, including the Base Project (Alternative 1), in an Economic Feasibility Study (Feasibility Study) conducted by JMAN Investments, Inc (Applicant), which determined that the Base Project is the only feasible option among those analyzed and is the only one to provide an economic return from the property based upon market appropriate performance metrics. The table below summarizes the conclusions of the Applicant’s analysis for each alternative.

Alternative	Total Square Footage	Total Net Development Profit	Development Margin Min: 10-percent
Base (Alternative 1)	8,649	\$3,013,382	11.61-percent
2	1,453	-\$11,386,661	-261.22-percent
3	3,994	-\$6,800,678	-56.76-percent
4	8,099	\$1,074,169	4.42-percent
5	5,086	-\$25,982,900	-170.29-percent
6	4,051	-\$6,679,891	-54.96-percent

The Feasibility Study defined project performance in the form of total net development profit and assumed that a 10-percent gross margin on sale would be required to make the project economically feasible and to qualify for project financing. The Base Project (Alternative 1) including construction of a new 8,649 square foot residence and resulted in a \$3,013,382.00 net profit or a 11.61-percent development margin which exceeds the 10-percent development margin required to make the project feasible. In Alternative 2, removal of the portion of the house within the coastal bluff setback results in a much smaller residence of only 1,453 square feet which would be worth significantly less than the current value of the property. The cost of acquiring the property combined with estimated construction costs would result in a net loss of development profit of \$11,386,661.00 and a -261.22-percent development margin which would make this alternative economically infeasible. In Alternative 3, on-site relocation of the portion of the structure within the coastal bluff setback would result in a 3,994 square foot residence. In this scenario, the high cost of construction combined with the high purchase price of the property would result in a net loss of development profit of -\$6,800,678 because the resulting residence would be smaller and of less value than the existing structure. The development margin would be -56.76-percent making this alternative economically infeasible. In Alternative 4, partial demolition of the historic structure, on-site relocation of the north wing and construction of a two-story with basement addition would result in a 8,099 square foot residence. The total net development profit from this scenario would be \$1,074,169.00, which is a 4.42-percent development margin. The development margin falls short of the 10-percent required to qualify for project financing and makes this alternative economically infeasible. Alternative five (5) proposes the off-site relocation of the historic structure to another parcel within the La Jolla Hermosa neighborhood and construction of a new residence on the project site. The high cost

of purchasing a receiver lot for the historic resource combined with the construction costs associated with relocation and construction of a new residence on the project site results in a total loss of \$25,982,900 and a -170.29-percent development margin making it economically infeasible. Alternative 6 includes partial demolition of the historic structure and the construction of a new addition mostly above the remainder of the historic residence, which would result in a 4,051 square foot residence. The total net loss of profit would be -\$6,679,891, a -54.96-percent development margin, which would make this alternative economically infeasible.

Since all analyzed alternatives to the Base Project failed to meet the minimum thresholds for financial feasibility, there is no other reasonable beneficial use of the property from which to derive a reasonable economic return besides the Base Project as demonstrated above. There are no reasonable beneficial uses of the Resource without a substantial alteration of the Resource. Therefore, it is not feasible to derive a reasonable economic return from the property without substantial alteration and the denial of this proposed development would result in economic hardship for the owner.

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

BE IT FURTHER RESOLVED that, based on the findings herein before adopted by the Planning Commission, Coastal Development Permit No. PMT- 3169345; Site Development Permit No. PMT-3169346; and Neighborhood Development Permit No. PMT-3275100 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 3169345; Site Development Permit No. 3169346; and Neighborhood Development Permit No. 3275100, a copy of which is attached hereto and made a part hereof.

Martin R. Mendez
Development Project Manager
Development Services

Adopted on: August 8, 2024

IO#: 24009320
fm 7-17-17

RESOLUTION NUMBER R- _____

ADOPTED ON _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. PRJ-1066101 / SCH NO. 2023070270, ADOPTING CANDIDATE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on August 4, 2022, Matthew Segal submitted an application to the Development Services Department for COASTAL DEVELOPMENT PERMIT NO. 3169345, SITE DEVELOPMENT PERMIT NO. 3169346, and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 3275100 for the 6110 Camino de la Costa project (Project); and

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

WHEREAS, the issue was heard by the Planning Commission on August 8, 2024; and

WHEREAS, the Planning Commission considered the issues discussed in Environmental Impact Report No. PRJ-1066101 / SCH No. 2023070270 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Report 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 Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the Planning Commission hereby adopts the Findings of Fact made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15093, the Planning

ATTACHMENT 6

Commission hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit B.

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

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

BE IT FURTHER RESOLVED, that the Development Services Department staff is directed to file a Notice of Determination in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Planning and Research regarding the Project.

ADOPTED: by the Planning Commission

By: _____
Martin R. Mendez
Development Project Manager
Development Services Department

ATTACHMENT(S): Exhibit A, Findings of Fact and Statement of Overriding Considerations
 Exhibit B, Mitigation Monitoring and Reporting Program

EXHIBIT A

**Candidate Findings of Fact and
Statement of Overriding Considerations**

For

6110 Camino de la Costa

PRJ-1066101/ SCH No. 2023070270

July 24, 2024

I. Introduction

a. Findings of Fact and Statement of Overriding Considerations

The following Candidate Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) are made for the 6110 Camino de la Costa (project). The environmental effects of the project are addressed in the Final Environmental Impact Report (Final EIR) dated July 24, 2024, which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) [Public Resources Code Section 21081(a)] and the State CEQA Guidelines [14 California Code of Regulations, Section 15091(a)] require that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof, unless such public agency makes one or more of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant environmental effects on the environment;
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency; or
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final environmental impact report.

CEQA also requires that the Findings made pursuant to Section 15091 be supported by substantial evidence in the record (Section 15091(b) of the State CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided (and reasonable inferences from this information may be made) that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicted upon facts, and expert opinion supported by facts (Section 15384 of the State CEQA Guidelines).

CEQA further requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (Section 15093(a) of the State CEQA Guidelines). When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its actions based on the Final EIR or other information in the record.

The Findings and SOC have been submitted by the City of San Diego (City) Development Services Department as Findings to be made by the decision-making body. They are attached to allow readers of this report an opportunity to review the applicant's position on this matter and to review potential reasons for approving the project despite the significant and unavoidable effects identified in the Final EIR. It is the exclusive discretion of the decision-maker certifying the EIR to determine the adequacy of the proposed Findings. It is the role of staff to independently evaluate the proposed the Findings, and to make a recommendation to the decision-maker regarding their legal adequacy.

b. Record of Proceedings

For purposes of CEQA and these Findings and SOC, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the project;
- All responses to the NOP received by the City;
- The Draft EIR;
- The Final EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to the written comments included in the Final EIR;
- All written and oral public testimony presented during a noticed public hearing for the project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The reports and technical memoranda included or referenced in any responses to comments in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of, the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings and SOC; and
- Any other relevant materials required to be in the Record of Proceedings by Public Resources Code Section 21167.6(e).

c. Custodian and Location of Records

The documents and other materials which constitute the record of proceedings for the City's actions on the project are located at the City's Development Services Department (DSD), 1222 1st Avenue, 5th Floor, San Diego, California 92101. DSD is the custodian of the project's administrative record. Copies of the document that constitute the Record of Proceedings are and at all relevant times have been available upon request at the offices of DSD.

The Draft EIR was placed on the City's website at <https://www.sandiego.gov/ceqa/draft>; and the Final EIR was placed on DSD's website at <https://www.sandiego.gov/ceqa/final>. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and State CEQA Guidelines Section 15091(e).

II. Project Summary

a. Project Objectives

The objectives of the project include the following:

1. Provide a structurally secure single-family residence, which preserves, to the extent feasible, the designated historical resource or portions thereof.

2. Develop a project that is consistent with the goals and policies of the *La Jolla Community Plan and Local Coastal Program Land Use Plan to the maximum extent feasible*.
3. Propose a design that achieves a harmonious visual relationship between the bulk and scale of the existing and adjacent residences.

b. Project Description

The project proposes to demolish an existing historically designated 5,086 square-foot (sf) 2-story residence and construct a new 2-story 8,649 sf residence with a basement located at 6110 Camino de la Costa. The project would also include a pool at ground level and associated site improvements (i.e. hardscape and landscaping). The project would preserve a majority of the existing wall along the frontage of the site and the detached garage with modifications. The site would be accessible from a new driveway off Camino de la Costa and the project would connect to existing utilities within Camino de la Costa. Drainage would be directed away from the coastal bluff and directed into the existing storm drain system. A design exception to the 40-foot coastal bluff setback required by the Environmentally Sensitive Lands regulations is proposed to reduce the coastal bluff setback to 25 feet. The project would also include removal of the existing walls and stairs west of the bluff edge and would preserve all portions of the lot west of the bluff edge as Environmentally Sensitive Lands (sensitive coastal bluff) within a Covenant of Easement. The Covenant of Easement would include land use restrictions with the intent to preclude future development and to preserve the area. The site plan and architectural drawings incorporate modifications for the driveway width and visibility triangles to accommodate the existing historically designated garage, which is not in conformance with SDMC development regulations.

The new residential structure would be placed to allow for the creation of a 7-foot-1-inchwide, deed-restricted view corridor with an easement to be recorded along the northern property line. Along the southern property line, where the existing historic garage is to be maintained, a deed-restricted view corridor of 1 foot 3 inches will also be established through a recorded easement. A visually permeable fence would replace short sections of the existing stucco privacy wall to facilitate views through the corridors.

Discretionary Actions

The project requires the following entitlements from the City:

- A Site Development Permit per SDMC Section 126.0502(d)(1) is required for the project to demolish the designated historic structure at 6110 Camino de la Costa, San Diego Historic Resource No. 1481. The project is a substantial alteration that is not consistent with the Secretary of Interior Standards; therefore, a deviation from the Historical Resources Regulations is being requested.
- The Site Development Permit per SDMC Section 126.0502 is also required due to the presence of Environmentally Sensitive Lands (ESL), consisting of coastal bluffs and special flood hazard areas, on the project site.
- A Coastal Development Permit (CDP) per SDMC Section 126.0702 is required for the project to allow for the demolition of the existing single-family residential structure and related site features and the construction of a new single-family residential structure within the Coastal Overlay Zone (COZ).

- A Neighborhood Development Permit per SDMC Section 127.0104 is required when a project proposes the maintenance, repair, alteration, or replacement of a previously conforming structure where the proposed development also requires a Coastal Development Permit. In the project's case, the NDP is required for the modifications to the historic garage and privacy wall, which are previously conforming structures, given that they do not conform to SDMC requirements and that the project requires a CDP, as described above under Section 3.4.1.

III. Environmental Review Process and Public Participation

The lead agency approving the project and conducting environmental review under CEQA (California Public Resources Code Sections 21000, et seq.), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), is the City. As lead agency, the City is primarily responsible for carrying out the project.

In compliance with Section 15082 of the State CEQA Guidelines, the City published a NOP on July 17, 2023, which began a 30-day period for comments on the appropriate scope of the Draft EIR. Consistent with Section 21083.9 of the CEQA Statutes and Section 15082 of the CEQA Guidelines, a public scoping meeting was held to solicit comments regarding the scope and analysis of the EIR. In lieu of an in-person meeting, a pre-recorded presentation was made accessible to the public and available for viewing from July 17, 2023, through August 16, 2023.

The City published the Draft EIR on May 16, 2024, in compliance with CEQA. Pursuant to State CEQA Guidelines Section 15085, upon publication of the Draft EIR, the City filed a Notice of Completion with the Governor's Office of Planning and Research, State Clearinghouse, indicating that the Draft EIR had been completed and was available for review and comment by the public until July 1, 2024. The City also posted a Notice of Availability of the Draft EIR at this time pursuant to State CEQA Guidelines Section 15087.

The project's Final EIR was published on July 24, 2024. It was prepared in accordance with CEQA and the State CEQA Guidelines.

IV. Summary of Impacts

Impacts associated with specific issues areas (e.g., land use, transportation, air quality, etc.) resulting from approval of the project and future implementation are discussed below.

The Final EIR concludes the project will have no impacts with respect to the following issue areas:

- Agriculture and Forestry Resources
- Biological Resources
- Health and Safety
- Mineral Resources

The Final EIR concludes that the project will have less than significant impacts and require no mitigation measures with respect to the following issues:

- Air Quality and Odor
- Energy
- Geologic Conditions
- Greenhouse Gas Emissions

- Health and Safety
- Hydrology
- Noise
- Paleontological Resources
- Population and Housing
- Public Services and Facilities
- Transportation/Circulation
- Tribal Cultural Resources (TCRs)
- Utilities and Service Systems
- Visual Effect/Neighborhood Character
- Water Quality
- Wildfire

Potentially significant impacts of the project will be mitigated to below a level of significance with respect to the following issues:

None Applicable

No feasible mitigation measures are available to reduce impacts to below a level of significance for the following issues:

- Land Use
- Historical Resources

V. Findings Regarding Impacts

In making each of the findings below, the City has considered the Record of Proceedings. The Plans, Programs, and Policies discussed in the Final EIR are existing regulatory plans and programs to which the project is subject, and analysis throughout the Final EIR demonstrates consistency.

a. Findings Regarding Impacts that Can Be Mitigated to Below a Level of Significance

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to Public Resources Code Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1) that no impacts can be mitigated to below a level of significance.

b. Findings Regarding Impacts That Are Significant and Unavoidable

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings and pursuant to Public Resource Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), finds that specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible any mitigation measures for the project's Land Use and Historical Resource impacts as explained in more detail in the Final EIR (Project No. PRJ-1066101 / SCH No. 2023070270).

"Feasible" is defined in Section 15364 of the State CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Public Resources Code Section 21081 and State CEQA Guidelines

Section 15091(a)(3) also provide that “other” considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds. These findings are appropriate because there are no feasible mitigation measures available that would reduce the identified project impacts to below a level of significance.

1. Land Use

Impact: The project would result in a significant impact related to conflicts with the environmental goals, objectives, and recommendations of the Historic Preservation Element of the General Plan and Heritage Resources Element of the La Jolla Community Plan. (**Impact LU-1**).

Facts in Support of Finding: The project proposes the demolition of a single-family residence that is designated as a locally important historical resource (HRB Site #1481) and is recommended as eligible for listing in the California Register of Historic Resources (CRHR). The demolition is considered a substantial adverse change to the historical resource pursuant to CEQA Section 21084.1 and necessitates approval of a SDP. The detached garage and stucco privacy wall would be retained and rehabilitated in accordance with the U.S. Secretary of the Interior Standards for Rehabilitation. Evaluation of the project impacts in the Historical Resources Technical Report (HRTR; Appendix D), review of the project by the City’s HRB and implementation of the mitigation measures identified in Section 5.3, *Historical Resources*, would be in accordance with the Historical Resources Regulations in the City’s Land Development Code (LDC).

The project would be inconsistent with the goals contained in the Historic Preservation Element of the General Plan and Heritage Resources Element of the La Jolla Community Plan, as described in Tables 5.1-1 and 5.1-2 of the Final EIR. The project’s inconsistency with these goals and policies would result in a secondary physical impact to the HRB Site #1481 (namely its demolition), resulting in a significant land use policy conflict. Implementation of mitigation measures described in Section 5.3, *Historical Resources*, would mitigate the secondary physical impacts of demolishing a listed historical resource consistent with the Historical Resources Regulations in the LDC. However, because resource demolition is not consistent with *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*, the project would be inconsistent with City goals and policies embodied in the General Plan and Community Plan intended to protect and preserve historical resources, resulting in a significant land use impact that is unavoidable.

Mitigation Measures: Implementation of mitigation measures HR-1 through HR-4 described under Historical Resources, would mitigate the secondary physical impacts of demolishing a listed historical resource consistent with the Historical Resources Regulations in the LDC. However, because resource demolition is not consistent with *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*, the impact would remain significant.

Finding: Direct and cumulative impacts associated with Land Use would be significant and unavoidable even with implementation of **HR-1 through HR-4**. The project alternatives, which included additional mitigation measures, identified in the final EIR are not feasible due to regulatory and economic considerations. Options for rehabilitating the existing residence in place were explored. The residence in its current location is on the coastal bluff within the bluff edge setback (SDMC 143.0143(f)) and exists legally today due to grandfathering provisions. The work necessary to repair the structural concerns as identified in the Structural Investigation (DCI Engineers 2023) would terminate the previously conforming status of the residence under subsection §127.0104 (e)(1) and (2), thereby making the structure non-conforming due to its location on the coastal bluff. Additionally, options for relocating the designated historical residence were

explored. After an investigation of relocation sites was conducted, it was determined to be infeasible due to the lack of adequate relocation sites as described in Chapter 8, Project Alternatives of the EIR.

Further, as analyzed in the Economic Feasibility Analysis, none of the alternatives, including mitigation measures, to the project are economically feasible as described in Section VII. Findings Regarding Alternatives below. As such, specific economic and legal (regulatory) considerations make infeasible the additional mitigation measures or project alternatives identified in the final EIR.

Reference: These findings incorporate by reference the information and analysis included in Final EIR Section 5.1.3 Impact: Environmental Goals.

2. Historical Resources

Impact: The project would result in significant adverse impacts to a designated historical resource pursuant to CEQA Section 21084.1. (**Impact HR-1**).

Facts in Support of Finding: The project proposes the demolition of a single-family residence that is designated as a locally-important historical resource and is recommended as eligible for listing in the CRHR, which is considered a substantial adverse change to the historical resource pursuant to CEQA Section 21084.1. Therefore, according to the CEQA Guidelines, this action constitutes a significant effect on the environment and material impairment on a historical resource pursuant to CEQA Section 15064.5(b) and the impacts would be significant.

The following measures shall be implemented in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the Land Development Code (LDC) to reduce the project's historical resources impacts to the extent feasible. As the project would demolish part of the locally designated and CRHR-eligible historical resource, impacts would be mitigated to the extent feasible through implementation of mitigation measures HR-1, HR-2, HR-3, and HR-4. However, the impacts would remain significant.

Mitigation Measure: The project would implement Mitigation Measure HR-1 requiring Historic American Building Survey (HABS) Documentation, Mitigation Measure HR-2 requiring architectural salvage, HR-3 requiring rehabilitation work and monitoring plan of the detached garage and stucco privacy wall, and Mitigation Measure HR-4 requiring interpretive signage display. These measures would reduce the historical resource impact, but not to a level below significance.

Finding: As the project would demolish part of the locally designated and CRHR-eligible historical resource, impacts would be mitigated to the extent feasible through the implementation of mitigation measures **HR-1, HR-2, HR-3, and HR-4**. However, impacts associated with the demolition of the residence would remain significant and unavoidable.

The project alternatives, including additional mitigation measures, identified in the final EIR are not feasible due to regulatory and economic considerations. Options for rehabilitating the existing residence in place were explored. The residence in its current location is on the coastal bluff within the bluff edge setback (SDMC 143.0143(f)) and exists legally today due to grandfathering provisions. The work necessary to repair the structural concerns as identified in the Structural Investigation (DCI Engineers 2023) would terminate the previously conforming status of the residence under subsection §127.0104 (e)(1) and (2), thereby making the structure non-conforming due to its location on the coastal bluff. Additionally, options for relocating the designated historical residence were explored. After an investigation of relocation sites was conducted, it was determined to be infeasible due to the lack of adequate relocation sites as described in Chapter 8, Project Alternatives of the EIR.

Further, as analyzed in the Economic Feasibility Analysis, none of the alternatives, including additional mitigation measures, to the project are economically feasible as described in Section VII. Findings Regarding Alternatives below. As such, specific economic and legal (regulatory) considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

Reference: These findings incorporate by reference the information and analysis included in Final EIR Section 5.3.3 Impact: Prehistoric or Historic Archaeology.

VI. Findings Regarding Mitigation Measures Which are the Responsibilities of Another Agency

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to Public Resources Code Section 21081(a)(2) and State CEQA Guidelines Section 15091(a)(2) that there are no changes or alterations which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

VII. Findings Regarding Alternatives

In accordance with Section 15126.6(a) of the State CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1), among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

In developing the alternatives to be addressed in this section, consideration was given to an alternative's ability to meet most of the basic objectives of the project. Because the project will cause potentially significant environmental effects unless mitigated, the City must consider the feasibility of any environmentally superior alternatives to the project, evaluating whether these alternatives could avoid or substantially lessen the potentially significant environmental effects while achieving most of the objectives of the project.

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), finds that specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the Final EIR No. 1066101/SCH No. 2023070270.

"Feasible" is defined in Section 15364 of the State CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Public Resources Code Section 21081 and State CEQA Guidelines Section 15019(a)(3) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its

failure to meet project objectives or on related public policy grounds. These findings are appropriate because there are no feasible alternative available that would reduce the identified project impacts to below a level of significance.

A. No Project/No Development Alternative

State CEQA Guidelines Section 15126.6(e), requires that an EIR evaluate a “no project” alternative along with its impact. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Under the No Project/No Development Alternative, the project would not be implemented and the site would remain in its current condition.

Potentially Significant Effects: The No Project/No Development Alternative would avoid all of the significant impacts associated with the project, including: significant and unmitigated Land Use and Historical Resources impacts.

Finding: The City rejects the No Project/No Development Alternative as it fails to satisfy the project’s underlying purpose and because it fails to meet any of the project objectives.

Rationale: Under the No Project/No Development Alternative for this EIR, construction of the Project would not occur. The site would remain as it is today as described in Chapter 2, *Environmental Setting*. Specifically, the existing two-story residence with a single subterranean (basement) level, detached garage, and stucco privacy wall would remain intact. The existing hardscape, landscape, driveway entry, underground utilities, and the stone walls, walkway and staircase located along the existing coastal bluffs would remain on site. No changes to the existing site would occur under the No Project/No Development Alternative.

The No Project/No Development Alternative would not meet any of the project objectives. Because this alternative would not result in a new residence or improvements on the existing project site, this alternative would not achieve the project’s objectives related to providing a structurally secure single-family residence, which preserves, to the extent feasible, the designated historical resource or portions thereof, developing a project consistent with the goals and policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan, and proposing a design that would create a harmonious visual relationship between the bulk and scale of the existing and adjacent residences.

Reference: These findings incorporate by reference the information and analysis included in Final EIR Section 8.4.1., No Project/No Development Alternative.

B. On-Site Relocation and Partial Removal Alternative

The On-Site Relocation and Partial Removal Alternative would relocate the portion of the single-family residence that is within the 40-foot coastal bluff setback to the portion of the site outside of the 40-foot setback. Relocating the portion of the building that is within the 40-foot coastal bluff setback would require partial demolition of the structure, consisting of all portions of the structure that are outside of the 40-foot coastal bluff setback (consisting of sections of the north and south wings of the residence). The removal of this portion of the structure would allow for relocation of the portion of the structure that is currently within the 40-foot coastal bluff setback, to outside of the 40-foot coastal bluff setback. This alternative would also rehabilitate the relocated historic building section to current building standards. This alternative would remove the front door,

courtyard with fountain, lower one-story portions of the residence flanking each side of the entry way, the archways along the northern and southern sides of the entryway, and forecourt. The dormer portion of the structure would be moved closer to the garage. New foundations, excavation, retaining walls and sitework would be required.

Potentially Significant Effects: This alternative would result in partial demolition of the residence, which is part of City of San Diego Historic Site #1481. While this alternative would result in only a partial removal of the existing residence associated with Casa De Los Amigos, the partial demolition of the residence would result in a significant impact to the locally designated and CRHR-eligible historic resource. Similar to the project, this alternative would require mitigation measures, to the extent feasible, such as HABS documentation, salvage, a rehabilitation work and monitoring plan, and interpretive signage; however, since part of the structure would be demolished, the impact, while substantially reduced compared to the project, would remain significant. Similar to the project, this alternative's inconsistency with the historical resources goals in the Historic Preservation Element would result in a secondary impact to the existing Casa De Los Amigos residence (namely its partial demolition), resulting in a significant land use policy impact. Because this alternative results in a partial removal of the residence, the land use impact would be reduced as compared to the project; however, it would still be significant.

Finding: The On-Site Relocation and Partial Removal Alternative would meet all project objectives. Specifically, it would provide a structurally secure single-family residence, which preserves, to the extent feasible, the designated historical resource or portions thereof. This alternative would also be consistent with the goals and policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan with the exception of the policies related to historic preservation, and would create a harmonious visual relationship between the bulk and scale of the existing and adjacent residences. However, specific economic considerations render this alternative infeasible. Therefore, the City rejects this alternative.

Rationale: The cost of relocating the structure, performing partial demolition, and undertaking the necessary site work would be prohibitively high. This includes costs for new foundations, excavation, retaining walls, and rehabilitation to current building standards. As shown in the Economic Feasibility Study (JMAN Investments, Inc, 2024), the On-Site Relocation and Partial Removal Alternative is not economically feasible. Upon completion of the partial removal of the north and south wings and the relocation and rehabilitation of the structure's western portion, the resultant house would be 3,994 square feet. Compared to the construction and acquisition cost, the resulting residence value would be \$11,982,000, representing a net development loss of \$6,800,678 or -56.76-percent, and it would not support the total project costs associated with this alternative. Furthermore, the gross margin would not exceed the 10-percent gross margin on sale in order to be economically feasible and to qualify for project financing.

Reference: These findings incorporate by reference the information and analysis included in Revised Final EIR Section 8.4.2, On-Site Relocation and Partial Removal Alternative.

C. On-Site Relocation and New Structure Alternative

The On-Site Relocation and New Structure Alternative would involve the partial demolition and relocation of a portion of the existing residence (from within the 40-foot coastal bluff setback to outside of the setback), preserving the northern wing and dormer, and construction of a new structure, which would be adapted to connect with the relocated portion of the residence.

Potentially Significant Effects: This alternative would result in partial demolition of the residence, which is part of City of San Diego Historic Site #1481, and relocation of the remaining portion of the residence. Similar to the project, this alternative would retain the existing 499 SF historic garage and associated privacy stucco wall. This alternative would result in a partial removal of the existing residence associated with Casa De Los Amigos, which would remove a reduced portion of the residence as compared to the project; however, the partial demolition and relocation of the remaining portion of the residence would result in a significant impact to the locally designated and CRHR-eligible historic resource. Similar to the project, this alternative would require mitigation measures, to the extent feasible, such as HABS documentation, salvage, a rehabilitation work and monitoring plan, and interpretive signage; however, since part of the structure would be demolished, the impact, while substantially reduced compared to the project, would remain significant and unavoidable. Similar to the project, this alternative's inconsistency with the historical resources goals in the Historic Preservation Element would result in a secondary impact to the existing Casa De Los Amigos residence (namely its partial demolition), resulting in a significant land use policy impact. Because this alternative results in a partial removal of the residence, the land use impact would be reduced as compared to the project; however, it would still be significant.

Finding: The On-Site Relocation and New Structure Alternative would meet all project objectives. Specifically, it would provide a structurally secure single-family residence, which preserves, to the extent feasible, the designated historical resource or portions thereof. This alternative would also be consistent with the goals and policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan with the exception of the policies related to historic preservation due to the partial demolition, and would create a harmonious visual relationship between the bulk and scale of the existing and adjacent residences. However, specific economic considerations render this alternative infeasible. Therefore, the City rejects this alternative.

Rationale: As shown in the Economic Feasibility Study (JMAN Investments, Inc, 2024), the On-Site Relocation and New Structure Alternative is not economically feasible. Upon completion of the partial removal of the north and south wings and the relocation and rehabilitation of the structure's western portion, the resultant house would be 5,382 square feet. Compared to the construction and acquisition cost, the resulting residence value would be \$16,146,000, representing a net development gain of \$1,074,169.000 or 4.42-percent, and it would not support the total project costs associated with this alternative. Furthermore, the gross margin would not exceed the 10-percent gross margin on sale in order to be economically feasible and to qualify for project financing.

Reference: These findings incorporate by reference the information and analysis included in Final EIR Section 8.4.3., On-Site Relocation and New Structure Alternative.

D. 25-Foot Setback Alternative

The 25-foot Setback Alternative would involve partially demolishing the existing residence (outside of the 25-foot bluff setback) and building a new second-story structure designed to incorporate the retained portion of the existing structure.

This alternative would result in partial demolition of the residence, which is part of the City of San Diego Historic Site #1481, and construction of a second-story over remaining portion of the residence. Similar to the project, this alternative would retain the existing 499 SF historic garage and associated privacy stucco wall. Similar to the project, this alternative would require mitigation measures, such as HABS documentation, salvage, treatment plan, monitoring plan, and interpretive

signage; however, since part of the structure would be demolished, the impact, while substantially reduced compared to the project, would remain significant.

Potentially Significant Effects: This alternative would result in partial demolition of the residence, which is part of City of San Diego Historic Site #1481, and construction of an addition to the residence. Similar to the project, this alternative would retain the existing 499 SF historic garage and associated privacy stucco wall. This alternative would result in a partial removal of the existing residence associated with Casa De Los Amigos, which would remove a reduced portion of the residence as compared to the project; however, the partial demolition and relocation of the remaining portion of the residence would result in a significant impact to the locally designated and CRHR-eligible historic resource. Similar to the project, this alternative would require mitigation measures, to the extent feasible, such as HABS documentation, salvage, a rehabilitation work and monitoring plan, and interpretive signage; however, since part of the structure would be demolished, the impact, while substantially reduced compared to the project, would remain significant and unavoidable. Similar to the project, this alternative's inconsistency with the historical resources goals in the Historic Preservation Element would result in a secondary impact to the existing Casa De Los Amigos residence (namely its partial demolition), resulting in a significant land use policy impact. Because this alternative results in a partial removal of the residence, the land use impact and historical resource impact would be reduced as compared to the project; however, it would still be significant.

Finding: The 25-foot Setback Alternative would meet all project objectives. Specifically, it would provide a structurally secure single-family residence, which preserves, to the extent feasible, the designated historical resource or portions thereof. This alternative would also be consistent with the goals and policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan, with the exception of the policies related to historic preservation due to the partial demolition, and would create a harmonious visual relationship between the bulk and scale of the existing and adjacent residences. However, specific economic considerations render this alternative infeasible. Therefore, the City rejects this alternative.

Rationale: As shown in the Economic Feasibility Study (JMAN Investments, Inc, 2024), the 25-Foot Setback Alternative is not economically feasible. Upon the completion of the partial removal of the area west of the reduced 25-foot bluff edge setback and the addition of the second-level square footage the resultant house would be 4,051 square feet. When compared to the cost of construction and acquisition the resulting residence value would be 12,153,000 or a net development loss of \$6,679,891 or -54.96-percent and would not support the total project costs associated with this alternative. Furthermore, the gross margin would not exceed the 10-percent gross margin on sale in order to be economically feasible and to qualify for project financing.

Reference: These findings incorporate by reference the information and analysis included in Final EIR Section 8.4.4., 25-Foot Setback Alternative.

VIII. Findings Regarding Other CEQA Considerations

a. Growth Inducement

Section 15126.2(e) of the State CEQA Guidelines mandates that the growth-inducing impact of a project be discussed. This discussion is presented in Chapter 7, Other CEQA Sections, of the Final EIR. The City finds that the Project would not result in short- or long-term growth-inducing impacts.

Short-Term Growth Inducement

The project includes the demolition of an existing single-family residence, excavation of the site to remove the existing basement and create the building pad, and construction of a new single-family residence in its place. The project site and surrounding area are fully developed with residential uses. Existing infrastructure, including utility services and roadways, are already in place on the project site and surrounding areas. The project would not result in substantial growth inducement because the site is currently developed with a single-family residence and the project would replace the residence with a new single-family residence. Additionally, the project site is located in a developed community in the City of San Diego. The construction of a replacement single-family home would not foster population growth, either directly or indirectly, as it would accommodate the population currently existing rather than opening up a new area of land for population growth.

Long-Term Growth Inducement

Although the project includes improvements to existing on-site utilities such as water, sewer, and electricity, these improvements would be sized to only serve the needs of the project and would not extend into previously unserved areas. No new infrastructure would be provided that would exceed the needs of the project and/or that could accommodate future growth not already planned for the project area. Development of a single-family residence in place of an existing single-family residence would not foster economic or population growth, either directly or indirectly, such that construction of additional housing in the surrounding area would be required. For these reasons, the project would not encourage or facilitate growth-inducing activities that could significantly affect the surrounding environment, individually or cumulatively.

b. Significant Irreversible Environmental Changes that will be Caused by the Project

State CEQA Guidelines Section 15126.2(d) requires the evaluation of significant irreversible environmental changes that would occur should a project be implemented, as follows:

- (1) Primary impacts, such as the use of nonrenewable resources (ie., biological habitat, agricultural land, mineral deposits, water bodies, energy resources, and cultural resources);
- (2) Secondary impacts, such as road improvements, which provide access to previously inaccessible areas; and
- (3) Environmental accidents potentially associated with the project.

Furthermore, Section 15126.2(d) also states that irretrievable commitments of resources should be evaluated to ensure that current consumption of such resources is justified. Implementation of the project would not result in significant irreversible impacts to agricultural land, mineral resources, water bodies, paleontological resources, or tribal cultural resources.

The project will require energy and non-renewable resources such as electricity, fossil fuels, natural gas, and construction materials like concrete, asphalt, sand and gravel, steel, petrochemicals, and lumber, as well as potable water and labor during construction. It is mandatory for the project to comply with Title 24 Building Standards and the CALGreen Code, as discussed earlier. Furthermore, the project will incorporate several sustainable building practices into the project to reduce energy and non-renewable resource consumption. These sustainable measures, including the use of low-flow fixtures/appliances and low-flow irrigation, solar energy, and other related sustainable practices that are consistent with the California Green Building Code, will be part of the project's conditions of

approval.

During the implementation of the proposed plan, the project will use energy resources during construction projects and will consume energy to provide lighting, heating, and cooling for future development. The construction of the project will also require resources such as lumber and other related forest products, sand, gravel, concrete, asphalt, petrochemical construction materials, steel, copper, lead, and other metals, and water for construction projects resulting from the implementation of the proposed Plan. The use of these resources will have an impact on the regional consumption of these commodities.

Moreover, in addition to the traditional nonrenewable resources discussed above, the project proposes the demolition of the existing historically designated residence (while retaining and rehabilitating the detached garage and stucco privacy wall). Although mitigation measures HR-1 through HR-4, require Historic American Building Survey (HABS) documentation, architectural salvage, rehabilitation work and monitoring plan for the garage and side wall, and an interpretation plaque, the demolition of the historic residence would still represent an irreversible impact.

IX. Findings Regarding Responses to Comments and Revisions in the Final EIR

No comments were received on the Draft EIR. The Final EIR includes only minor revisions to the EIR.

Finding/Rationale: Revisions in the Final EIR only include revisions to finalize the EIR, and do not trigger the need to recirculate per State CEQA Guidelines Section 15088.5(b).

Statement of Overriding Considerations

(PUBLIC RESOURCES CODE SECTION 21081(b))

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines Sections 15043 and 15093, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to Public Resources Code Section 21081. CEQA further requires that when the lead agency approves a project that will result in the occurrence of significant effects identified in the EIR and not avoided or substantially lessened, the agency shall state in writing the specific reasons to support the action based on the EIR and/or other information in the record.

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines Section 15093, the Planning Commission, having considered all of the information presented herein and in the Record of Proceedings, finds that the following specific overriding economic, legal, social, technological, or other benefits associated with the project outweigh unavoidable adverse direct impacts related to Land Use and Historical Resources.

The Planning Commission declares that it has adopted all feasible mitigation measures to reduce the project's proposed environmental impacts to an insignificant level; considered the entire Record of Proceedings, including the EIR; and weighed the proposed benefits against the project's environmental impacts. This determination is based on the following specific benefits, each of which is determined to be, by itself and independent of the other project benefits, a basis for overriding and outweighing all unavoidable adverse environmental impacts identified in the Final EIR. Substantial evidence supports the various benefits and can be found in the preceding sections (which are incorporated by reference into this section), the Final EIR, or in the Record of Proceedings for this matter.

As set forth above, the City's approval of the project will result in significant Land Use and Historical Resources impacts that cannot be avoided, even with the adoption of all feasible mitigation measures. Whenever a lead agency adopts a project which will result in a significant and unavoidable impact, the agency must, pursuant to Public Resources Code Sections 21002 and 21081(b) and State CEQA Guidelines Section 15093, declare in writing the specific reasons to support its action based on the Final EIR and/or other information in the Record of Proceedings.

The Planning Commission of the City of San Diego: (i) having independently reviewed the information in the EIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the project to the extent feasible by adopting the mitigation measures identified in the Final EIR; and (iii) having balanced the benefits of the project against the significant environmental impacts, chooses to approve the project, despite its significant environmental impacts, because, in the Planning Commission's view, specific economic, legal, social, and other benefits of the project render the significant environmental impacts acceptable.

The following statement identifies why, in the Planning Commission's judgment, the benefits of the project outweigh the unavoidable significant impacts. Each of these public benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the project. Substantial evidence supports the various benefits and such evidence can be found either in the Findings, which are provided above and incorporated by reference into this section, the Final EIR, and/or in documents that comprise the Record of Proceedings in this matter.

A. Improving Safety through the Replacement of the Existing Structurally Compromised Residence

The proposed residence would be built to current standards, replacing the current residence with structural integrity issues. During investigation and processing, the Structural Investigation (DCI Engineers 2023) revealed that considering the magnitude of the structural issues affecting the site walls, site stairs, slab on grade, fountain, and other site improvements, it is the professional opinion of the structural engineer that the removal and replacement of in several site features, including site walls, site stairs, slab on grade, fountain, and other site improvements are imperative to ensure the overall stability and safety of the entire property. The continued use and occupancy of the residence in its present state poses a risk to occupants and visitors, necessitating comprehensive remediation measures. The proposed development will accomplish this by constructing a home consistent with today's building and seismic regulations.

In addition, the proposed development would observe a 25-foot bluff edge setback in conformance to the applicable regulations of SDMC Section 143.0143(f)(1), Development Regulations for Sensitive Coastal Bluffs. A 25-foot coastal bluff edge setback can be supported for the project based upon evidence in the geologic investigation report (Christina Wheeler Engineering, 2022), concluding that the project has been designed not to be subject to or contribute to significant geologic instability. This would increase the setback from the coastal bluff edge compared to the existing condition where the residence is located on the coastal bluff. Additionally, the project would improve the bluff condition by removing the existing walls and stairs west of the bluff edge. The western portion of the site containing the Coastal Bluff and Special Flood Hazard Area would be protected from future development by recording a COE as a condition of the permit. Existing site drainage currently flows to the Pacific Ocean. The proposed site drainage would minimize further bluff edge retreat and or erosion by redirecting runoff toward the public street.

B. Creation of New View Corridors:

Deed-restricted view corridors are proposed along the northern and southern property lines, improving visibility through the property to the coastline. The visually permeable fence would replace small sections of the existing stucco privacy wall, enhancing views. Although the project site is not on a street offering framed public views of panoramic aesthetic features, creating new view corridors along the property lines improves public visibility from the adjacent roadway. The project does not block any identified public visual corridors or vistas, ensuring that the improved views of coastal areas enhance the visual experience for the community. The placement of the new structure behind and west of the historic garage ensures that the site's visual appearance from Camino de la Costa remains largely unchanged. Retaining the historic garage and most of the stucco wall preserves the site's visual character. At the same time, the new view corridors and minor modifications enhance the overall aesthetics and visual experience without detracting from the historical elements.

For the foregoing reasons, the Planning Commission finds in accordance with Public Resources Code Sections 21081(b) and 21081.5, and State CEQA Guidelines Sections 15043 and 15093, that any, or any combination of, the Statement of Overriding Consideration benefits noted above would be sufficient to reach the conclusion that the benefits associated with the project justify the significant and unmitigable impacts that will occur with project implementation.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. 3169345; SITE DEVELOPMENT PERMIT NO. 3169346; NEIGHBORHOOD DEVELOPMENT PERMIT NO. 3275100; PROJECT NO. PRJ-1066101

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 Environmental Impact Report No. 1066101 / SCH No. 2023070270 shall be made conditions of COASTAL DEVELOPMENT PERMIT NO. 3169345 SITE DEVELOPMENT PERMIT NO. 3169346 NEIGHBORHOOD DEVELOPMENT PERMIT NO. 3275100 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 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 (CDs) (plans, specification, details, etc.) to ensure that MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP conditions/notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three sheets of the CDs in the format specified for engineering CD 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 DSD 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 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 Historian

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division - 858.627.3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call the **RE and MMC at 858.627.3360**
2. **MMRP COMPLIANCE:** This project, Project Tracking System No. 1066101 and/or Environmental Document No. 1066101, shall conform to the mitigation requirements contained in the associated environmental document and implemented to the satisfaction of the DSD's ED (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 the 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 the 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:

None Required

4. **MONITORING EXHIBITS:** All consultants are required to submit, to the RE and MMC, a monitoring exhibit on a 11x17-inch 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 DSD 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:

**Table 9-1
DOCUMENT SUBMITTAL/INSPECTION CHECKLIST**

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
Historical Resources	Historic American Building Survey Documentation	Prior to Demolition Permit
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

Specific MMRP Issue Area Conditions/Requirements

Historical Resources

HR-1: Historic American Building Survey (HABS) Documentation. Prior to issuance of a demolition permit for the residence, Casa De Los Amigos shall be documented to Historic American Building Survey (HABS) Level II standards according to the outline format described in the *Historic American Building Survey Guidelines for Preparing Written Historical Descriptive Data*. The documentation shall be undertaken by a qualified professional who meets the Secretary of the Interior's *Professional Qualification Standards* (36 CFR, part 61) for history or architectural history. The documentation shall contain the following:

1. *Measured Drawings:* Drawings produced according to HABS guidelines depicting existing conditions or other relevant features of historic buildings, sites, structures, objects, or landscapes.
2. *Photographic Documentation:* Documentation should follow the Photographic Specification–Historic American Building Survey, including 15 to 20 archival quality, large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details should be documented, especially noting the measurements, hardware, and other features that tie architectural elements to a specific date.
3. *HABS Historical Report:* A written historical narrative and report completed according to the HABS Historical Report Guidelines.

Following completion of the HABS documentation and approval by the HRB, the documentation shall be placed on file with the City of San Diego, the San Diego History Center, and the San Diego Central Library.


HR-2: Salvage. Prior to the issuance of a demolition permit for the residence, architectural materials from the site shall be made available for donation to the public. Material to become architectural salvage shall include historic-period elements, including the original clay roof tiles and the decorative medallions at the roofline of the main structure. The key exterior and interior elements inventory shall be developed before the demolition or grading permit issuance. The materials shall be removed prior to or during demolition. Contaminated, unsound, or decayed materials shall not be included in the salvage program nor be available for future use. Once the items for salvage are identified, the project applicant's qualified historic preservation professional (QHPP) shall submit this information to the City's Historical Resource Section for approval. Salvaged material will be first

used to replace any damaged pieces on the garage or site wall rehabilitation as required. Following approval of the salvage plan, the QHPP, in concert with the City's Historical Resources Section, shall notify the La Jolla Community Planning Group, the La Jolla Historic Society, the University of California, San Diego Historical Archives, and local preservation groups via email concerning the availability of the salvaged materials. Interested parties shall make arrangements to pick up the materials after they have been removed from the property. The project applicant shall be responsible for storing the salvaged materials in an appropriate climate-controlled storage space for no more than 90 days after proper notice is given to the above parties. Prior to any plans to no longer use the storage space, the applicant shall provide the City's Historical Resources Section with an inventory of any materials that were not donated to any interested parties and measures to be taken by the project applicant to dispose of these materials.

HR-3: Rehabilitation Work and Monitoring Plan. Rehabilitation of the garage and site wall shall be overseen by a construction monitor trained in the protection of historic structures. Rehabilitation work on the detached garage and stucco privacy wall shall adhere to *U.S. Secretary of the Interior Standards for Rehabilitation and will be documented in a treatment plan. The treatment plan will consist of drawings detailing the rehabilitation work and an accompanying narrative approved by the HRB and City Heritage Preservation staff.* Prior to the start of rehabilitation work, a monitoring plan shall be prepared by the project proponent and submitted to the City Development Services Department for review and approval. The monitoring plan shall designate a qualified historic monitor and set forth a plan for protecting the historic elements of the project that would be retained during construction and rehabilitation activities. The treatment plan and monitoring plan shall detail the proposed rehabilitation work for the project, with steps identified for each portion of the preparation, rehabilitation, and restoration of the detached garage and stucco privacy wall.

HR-4: Interpretation Plaque (or Display Panels or Story Board). Interpretive signage display panels or storyboards shall be installed in a publicly visible location, near the northern corner of the property, in the public sidewalk right-of-way. The installation shall describe the history and significance of Casa De Los Amigos under Criteria A, B, C, and D. The installation shall be reviewed and approved by the City's Historical Resources Board Staff.

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Page 3	City of San Diego · Information Bulletin 620	August 2018
	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	Community Planning Committee Distribution Form
	Project Name: 6110 Camino De La Costa "Casa Amigos"	Project Number: 1066101
Community: La Jolla		
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>		
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny		Date of Vote: July 06, 2023
# of Members Yes 12	# of Members No 5	# of Members Abstain 1
Conditions or Recommendations:		
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		
NAME: Suzanne Baracchini		
TITLE: Trustee/Secretary		DATE: July 11, 2023
<p align="center"><i>Attach additional pages if necessary (maximum 3 attachments).</i></p>		

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM

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	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM DS-318
			October 2017

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

Project Title: 6110 Camino _____ **Project No. For City Use Only:** PRJ-1066101

Project Address: 6110 Camino De La Costa, La Jolla CA 92037

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

Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. _____

Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: JMAN AT THE Q, L.P. Owner Tenant/Lessee Successor Agency

Street Address: 2121 Sunset Blvd

City: San Diego State: CA Zip: 92103

Phone No.: 619-993-6269 Fax No.: _____ Email: mrmattthewsegal@gmail.com

Signature: _____ Date: February 26th 2024

Additional pages Attached: Yes No

Applicant

Name of Individual: JMAN INVESTMENTS INC Owner Tenant/Lessee Successor Agency

Street Address: 2121 Sunset Blvd

City: San Diego State: CA Zip: 92103

Phone No.: 619-993-6269 Fax No.: _____ Email: mrmattthewsegal@gmail.com

Signature: _____ Date: February 26th 2024

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: Yes No

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