



San Diego Planning Commission Meeting

PHONE-IN TESTIMONY PERIOD NOW OPEN FOR PRJ-1099348 Hermanny House

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Development Services Department

Hermann House Project Appeal Project No. PRJ-1099348

Item # 1

Planning Commission

Date: February 27, 2025

Correction Memo



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: February 25, 2025
 TO: Kelly Moden, Chairperson, Planning Commission
 FROM: Andrew Murillo, Development Project Manager, Development Services Department
 SUBJECT: Planning Commission meeting on February 27, 2025, Item #1 – Hermanny House Appeal – Project No. PRJ-1099348

The below and attached corrections are for the Planning Commission meeting on February 27, 2025, Item #1 – Hermanny House Appeal – Project No. PRJ-1099348.

Staff Report:

1. Proposed Actions: Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3242482 and Site Development Permit No. PMT-3242483 with modifications.
2. Alternatives: Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3242482 and Site Development Permit No. PMT-3242483, with no modifications.
3. Staff Response to Issue 1: The following paragraph was added:

Furthermore, several modifications have been made to the project addressing the appellant's concerns of improper drainage. The modifications are as follows:

- a) Removal of the existing brow ditch.
- b) New brow ditch along the easterly property line, per San Diego Regional Standard Drawing D-75.
- c) Modification of the existing Type F inlet to receive flow from the proposed brow ditch at the easterly lot line.
- d) Minor grading adjustments in the northeastern area of the site to accommodate the removal of the existing brow ditch and the installation of the proposed brow ditch.

These modifications improve drainage and waterflow, lessening the already approved impact on the neighboring properties.

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 Kelly Moden, Chairperson, Planning Commission
 February 25, 2025

Attachment 14:

1. A new drainage study has been submitted detailing modifications to the proposed drainage that will improve waterflow.

Attachment 10:

1. The project plans submitted to Hearing Officer have been modified to include Civil drawings showing the changes listed below.
 - e) Removal of the existing brow ditch.
 - f) New brow ditch along the easterly property line, per San Diego Regional Standard Drawing D-75.
 - g) Modification of the existing Type F inlet to receive flow from the proposed brow ditch at the easterly lot line.
 - h) Minor grading adjustments in the northeastern area of the site to accommodate the removal of the existing brow ditch and the installation of the proposed brow ditch.

Sincerely,

Andrew Murillo

cc: Lauren Hendrickson, Deputy City Attorney, Office of the City Attorney

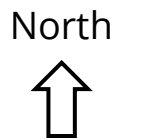
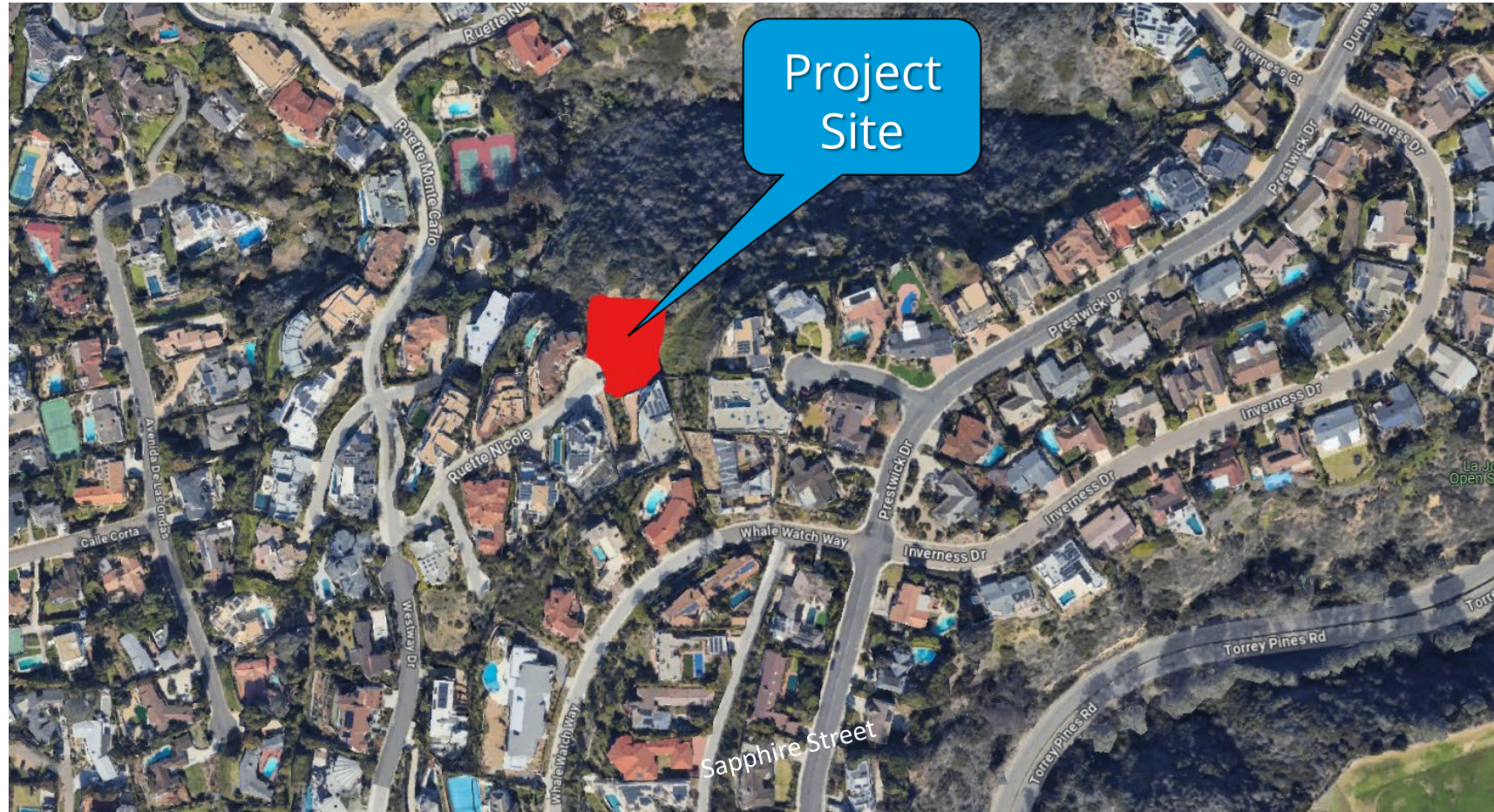
Attachments:

1. Staff Report
2. Attachment #14: Drainage Study
3. Attachment #10: Site Development Plans

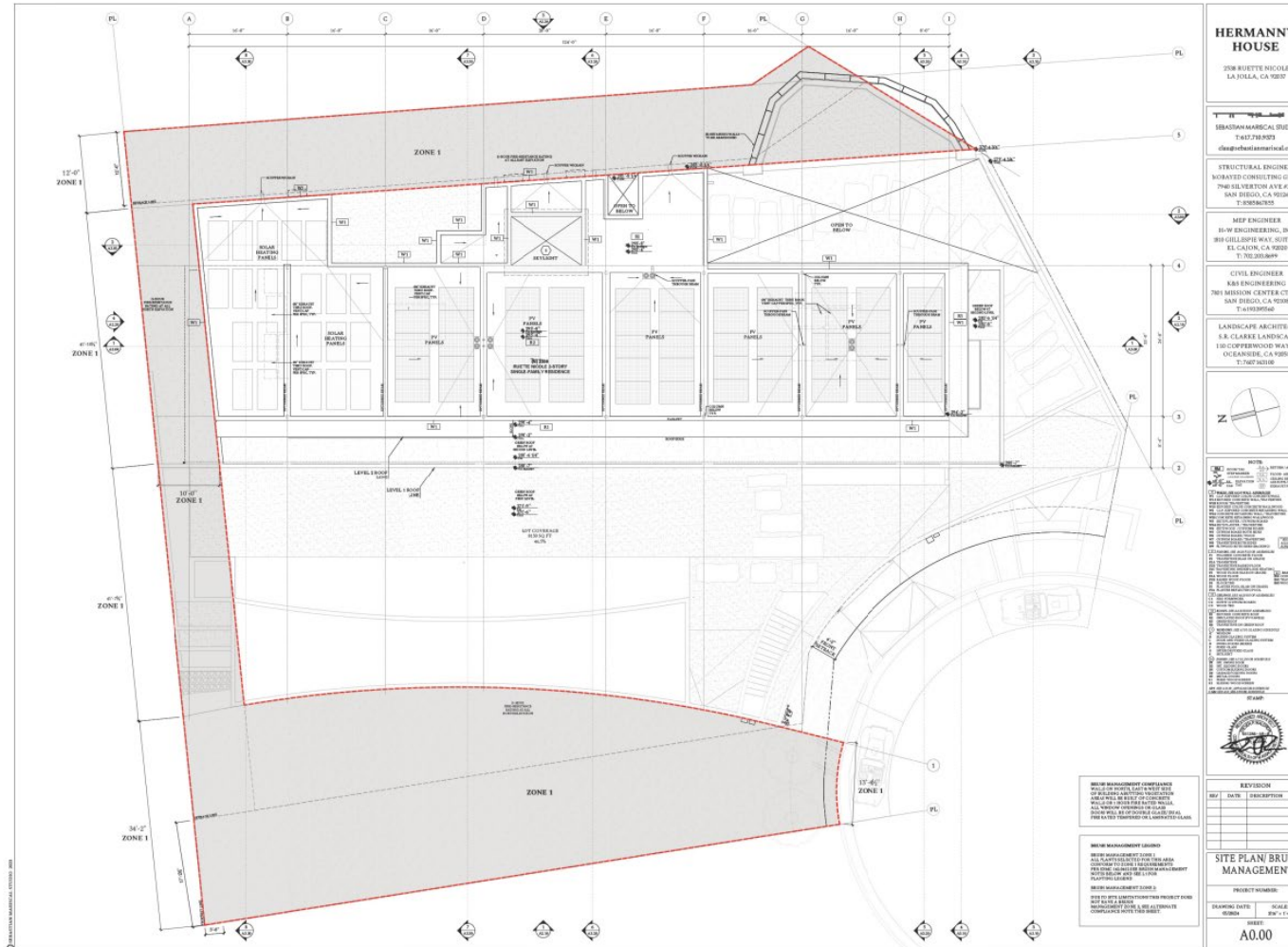
Project Scope

Location:	2538 Ruelle Nicole LJSPD-SF Zone (Single-Family) La Jolla Community Plan
Parcel Size:	0.4 acre
Approvals:	Coastal Development Permit Site Development Permit
Environmental Determination:	CEQA Exempt per Section 15303 (New Construction)

Aerial Photograph



Site Plan



Decision Appeal Timeline

- **Nov 20, 2024** - The project was approved by the Hearing Officer.
- **Dec 4, 2024** - An appeal of the environmental determination was received. It was subsequently determined valid as of the date timely payment was received.

Appeal Issue #1

- “Findings are factually incorrect and not supported by substantial evidence - Site Development Permit – Finding b – The proposed development will not be detrimental to the public health, safety, and welfare: .”

Staff Response to Appeal Issue #1

- The project, as proposed, will not have any negative impact on the neighboring properties due to runoff or drainage.

New Design

- Removal of the existing brow ditch.
- New brow ditch along the easterly property line, per San Diego Regional Standard Drawing D-75.
- Modification of the existing Type F inlet to receive flow from the proposed brow ditch at the easterly lot line.
- Minor grading adjustments in the northeastern area of the site to accommodate the removal of the existing brow ditch and the installation of the proposed brow ditch.

Appeal Issue #2

- “Findings are factually incorrect and not supported by substantial evidence – Coastal Development Permit – Finding b – The proposed costal development will not adversely affect environmentally sensitive lands.”

Staff Response to Appeal Issue #2

- The project, as proposed, will not have any negative impact on environmentally sensitive lands.

Appeal Issue #3

- “Findings are factually incorrect and not supported by substantial evidence – Coastal Development Permit – Finding c – The proposed coastal development permit is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation program, conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.”

Staff Response to Appeal Issue #3

- The project, as proposed, will not have any negative impact open spaces.

Appeal Issue #4

“The La Jolla Shores Planned District Ordinance (“PDO”) is the implementation program for the LCP. The PDO includes the following policies related to grading:

(d) Grading Regulations

(1) It is the intent of these regulations to preserve canyons and to prevent the cutting of steep slopes and the excessive filling to create level lots. No grading or disruption of the natural terrain shall be permitted until a permit which includes grading has been approved by the City Manager.

(2) Grading plans may be approved if it is concluded that:

(A) The development will result in minimum disturbance of the natural terrain and vegetation commensurate with the proposed use of the lot or premises.

(B) Grading, excavation and filling proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding problems, or excessive cutting or scarring.

(C) The proposed development will strive to preserve and enhance the natural environment and any existing aesthetic qualities of the site.”



Appeal Issue #5

“For the reasons stated above, the findings for approval of a coastal development permit and site development permit are not factually correct and are not supported by substantial evidence.”



Community Planning Group

- On January 4, 2024, the La Jolla Community Planning Association voted 5-0-1 to recommend approval.

Staff Recommendation

Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3242482 and Site Development Permit No. PMT-3242483, with modifications.

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