

RESOLUTION NUMBER R-279178

ADOPTED ON DECEMBER 10, 1991

WHEREAS, J. Timothy Martin of Don Edson Architect AIA & Associates, appealed the decision of the Planning Commission in denying Coastal Development Permit/Conditional Use Permit ("CDP/CUP") No. 91-0158 (the Thompson Residence) submitted by Richard and Janet Thompson, Owners/Permittees, for the demolition of an existing single-family residence and the construction of a new 6,630 square-foot single-family residence and guest quarters with a 550 square-foot on grade garage and a 1,250 square-foot partially below grade garage, located at 6405 Muirlands, and described as Lot 1, Block 21 of Muirlands Map No. 2024, in the La Jolla Community Planning area, in the R1-10,000 zone; and

WHEREAS, the matter was set for public hearing on December 10, 1991, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Coastal Development Permit/Conditional Use Permit No. 91-0158:

COASTAL DEVELOPMENT FINDINGS:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program ("LCP") Land Use Plan; nor will it obstruct views to and

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along the ocean and other scenic coastal areas from public vantage points. The proposed development is not located adjacent to or near an existing physical accessway legally utilized by the public or identified in the La Jolla Community Plan, nor is the development adjacent to the ocean or other scenic coastal public vantage point.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The project site does not contain marine, archeological or paleontological resources or other environmentally sensitive resources. Thus, the proposed development would not affect these resources.

3. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Section 101.0462 of the San Diego Municipal Code, unless by the terms of the Resource Protection Ordinance, it is exempted therefrom.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. The proposed development is located in an urbanized residential area of La Jolla, therefore does not contain or adversely impact any environmentally sensitive habitats or scenic resources located in adjacent parks and recreation, as identified in the La Jolla Local Coastal Program Land Use Plan.

5. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and

scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources. The project site is not located on or near park and recreation areas. Thus, the proposed development would not affect environmentally sensitive habitats and scenic resources located in such areas.

6. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards. The proposed development is located on a previously graded lot in a residential neighborhood. The site is not located in a geologic, flood or fire hazard area.

7. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas. The building bulk, massing and setbacks conform to the City of San Diego Zoning Ordinance and are consistent with other buildings in the neighborhood. The proposed development will therefore be visually compatible with the character of surrounding area.

8. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The proposed development complies with the La Jolla Community Plan and as well as conforms to the General Plan, La Jolla LCP Land Use Plan and all the requirements of the Local Coastal Program.

CONDITIONAL USE PERMIT FINDINGS:

1. The guest quarters will not adversely affect the neighborhood, the General Plan or La Jolla Community Plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area. The proposed guest quarters has been designed to be compatible with the proposed single-family residence and existing neighborhood. The guest quarters will be restricted to be used only by temporary guests, family members or domestic employees.

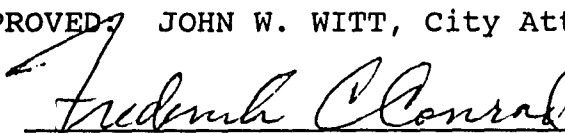
2. The guest quarters will comply with all the relevant regulations of the Municipal Code. The proposed guest quarters is in compliance with all the development regulations of the underlying R1-10000 zone.

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

BE IT FURTHER RESOLVED, that the appeal of J. Timothy Martin of Don Edson Architect AIA & Associates is granted; the decision of the Planning Commission is overruled, and Coastal Development Permit/Conditional Use Permit No. 91-0158 is hereby granted to Richard and Janet Thompson, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc  
02/11/92  
08/12/92 COR.COPY  
Or.Dept:Clerk  
R-92-997  
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COASTAL DEVELOPMENT PERMIT AND  
CONDITIONAL USE PERMIT NO. 91-0158  
THOMPSON RESIDENCE

CITY COUNCIL

This Coastal Development Permit and Conditional Use Permit is granted by the Council of The City of San Diego to RICHARD AND JANET THOMPSON, Owners/Permittees, pursuant to Section 105.0201 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owners/Permittees to demolish an existing single-family residence and construct a new single-family residence with guest quarters and garage located at 6405 Muirlands Drive, described as Lot 1, Block 21 of the Muirlands in the City of San Diego, Map No. 2024, in the R1-10,000 zone.
2. The facility shall consist of the following:
  - a. A single-family residence consisting of 6,630 square feet, a 550 square-foot on grade garage and a 1,250 square-foot partially below grade garage; and the guest quarters which will be located and maintained within the proposed residence; all as shown on Exhibit "A," dated December 10, 1991, on file in the office of the Planning Department;
  - b. Landscaping;
  - c. Off-street parking; and
  - d. Accessory uses as may be determined incidental and approved by the Planning Director.
4. Not fewer than three off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated December 10, 1991, on file in the office of the Planning Department. Parking spaces shall comply with Chapter X, Article 1, Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

5. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
  - a. The Permittees sign and return the permit to the Planning Department; and
  - b. The Coastal Development Permit is recorded in the office of the County Recorder.
6. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated December 10, 1991, incorporating Sheets 7A and 8A prepared by Tony Crisafi, Architect, submitted on December 10, 1991, on file in the office of the Planning Department. Said Sheets 7A and 8A indicate that the Highest Peak will not exceed an elevation of 239.5, the Entry Ridge (Saddle) and the Family Room Ridge will not exceed elevations of 234.5, and the Stair Tower Peak will not exceed an elevation of 236, as measured from the Benchmark which is described as follows: Brass plug in storm drain inlet N.E. corner Muirlands and El Camino del Teatro, no elevation available, assumed elevation equals 200.00. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
7. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The Plans shall be in substantial conformity to Exhibit "A," dated December 10, 1991, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.
8. The property included within this coastal development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.
9. This coastal development permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.

10. This coastal development permit and conditional use permit is a covenant running with the subject property and shall be binding upon the Permittees and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
11. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
12. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of curb and gutter on El Camino del Teatro, adjacent to this site, from the east property boundary on El Camino del Teatro to the existing drainage inlet on Muirlands Drive, satisfactory to the City Engineer.
14. The driveways shall be standard City driveways; curb returns are not allowed. There shall be no driveway over the drainage inlet, satisfactory to the City Engineer.
15. Prior to the issuance of any building permits, the applicant shall:
  - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code [UFC] 10.208).
  - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
16. This property may be subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
17. This community may be subject impact fees, as established by the City Council, at the time of issuance of building permits.
18. The guest quarters located within the proposed residence shall not be rented or leased or otherwise used as a separate dwelling unit.



19. This coastal development permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 105.0216 of the Municipal Code.
20. This coastal development permit incorporates Conditional Use Permit 91-0158. This Conditional Use Permit No. 91-0158 shall not become valid until the coastal development permit becomes effective.

Approved by the Council of The City of San Diego on December 10, 1991, by Resolution No. R-279178.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor  
The City of San Diego

CHARLES G. ABDELNOUR, City Clerk  
The City of San Diego

STATE OF CALIFORNIA )  
                          ) ss.  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for the County  
of San Diego, State of California

The undersigned Permittee, by execution hereof, agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

RICHARD THOMPSON  
Owner/Permittee

\_\_\_\_\_  
JANET THOMPSON  
Owner/Permittee

NOTE: Notary acknowledgments  
must be attached per Civil  
Code Section 1180, et seq.  
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Passed and adopted by the Council of The City of San Diego on DEC 10 1991  
by the following vote:

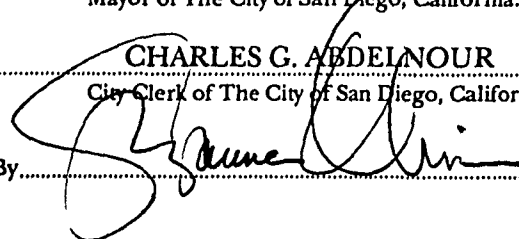
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

Resolution R-279178 DEC 10 1991  
Number ..... Adopted .....

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by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

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Number ..... Adopted .....