

(R-92-1139)

RESOLUTION NUMBER R-279250

ADOPTED ON JANUARY 7, 1992

WHEREAS, William T. Poole, Jr. et al., appealed the decision of the Planning Commission in approving Coastal Development Permit No. 90-0821 submitted by David and Lisa Casey, Owners/Permittees, for the purpose of demolishing an existing residence and constructing a new single-family detached home consisting of a total of 8,401 square feet of gross floor area (including an attached two-car garage) with related site landscaping, located on the west side of Encelia Drive between Brodiaea Way and Romero Drive and described as Lot 14, Block E, La Jolla Country Club Heights Map No. 1975, in the La Jolla Community Plan area, in the R1-10000 zone; and

WHEREAS, the matter was set for public hearing on January 7, 1992, 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 No. 90-0821:

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 along the ocean and other scenic coastal areas from public

vantage points. A single-family home exists on the site. Therefore, the proposed use would not further obstruct or encroach upon any existing public accessway(s) or public views to the ocean or other prominent scenic coastal areas as identified in the adopted Local Coastal Program Land Use Plan or adopted La Jolla Community Plan.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. An environmental exemption was completed for this project by the Planning Department on March 25, 1991. Therefore, no adverse impacts in the areas of marine resources, archaeological or paleontological resources, or other environmentally sensitive areas and habitats would result from the project as proposed.

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. The project site does not contain any sensitive slopes and is exempt from the Resource Protection Ordinance per requirements of the Municipal Code.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. No coastal scenic resources or recreational or visitor-serving facilities presently exist or were identified for

the area adjacent to and immediately surrounding the project site. Therefore, no mitigation would be required and no adverse impacts would occur as a result of project implementation.

5. The proposed development will be cited 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. No adjacent public parks or public recreational areas presently exist or were identified for the area adjacent to and immediately surrounding the subject site.

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. A preliminary environmental analysis of the project and subsequent environmental exemption on March 25, 1990, concluded that no mitigation measures would be necessary to incorporate into the coastal development permit to reduce impacts associated with geologic and erosional forces. The project site is not located within the FW (Floodway) or FPF (Floodplain Fringe) Zones.

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 proposed project is visually compatible with the existing character of surrounding areas relative to housing type (single-family), bulk and scale. Architectural controls incorporated as conditions of approval in the LCP permit shall assure project compliance with adopted community plan design

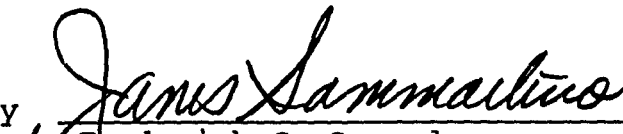
guidelines and compatibility with existing development on Encelia Drive. Although not visually degraded, the project site would be visually enhanced through implementation of the project's landscape plan.

8. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The proposed project is consistent with recommended land use, densities and design guidelines of the adopted La Jolla Community Plan, Local Coastal Program and City of San Diego Progress Guide and General Plan.

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 William T. Poole, Jr., et al., is denied; the decision of the Planning Commission is sustained, and Coastal Development Permit No. 90-0821 is hereby granted to David and Lisa Casey, 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
03/12/92
Or.Dept:Clerk
R-92-1139
Form=r.permit

R-279250

COASTAL DEVELOPMENT PERMIT NO. 90-0821
CASEY RESIDENCE

CITY COUNCIL

This Coastal Development Permit is granted by the Council of The City of San Diego to DAVID AND LISA CASEY, 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 construct a coastal development located on the west side of Encelia Drive, between Brodiaea Way and Romero Drive within the La Jolla Community Planning area, described as Lot 14, Block E, La Jolla Country Club Heights Map No. 1975, in the R1-10000 Zone.
2. The permit shall consist of the following:
 - a. One single-family detached residence consisting of a total of 8,401 square feet of gross floor area (including an attached three-car garage) with related site landscaping as indicated by size, dimension and location on the approved Exhibits "A", dated January 7, 1992, on file in the Planning Department;
 - b. Landscaping;
 - c. Off-street parking; and
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. Not fewer than three off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated January 7, 1992, 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.
4. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department; and
 - b. The permit is recorded in the office of the County Recorder.
5. 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 January 7, 1992, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

6. 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 January 7, 1992, 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.
7. 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.
8. 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.
9. This coastal development permit is a covenant running with the subject property and shall be binding upon the Permittee 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.
10. 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.
11. 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.
12. Unless appealed this coastal development permit shall become effective on the eleventh working day following receipt by the Coastal Commission of the Notice of Final Action.
13. 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.

14. In the event that 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.
15. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of additional pavement as necessary to provide 24-foot-wide pavement adjacent to this site with appropriate transitions on Encelia Drive, in a manner satisfactory to the City Engineer.
16. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for any future street improvements.
17. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street fronting the property (Uniform Fire Code ["UFC"] 10.208).
 - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
18. All fencing shall conform to Chapter X, Article 1, Division 6, of the Municipal Code of The City of San Diego.

APPROVED by the Council of the City of San Diego on January 7, 1992, by Resolution No. R-279250.

Passed and adopted by the Council of The City of San Diego on JAN 07 1992,
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

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

(Seal)

By *Stame Olin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-279250 Adopted JAN 07 1992