

RESOLUTION NUMBER R-293072

ADOPTED ON MAY 2, 2000

WHEREAS, on June 3, 1998, Allison-Zongker, L.P., Owner, and Chart House Enterprises, Inc., Permittee, submitted an application to The City of San Diego for a coastal development/sensitive coastal resource/La Jolla planned district permit; and

WHEREAS, on December 16, 1999, the Planning Commission of The City of San Diego considered Coastal Development/Sensitive Coastal Resource/La Jolla Planned District Development [CD/SCR/LJPDD] Permit No. 98-0755, and pursuant to Resolution No. 2896-PC voted to recommend City Council approval of the permit; and

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

WHEREAS, the issue was heard by the Council on May 2, 2000; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 98-0755; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 98-0755, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report,

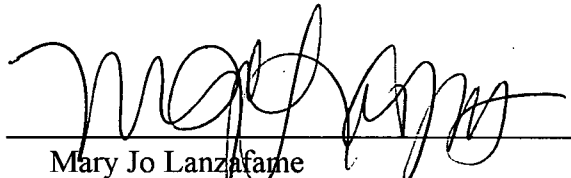
together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the La Jolla Chart House Remodel.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame  
Deputy City Attorney

MJL:pev  
5/30/00  
Or.Dept:Clerks  
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EXHIBIT A  
MITIGATION MONITORING AND REPORTING PROGRAM  
LA JOLLA CHART HOUSE REMODEL

COASTAL DEVELOPMENT PERMIT  
LA JOLLA PLANNED DISTRICT DEVELOPMENT PERMIT  
SENSITIVE COASTAL RESOURCE PERMIT  
LDR NO. 98-0755

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 98-0755) shall be made conditions of the above-named permits (LDR No. 98-0755).

Historical Resources (Historic)

1. Prior to the issuance of the first grading permit, the permittee shall complete the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER) documentation of the original sections of the Chart House (Wahnfried) structure, and shall submit the documentation to the Environmental Review Manager (ERM) of the Land Development Review Division.
2. Prior to the issuance of building permits, the permittee shall submit complete construction plans to the ERM for approval. The plans shall include the following elements:
  - a. reconstruction of the original Wahnfried interior fireplace with mantle (in the original location if possible);
  - b. incorporation of the carved beam which is currently above the windows near the southwest corner of the existing dining area into the new construction;
  - c. incorporation, if feasible, of the inscribed wood which is currently located above the windows along a south portion of the first floor;
  - d. provision of appropriate signage and/or informational plaques explaining the significance of the retained elements and the history and association of the Wahnfried building with Anna Held.
3. Prior to the issuance of certificates of occupancy, EAS shall verify through a sight inspection that Measures 2a. through 2d. above have been implemented..

4. Any affected concrete sidewalk stamps over 45 years of age shall be saw-cut and replaced in approximately the same location in the new sidewalk(s).

Historical Resources (Prehistoric)

5. Prior to the issuance of grading permits, the ERM shall verify through the plan check process that the requirement for archaeological monitoring is noted on the grading plans.
6. Prior to the issuance of grading permits, the permittee shall provide a letter of verification to the ERM stating that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological monitoring program. **ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING.**
  - a. The project archaeologist shall include a local Native American representative in the monitoring program.
  - b. The qualified archaeologist shall attend the preconstruction meeting to discuss the archaeological construction monitoring program with the construction manager.
  - c. The qualified archaeologist or archaeological monitor shall be present on site full-time during removal of any portions of the existing structure. Special attention shall be paid to the possibility that human skeletal remains may be encountered during excavation or grading.
  - d. **WHEN REQUESTED BY THE ARCHAEOLOGIST, THE CITY RESIDENT ENGINEER OR DESIGNEE SHALL DIVERT, DIRECT, OR TEMPORARILY HALT GROUND DISTURBANCE ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW EVALUATION OF POTENTIALLY SIGNIFICANT HISTORICAL RESOURCES. THE ARCHAEOLOGIST SHALL CONTACT LDR AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist, in consultation with LDR and the Native American community. LDR must concur with the evaluation before grading activities will be allowed to resume. For significant historical resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before grading activities in the area of discovery will be allowed to resume. Any human bones of Native American origin shall be given to the appropriate Native American group for reburial.
  - e. All cultural materials collected shall be cleaned, catalogued, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate.

- f. Within three months following the end of the monitoring program, a monitoring report (with appropriate graphics) which describes the results, analysis, and conclusions of the archaeological monitoring program shall be submitted for approval by the ERM.

Other

7. Prior to the issuance of the first grading permit, an additional deposit of \$450.00 shall be collected to ensure the successful implementation of the mitigation program.