



THE CITY OF SAN DIEGO

May 18, 2015

Nikki Sayavanh
8834 Capceno Road
San Diego, CA 92126

Dear Mrs. Sayavanh:

Subject: Tivyan SDP Assessment Letter; Project No. 412254, Internal Order #24005674;
Rancho Encantada Community Planning area

The Development Services Department has completed the initial review of the project referenced above, and described as:

- Site Development Permit (Process 3) for the construction of a 2,879 square-foot single-family residence with an 841 square-foot detached 2-car garage and other private improvements on a vacant site located at 11275 Beeler Canyon Road. The 2.795-acre site is located in the RS-1-8 zone, northwest of the Rancho Encantada Precise Plan area.

Enclosed is a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines, outside agencies and the community planning. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made. The Development Services Department will generally formulate a formal recommendation for your project subsequent to completion of the following milestones: 1) After the City Council recognized Community Planning Group has provided a formal project recommendation; 2) After all City staff project-review comments have been adequately addressed; and 3) During the final stages of the environmental review process.

As your Development Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicants assigned “Point of Contact. You have been designated as the Point of Contact. Please notify me if you should decide to change the Point of Contact while I am managing this project.

I. REQUIRED APPROVALS/FINDINGS

Required approvals: Your project as currently proposed requires the processing of a Site Development Permit pursuant to Municipal Code Section 126.0502(a)(2)(B), Hearing Officer as decision maker [SDMC Section 126.0503(a)].

Required Findings: In order to recommend approval of your project, certain findings as outlined below must be substantiated in the record. Please include your answers to the following findings in your “Applicant Response to Issues:”

Site Development Permit - Section 126.0504

(a) Findings for all Site Development Permits

1. 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; and
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.

(b) Supplemental Findings - Environmentally Sensitive Lands

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;
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;
3. The proposed development will be sited and designed to prevent adverse impacts on any 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;

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and
6. 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.

II. SIGNIFICANT PROJECT ISSUES: The significant project issues are summarized below. Resolution of these issues could affect your project. Please refer to the Cycle Issues report for additional explanation, and the requested corrections to the plan sheets and technical studies.

KEY ISSUES:

Drainage / Storm Water – Proposed discharge of concentrated storm water onto the existing hillside to the south and west is unacceptable and needs to be redesigned. LDR-Engineering is requiring a Preliminary Drainage Study addressing existing and proposed run-off and discharge locations, and a Water Quality Technical Report consistent with the City of San Diego’s Storm Water. The design of any Low Impact Development (LID) or treatment control BMP that allows for infiltration of runoff requires submittal of a Geological Investigation Report. Please refer to LDR-Engineering review comments for additional comments and corrections required.

Brush Management – Please refer to LDR-Landscaping review comments, and the attached marked-up Plan Sheet #2, for specific requirements related to Brush Management.

Biology Letter Report – The document needs to be revised to address the comments provided by Plan-MSCP and LDR-Environmental reviewers.

Environmental Review – The project site is located within the City of San Diego Geologic Hazard Category 53, and a Geotechnical Report is required for review by LDR-Environmental and LDR-Geology. The environmental review cannot be completed until the requested information is provided.

III. STUDIES/REPORTS REQUIRED: A number of documents are necessary for the project’s review. Reference the attached Submittal Requirements Report (Enclosure 3).

IV. PROJECT ACCOUNT STATUS: Our current accounting system does not provide for real-time information regarding account status, however, our records show approximately \$1,767 billed to date. A minimum balance is required to be maintained in the account at all times during the processing of your application. No additional deposit is required at this time.

During the processing of your project, you will continue to receive statements with the break-down of staff charges to your account. Should you have questions about those charges, please feel free to contact me directly.

- V. TIMELINE: A formal resubmittal is required. From a timeline standpoint, the submittal of the items requested by staff are key. Until the requested technical studies and additional information/corrections are provided addressing the project issues identified, Environmental Analysis Section cannot make an environmental determination.**

Upon your review of the attached Cycle Issues Report, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please telephone me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. Your next review cycle should take approximately 20 days to complete.

Municipal Code Section 126.0114 requires that a development permit application be closed if the applicant fails to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days. Once closed, the application, plans and other data submitted for review may be returned to the applicant or destroyed. To reapply, the applicant shall be required to submit a new development permit application with required submittal materials, and shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

If you wish to continue processing this project, please note that delays in resubmitting projects and/or responding to City staff's inquiries negatively impact this Department's ability to effectively manage workload, which can lead to both higher processing costs and longer timelines for your project.

- VI. RESUBMITTALS/NEXT STEPS:** Resubmittals are done on a walk-in basis. Please check in on the third floor of the Development Service Center (1222 First Avenue). Please be prepared to provide the following:

A. Plans and Reports: Provide the number of sets of plans and reports as shown on the attached Submittal Requirements Report. Each plan sheet should be folded to an approximate 8 ½ x 11 inch size.

B. Cycle Issues Report response letter: Prepare a cover letter that specifically describes how you have addressed each of the issues identified in the Cycle Issues Report and any issues identified in this cover letter, if applicable. Or, you may choose to simply submit the Cycle Issues Report, identifying within the margins how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not

feasible to address a particular issue, please indicate the reason. Include a copy of this Assessment Letter, Cycle Issues Report and your response letter if applicable, with each set of plans.

C. Deposit Account: Our most recent records show that there is a balance of \$6,232.39 in the deposit account for your project. However, please be advised that the cost of this review has not been posted to your account, and it may take four to six weeks to post these charges to the account. Statements are mailed to the Financially Responsible Party for this project on a monthly basis.

D. The following information is regarding fees incurred as a part of the California Environmental Quality Act (CEQA).

San Diego County Clerk Fee: The San Diego County Clerk now requires \$50.00 to post the required public notice informing the public that a draft environmental document has been prepared. A check made out to the San Diego County Clerk for this amount will be required prior to the distribution of the draft environmental document for public review.

http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html

CEQA Filing Fees: Required for projects with environmental document (ND, MND or EIR): A California Environmental Quality Act (CEQA) Notice of Determination (NOD) must be filed within five working days after the project's approval and all appeal periods have been exhausted. Filing the NOD would start a 30-day statute of limitations on legal court challenges to the approval under CEQA. The NOD must be accompanied by a California Department of Fish and Wildlife Fee (CDFW) filing fee or a CDFW "No Effect" form, and a San Diego County document handling fee.

If the applicant believes or has evidence (e.g. aerial images, photographs, etc.) to verify that the project will have no effect on fish and wildlife, please consult the "Process for No Effect Determinations" on the California Department of Fish and Wildlife web site, http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html (under the "No Effect Determinations" section), Submit the form via email to: R5NoEffect@dfg.ca.gov (NOTE) The mail server does not accept attachments over 10 MB.

Prior to scheduling your project for a decision, the following must be forwarded to me to be filed with the CEQA NOD:

- The **original** approved CDFW "No Effect" Form and a check for \$50 (handling fee) made payable to the "San Diego County Clerk". -or-
- A check, payable to the "San Diego County Clerk" in the amount of \$2,260.00 (\$2,210.00 CDFW fee + \$50 handling fee) if a Negative Declaration or a Mitigated Negative Declaration was prepared for your project; **or** \$3,119.75

(\$3,069.75 CDFW Fee + \$50 handling fee) if an Environmental Impact Report was prepared for your project. Please include your project number on the check.

A receipt for the fee and a copy of the CDFW “No Effect” Form or NOD will be forwarded to you after the 30-day posting requirement by the County Clerk.

If your project is determined to be Exempt from the provisions of the California Environmental Quality Act (CEQA); a Notice of Exemption (NOE) will be filed with the County Clerk after your project approval and all appeal periods have been exhausted. The County requires a \$50 documentary handling fee to file a CEQA NOE. Prior to scheduling your project for a decision, a check payable to the “San Diego County Clerk” in the amount of \$50 must be forwarded to my attention. Please include your project number on the check. A receipt for this fee and a copy of the NOE will be forwarded to you after the 30-day posting requirement by the County Clerk.

E. Records Fee: Prior to scheduling your project for a decision you must pay the Records Fee to cover the cost of imaging and archiving your complete project record electronically (see Information Bulletin 503). I will let you know the Records Fee amount prior to a decision on your project.

VII. COMMUNITY PLANNING GROUP: Staff provides the decision maker with the recommendation from your locally recognized community planning group. The project site is located immediately northwest of the Rancho Encantada Precise Planning area, and does not have a community planning group. The adjacent communities, Miramar Ranch North and Scripps Ranch, provide an adjunct review and recommendation on applications near or within Rancho Encantada. The Miramar Ranch North Planning Committee and the Scripps Miramar Ranch Planning Group voted unanimously to recommend approval of your project on May 6, 2015 and May 12, 2015, respectively.

VIII. STAFF REVIEW TEAM: Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly. The names and telephone numbers of each reviewer can be found on the enclosed Cycle Issues Report.

In conclusion, please note that information forms and bulletins, project submittal requirements, and the Land Development Code may be accessed on line at <http://www.sandiego.gov/development-services>. Many land use plans for the various communities throughout the City of San Diego are now available on line at <http://www.sandiego.gov/planning/community/profiles/index.shtml>

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Nikki Sayavanh
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For modifications to the project scope, submittal requirements or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619) 446-5325 or via e-mail at ftirandazi@sandiego.gov.

Sincerely,



Firouzeh Tirandazi
Development Project Manager

Enclosures:

1. 1st Review Cycle Issues Report
2. Submittal Requirements Report
3. Marked-up Plan Sheet 2 and Easement Template (LDR-Landscape)

cc: File

Lorayne Burley, Chair, Miramar Ranch North Planning Committee
Wallace H. Wulfeck, Chair, Scripps Miramar Ranch Planning Group
Reviewing Staff (Assessment letter only)
Tony Kempton, Planning