

CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY



AGENDA (as of May 3, 2017)

Joint REGULAR Meeting

Wednesday, May 10, 2017 * 6:00 P. M.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California AND

Teleconference Location: Holiday Inn Express and Suites, 226 Aurora Avenue Seattle, WA. 98109 (Zito)

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PUBLIC MEETING ACCESS

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AGENDA MATERIALS

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CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

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READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

None at the posting of this agenda

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.

None at the posting of this agenda

ORAL COMMUNICATIONS:

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COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.6.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held April 12, 2017.

[Item A.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for April 8, 2017 through April 21, 2017.

[Item A.2. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.3. General Fund Adopted Budget for Fiscal Year 2016-2017 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2016-2017 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.4. Commercial Solid Waste Rate Review – Proposition 218 Public Noticing and Majority Protest Voting Procedures. (File 1030-15)

Recommendation: That the City Council

1. Approve **Resolution 2017-070** authorizing the City to proceed with the proper Proposition 218 noticing and majority protest voting procedures and setting the commercial Solid Waste Rate Review Public Hearing protest vote for June 28, 2017.

[Item A.4. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

A.5. Building Department Services with EsGil/SAFEbuilt Corporation. (File 0800-20)

Recommendation: That the City Council

1. Adopt **Resolution 2017-066** authorizing the City Manager to execute a professional services agreement with EsGil/SAFEbuilt Corporation for City Building Services for the period July 1, 2017 to June 30, 2019, and authorize the City Manager to extend the agreement annually up to two years, based on previous performance.

[Item A.5. Report \(click here\)](#)

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A.6. National Urban Search & Rescue MOA. (File 0260-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-068** authorizing the City Manager to execute a Memorandum of Agreement and any amendments with the City of San Diego, as the sponsoring agency, regarding participation in the National Urban Search and Rescue Response System with the U.S. Department of Homeland Security acting through the Federal Emergency Management Agency and the State of California.

[Item A.6. Report \(click here\)](#)

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NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)

B. PUBLIC HEARINGS: (B.1. – B.3.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designees for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

B.1. Public Hearing: 216 Ocean St., Applicants: Jackel, Case: 17-16-10. (File 0600-40)
posted 4-20-17

Recommendation: The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a SDP (Structure Development Permit) and a DRP (Development Review Permit).

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2017-062** conditionally approving a SDP and a DRP to demolish an existing single family residence, construct a new two-story, single-family residence with a subterranean basement and an attached two-car garage, and perform associated site improvements at 216 Ocean Street, Solana Beach.

[Item B.1. Report \(click here\)](#)

[B.1. Updated Report #1](#)

[B.1. Supplemental Documents](#)

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B.2. Public Hearing: 187 S. Nardo, Applicant: Meredith, Case 17-16-22. (File 0600-40)

Recommendation: The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a Development Review Permit (DRP) and administratively issue a Structure Development Permit (SDP). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2017-064** conditionally approving a DRP and SDP to construct a new second-floor addition and a first-floor addition to an existing single-story, single-family residence at 187 S. Nardo Avenue.

[Item B.2. Report \(click here\)](#)

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B.3. Public Hearing: 1448 Santa Marta Court, Applicants: Hyzer, Coelho, Case: 17-16-09. (File 0600-40)

Recommendation: That the City Council

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a Development Review Permit (DRP) and administratively issue a Structure Development Permit (SDP). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2017-065** conditionally approving a DRP and SDP to construct an 369 square-foot first-floor addition and new 599 second-floor addition to an existing, single-story, single-family residence with an attached two-car garage located at 1448 Santa Marta Court.

[Item B.3. Report \(click here\)](#)

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C. STAFF REPORTS: (C.1. - C.2.)

Submit speaker slips to the City Clerk.

C.1. Marine Safety Center Feasibility Needs Assessment Study Final Report Consideration. (File 0730-30)

Recommendation: That the City Council

1. Receive the Fletcher Cove Marine Safety Center Feasibility/Needs Assessment Study prepared by Stephen Dalton Architects and provide direction to Staff as may be needed.

[Item C.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

C.2. Refinancing of Successor Agency Tax Allocation Bonds and Solana Beach Public Financing Authority Subordinate Sewer Revenue Bonds. (File 0340-00)

1. Provide input and necessary and authorize Staff to continue pursuing refinancing of the existing TA Bonds and Wastewater Bonds.

[Item C.2. Report \(click here\)](#)

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WORKPLAN COMMENTS:

Adopted June 8, 2016

COMPENSATION & REIMBURSEMENT DISCLOSURE:

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

Regional Committees: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) – Nichols (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1st alternate), Nichols (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22nd Agricultural District Association Community Relations Committee – Marshall, Edson.

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee – Zito, Edson.
- b. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- c. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- d. I-5 Construction Committee – Zito, Edson.
- e. Parks and Recreation Committee – Nichols, Zito
- f. Public Arts Committee – Marshall, Hegenauer.
- g. School Relations Committee – Nichols, Hegenauer.

ADJOURN:

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the May 10, 2017 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on May 3, 2017 at 7:10 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., May 10, 2017, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA

UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:

Regularly Scheduled, or Special Meetings that have been announced, as of this Agenda Posting. Dates, times, locations are all subject to change. See the City's Commission's website or the City's Events Calendar for updates.

- **Budget & Finance Commission**
Thursday, May 18, 2017, 6:30 p.m. (City Hall)
- **Climate Action Commission**
Wednesday, May 17, 2017, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**
Thursday, May 11, 2017, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, May 23, 2017, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, May 16, 2017, 6:00 p.m. (Council Chambers)

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MINUTES

Joint Meeting - Closed Session
Wednesday, April 12, 2017 * 5:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 5:00 p.m.

Present: Mike Nichols, David A. Zito, Jewel Edson, Judy Hegenauer
Absent: Ginger Marshall
Also Present: Gregory Wade, City Manager
Johanna Canlas, City Attorney

PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):

*Report to Council Chambers and submit speaker slips to the City Clerk
before the meeting recesses to closed session.*

CLOSED SESSION:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Gregory Wade

Employee organizations: Miscellaneous Employees, Marine Safety Unit

This item was not heard.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

Two (2) Potential case(s).

ACTION: No reportable action.

ADJOURN:

Mayor Nichols adjourned the meeting at 5:35 p.m.

Angela Ivey, City Clerk

Approved: _____

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Judy Hegenauer, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

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CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 6:00 p.m.

Present: Mike Nichols, David A. Zito, Jewel Edson, Judy Hegenauer

Absent: Ginger Marshall

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk,
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Bill Chopyk, Community Development Dir.
Danny King, Assistant City Manager

CLOSED SESSION REPORT:

Johanna Canlas, City Attorney, stated that there was no reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Zito and second by Councilmember Edson. **Approved 4/0/1** (Absent: Marshall). Motion carried.

ORAL COMMUNICATIONS:

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

Julia Knoka stated that she was the new owner of Yogurt 101, invited the community to her ribbon cutting ceremony tomorrow from 4:00-6:00 p.m. and said that she left corporate America to support the Solana Beach community by using her yogurt shop to support schools, sports teams, camps and other entities. She offered buy-one get-one free coupons.

Jim McMenamain stated he was with Zephyry Partners located in Encinitas and that their current projects included a park at Banker's Hill, a 60 luxury-home community in a building next to Balboa Park, South Coven, 168 new homes across from Dana Point Harbor and Doheny State Beach in Dana Point, and a 35 unit community in Carlsbad. He said that they had recently acquired 16.6 acres on the bluff top for a planned resort and villas with trails to the Preserve and Dog Beach in Del Mar. He stated that they had tentatively planned two outreach events on the property scheduled for May 6th and May 13th from 10:00 a.m. - 2:00 p.m. to solicit community feedback and input and that they would be sending out letters and E-blast notifications to invite Solana Beach and Del Mar residents.

Council and Mr. McMenamain discussed that they planned to mail out letters to many Solana Beach residents, but not all, and that interested parties could sign up on the company's E-blast list at Walter Communications.

Robert Green stated that he was Zephyrs' partner on the project, a San Diego native and lived nearby in Olivenhain, that he had been developing high quality hotels in the Western United States for 18 years, had started the Four Seasons Aviara, now Park Hyatt in Carlsbad and started the Robert Green Company. He said that he had built Four Seasons Hotels in Jackson Hole, WY and Palo Alto, CA, and the Pendry Hotel in San Diego. He stated that these hotels were a dream come true for his company, to develop world class resorts and he had a lot of pride in what he did.

Ed Siegel stated that he lived on Hill Street and had an office in town, that he wanted to increase the sense of community of Solana Beach by changing the name of Lomas Santa Fe to Solana Beach Dr., that there was confusion for those going toward the Belly Up and are directed to get off on Lomas Santa Fe but instead get off on Santa Fe in Encinitas.

Councilmember Zito stated that a similar request was made twice before, that a proposal was voted on by the City in the late 80's and did not pass 75% to 25%, and that because of this history and the prior vote a public vote would be required for reconsideration.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.7.)

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A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held March 8, 2017.

[Item A.1. Report \(click here\)](#)

[A.1. Updated Document #1](#)

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Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1** (Absent: Marshall). **Motion carried.**

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for March 4, 2017 through March 24, 2017.

[Item A.2. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1** (Absent: Marshall). **Motion carried.**

A.3. General Fund Adopted Budget for Fiscal Year 2016-2017 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2016-2017 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

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Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1** (Absent: Marshall). **Motion carried.**

A.4. Short Term Vacation Rentals (STVR's) - Voluntary Collection Agreement with Airbnb to Collect and Submit Transient Occupancy Tax (TOT). (File 0610-15)

Recommendation: That the City Council

1. Adopt **Resolution 2017-055** authorizing the City Manager to execute the Voluntary Collection Agreement with Airbnb.

[Item A.4. Report \(click here\)](#)

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Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1** (Absent: Marshall). **Motion carried.**

A.5. Coastal Rail Trail DG (Decomposed Granite) Path Restoration. (File 0840-37)

Recommendation: That the City Council

1. Adopt **Resolution 2017-054**:
 - a. Awarding a construction contract for the DG Path Restoration on the Coastal Rail Trail, Bid No. 2017-04, in the amount of \$78,300, to Blue Pacific Contracting and Paving.
 - b. Approving an amount of \$12,700 for construction contingency.

- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

Item A.5. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1 (Absent: Marshall). Motion carried.**

A.6. Lithocrete Cleaning and Sealing of Various Concrete Locations. (File 0820-35)

Recommendation: That the City Council

1. adopt **Resolution 2017-050**:
 - a. Rejecting all bids for the Clean and Re-Seal Concrete Lithocrete Project, Bid No. 2017-03.
 - b. Authorizing the City Manager to modify the bid documents as may be necessary and then re-advertise the project for construction bids.

Item A.6. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1 (Absent: Marshall). Motion carried.**

A.7. Legal Services with Troutman Sanders, LLP for the Negotiations and Development of the City's Community Choice Aggregation Program. (File 0400-05)

Recommendation: That the City Council

1. Adopt **Resolution 2017-057** approving the Professional Services Agreement with Troutman Sanders, LLP.

Item A.7. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 4/0/1 (Absent: Marshall). Motion carried.**

B. PUBLIC HEARINGS: (B.1. – B.3.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designees for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

B.1. Public Hearing: 502 Mar Vista Dr., Applicant: Petosa, Case No: 17-16-26 (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a Development Review Permit (DRP). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2017-051** conditionally approving a DRP for a 748 square foot addition to an existing two-story, single-family residence located at 502 Mar Vista Drive.

[Item B.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Councilmember Hegenauer recused herself due to owning property within 500 ft. of the project.

Greg Wade, City Manager, introduced the item.

Regina Ochoa, Assistant Planner, presented a PowerPoint (on file).

Mayor Nichols opened the public hearing.

Council disclosures.

Applicant

Stacey Matthews, project designer, stated that they did not have a formal presentation, thanked Planning Staff, City Manager and Mayor Nichols for their direction and help on the project.

Council and Staff discussed the height of the wooden deck in the front yard, that the plans were in conformance with the regulations for front yard set-backs, the deck and landscaping planters were in accordance with regulations, most of the deck was within the buildable area, and that the deck and retaining walls measured approximately 2 ft. so handrails were not required.

Council, Staff, and Applicant discussed that the 18 ft. rear yard hedgerow could be problematic for views in the future and should be lowered to meet the height of the 8 ft. fence, and that the new lowered height of the hedges would be added as a condition of approval, and that the 8'x16' retaining seat wall shown on the plans had a typo and should read 8"x16".

Discussion continued regarding why the site plan read 2 ft. from the set-back for the proposed deck and the landscape plan read that the existing deck was 3 ft. from the set-

back, that the 2 ft. dimension was measuring the amount that the deck encroached into the set-back, which was the allowed 2 ft. which the plans exhibited, provided that it was supported at or behind the setback, and that the landscape plans 3 ft. dimension was measuring the property line to the deck, which would total the 5 ft. required set back.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 3/0/2** (Recused: Hegenauer, Absent: Marshall). **Motion carried.**

Motion: Moved by Councilmember Zito and second by Mayor Nichols. **Approved 3/0/2** (Recused: Hegenauer, Absent: Marshall). **Motion carried.**

B.2. Public Hearing: Introduction (1st Reading) of Ordinance 476 – Establishing the Open Space/Preserve Zone and Corresponding Regulations and Request for a General Plan Amendment and Rezone to Change the Designation of a Vacant Property Located at 640 North Highway 101 and Adjacent to the San Elijo Lagoon Ecological Reserve From General Commercial to Open Space/Preserve, Case # 17-17-03, Applicants: San Elijo Lagoon Conservancy, APN: 263-011-32. (File 0630-30)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15061 of the State CEQA Guidelines; and
3. Introduce **Ordinance 476** (1st Reading) adding Chapter 17.42 “Open Space/Preserve” to the Solana Beach Municipal Code and Establishing the Open Space/Preserve Zone and Corresponding Regulations; and
4. Consider whether to approve **Resolution 2017-049**, a change to the General Plan Land Use Map and City of Solana Beach Official Zoning Map as recommended by Staff

[Item B.2. Report \(click here\)](#)

[B.2. Supplemental Documents - R](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Greg Wade, City Manager, introduced the item.

Katie Benson, Associate Planner, presented a PowerPoint (on file).

Council disclosures.

[Applicant](#)

Doug Gillingham said he was a resident of Solana Beach and was the applicant and the representative and current President of the San Elijo Lagoon Conservancy. He stated that

they were glad to be in the final steps of establishing the Harbaugh Seaside Trails Reserve that many in the community and beyond had worked for a long time and that it would preserve nature and connect communities since it was at the end of the Coastal Rail Trail and NCTD would be constructing a pedestrian path underneath the railroad tracks. He said that in 2011, the Conservancy had an opportunity to purchase it for four million dollars, and several generous supporters in the community contributed including a \$1.5 million donation from the George and Betty Harbaugh Charitable foundation and a million dollars from Caltrans funding that the City helped coordinate. He said that a conservation easement was already in place restricting the usage to passive open space recreational uses. He said that a letter that came in on this item suggested looking into an economic opportunity to provide a view deck so that the public could enjoy the property and that they were adding a deck at the edge of the property and that this location would draw people to the area for the Highway 101 corridor restaurants and shops along the way indirectly benefiting the area economically. He stated that this was a quality of life opportunity providing economic benefit, and that instead of drinks the sunsets would be just as glorious.

Public Speakers

Ed Seigel passed out a letter (on file) and said that he saw the item 10 days ago and that he felt strongly about the City, that when he moved to Solana Beach in 1976 Fletcher Cove was a parking lot and Mike changed that, that the Coastal Rail Trail was a dirt path and Lesa changed it, that Jack Moore was the father of the City's incorporation and that many had prevented massive developments at the north end of the property, that he wished that this consideration had more community input, that instead of designating it Open Space, that it could have a tasteful element including a veranda where citizens and visitors shared and purchased refreshments overlooking the lagoon, and that such an arrangement could bring in funds for the Conservancy and the City and bring a greater sense of community.

Mayor Nichols said that the Conservation easement was placed on the property in 2014, that there was plenty of opportunity for community to be involved in this, and that this action was only a formality for the General Plan's consistency.

Gerri Retman stated that over a 20 year quest to save this property that she had met with a number of developers that were willing to donate the northern end in exchange for a small area for themselves but that was not what the public wanted, that the first Council's actions at the City's incorporation made it clear that they agreed that open space should be preserved, that it had been six years since the community and City initiated efforts to purchase the property, that the late Margaret Schlesinger and Roy Warden were both supporters long before and were involved in these efforts and thanked the members of the Council over time who had supported this property.

Ira Opper said that he supported this zone change, that every time he and Gerry drove by she would say that it should be a park, along the way there were many setbacks, that his dad quote was always in his head "what would it matter in 100 years?" and that this was one thing that would matter in 100 years. He said that he was born in southern California, had seen development of the area, and that to have a piece of open space in that view area was a credit to all because it did not happen very often, and thanked Council and his wife Gerri for all of their efforts.

Council discussion ensued regarding that the community made this effort work, that Doug Gibson, applicant, had done a lot over time and had the Conservancy take a lead, that Gerri and Ira worked on it for two decades, that community members David Winkler and Tom Golich put significant amounts of capital on the line, Joe Balla and his group put the last bit of financing, and that Gary Martin spent hundreds of hours crafting legal documents to solidify the process.

Council continued, stated that it was a major milestone for the City, that some of the things that drove the formation of the City was former nightclub, now City Hall, as well as the property at the lagoon, that during past proposed developments 100's of comments were received against developing this space, that it was once a gas station and fruit station, and that this evening was just a formality and that the funds have been received with that intent for this area.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 4/0/1** (Absent: Marshall). Motion carried.

Motion: Moved by Councilmember Zito and second by Councilmember Edson. **Approved 4/0/1** (Absent: Marshall). Motion carried.

B.3. Public Hearing: Consideration of Modifying Summer Day Camp Fees. (File 0390-23)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Adopt **Resolution 2017-046** to increase the fees of the Summer Day Camp program.

[Item B.3. Report \(click here\) - R](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Greg Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

Council and Staff discussed the comparison to other cities and comparable camp contents, that Encinitas and Carlsbad had a wide variety of programs, so they were used to compare prices of their comparable programs, that an advanced email data base could be alerted of the upcoming rate increase prior to the opening day of registration, and that two comments were already received from the public which was included in the Staff Report.

Discussion continued regarding that the City was currently providing a financial assistance scholarship program for financially needy families at 50% off, that the City did not receive many requests annually but had been able to accommodate those that were submitted.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 4/0/1** (Absent: Marshall). Motion carried.

Council discussion continued regarding that nothing but good things were heard about this program, that Staff ran a great program, that the program filled up so fast that a current price increase was not a problem, that it was hard to secure spots in this program because it was one of the lowest priced programs in the area, that having financial aid helped make up the difference to lessen the blow for those that may need it, that because the rate was so low that many people from outside of the City signed up before residents, that the financial aid program was only for residents, and that it did not appear that this would price anyone out of the program and the City would not lose interest or money from raising the rate.

Motion: Moved by Councilmember Zito and second by Councilmember Edson. **Approved 4/0/1** (Absent: Marshall). Motion carried.

C. STAFF REPORTS: (C.1. - C.2.)

Submit speaker slips to the City Clerk.

C.1. Adopt Ordinance 475 (2nd Reading) regarding Renewal of Public, Education, and Government (PEG) fees for State Franchises. (File 1000-10)

Recommendation: That the City Council

1. Adopt **Ordinance 475** amending Section 13.20.020(B) of Solana Beach Municipal Code to renew the PEG fee for State franchisees.

Item C.1. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Johanna Canlas, City Attorney, read the title of the ordinance.

Motion: Moved by Councilmember Zito and second by Councilmember Edson. **Approved 4/0/1** (Absent: Marshall). Motion carried.

C.2. Adopt Ordinance 474 (2nd Reading) regarding California Public Employees Retirement System's (CalPERS) Contract Amendment. (File 0520-50)

Recommendation: That the City Council

1. Adopt **Ordinance 474** to amend its CalPERS contract in order to implement California Public Employees Retirement System's Government Code Section 20516 (Employees Sharing Additional Cost) for fire employees and to authorize the City Clerk to execute all necessary certifications to effectuate the CalPERS contract amendment.

Item C.2. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Johanna Canlas, City Attorney, read the title of the ordinance.

Motion: Moved by Councilmember Zito and second by Councilmember Edson. **Approved 4/0/1** (Absent: Marshall). Motion carried.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

Councilmembers reported Committee activities.

Regional Committees: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) – Nichols (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1st alternate), Nichols (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22nd Agricultural District Association Community Relations Committee – Marshall, Edson.

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee – Zito, Edson.
- b. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- c. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- d. I-5 Construction Committee – Zito, Edson.
- e. Parks and Recreation Committee – Nichols, Zito
- f. Public Arts Committee – Marshall, Hegenauer.
- g. School Relations Committee – Nichols, Hegenauer.

ADJOURN:

Mayor Nichols adjourned the meeting at 7:22 p.m. in honor of all the citizens of Solana Beach who have contributed financially through their efforts or participation in the meetings in saving the Harbaugh Trails and thanked everyone, including those who may have passed and did not get to see this final day.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Finance
SUBJECT: Register of Demands

BACKGROUND:

Section 3.04.020 of the Solana Beach Municipal Code requires that the City Council ratify a register of demands which represents all financial demands made upon the City for the applicable period.

Register of Demands- 04/08/17 through 04/21/17		
Check Register-Disbursement Fund (Attachment 1)		\$ 587,707.63
Retirement Payroll	April 14, 2017	9,667.00
Net Payroll	April 21, 2017	165,439.28
Federal & State Taxes	April 21, 2017	45,562.12
PERS Retirement (EFT)	April 21, 2017	39,798.73
TOTAL		\$ 848,174.76

DISCUSSION:

Staff certifies that the register of demands has been reviewed for accuracy, that funds are available to pay the above demands, and that the demands comply with the adopted budget.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The register of demands for April 8, 2017 through April 21, 2017 reflects total expenditures of \$848,174.76 from various City funding sources.

WORK PLAN:

N/A

CITY COUNCIL ACTION: _____

OPTIONS:

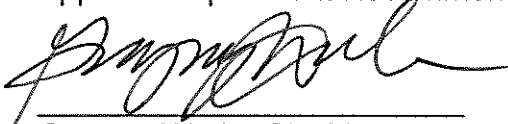
- Ratify the register of demands.
- Do not ratify and provide direction.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council ratify the above register of demands.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Check Register – Disbursement Fund

CITY OF SOLANA BEACH, CA
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact_ck_date between '20170408 00:00:00.000' and '20170421 00:00:00.000'
ACCOUNTING PERIOD: 10/17

FUND - 001 - GENERAL FUND		CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	89925	04/13/17	4786	12MILESOUT.COM	001500005450	COUNCIL WEB STRM-MAR	0.00	800.00		
1011	89926	04/13/17	4982	ACTION BOUNCE COMPANY	250550005570	EGG HUNT-2 FUN JUMPS	0.00	359.00		
1011	89927	04/13/17	1135	AFFORDABLE PIPELINE SERV	001650006520	H-STORM DRAIN CLEAN	0.00	1,000.00		
1011	89928	04/13/17	2137	AFLAC	001	MARCH 17	0.00	155.40		
1011	89929	04/13/17	834	ALLSTAR FIRE EQUIPMENT,	214600006120	HEAD-HELMET	0.00	428.84		
1011	89930	04/13/17	4832	AT&T CALNET 3	001500005450	9391053641 01/24-2/23	0.00	164.24		
1011	89931	04/13/17	4832	AT&T CALNET 3	001600006120	9391050348-2/20-3/19	0.00	82.12		
1011	89932	04/13/17	4832	AT&T CALNET 3	001500005450	9391012282 02/24-3/23	0.00	18.45		
1011	89933	04/13/17	4832	AT&T CALNET 3	001500005450	9391012278 2/24-3/23	0.00	2,176.06		
1011	89934	04/13/17	4832	AT&T CALNET 3	001600006120	9391012280 2/24-3/23	0.00	315.99		
1011	89935	04/13/17	4832	AT&T CALNET 3	001600006150	9391012275 2/24-3/23	0.00	164.24		
1011	89936	04/13/17	4832	AT&T CALNET 3	001500005450	9391053641 2/24-3/23	0.00	164.24		
1011	89937	04/13/17	4832	AT&T CALNET 3	001600006170	9391053651 2/25-3/24	0.00	1.24		
1011	89938	04/13/17	4168	CHEN RYAN ASSOCIATES	459990555550	9905.01 TRFFC PE02/25	0.00	2,906.23		
1011	89939	04/13/17	5051	CINTRAS CORPORATION NO. 2	001650006570	FIRST AID SUPPLIES-CH	0.00	149.02		
1011	89940	04/13/17	3211	CITY OF TUSTIN	001500005400	CALPACS 2017 MEMBERSHP	0.00	1,500.00		
1011	89941	04/13/17	2631	CLEAN STREET	001650006550	STREET SWP-MAR	0.00	3,173.00		
1011	89942	04/13/17	2098	CULLIGAN OF SAN DIEGO	001600006120	WATER FLTR 04/01-5/31	0.00	85.60		
1011	89943	04/13/17	2629	D & D DISPOSAL INC	001600006130	ANIMAL DISPOSAL-MAR	0.00	130.00		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006570	ALM CBLE/WIRE CONN	0.00	50.50		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006570	RUST SPRY/PRIMER SPRY	0.00	58.52		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006560	WTR JET NOZZLE	0.00	5.81		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006570	3 OUVLET PLUG	0.00	7.55		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006570	BATTERIES/FURNACE KEY	0.00	25.98		
1011	89944	04/13/17	134	DIXIELINE LUMBER CO INC	001650006530	BLACK TOP PATCH	0.00	94.26		
TOTAL CHECK										
1011	89945	04/13/17	5231	ELLEN RODARTE	001	RFND:EP#3253/715 N RI	0.00	500.00		
1011	89946	04/13/17	94	ESGIL CORPORATION	001550005560	BLDG PRMT 03/06-03/10	0.00	3,140.96		
1011	89946	04/13/17	94	ESGIL CORPORATION	001550005560	BLDG PRMT 03/19-03/25	0.00	7,374.41		
1011	89946	04/13/17	94	ESGIL CORPORATION	001550005560	BLDG PRMT 03/13-03/17	0.00	8,018.69		
1011	89946	04/13/17	94	ESGIL CORPORATION	001600006120	FIRE PRMT 03/06-03/10	0.00	659.58		

PENTAMATION
 DATE: 04/20/2017
 TIME: 12:40:35

CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2
 ACCTPA21

SELECTION CRITERIA: transact_ck_date between '20170408 00:00:00.000' and '20170421 00:00:00.000'
 ACCOUNTING PERIOD: 10/17

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	89946	04/13/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 03/19-03/25	0.00	1,426.84
1011	89946	04/13/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 03/13-03/17	0.00	1,427.45
1011	89946	04/13/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 01/30-02/03	0.00	5,623.25
TOTAL CHECK							0.00	27,671.18
1011	89947	04/13/17	322	FIRE ETC.	00160006120	XTRA CREW BOSS JACKET	0.00	237.27
1011	89947	04/13/17	322	FIRE ETC.	00160006120	MEAD-TURNOUTS	0.00	1,562.29
TOTAL CHECK							0.00	1,799.56
1011	89948	04/13/17	1792	HARRIS & ASSOC. INC.	21355005550	1715.15 PROF SVC-FEB	0.00	3,040.00
1011	89949	04/13/17	2928	HARVEY-MEYERHOFF CONSULT	21355005550	1714.20/959 GENEVIEVE	0.00	1,210.00
1011	89950	04/13/17	87	ISLA VERDE HOA	20575007530	LNDSCAPE MAINT-MAR	0.00	425.00
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20475007520	SMTA FE HILLS JAN-MAR	0.00	43.75
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20775007550	SAN ELJO HILLS JAN-MAR	0.00	23.75
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20575007530	ISLA VERDE JAN-MAR	0.00	22.50
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20375007510	OLD HWY 101 JAN-MAR	0.00	631.25
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 00150005300	FIRE BENERIT JAN-MAR	0.00	500.00
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20375007510	EXPENSES JAN-MAR	0.00	13.25
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 67685008560	SO SOL SWR JAN-MAR	0.00	385.00
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 20875007580	CRT ADMIN JAN-MAR	0.00	324.41
1011	89951	04/13/17	2287	KOPPEL & GRUBER PUBLIC	F 21100007600	ST LGT ADMIN JAN-MAR	0.00	572.74
TOTAL CHECK							0.00	2,516.65
1011	89952	04/13/17	5230	KRISTEN PRUETT	001	RFND: RESO2016-044/98	0.00	79,848.00
1011	89953	04/13/17	5232	LINDA M LOPEZ	25055005570	EGG HUNT-FACE PAINTER	0.00	300.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	51.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	102.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	153.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	255.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	357.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	752.70
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	1,041.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	1,599.21
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	1,802.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	5,500.00
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 02/28/17	0.00	6,866.52
1011	89954	04/13/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007820	AFFRDEL HSNNG-FEB	0.00	238.00
TOTAL CHECK							0.00	18,717.43
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	459	9450.08 PALMITAS RETN	0.00	-3,874.05
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	240	9355.04 ADA RAMP RETN	0.00	-1,972.50
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	45994506510	9450.08 PALMITAS STRMD	0.00	73,606.95
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	45994506510	9450.08 PALMITAS RETN	0.00	3,874.05
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	24093556510	9355.04-ADA PED RAMPS	0.00	37,477.50
1011	89955	04/13/17	5219	JERUSALEM CONSTRUCTION,	24093556510	9355.04-ADA RAMP RETN	0.00	1,972.50
TOTAL CHECK							0.00	111,084.45

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FUND - 001 - GENERAL FUND		CASH ACCT CHECK NO		ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	89956	04/13/17	111		MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.56	
1011	89956	04/13/17	111		MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	6.25	
1011	89956	04/13/17	111		MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	7.03	
1011	89956	04/13/17	111		MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	7.04	
1011	89956	04/13/17	111		MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	12.50	
	TOTAL CHECK							0.00	34.38	
1011	89957	04/13/17	2636		NRTH CNTY HOUSE OF MOTOR	00160006170	BAL DUE RPLC OIL FLTR	0.00	4.38	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00155005550	CELL PHONE HOLDER	0.00	9.69	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00155005550	PENS	0.00	12.08	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00155005550	PEN HOLDER/PENS	0.00	19.66	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00155005550	BUS CARD HOLDER DSPLY	0.00	48.48	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00155005550	MSPAD/PENS/STCKY NOTE	0.00	51.08	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00150005350	COSE STAMP	0.00	30.05	
1011	89958	04/13/17	50		OFFICE DEPOT INC	00150005350	PENS/LEGAL PADS	0.00	14.17	
	TOTAL CHECK							0.00	185.21	
1011	89959	04/13/17	1008		PSC, LLC	00165006520	HRW-MAR	0.00	1,472.50	
1011	89960	04/13/17	4080		JENNIFER REED	00150005350	ADMIN SVC-MAR	0.00	189.00	
1011	89961	04/13/17	416		REGIONAL COMMS SYS, MS 0	00160006120	CAP CODE-MAR	0.00	32.50	
1011	89962	04/13/17	86		SAN ELIJO HILLS II HOA	20775007550	LANDSCAPE MAINT-MAR	0.00	6,550.00	
1011	89963	04/13/17	88		SANTA FE HILLS HOA	20475007520	LANDSCAPE MAINT-MAR	0.00	12,250.00	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	50900007700	M#P021406 02/02-03/31	0.00	81.05	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	00165006560	M#61822951 02/02-3/31	0.00	181.79	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	00165006520	MTR#18473 03/02-03/31	0.00	168.61	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	50900007700	MTR#18473 03/02-03/31	0.00	42.49	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	50900007700	MTR#18473 03/02-03/31	0.00	463.32	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	00165006560	GRP#06-03 03/02-03/31	0.00	649.20	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	20475007520	GRP 5-25 02/02-03/31	0.00	1,307.86	
1011	89964	04/13/17	141		SANTA FE IRRIGATION DIST	20475007520	GRP 6-01 03/02-03/31	0.00	1,324.93	
	TOTAL CHECK							0.00	4,219.25	
1011	89965	04/13/17	2475		SAVEMART PHARMACEUTICAL S	27060006120	CSA17.17 MIDAZOLAM	0.00	35.80	
1011	89966	04/13/17	761		SD COUNTY OFFICE OF EDUC	00150005400	FINGERPRINTS-09/26	0.00	26.00	
1011	89967	04/13/17	3199		SOUTH COAST EMERGENCY VE	00160006120	T2431 REPAIR	0.00	416.66	
1011	89968	04/13/17	1231		STAPLES CONTRACT & COMME	00150005300	MMB FLOOR MAT	0.00	75.41	
1011	89968	04/13/17	1231		STAPLES CONTRACT & COMME	00150005350	LTR OPNR/SHEET PRCTR	0.00	11.29	
	TOTAL CHECK							0.00	86.70	
1011	89969	04/13/17	3066		SUMMIT ENVIRONMENTAL GRO	00155005550	PROF SVC JUL	0.00	-5,500.00	
1011	89969	04/13/17	3066		SUMMIT ENVIRONMENTAL GRO	00155005550	PROF SVC MAR	0.00	330.00	
1011	89969	04/13/17	3066		SUMMIT ENVIRONMENTAL GRO	00155005550	PROF SVC JUL	0.00	1,100.00	
1011	89969	04/13/17	3066		SUMMIT ENVIRONMENTAL GRO	45999036190	9903 PROF SVC LCP-JUL	0.00	3,190.00	

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	89969	04/13/17	3066	SUMMIT ENVIRONMENTAL GRO	45999036190	9903 PROF SVC LCP-MAR	0.00	4,620.00
1011	89969	04/13/17	3066	SUMMIT ENVIRONMENTAL GRO	45099266190	9926 PROF SVC SND-JUL	0.00	1,210.00
1011	89969	04/13/17	3066	SUMMIT ENVIRONMENTAL GRO	45099266190	9926 PROF SVC SND-MAR	0.00	1,540.00
	TOTAL CHECK						0.00	6,490.00
1011	89970	04/13/17	282	SUN GRAPHICS INC	00160006140	VIOLATION FORM	0.00	139.90
1011	89971	04/13/17	4465	SUN LIFE FINANCIAL	001	APR 17 LIFE & ADD INS	0.00	969.76
1011	89971	04/13/17	4465	SUN LIFE FINANCIAL	001	APR 17 LTD	0.00	1,285.94
1011	89971	04/13/17	4465	SUN LIFE FINANCIAL	001	APR 17 SUPP LIFE INS	0.00	376.30
	TOTAL CHECK						0.00	2,632.00
1011	89972	04/13/17	3265	THE LAND STEWARDS	00165006520	POLY SAND BAG-PW	0.00	516.66
1011	89973	04/13/17	5229	THOMAS JEFFREY ENDERWICK	001	RPND: SBGR#303/234 S	0.00	36,146.25
1011	89974	04/13/17	4534	TRAFFIC SUPPLY, INC	00165006540	10 TRAFFIC SIGNS	0.00	531.85
1011	89974	04/13/17	4534	TRAFFIC SUPPLY, INC	00165006540	BLADE CROSS & CAP	0.00	167.87
	TOTAL CHECK						0.00	699.72
1011	89975	04/13/17	2759	TRISTAR RISK MANAGEMENT	12550005465	FY17 CLAIMS SVC-Q4	0.00	6,250.00
1011	89976	04/13/17	5197	TROUTMAN SANDERS LLP	00150005250	PROF SVC PE 02/28	0.00	7,750.00
1011	89977	04/13/17	1458	THE UNIFORM SPECIALIST	00160006120	TOTH-BOOTS/PNT/SHRYS	0.00	1,147.41
1011	89977	04/13/17	1458	THE UNIFORM SPECIALIST	00160006120	MEAD-PNT/BOOTS/SHRT	0.00	1,263.05
	TOTAL CHECK						0.00	2,410.46
1011	89978	04/13/17	2097	UT SAN DIEGO - NRTH COUN	00150005150	PUB HRMG-ORD #473	0.00	176.49
1011	89979	04/13/17	30	VERIZON WIRELESS-SD	00150005450	IT CELL 02/24-03/23	0.00	114.03
1011	89980	04/13/17	4844	WARWICK GROUP CONSULTANT	45099266190	9926 PROF SVC-MAR	0.00	5,375.00
1011	89981	04/13/17	2189	WILLDAN	67285008520	PAC UG DEMAND LTR	0.00	15.49
1011	89981	04/13/17	2189	WILLDAN	67385008530	MAR UG DEMAND LTR	0.00	15.49
1011	89981	04/13/17	2189	WILLDAN	67385008530	MARSOLAN JAN-MAR	0.00	252.78
1011	89981	04/13/17	2189	WILLDAN	67285008520	PACIFIC JAN-MAR	0.00	253.54
1011	89981	04/13/17	2189	WILLDAN	67185008510	BARB/GRAN JAN-MAR	0.00	262.00
	TOTAL CHECK						0.00	799.30
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	W7830FT UPSTRS-MAR	0.00	199.60
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	EXCESS CLR-02/21-3/21	0.00	178.97
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	EXCESS BLK-02/21-3/21	0.00	37.10
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	D95CP PLNG LEASE-MAR	0.00	555.18
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	EXCESS COPS-02/21-3/21	0.00	91.66
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	W7830FT CLRKS-MAR	0.00	218.99
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	EXCESS CLR-02/21-3/21	0.00	127.94
1011	89982	04/13/17	37	XEROX CORPORATION	00150005350	EXCESS BLK-02/21-3/21	0.00	28.14
	TOTAL CHECK						0.00	1,437.58
1011	89983	04/13/17	1497	ZUMAR INDUSTRIES INC	00165006540	ST SIGNS W/CITY LOGO	0.00	1,369.13

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	89984	04/20/17	24 HOUR ELEVATOR, INC	00150006570	ELVTR MAINT-APR	0.00	151.42
1011	89984	04/20/17	24 HOUR ELEVATOR, INC	45994076510	9407 ELEVATOR UPRGD	0.00	12,107.50
	TOTAL CHECK					0.00	12,258.92
1011	89985	04/20/17	ACE RELOCATION SYSTEMS I	00150005300	3/2017 AUCTION ITEMS	0.00	217.50
1011	89986	04/20/17	APPLE ONE, INC	00150005150	TEMP HELP PE 04/08	0.00	1,022.64
1011	89986	04/20/17	APPLE ONE, INC	00150005150	TEMP HELP PE 03/25	0.00	922.70
1011	89986	04/20/17	APPLE ONE, INC	00150005150	TEMP HELP PE 04/01	0.00	969.84
	TOTAL CHECK					0.00	2,915.18
1011	89987	04/20/17	JOSHUA BLEA	00150006520	MILEAGE 04/01-04/02	0.00	26.75
1011	89987	04/20/17	JOSHUA BLEA	00150006530	MILEAGE 04/01-04/02	0.00	26.75
	TOTAL CHECK					0.00	53.50
1011	89990	04/20/17	US BANK	27060006120	CSA17.17 EMT RNWL FEE	0.00	2.50
1011	89990	04/20/17	US BANK	00150005150	RUBBER BANDS	0.00	3.20
1011	89990	04/20/17	US BANK	25560006180	BOLT/NUT/WASHER	0.00	4.47
1011	89990	04/20/17	US BANK	00150005100	WATERS FOR COUNCIL	0.00	4.79
1011	89990	04/20/17	US BANK	27060006120	SUCTN UNIT REPR PART	0.00	6.99
1011	89990	04/20/17	US BANK	00150005150	RUBBER BANDS	0.00	7.43
1011	89990	04/20/17	US BANK	00150006520	2 MAP/521 GLENCREST	0.00	8.00
1011	89990	04/20/17	US BANK	00165006530	WATER-FWI	0.00	9.28
1011	89990	04/20/17	US BANK	00160006120	LGHT-FLAG POLE	0.00	9.69
1011	89990	04/20/17	US BANK	00150005450	HOSTING DOMAINS-MAR	0.00	9.95
1011	89990	04/20/17	US BANK	00135005350	SANDAG PARKING 3/16	0.00	10.00
1011	89990	04/20/17	US BANK	00160006170	WINDOW SHADE PART	0.00	10.41
1011	89990	04/20/17	US BANK	00165006570	VACUUM BAGS	0.00	11.59
1011	89990	04/20/17	US BANK	00150005200	CLOSED SESSION-2/22	0.00	13.50
1011	89990	04/20/17	US BANK	00150005200	CLOSED SESSION-3/8	0.00	13.95
1011	89990	04/20/17	US BANK	00150005250	CLOSED SESSION-3/8	0.00	13.95
1011	89990	04/20/17	US BANK	00150005250	CLOSED SESSION-2/22	0.00	15.50
1011	89990	04/20/17	US BANK	00150005400	BUS CARDS-P SAMMAK	0.00	16.14
1011	89990	04/20/17	US BANK	00150005450	CABLE	0.00	17.95
1011	89990	04/20/17	US BANK	00150006530	CAR WASH	0.00	19.99
1011	89990	04/20/17	US BANK	00150005550	AEP/APA LUNCH-CHOPYK	0.00	20.00
1011	89990	04/20/17	US BANK	00150005550	AEP/APA LUNCH-OCIOA	0.00	20.00
1011	89990	04/20/17	US BANK	00150005550	AEP/APA LUNCH-T WADE	0.00	20.00
1011	89990	04/20/17	US BANK	00150005150	STAMP	0.00	23.44
1011	89990	04/20/17	US BANK	001	WENGER-CPRS-SHUTTLE	0.00	26.00
1011	89990	04/20/17	US BANK	001	RETRMNT FRAME-STOEFEN	0.00	29.08
1011	89990	04/20/17	US BANK	001	WENGER-CPRS-REGIST	0.00	30.00
1011	89990	04/20/17	US BANK	00150006140	LOGO EMBROID-JEMISON	0.00	32.48
1011	89990	04/20/17	US BANK	00150005450	CONSTANT CONTACT-MAR	0.00	40.00
1011	89990	04/20/17	US BANK	00170007110	CPRS AWARD ENQUET	0.00	42.00
1011	89990	04/20/17	US BANK	00150005150	PROJ PLANS STAND	0.00	43.09
1011	89990	04/20/17	US BANK	00165006530	WIRE/SOLDERING STN	0.00	47.68
1011	89990	04/20/17	US BANK	00165006530	DESOLDERING PUMP	0.00	48.47
1011	89990	04/20/17	US BANK	00150005200	LA TIMES SUB THRU 6/14	0.00	51.87
1011	89990	04/20/17	US BANK	27060006120	CSA17.17 EMT RENEWAL	0.00	54.00
1011	89990	04/20/17	US BANK	00150005150	LABELS	0.00	66.55

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	89990	04/20/17	US BANK	250550005570	EGG HUNT SUPPLIES	0.00	66.60
1011	89990	04/20/17	US BANK	001500005100	CLMTE ACTN-EDSON 3/10	0.00	75.00
1011	89990	04/20/17	US BANK	00160006120	BARRICADE TAPE	0.00	77.11
1011	89990	04/20/17	US BANK	00165006530	LIGHTS FOR MESSG BRD	0.00	79.57
1011	89990	04/20/17	US BANK	001500005100	CLOSED SESSION-3/8	0.00	90.16
1011	89990	04/20/17	US BANK	00160006120	WATER FOR RIGS	0.00	97.80
1011	89990	04/20/17	US BANK	001500005100	CLOSED SESSION-2/22	0.00	111.03
1011	89990	04/20/17	US BANK	270660006120	IPAD CASES/SCRN PROT	0.00	133.66
1011	89990	04/20/17	US BANK	00160006170	COMMAND TRUCK DETAIL	0.00	150.00
1011	89990	04/20/17	US BANK	00160006120	BARRICADE TAPE	0.00	154.16
1011	89990	04/20/17	US BANK	00165006570	WHITE PAINT-FCCC	0.00	166.19
1011	89990	04/20/17	US BANK	00165006520	PIPE	0.00	192.66
1011	89990	04/20/17	US BANK	001	PIPE	0.00	192.66
1011	89990	04/20/17	US BANK	001	PIPE	0.00	231.74
1011	89990	04/20/17	US BANK	001500005450	AEP CONF-CHOPYK-5/18	0.00	231.74
1011	89990	04/20/17	US BANK	00160006170	LAPTOP SERVICE	0.00	239.85
1011	89990	04/20/17	US BANK	00160006120	TOWELS/CLEANER/TISSUE	0.00	264.72
1011	89990	04/20/17	US BANK	00160006170	USLA LGRD CERT PROG	0.00	300.00
1011	89990	04/20/17	US BANK	00160006120	RMV HEADLINER ASSEM	0.00	350.00
1011	89990	04/20/17	US BANK	001	WENGER-CPRS-HOTEL	0.00	384.10
1011	89990	04/20/17	US BANK	001	AEP CONF-CHOPYK-5/18	0.00	445.00
1011	89990	04/20/17	US BANK	00160006120	F150 OIL/BRAKES	0.00	978.16
1011	89990	04/20/17	US BANK	001500005450	DELL SUPPORT 3/2018	0.00	1,224.00
1011	89990	04/20/17	US BANK	001500005450	DELL SUPPORT 3/2018	0.00	6,808.11
TOTAL CHECK							
1011	89991	04/20/17	CARMEN CAMPBELL	250550005570	EGG HNT BALLOON CLOWN	0.00	180.00
1011	89992	04/20/17	CATHY OTIS	00170007110	FCCC EQUIPMENT RMBRSE	0.00	32.31
1011	89993	04/20/17	CITY OF ENCINITAS	00165006520	WATERSHED 4Q FY17	0.00	685.50
1011	89994	04/20/17	CITY PLACE PLANNING, INC	21355005550	1714.08 AAT SOLANA 101	0.00	522.50
1011	89995	04/20/17	CORELOGIC SOLUTIONS, LLC	00155005550	PROPERTY PRO DATA	0.00	96.83
1011	89996	04/20/17	CORODATA RECORDS MANAGEM	001500005150	RECORDS SFRG-MAR	0.00	292.71
1011	89997	04/20/17	COUNTY OF SAN DIEGO	00160006130	Q4 ANIMAL CNTRL SVC	0.00	18,017.75
1011	89998	04/20/17	COUNTY OF SAN DIEGO	00155005550	DOCUMENTS-2 MAPS	0.00	8.00
1011	89999	04/20/17	CULLIGAN OF SAN DIEGO	00160006170	DRNKNG WTR SVC-APR	0.00	38.00
1011	90000	04/20/17	DATA TICKET INC.	00160006140	PRKNG TCKT ADMIN-MAR	0.00	25.00
1011	90000	04/20/17	DATA TICKET INC.	00160006140	PRKNG TCKT ADMIN-MAR	0.00	942.34
TOTAL CHECK							
1011	90001	04/20/17	DEL MAR BLUE PRINT COMPA	250550005570	BARK IN THE PARK FLYR	0.00	46.86
1011	90002	04/20/17	DICK MILLER, INC	459	9327 ST IMP RT PE3/31	0.00	-5,513.00
1011	90002	04/20/17	DICK MILLER, INC	220	9327 ST IMP RT PE3/31	0.00	-930.55
1011	90002	04/20/17	DICK MILLER, INC	22093276510	9327 ST IMP RT PE3/31	0.00	17,680.45
1011	90002	04/20/17	DICK MILLER, INC	22093276510	9327 ST IMP RT PE3/31	0.00	930.55

CITY OF SOLANA BEACH, CA
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact_ck_date between '20170408 00:00:00.000' and '20170421 00:00:00.000'
ACCOUNTING PERIOD: 10/17

FUND - 001 - GENERAL FUND		CASH ACCT CHECK NO	ISSUE DT VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011		90002	04/20/17 4218	DICK MILLER, INC	45993276510	9327 STRT IMP PE03/31	0.00	104,747.00
1011		90002	04/20/17 4218	DICK MILLER, INC	45993276510	9327 ST IMP RT PE3/31	0.00	5,513.00
	TOTAL CHECK						0.00	122,427.45
1011		90003	04/20/17 134	DIXIELINE LUMBER CO INC	00165006560	PIPE TAPE	0.00	12.20
1011		90003	04/20/17 134	DIXIELINE LUMBER CO INC	00165006540	WASP SPRAY	0.00	5.81
1011		90003	04/20/17 134	DIXIELINE LUMBER CO INC	00165006570	PRIMER SPRY/RUST SPRY	0.00	40.95
	TOTAL CHECK						0.00	58.96
1011		90004	04/20/17 5236	ELSIE JOHNSTONE	001	RFND FCCC DPST-04/08	0.00	500.00
1011		90005	04/20/17 94	ESGIL CORPORATION	00155005560	BLDG PRMT 01/16-01/20	0.00	572.84
1011		90005	04/20/17 94	ESGIL CORPORATION	00160006120	FIRE PRMT 01/16-01/20	0.00	161.25
	TOTAL CHECK						0.00	734.09
1011		90006	04/20/17 223	FEDEX	00150005150	SHIPPING-02/08	0.00	15.35
1011		90007	04/20/17 2873	GEOPACIFICA, INC	21355005550	1715.28/475 PACIFIC	0.00	1,700.00
1011		90007	04/20/17 2873	GEOPACIFICA, INC	21365006510	0328/249-311 PACIFIC	0.00	1,250.00
	TOTAL CHECK						0.00	2,950.00
1011		90008	04/20/17 11	ICMA RETIREMENT TRUST-45	001	ICMA PD 04/21/17	0.00	8,279.65
1011		90009	04/20/17 3859	ICMA RETIREMENT TRUST-RH	001	ICMA PD 04/21/17	0.00	1,859.11
1011		90010	04/20/17 1075	IRON MOUNTAIN	00150005150	RECORDS STRG-APR	0.00	234.92
1011		90011	04/20/17 71	L. N. CURTIS & SONS INC	21460006120	SHLTR/GLV-CONZEN/MEAD	0.00	552.00
1011		90011	04/20/17 71	L. N. CURTIS & SONS INC	21460006120	SHELAER/GLOVES-MEAD	0.00	486.28
	TOTAL CHECK						0.00	1,038.28
1011		90012	04/20/17 1492	LUZAICH STRIPING INC	00165006540	SPD MARKINGS HWY 101	0.00	1,750.00
1011		90013	04/20/17 2106	MIRHAIL OGAWA ENGINEERIN	00165006520	JURMP-FEB	0.00	5,536.51
1011		90013	04/20/17 2106	MIRHAIL OGAWA ENGINEERIN	00165006520	JURMP-JAN	0.00	8,165.70
	TOTAL CHECK						0.00	13,702.21
1011		90014	04/20/17 5228	TRANSWEST SAN DIEGO, LLC	50900007700	F150 INSTALL ALARM	0.00	134.22
1011		90015	04/20/17 111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.61
1011		90015	04/20/17 111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	6.45
1011		90015	04/20/17 111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	7.27
1011		90015	04/20/17 111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	7.26
1011		90015	04/20/17 111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	12.91
	TOTAL CHECK						0.00	35.50
1011		90016	04/20/17 50	OFFICE DEPOT INC	00155005560	EXPANSION FILE FOLDER	0.00	145.43
1011		90016	04/20/17 50	OFFICE DEPOT INC	00155005550	STAMP/BATTERY	0.00	15.17
	TOTAL CHECK						0.00	160.60
1011		90017	04/20/17 54	1 STOP TONER & INKJET, L	00155005550	TONER-PLANNING	0.00	506.39
1011		90017	04/20/17 54	1 STOP TONER & INKJET, L	00155005560	TONER-BUILDING	0.00	678.78

CITY OF SOLANA BEACH, CA
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact_ck_date between '20170408 00:00:00.000' and '20170421 00:00:00.000'
ACCOUNTING PERIOD: 10/17

FUND - 001 - GENERAL FUND				-----DESCRIPTION-----	SALES TAX	AMOUNT
CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	BUDGET UNIT		
TOTAL CHECK					0.00	1,185.17
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		250.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		250.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		250.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		250.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		375.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		375.00
1011	90018	04/20/17	4797 PAMELA ELLIOTT LANDSCAPE	21355005550		500.00
TOTAL CHECK					0.00	2,250.00
1011	90019	04/20/17	4767 PARTNERSHIPS WITH INDUST	00165006570		1,102.95
1011	90020	04/20/17	4775 PHILIPS HEALTHCARE	27060006120		142.56
1011	90021	04/20/17	113 PITNEY BOWES GLOBAL FINA	001500005150		609.06
1011	90022	04/20/17	4658 PLACEMENTS, INC	21355005550		1,990.85
1011	90022	04/20/17	4658 PLACEMENTS, INC	21355005550		2,563.00
TOTAL CHECK					0.00	4,553.85
1011	90023	04/20/17	2370 POUNEH SAMVAK	00150005400		115.58
1011	90024	04/20/17	619 PURE FLO - CMGR #24581 (00150005350		204.97
1011	90025	04/20/17	2260 REDFLEX TRAFFIC SYSTEMS,	00165006540		7,159.35
1011	90026	04/20/17	4281 SIEMENS INDUSTRY, INC	21100007600		2,227.80
1011	90026	04/20/17	4281 SIEMENS INDUSTRY, INC	00165006540		974.40
1011	90026	04/20/17	4281 SIEMENS INDUSTRY, INC	00165006540		1,391.90
TOTAL CHECK					0.00	4,594.10
1011	90027	04/20/17	13 SOLANA BEACH FIREFIGHTER	001		778.50
1011	90028	04/20/17	2504 SOLANA BEACH FOUNDATION	001		60.00
1011	90029	04/20/17	4606 T & T JANITORIAL, INC	00165006570		3,975.00
1011	90030	04/20/17	40 UNDERGROUND SVC ALERT OF	00165006510		108.00
1011	90031	04/20/17	12 UNITED WAY OF SAN DIEGO	001		70.00
1011	90032	04/20/17	2097 UT SAN DIEGO - NRTH COUN	001500005150		3,819.15
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00160006120		266.99
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00160006140		38.86
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00165006510		7.47
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00165006520		7.47
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	21100007600		7.47
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	50900007700		7.47
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00165006530		14.95
1011	90033	04/20/17	30 VERIZON WIRELESS-SD	00165006540		14.95

CITY OF SOLANA BEACH, CA
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.ck_date between '20170408 00:00:00.000' and '20170421 00:00:00.000'
ACCOUNTING PERIOD: 10/17

FUND - 001 - GENERAL FUND									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT	
1011	90033	04/20/17	30	VERIZON WIRELESS-SD	00165006560	PW CELL 03/02-04/01	0.00	14.95	
	TOTAL CHECK						0.00	380.58	
1011	90034	04/20/17	5235	WISNIEWSKI & ASSOCIATES	00165006530	TREE EVAL 05/01-08/31	0.00	640.00	
	TOTAL CASH ACCOUNT						0.00	587,707.63	
	TOTAL FUND						0.00	587,707.63	
	TOTAL REPORT						0.00	587,707.63	



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Finance
SUBJECT: Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2016-2017

BACKGROUND:

Staff provides a report at each Council meeting that lists changes made to the current Fiscal Year (FY) General Fund Adopted Budget.

The information provided in this Staff Report lists the changes made through April 26, 2017.

DISCUSSION:

The following table reports the revenue, expenditures, and transfers for 1) the Adopted General Fund Budget approved by Council on June 8, 2016 (Resolution 2016-080) and 2) any resolutions passed by Council that amended the Adopted General Fund Budget.

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES					
As of April 26, 2017					

Action	Description	Revenues	Expenditures	Transfers from GF	Net Surplus
Reso 2016-080	Adopted Budget	16,512,500	(16,148,700)	(350,800) (1)	\$ 13,000
Reso 2016-112	Qtr-Year Budget Adjustments	-	130,700	76,900 (2)	220,600
Reso 2017-029	Mid-Year Budget Adjustments	350,000	(311,200)	(29,000) (3)	230,400
(1) Transfers to:					
	Debt Service for Public Facilities		153,300		
	City CIP Fund		152,500		
	Asset Replacement		45,000	350,800	
(2) Transfer from:					
	City CIP Fund			(76,900)	
(3) Transfer to:					
	City CIP Fund			29,000	

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

COUNCIL ACTION: <hr/> <hr/>

FISCAL IMPACT:

N/A

WORK PLAN:

N/A

OPTIONS:

- Receive the report.
- Do not accept the report

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council receive the report listing changes made to the FY 2016-2017 General Fund Adopted Budget.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: City Manager's Department
SUBJECT: **Commercial Solid Waste Rate Review – Proposition 218
Public Noticing and Majority Protest Voting Procedures**

BACKGROUND:

The City entered into Franchise Agreements (Agreements) with Coast Waste Management (Waste Management) and EDCO Waste and Recycling Services (EDCO) to provide solid waste and recycling collection services. Waste Management (WM) provides residential services and EDCO provides commercial services.

Under the terms of the Agreements, the waste haulers may request a rate review annually to adjust the amount charged for providing services. The Agreements contain specific language regarding the rate review methodology. Rates may only be increased due to tipping fee (landfill disposal) or cost of living (CPI) increases on the base rate. City Staff reviews the rate review requests submitted by both Waste Management and EDCO and, if appropriate, brings the requests before the City Council for consideration.

EDCO and WM have both submitted rate review requests for rate increases for Fiscal Year (FY) 2017/18. Staff has completed the rate review request for EDCO but is still reviewing the request from WM. Staff will return to Council with the proposed rate review/increase and Proposition 218 notification process for WM at a future Council meeting.

This item is before City Council to consider approving Resolution 2017-070 (Attachment 1) authorizing the City to proceed with the proper Proposition 218 noticing and majority protest voting procedures including setting a Public Hearing to disclose any protest votes for commercial solid waste and recycling rate increases on June 28, 2017.

COUNCIL ACTION:

DISCUSSION:

Solid waste and recycling service rates are generally adjusted annually every July per the terms of the Agreements. However, there has not been an increase to the solid waste or recycling fees for residential or commercial properties since 2013. This has been due to a combination of low CPI's and successful negotiations of the disposal contracts by the Regional Solid Waste Association (RSWA), of which the City is a member. Councilmember Nichols represents the City on the board of RSWA, which has benefitted the City in many ways, among those by leveraging the tonnage of multiple agencies to keep tipping fees low.

The CPI increased 1.97% for the period from December 2015 to December 2016 and the tipping fee increased 3.91%, or \$45.79 per ton to \$47.58 per ton. Therefore, the proposed rate increase for commercial rates for the most common service (3-yard bin picked up 1 time per week) will increase from \$101.04 to \$104.05. The full rate review package can be found in Attachment 2. These requests must go through the Proposition 218 noticing requirements, which Staff and EDCO have initiated. Commercial property owners/customers will receive notification through the mail on the proposed rate increases and will have a chance to submit a protest vote if they oppose. A copy of the draft mailing notice is included as Attachment 3. The vote outcome will be revealed during the Public Hearing at the City Council meeting on June 28, 2017.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The City receives funding through the Franchise Agreements for street sweeping, litter abatement/reduction and to fund the City's Household Hazardous Waste program. In addition, the City receives a 7.5% Franchise Fee on the hauler's adjusted gross revenue recorded for all services rendered within City limits during the preceding calendar quarter.

WORK PLAN:

N/A

OPTIONS:

- Approve Staff recommendation
- Reject Staff recommendation
- Provide alternative direction to Staff

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2017-070 authorizing the City to proceed with the proper Proposition 218 noticing and majority protest voting procedures and setting the commercial Solid Waste Rate Review Public Hearing protest vote for June 28, 2017.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2017-070
2. EDCO Rate Review Request

RESOLUTION NO. 2017-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA ESTABLISHING A PUBLIC HEARING DATE TO DISCLOSE ANY PROTEST VOTES FOR THE PROPOSED COMMERCIAL FY 2017/2018 SOLID WASTE RATE INCREASES

WHEREAS, the City of Solana Beach (City) entered into Franchise Agreements (Agreements) with Coast Waste Management (Waste Management) and EDCO Waste and Recycling Services (EDCO) to provide solid waste and recycling collection services; and

WHEREAS, under the terms of the Agreements, the waste haulers may request a rate review annually to adjust the amount charged for providing services; and

WHEREAS, EDCO has submitted a rate review adjustment request for Fiscal Year 2017/2018; and

WHEREAS, the rate review request must go through the proper Proposition 218 noticing requirements and majority protest proceedings; and

WHEREAS, the protest hearing be conducted during a Public Hearing at a duly noticed City Council Meeting.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitals are all true and correct.
2. That a Public Hearing be conducted to disclose any protest votes at the June 28, 2017 regularly scheduled City Council Meeting.

PASSED AND ADOPTED this 10th day of May, 2017, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSENT: Councilmembers –
ABSTAIN: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

EDCO

WASTE & RECYCLING SERVICES

February 27, 2017

Mr. Danny King
Assistant City Manager
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

RE: Solid Waste and Recycling Collection Service Rate Adjustment

Dear Danny:

The solid waste services Franchise Agreement between the City of Solana Beach and EDCO allows annual rate adjustments. EDCO has not adjusted rates since July 1, 2013. Section 8.3 of the Franchise Agreement includes the details of the rate adjustment procedures. As outlined, rates may be increased due to changes in landfill tipping fees and increases in the Los Angeles-Riverside-Orange County Consumer Price Index (CPI). EDCO is requesting an allowable rate adjustment based on changes in the CPI and the Regional Solid Waste Association (RSWA) disposal fee. The effective date of this rate adjustment is July 1, 2017.

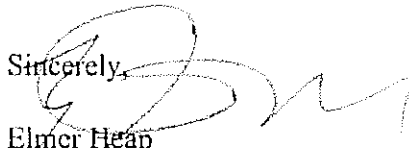
The City of Solana Beach is a member of the Regional Solid Waste Association (RSWA) that regulates waste disposal tipping fees for its member agencies. Tipping fees were last adjusted in the 2013 Solana Beach rate change. At that time, the tip fee for Solana Beach was \$45.79 per ton. Effective July 1, 2017 the tip fee for Solana Beach will increase to \$47.58 per ton, representing a 3.91% increase in the tip fee component of the rate calculation.

The CPI for Los Angeles-Riverside-Orange County increased 1.969% for the period from December 2015 to December 2016. A copy of the applicable CPI is attached for your reference.

Also attached with this letter are rate schedules listing current and proposed rates for commercial waste and recycling collection services. We request that the City Council docket this item at an April or May Council meeting so we can properly notify affected parties.

Please call me or Jeff Ritchie at 760-744-5615 ext. 140 with any questions about this subject.

Sincerely,



Elmer Heap
Division Manager

"We'll Take Care of It"

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(760) 744-2700 • Fax: (760) 752-8339 • www.edcodisposal.com • Printed on Recycled Paper

ATTACHMENT 2

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUUR421SA0, CUUSA421SA0
 Not Seasonally Adjusted
 Area: Los Angeles-Riverside-Orange County, CA
 Item: All Items
 Base Period: 1982-84=100
 Years: 2006 to 2016

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2006	206.0	207.5	208.5	210.5	212.4	211.1	211.4	211.9	212.9	211.4	211.1	210.6	210.4	209.3	211.6
2007	212.584	214.760	216.500	217.845	218.596	217.273	217.454	217.330	217.697	218.696	219.943	219.373	217.338	216.260	218.416
2008	220.918	221.431	223.606	224.625	226.651	229.033	229.886	228.484	227.449	226.159	222.229	219.620	225.006	224.377	225.638
2009	220.719	221.439	221.376	221.693	222.522	223.906	224.010	224.507	225.226	225.264	224.317	223.643	223.219	221.943	224.495
2010	224.610	224.620	225.483	225.916	226.438	225.877	225.991	226.373	226.048	226.794	225.941	226.639	225.894	225.491	226.298
2011	228.652	229.729	232.241	233.319	233.967	232.328	231.303	231.833	233.022	233.049	232.731	231.567	231.928	231.606	232.251
2012	233.441	234.537	236.941	236.866	237.032	236.025	235.776	237.222	238.104	240.111	237.675	236.042	236.648	235.807	237.488
2013	238.015	239.753	239.995	239.043	239.346	239.223	238.920	239.219	239.611	239.940	236.677	238.742	239.207	239.229	239.185
2014	239.857	241.059	242.491	242.437	243.362	243.528	243.727	243.556	243.623	243.341	241.753	240.475	242.434	242.122	242.746
2015	239.724	241.297	243.738	243.569	246.093	245.459	247.066	246.328	245.431	245.812	245.711	245.357	244.632	243.313	245.951
2016	247.155	247.113	247.873	248.368	249.554	249.789	249.784	249.700	250.145	251.098	250.185	250.189	249.246	248.309	250.184

YOY 4.832
 % 1.969%

City of Solana Beach
Commercial Recycling Service Rates - July 1, 2017

Service Level	Current Rate	Prop 218	Adjusted Rate	CPI @ 1.969%	7/1/2017 New Rate	% Change
Commercial Mixed Office Paper						
2 - Yards						
1 x week	\$40.91	(\$1.09)	\$39.82	\$0.78	\$41.69	1.9%
2 x week	\$74.91	(\$1.09)	\$73.82	\$1.45	\$76.36	1.9%
3 x week	\$108.43	(\$1.09)	\$107.34	\$2.11	\$110.54	1.9%
4 x week	\$141.99	(\$1.09)	\$140.90	\$2.77	\$144.76	2.0%
5 x week	\$175.52	(\$1.09)	\$174.43	\$3.43	\$178.95	2.0%
3 - Yards						
1 x week	\$49.43	(\$1.09)	\$48.34	\$0.95	\$50.38	1.9%
2 x week	\$89.68	(\$1.09)	\$88.59	\$1.74	\$91.42	1.9%
3 x week	\$129.91	(\$1.09)	\$128.82	\$2.54	\$132.45	2.0%
4 x week	\$170.12	(\$1.09)	\$169.03	\$3.33	\$173.45	2.0%
5 x week	\$210.37	(\$1.09)	\$209.28	\$4.12	\$214.49	2.0%
4 - Yards						
1 x week	\$54.80	(\$1.09)	\$53.71	\$1.06	\$55.86	1.9%
2 x week	\$101.74	(\$1.09)	\$100.65	\$1.98	\$103.72	1.9%
3 x week	\$148.69	(\$1.09)	\$147.60	\$2.91	\$151.60	2.0%
4 x week	\$195.64	(\$1.09)	\$194.55	\$3.83	\$199.47	2.0%
5 x week	\$242.59	(\$1.09)	\$241.50	\$4.76	\$247.35	2.0%
5 - Yards						
1 x week	\$61.51	(\$1.09)	\$60.42	\$1.19	\$62.70	1.9%
2 x week	\$115.16	(\$1.09)	\$114.07	\$2.25	\$117.41	2.0%
3 x week	\$168.81	(\$1.09)	\$167.72	\$3.30	\$172.11	2.0%
4 x week	\$222.46	(\$1.09)	\$221.37	\$4.36	\$226.82	2.0%
5 x week	\$276.11	(\$1.09)	\$275.02	\$5.42	\$281.53	2.0%
Commercial Cardboard Recycling						
2 - Yards						
1 x week	\$28.46	(\$1.09)	\$27.37	\$0.54	\$29.00	1.9%
3 - Yards						
1 x week	\$42.66	(\$1.09)	\$41.57	\$0.82	\$43.48	1.9%
4 - Yards						
1 x week	\$56.86	(\$1.09)	\$55.77	\$1.10	\$57.96	1.9%
5 - Yards						
1 x week	\$71.29	(\$1.09)	\$70.20	\$1.38	\$72.67	1.9%

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURA421SA0, CUUSA421SA0
 Not Seasonally Adjusted
 Area: Los Angeles-Riverside-Orange County, CA
 Item: All items
 Base Period: 1982-84=100
 Years: 2006 to 2016

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2006	206.0	207.5	208.5	210.5	212.4	211.1	211.4	211.9	212.9	211.4	211.1	210.6	210.4	209.3	211.6
2007	212.584	214.760	216.500	217.845	218.596	217.273	217.454	217.330	217.697	218.696	219.943	219.373	217.338	216.260	218.416
2008	220.918	221.431	223.606	224.625	226.651	229.033	229.886	226.484	227.449	226.159	222.229	219.620	225.008	224.377	225.638
2009	220.719	221.439	221.376	221.693	222.522	223.906	224.010	224.507	225.226	225.264	224.317	223.643	223.219	221.943	224.495
2010	224.610	224.620	225.483	225.916	226.438	225.877	225.991	226.373	226.048	226.794	225.941	226.639	225.894	225.491	226.298
2011	228.662	229.729	232.241	233.319	233.367	232.328	231.303	231.833	233.022	233.049	232.731	231.567	231.928	231.606	232.251
2012	233.441	234.537	236.941	236.866	237.032	236.025	236.776	237.222	238.104	240.111	237.675	236.042	236.648	235.807	237.488
2013	238.015	239.753	239.995	239.043	239.346	239.223	238.920	239.219	239.611	239.940	238.677	238.742	239.207	239.229	239.185
2014	239.857	241.059	242.491	242.437	243.362	243.528	243.727	243.556	243.623	243.341	241.753	240.475	242.434	242.122	242.746
2015	239.724	241.297	243.738	243.569	246.093	245.459	247.066	246.328	245.431	245.812	245.711	245.357	244.632	243.313	245.951
2016	247.155	247.113	247.873	248.368	249.554	249.789	249.784	249.700	250.145	251.098	250.185	250.189	249.246	248.309	250.184

YOY 4.832
% 1.969%



Memo

To: Tom Nixon, General Manager, RSWA
From: Jeff Ritchie, Vice President, EDCO
Date: February 11, 2014
Re: RSWA Tip Fee Calculation for FY 2014/ 2015

As specified in the disposal contract between our organizations, the following formula is used to calculate the RSWA tip fee for the upcoming fiscal year. Please refer to the attached spreadsheet for tonnage and CPI data used in the calculation.

The Los Angeles- Riverside- Orange County CPI for All Urban Consumers increased 1.14% from December 2012 to December 2013. Pursuant to Section 4.1 (a) of the agreement, the minimum CPI increase allowable is 1.5%.

- $2/3$ (or .6667) of the current tip fee increases 1.5% or $.6667 \times 1.50\% = 1.0\%$
- $1/3$ (or .3333) of the current tip fee changes based on the difference between the CPI (1.5%) and the increase in waste tonnage from the previous calendar year. Total solid waste generated by RSWA member cities increased 2,886.68 tons, or 1.26% compared to 2012. Per the formula, $1/3$ of the rate decreases based on the difference between the CPI (1.5%) and the increase in waste tonnage-1.26%. The difference is .24% on $1/3$ of the rate. $.3333 \times .24\% = 0.08\%$
- The net allowable rate adjustment calculation is 1.08%.

1. Del Mar, Encinitas, Solana Beach & Vista Tip Fee Calculation.

Current fee: \$45.79 per ton. This rate is increased 1.08%.

Net fee change is \$0.49 per ton. The new tip fee for the cities affected is \$46.28 per ton effective July 1, 2014.

2. National City and Poway

Current Fee: \$41.28 per ton. This rate is increased 1.08%.

Net fee change is \$0.45 per ton. The new tip fee for the cities listed is \$41.73 effective July 1, 2014.

3. Volume Rebate Calculation

The current annual volume rebate (\$232,510) is multiplied by the CPI of 1.5%. The resulting calculation generates a new volume rebate of \$235,997.65. 1/3 of the new rebate is then multiplied by the percentage increase in waste tonnage if any increase occurred. 2013 waste tonnage increased 1.26%. $\$235,997.65 \times .3333 = \$78,658.02$ $\times 1.26\% = \$991.09$. The total combined rebate effective July 1, 2014 is \$236,988.74.

Please call me with any questions about these calculations.



Memo

To: James Eggart, General Manager- RSWA
From: Jeff Ritchie, COO- EDCO
Date: February 2, 2017
Re: RSWA Tip Fee Calculation for FY 2016/2017

As specified in the disposal contract between our organizations, the following formula is used to calculate the RSWA tip fee for the upcoming fiscal year beginning July 1, 2017. Please refer to the attached spreadsheet for 2016 tonnage data and the Consumer Price Index used in the calculation.

The LA-Riverside-Orange County CPI for all Urban Consumers increased 1.97% from December 2015 to December 2016.

- $2/3$ (or .6667) of the current tip fee increases by the change in the CPI of 1.97%. $2/3 \times 1.97\% = 1.31\%$
- $1/3$ (or .3333) of the current tip fee changes by the difference between the CPI increase (1.97%) and the percentage increase in solid waste tonnage generated by RSWA cities from the previous calendar year. In 2016, RSWA tonnage increased 3.16% when compared to 2015.
- $1/3$ of the rate increases by the difference between the CPI (1.97%) and the percentage increase in tonnage (3.16%) or negative 1.19%. $1/3$ of 1.19% = negative 0.3966%. The combined effect of the CPI and the increased tonnage calculation results in an allowable increase of 0.9134% applied to entire rate.

1. Del Mar, Encinitas, Solana Beach and Vista Tip Fee Calculation.

The current tip fee of \$47.15 per ton is increased 0.9134% resulting in an increase of \$0.43 per ton. The new tip fee for these four cities on July 1, 2017 is \$47.58 per ton.

2. National City & Poway

The current tip fee in these two cities of \$42.51 is increased 0.9134% resulting in an increase of \$0.3882 or \$0.39 per ton. The new tip fee for these cities on July 1, 2017 is \$42.90 per ton.

3. Volume Rebate Calculation

The current annual volume rebate of \$247,883.95 is multiplied by the CPI increase of 1.97% which generates an additional \$4,883.31 in rebate revenue. The adjusted volume rebate is \$252,767.26. 1/3 of this amount (\$84,255.75) is increased by the percentage change of tonnage generated in 2016, (3.16%). This calculation generates another \$2,662.48 in volume rebates. The total volume rebate to be paid to RSWA beginning July 1, 2017 is \$255,429.74.

Please review these calculations at your earliest convenience so we may proceed with rate changes in all RSWA cities.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Community Development Department
SUBJECT: **Resolution 2017-066 Public Service Agreement for Building Department Services with EsGil/SAFEbuilt Corporation**

BACKGROUND:

On September 6, 2016, the City was notified that EsGil Corporation merged with SAFEbuilt Corporation (EsGil/SAFEbuilt). EsGil has been providing building plan review and inspection services related to all building permit applications for the City of Solana Beach since 1987, and would continue to provide this service under the merged company name EsGil/SAFEbuilt. The most recent professional service agreement (PSA) was executed on May 1, 2012, and was extended annually for an additional 4 years after the first year of the contract. No further time extensions are allowed under the PSA. Thus, a new PSA is needed to continue building department services by EsGil/SAFEbuilt.

This item is before the City Council to consider approving a 2-year PSA with EsGil/SAFEbuilt for City Building Services including building plan checking, building inspections, and optional fire safety plan review and fire inspection services.

DISCUSSION:

The City would maintain a PSA (Attachment 1) with EsGil/SAFEbuilt to provide building and construction plan review and inspection services including fire plan check and fire inspection services as needed. Compensation to EsGil/SAFEbuilt for building plan check services is based on seventy-five percent (75%) to twenty five percent (25%) ratio of the funds collected from the applicant with 75% going to EsGil/SAFEbuilt and 25% retained by the City. However, the proposed PSA would allow lowering the fee to EsGil/SAFEbuilt if justified by the upcoming city-wide comprehensive user fee study.

CITY COUNCIL ACTION:

A Draft Resolution 2017-066 (Attachment 2) is included for adoption by the City Council should the Council approve the 2-year PSA with EsGil/SAFEbuilt.

CEQA COMPLIANCE STATEMENT:

This is not a project as defined by the California Environmental Quality Act (CEQA).

FISCAL IMPACT:

Each year, the City has allocated annual funds in its budget based on permit fee activity and projections and allocates seventy-five percent to the EsGil/SAFEbuilt agreement and retains twenty-five percent. The FY 2017/2018 Proposed Budget projects \$515,000 in permit and building fees, which means that \$386,250 is expected to be paid to EsGil/SAFEbuilt and \$128,750 would be retained by the City. The portion paid to EsGil/SAFEbuilt pays for building department Staff which otherwise would be staffed by regular fully-benefited employees of the City. It allows the City the flexibility to provide staffing based on the actual workload received during the fiscal year. The portion retained by the City recovers the cost for non-personnel building department costs, which for FY 2017/2018 is proposed to be \$3,800, and recovers the costs for the City's General Fund expenditures related to these services.

WORK PLAN: N/A

OPTIONS:

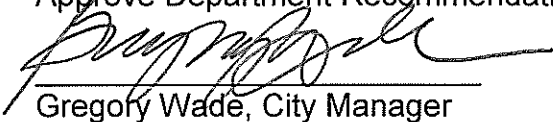
- Approve Staff recommendation
- Deny Staff recommendation
- Provide alternative direction to Staff

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 2017-066 authorizing the City Manager to execute a professional services agreement with EsGil/SAFEbuilt Corporation for City Building Services for the period July 1, 2017 to June 30, 2019, and authorize the City Manager to extend the agreement annually up to two years, based on previous performance.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. PSA with EsGil/SAFEbuilt, effective July 1, 2017
2. Resolution No. 2017-066

City of Solana Beach
PROFESSIONAL SERVICES AGREEMENT
FOR BUILDING DEPARTMENT SERVICES

THIS Professional Services Agreement ("AGREEMENT") is made and entered into this 1st day of July, 2017 by and between the CITY OF SOLANA BEACH, a municipal corporation ("CITY"), and, EsGil/SAFEbuilt a Corporation, ("CONSULTANT") (collectively "PARTIES").

WHEREAS, the CITY desires to employ a CONSULTANT to furnish Building Department Services ("PROFESSIONAL SERVICES") for Plan Review, Permitting and Inspections ("PROJECT"); and

WHEREAS, the CITY has determined that CONSULTANT is qualified by experience and ability to perform the services desired by CITY, and CONSULTANT is willing to perform such services; and

WHEREAS, CONSULTANT will conduct all the work as described and detailed in this AGREEMENT to be provided to the CITY.

NOW, THEREFORE, the PARTIES hereto mutually covenant and agree with each other as follows:

1. PROFESSIONAL SERVICES.

- 1.1. Scope of Services.** The CONSULTANT shall perform the PROFESSIONAL SERVICES as set forth in the written Scope of Services, attached as Exhibit "A" Scope of Services and Fee, at the direction of the CITY. CITY shall provide CONSULTANT access to appropriate staff and resources for the coordination and completion of the projects under this AGREEMENT.
- 1.2. Project Coordinator.** The Community Development Director is hereby designated as the Project Coordinator for CITY and will monitor the progress and execution of this AGREEMENT. CONSULTANT shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this AGREEMENT for CONSULTANT. is hereby designated as the Project Director for CONSULTANT.
- 1.3. City Modification of Scope of Services.** CITY may order changes to the Scope of Services within the general scope of this AGREEMENT consisting of additions, deletions, or other revisions. If such changes cause a change in the CONSULTANT's cost of, or time required for, completion of the Scope of Services, an equitable adjustment to CONSULTANT's compensation and/or contract time shall be made, subject to the CITY'S approval. All such changes shall be authorized in writing, executed by CONSULTANT and CITY.

2. DURATION OF AGREEMENT.

- 2.1. Term.** The term of this AGREEMENT shall be for a period of two (2) years beginning from the date of execution of the AGREEMENT. Time is of the essence in the performance of work under this AGREEMENT, unless otherwise specified.

ATTACHMENT 1

- 2.2. Extensions.** If marked, the CITY shall have the option to extend the AGREEMENT for two (2) additional one (1) year periods or parts thereof for an amount not to exceed seventy five percent (75%) of building permit, construction plan check and inspection fees as established by the CITY per AGREEMENT year. Extensions shall be in the sole discretion of the City Manager and shall be based upon CONSULTANT's satisfactory past performance, CITY needs, and appropriation of funds by the City Council. The CITY shall give written notice to CONSULTANT prior to exercising the option.
- 2.3. Delay.** Any delay occasioned by causes beyond the control of CONSULTANT may merit an extension of time for the completion of the Scope of Services. When such delay occurs, CONSULTANT shall immediately notify the Project Coordinator in writing of the cause and the extent of the delay, whereupon the Project Coordinator shall ascertain the facts and the extent of the delay and grant an extension of time for the completion of the PROFESSIONAL SERVICES when justified by the circumstances.
- 2.4. City's Right to Terminate for Default.** Should CONSULTANT be in default of any covenant or condition hereof, CITY may immediately terminate this AGREEMENT for cause if CONSULTANT fails to cure the default within ten (10) calendar days of receiving written notice of the default.
- 2.5. City's Right to Terminate without Cause.** Without limiting its rights in the event of CONSULTANT's default, CITY may terminate this AGREEMENT, without cause, by giving written notice to CONSULTANT. Such termination shall be effective upon receipt of the written notice. CONSULTANT shall be compensated for all effort and material expended on behalf of CITY under the terms of this AGREEMENT, up to the effective date of termination. All personal property remaining in CITY facilities or on CITY property thirty (30) days after the expiration or termination of this AGREEMENT shall be, at CITY's election, considered the property of CITY.

3. COMPENSATION.

- 3.1. Total Amount.** The total cost for all work described in the Scope of Services and Fee (Exhibit "A") shall not exceed seventy five percent (75%) of building permit, construction plan check and inspection fees as established by the CITY without prior written authorization from CITY. CONSULTANT shall bill the CITY for work provided and shall present a written request for such payment monthly.
- 3.2. Additional Services.** CITY may, as the need arises or in the event of an emergency, request additional services of CONSULTANT. Should such additional services be required, CITY and CONSULTANT shall agree to the cost prior to commencement of these services.
- 3.3. Costs.** Any costs billed to the CITY shall be in accordance with any terms negotiated and incorporated herein as part of Exhibit "A" Scope of Services and Fee.

4. INDEPENDENT CONTRACTOR.

- 4.1.** CONSULTANT is, for all purposes arising out of this AGREEMENT, an independent contractor. The CONSULTANT has and shall retain the right to exercise full control and supervision of all persons assisting the CONSULTANT in the performance of said services hereunder, the CITY only being concerned with the finished results of the work being performed. Neither CONSULTANT nor CONSULTANT's employees shall in any event be entitled to any benefits to which CITY employees are entitled, including, but not limited to, overtime, retirement benefits, workers' compensation benefits, injury leave or other leave benefits. CONSULTANT is solely responsible for all such matters, as well as compliance with social security and income tax withholding and all other regulations and laws governing such matters.

5. STANDARD OF PERFORMANCE.

While performing the PROFESSIONAL SERVICES, CONSULTANT shall exercise the reasonable professional care and skill customarily exercised by reputable members of CONSULTANT's profession practicing in the metropolitan Southern California Area, and will use reasonable diligence and best judgment while exercising its professional skill and expertise.

6. WARRANTY OF CONSULTANT'S LICENSE.

CONSULTANT warrants that CONSULTANT is properly licensed with the applicable government agency(ies) for any PROFESSIONAL SERVICES that require a license. If the CONSULTANT lacks such license, this AGREEMENT is void and of no effect.

7. AUDIT OF RECORDS.

- 7.1. At any time during normal business hours and as often as may be deemed necessary the CONSULTANT shall make available to a representative of CITY for examination all of its records with respect to all matters covered by this AGREEMENT and shall permit CITY to audit, examine and/or reproduce such records. CONSULTANT shall retain such financial and program service records for at least four (4) years after termination or final payment under this AGREEMENT.
- 7.2. The CONSULTANT shall include the CITY's right under this section in any and all of their subcontracts, and shall ensure that these sections are binding upon all subcontractors.

8. CONFIDENTIALITY.

All professional services performed by CONSULTANT, including but not limited to all drafts, data, correspondence, proposals, reports, research and estimates compiled or composed by CONSULTANT, pursuant to this AGREEMENT, are for the sole use of the CITY, its agents and employees. Neither the documents nor their contents shall be released to any third party without the prior written consent of the CITY. This provision does not apply to information that (a) was publicly known, or otherwise known to CONSULTANT, at the time that it was disclosed to CONSULTANT by the CITY, (b) subsequently becomes publicly known through no act or omission of CONSULTANT or (c) otherwise becomes known to CONSULTANT other than through disclosure by the CITY. Except for any subcontractors that may be allowed upon prior agreement, neither the documents nor their contents shall be released to any third party without the prior written consent of the CITY. The sole purpose of this section is to prevent disclosure of CITY's confidential and proprietary information by CONSULTANT or subcontractors.

9. CONFLICTS OF INTEREST.

- 9.1. CONSULTANT shall at all times comply with all federal, state and local conflict of interest laws, regulations, and policies applicable to public contracts and procurement practices, including but not limited to California Government Code Section 81000 *et seq.* (Political Reform Act) and Section 1090 *et seq.* CONSULTANT shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the CITY in which the CONSULTANT has a financial interest as defined in Government Code Section 87103. CONSULTANT represents that it has no knowledge of any financial interests which would require it to disqualify itself from any matter on which it might perform services for the CITY.
- 9.2. If, in performing the PROFESSIONAL SERVICES set forth in this AGREEMENT, the CONSULTANT makes, or participates in, a "governmental decision" as described in Title 2, Section 18700.3(a) of the California Code of Regulations, or performs the same or substantially all the same duties for the CITY that would otherwise be performed by a CITY employee holding a position specified in the department's conflict of interest code, the CONSULTANT shall be subject to a conflict of interest code requiring the completion of one or more statements of economic interests disclosing the CONSULTANT's relevant financial interests.

- 9.3. If checked, the CONSULTANT shall comply with all of the reporting requirements of the Political Reform Act. Specifically, the CONSULTANT shall file a Fair Political Practices Commission Form 700 (Assuming Office Statement) within thirty (30) calendar days of the CITY's determination that the CONSULTANT is subject to a conflict of interest code. The CONSULTANT shall also file a Form 700 (Annual Statement) on or before April 1 of each year of the AGREEMENT, disclosing any financial interests held during the previous calendar year for which the CONSULTANT was subject to a conflict of interest code.
- 9.4. CITY represents that pursuant to California Government Code Section 1090 *et seq.*, none of its elected officials, officers, or employees has an interest in this AGREEMENT.

10. DISPOSITION AND OWNERSHIP OF DOCUMENTS.

- 10.1. All documents, data, studies, drawings, maps, models, photographs and reports prepared by CONSULTANT under this AGREEMENT, whether paper or electronic, shall become the property of CITY for use with respect to this PROJECT, and shall be turned over to the CITY upon completion of the PROJECT or any phase thereof, as contemplated by this AGREEMENT.
- 10.2. Contemporaneously with the transfer of documents, the CONSULTANT hereby assigns to the CITY and CONSULTANT thereby expressly waives and disclaims, any copyright in, and the right to reproduce, all written material, drawings, plans, specifications or other work prepared under this AGREEMENT, except upon the CITY's prior authorization regarding reproduction, which authorization shall not be unreasonably withheld. The CONSULTANT shall, upon request of the CITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

11. INSURANCE

- 11.1. CONSULTANT shall procure and maintain for the duration of the AGREEMENT insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the CONSULTANT, their agents, representatives, employees or subcontractors. Insurance shall be placed with insurers with a current A.M. Best's rating of no less than "A" and "VII" unless otherwise approved in writing by the CITY's Risk Manager.
- 11.2. CONSULTANT's liabilities, including but not limited to CONSULTANT's indemnity obligations, under this AGREEMENT, shall not be deemed limited in any way to the insurance coverage required herein. All policies of insurance required hereunder must provide that the CITY is entitled to thirty (30) days prior written notice of cancellation or non-renewal of the policy or policies, or ten (10) days prior written notice for cancellation due to non-payment of premium. Maintenance of specified insurance coverage is a material element of this AGREEMENT.
- 11.3. **Types and Amounts Required.** CONSULTANT shall maintain, at minimum, the following insurance coverage for the duration of this AGREEMENT:
- 11.3.1. **Commercial General Liability (CGL).** If checked the CONSULTANT shall maintain CGL Insurance written on an ISO Occurrence form or equivalent providing coverage at least as broad which shall cover liability arising from any and all personal injury or property damage in the amount of \$1,000,000.00 per occurrence and subject to an annual aggregate of \$2,000,000.00. There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. All defense costs shall be outside the limits of the policy.

- 11.3.2.** **Commercial Automobile Liability.** If checked the CONSULTANT shall maintain Commercial Automobile Liability Insurance for all of the CONSULTANT's automobiles including owned, hired and non-owned automobiles, automobile insurance written on an ISO form CA 00 01 12 90 or a later version of this form or an equivalent form providing coverage at least as broad for bodily injury and property damage for a combined single limit of \$1,000,000.00 per occurrence. Insurance certificate shall reflect coverage for any automobile (any auto).
- 11.3.3.** **Workers' Compensation.** If checked the CONSULTANT shall maintain Worker's Compensation insurance for all of the CONSULTANT's employees who are subject to this AGREEMENT and to the extent required by applicable state or federal law, a Workers' Compensation policy providing at minimum \$1,000,000.00 employers' liability coverage. The CONSULTANT shall provide an endorsement that the insurer waives the right of subrogation against the CITY and its respective elected officials, officers, employees, agents and representatives.
- 11.3.4.** **Professional Liability.** If checked the CONSULTANT shall also maintain Professional Liability (errors and omissions) coverage with a limit of \$1,000,000 per claim and \$2,000,000 annual aggregate. The CONSULTANT shall ensure both that (1) the policy retroactive date is on or before the date of commencement of the Scope of Services; and (2) the policy will be maintained in force for a period of three years after substantial completion of the Scope of Services or termination of this AGREEMENT whichever occurs last. The CONSULTANT agrees that for the time period defined above, there will be no changes or endorsements to the policy that increase the CITY's exposure to loss. All defense costs shall be outside the limits of the policy.
- 11.4. Deductibles and Self-Insured Retentions.** Any deductibles or self-insured retentions are the responsibility of the CONSULTANT and must be declared to and approved by the CITY. At the option of the CITY, either (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the CITY, its officers, officials, employees and volunteers, or (2) the CONSULTANT shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration, and defense expenses.
- 11.5. Additional Required Provisions.** The commercial general liability and automobile liability policies shall contain, or be endorsed to contain, the following provisions:
- 11.5.1.** The CITY, its officers, officials, employees, and representatives shall be named as additional insureds. The CITY's additional insured status must be reflected on additional insured endorsement form (20 10 1185 or 20 10 1001 and 20 37 1001) which shall be submitted to the CITY.
- 11.5.2.** The policies are primary and non-contributory to any insurance that may be carried by the CITY, as reflected in an endorsement which shall be submitted to the CITY.
- 11.6. Verification of Coverage.** CONSULTANT shall furnish the CITY with original certificates and amendatory endorsements effecting coverage required by this Section 11. The endorsement should be on forms provided by the CITY or on other than the CITY's forms provided those endorsements conform to CITY requirements. All certificates and endorsements are to be received and approved by the CITY before work commences. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

12. INDEMNIFICATION.

CONSULTANT agrees to indemnify, defend, and hold harmless the CITY, and its officers, officials, agents and employees from any and all claims, demands, costs or liabilities that arise out of, or pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, its employees, agents, and subcontractors in the performance of services under this AGREEMENT. CONSULTANT's duty to indemnify under this section shall not include liability for damages for death or bodily injury to persons, injury to property, or other loss, damage or expense arising from the sole negligence or willful misconduct by the CITY or its elected officials, officers, agents, and employees. CONSULTANT's indemnification obligations shall not be limited by the insurance provisions of this AGREEMENT. The PARTIES expressly agree that any payment, attorney's fees, costs or expense CITY incurs or makes to or on behalf of an injured employee under the CITY's self-administered workers' compensation is included as a loss, expense, or cost for the purposes of this section, and that this section will survive the expiration or early termination of this AGREEMENT.

13. SUBCONTRACTORS.

- 13.1.** The CONSULTANT's hiring or retaining of third parties (i.e. subcontractors) to perform services related to the PROJECT is subject to prior approval by the CITY.
- 13.2.** All contracts entered into between the CONSULTANT and its subcontractor shall also provide that each subcontractor shall obtain insurance policies which shall be kept in full force and effect during any and all work on this PROJECT and for the duration of this AGREEMENT. The CONSULTANT shall require the subcontractor to obtain, all policies described in Section 11 in the amounts required by the CITY, which shall not be greater than the amounts required of the CONSULTANT.
- 13.3.** In any dispute between the CONSULTANT and its subcontractor, the CITY shall not be made a party to any judicial or administrative proceeding to resolve the dispute. The CONSULTANT agrees to defend and indemnify the CITY as described in Section 12 of this AGREEMENT should the CITY be made a party to any judicial or administrative proceeding to resolve any such dispute.

14. NON-DISCRIMINATION.

CONSULTANT shall not discriminate against any employee or applicant for employment because of sex, race, color, age, religion, ancestry, national origin, military or veteran status, disability, medical condition, genetic information, gender expression, marital status, or sexual orientation. CONSULTANT shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their sex, race, color, age, religion, ancestry, national origin, military or veteran status, disability, medical condition, genetic information, gender expression, marital status, or sexual orientation and shall make reasonable accommodation to qualified individuals with disabilities or medical conditions. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. CONSULTANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by CITY setting forth the provisions of this non-discrimination clause.

15. NOTICES.

All communications to either party by the other party shall be delivered to the persons listed below. Any such written communications by mail shall be conclusively deemed to have been received by the addressee five (5) calendar days after the deposit thereof in the United States mail, postage prepaid and properly addressed as noted below.

Bill Chopyk, Director of Community Development

City of Solana Beach
635 S. Highway 101

Kurt Culver, Director of Plan Review

EsGil/SAFEbuilt Corporation
9320 Chesapeake Drive, Suite 208

16. ASSIGNABILITY.

This AGREEMENT and any portion thereof shall not be assigned or transferred, nor shall any of the CONSULTANT's duties be delegated or sub-contracted, without the express written consent of the CITY.

17. RESPONSIBILITY FOR EQUIPMENT.

CITY shall not be responsible nor held liable for any damage to persons or property consequent upon the use, misuse, or failure of any equipment used by CONSULTANT or any of CONSULTANT's employees or subcontractors, even if such equipment has been furnished, rented, or loaned to CONSULTANT by CITY. The acceptance or use of any such equipment by CONSULTANT, CONSULTANT's employees, or subcontractors shall be construed to mean that CONSULTANT accepts full responsibility for and agrees to exonerate, indemnify and hold harmless CITY from and against any and all claims for any damage whatsoever resulting from the use, misuse, or failure of such equipment.

18. CALIFORNIA LAW; VENUE.

This AGREEMENT shall be construed and interpreted according to the laws of the State of California. Any action brought to enforce or interpret any portion of this AGREEMENT shall be brought in the county of San Diego, California. CONSULTANT hereby waives any and all rights it might have pursuant to California Code of Civil Procedure Section 394.

19. COMPLIANCE WITH LAWS.

The Consultant shall comply with all laws, ordinances, regulations, and policies of the federal, state, and local governments applicable to this AGREEMENT whether now in force or subsequently enacted. This includes maintaining a City of Solana Beach Business Certificate.

20. ENTIRE AGREEMENT.

This AGREEMENT sets forth the entire understanding of the PARTIES with respect to the subject matters herein. There are no other understandings, terms or other agreements expressed or implied, oral or written, except as set forth herein. No change, alteration, or modification of the terms or conditions of this AGREEMENT, and no verbal understanding of the PARTIES, their officers, agents, or employees shall be valid unless agreed to in writing by both PARTIES.

21. NO WAIVER.

No failure of either the City or the Consultant to insist upon the strict performance by the other of any covenant, term or condition of this AGREEMENT, nor any failure to exercise any right or remedy consequent upon a breach of any covenant, term, or condition of this AGREEMENT shall constitute a waiver of any such breach of such covenant, term or condition.

22. SEVERABILITY.

The unenforceability, invalidity, or illegality of any provision of this AGREEMENT shall not render any other provision unenforceable, invalid, or illegal.

23. DRAFTING AMBIGUITIES.

The PARTIES agree that they are aware that they have the right to be advised by counsel with respect to the negotiations, terms and conditions of this AGREEMENT, and the decision of whether or not to seek advice of counsel with respect to this AGREEMENT is a decision which is the sole responsibility of each Party. This AGREEMENT shall not be construed in favor of or against either Party by reason of the extent to which each Party participated in the drafting of the AGREEMENT.

24. CONFLICTS BETWEEN TERMS.

If an apparent conflict or inconsistency exists between the main body of this AGREEMENT and the Exhibits, the main body of this AGREEMENT shall control. If a conflict exists between an applicable federal, state, or local law, rule, regulation, order, or code and this AGREEMENT, the law, rule, regulation, order, or code shall control. Varying degrees of stringency among the main body of this AGREEMENT, the Exhibits, and laws, rules, regulations, orders, or codes are not deemed conflicts, and the most stringent requirement shall control. Each Party shall notify the other immediately upon the identification of any apparent conflict or inconsistency concerning this AGREEMENT.

25. EXHIBITS INCORPORATED.

All Exhibits referenced in this AGREEMENT are incorporated into the AGREEMENT by this reference.

26. SIGNING AUTHORITY.

26.1. The representative for each Party signing on behalf of a corporation, partnership, joint venture, association, or governmental entity hereby declares that authority has been obtained to sign on behalf of the corporation, partnership, joint venture, association, or entity and agrees to hold the other Party or PARTIES hereto harmless if it is later determined that such authority does not exist.

26.2. If checked, a proper notary acknowledgement of execution by CONSULTANT must be attached.

IN WITNESS WHEREOF, the PARTIES hereto have executed this AGREEMENT the day and year first hereinabove written.

CITY OF SOLANA BEACH, a municipal corporation

CONSULTANT, a Corporation

By:

By:

City Manager, Gregory Wade

Signature

Kurt Culver, Director of Plan Review

ATTEST:

City Clerk, Angela Ivey

APPROVED AS TO CONTENT:

Bill Chopyk, Director of Community Development

APPROVED AS TO FORM:

City Attorney, Johanna N. Canlas

EXHIBIT "A"
SCOPE OF SERVICES AND FEE

EXHIBIT "A"
SCOPE OF SERVICES AND FEE

1. SCOPE OF WORK (BUILDING PLAN CHECK, PERMIT AND INSPECTION)

The CONSULTANT shall perform the following work relative to providing Building Safety Services:

- a. Provide I.C.C. certified building inspectors. Staffing level shall be adequate to provide next work day inspections for all building permit inspection requests.
- b. Provide I.C.C. certified plan reviewers. Staff levels shall be adequate to maintain agreed process times.
- c. Provide mandated State-certified California Access Specialist(s) (CAsp) as required by State law on an as-needed basis.
- d. Provide a trained counter technician, four hours per workday, in the City of Solana Beach Building Inspection office with back up staff support for vacation and sick leave.
- e. Provide a named Building Official to perform the mandated duties of the Building Official.
- f. Provide traditional application and permit issuance services for building, electrical, plumbing and mechanical permits.
- g. Perform required plan reviews of submitted plans to determine compliance with California State Building Code including:
 - i. Building Code
 - ii. Plumbing Code
 - iii. Mechanical Code
 - iv. Electrical Code
 - v. California State Energy Conservation, California Green Building Standards and Disabled Access Regulations
 - vi. City Amendments to the State Building Code
- h. Perform the mandated inspections as required by the model codes listed in 'f' above.
- i. Prepare and utilize, to the maximum reasonable extent, public information pass out material to assist applicants in understanding the regulations and to provide detailed graphic and other information that will serve as attachments to the

applicants' plans and ensure that needed technical data will be utilized to govern the construction.

- j. Maintain an active liaison with organizations concerned with the regulatory function i.e. the San Diego Chapter of International Association of Building Inspectors, the International Association of Plumbing and Mechanical Officials, the International Association of Electrical Inspectors, the code writing International Code Council, the Structural Engineers Association, the State Department of Housing and Community Development, the State Energy Commission and similar organizations.
- k. On occasion, the CITY may have a need to use the professional expertise and other resources of the CONSULTANT to perform work beyond this scope of work. When requested in writing by the city contract officer and agreed to by the contractor the CONSULTANT shall perform such work and compensation shall be in accordance with agreed hourly rates.

2. **"AS-NEEDED" FIRE PLAN CHECK, FIRE PERMIT AND FIRE INSPECTION**

- a. **Fire Plan Reviews:** On an "as-needed basis," EsGil/SAFEbuilt will review submitted plans to verify compliance with applicable portions of the California Fire Code, which includes fire extinguisher locations/types, exit signs, smoke detectors, egress provisions, hazardous materials, etc. Also included are automatic fire sprinkler systems, fire alarm systems, hoods and spray booths.
- b. **Fire Inspections:** On an "as-needed basis," EsGil/SAFEbuilt will conduct inspections to verify installation of all California Fire Code requirements listed on the plans, and would also include the specialty inspections associated with fire sprinklers.

3. **LITIGATION AND LITIGATION SUPPORT**

On occasion the CITY may initiate, or prepare to initiate, legal action against other parties or other parties may initiate, or prepare to initiate, legal action against the CITY with all such actions, by either the CITY or other parties, relevant to the Building Official or his authorized deputies discharging the duties assigned in Appendix Chapter 1 of the 2007 California Building Code, mandated portions of the Title 24 of the California Administrative Code and regulations contained in the CITY ordinances governing plumbing, mechanical and electrical installations.

In the above described actions, the CONSULTANT shall make CONSULTANT staff available to assist the CITY in the litigation and to develop litigation support data.

Compensation to the CONSULTANT shall be in accordance with agreed hourly rates.

When performing regulatory enforcement duties, as required under this Agreement, the CONSULTANT and CONSULTANT staff, is subject to the provision set forth in the International Building Code. For the limited purpose of performing regulatory enforcement duties under the Agreement, CONSULTANT and/or CONSULTANT staff is an "employee" under the California Government Code section 810.2 and is subject to the applicable immunities to the extent allowable under law.

4. PERMIT TRACKING SOFTWARE

The CITY is interested in implementing a city-wide electronic permit tracking system. CONSULTANT will cooperate and assist CITY in implementing and using the new permit tracking software system.

DESIGNATED BUILDING OFFICIAL

The CONSULTANT shall designate a qualified individual to serve as the CITY'S Building Official. The CITY Council, by approval of this contract, appoints Kurt Culver or his designee as the Building Official.

ESGIL CORPORATION
LABOR RATES SCHEDULE

<u>CLASSIFICATION</u>	<u>REGULAR HOURLY RATE</u>	<u>PREFERRED HOURLY RATE</u>
Division Manager	\$ 192.00	\$ 140.00
Supervising Structural Engineer	180.00	135.00
Civil Engineer	140.00	105.00
Electrical Engineer	140.00	105.00
Mechanical Engineer	140.00	105.00
Structural Engineer	160.00	120.00
Energy Plans Examiner	140.00	105.00
I.C.C. Plans Examiner	120.00	90.00
Supervising Building Inspector	126.00	95.00
Building Official	130.00	100.00
Deputy Building Official	120.00	90.00
Building Inspector	108.00	83.00
Permit Specialist/Counter Tech	96.00	72.00
Clerical Support	45.00	34.00

NOTES:

1. Labor rates are only used, when requested by our clients, where the use of a percentage of the permit fee or plan check fee is not applicable or appropriate. Normal plan check is provided for 75% of the jurisdiction's plan check fee. Normal code compliance inspections are provided for 75% of the permit fee. CONSULTANT agrees to assist and cooperate with the City-wide fee study update effort and, upon completion of the fee study, lower its plan check fee if justified by the new fee study.
2. "Preferred" rates are used for client jurisdictions where EsGil has a current, ongoing contract with the jurisdiction to provide plan check or inspection services. A further reduction in rates may be provided for long-term, contract staff assignments. Preferred rates shall apply in this contract for services to the City of Solana Beach.
3. Rates are increased by a factor of 1.5 for overtime, and for holiday and weekend assignments.

(Rates are subject to change every year)

RESOLUTION NO. 2017-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ESGIL/SAFEBUILT CORPORATION FOR CITY BUILDING SERVICES

WHEREAS, EsGil Corporation has provided building plan review and inspection services related to all building permit applications for the City of Solana Beach since 1987; and

WHEREAS, on September 6, 2016, the City was notified that EsGil Corporation merged with SAFEbuilt Corporation (EsGil/SAFEbuilt); and

WHEREAS, a two-year professional service agreement (PSA) with EsGil/SAFEbuilt has been prepared to continue building department services and as-needed fire plan review services.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the City Manager is authorized to execute a professional services agreement with EsGil/SAFEbuilt Corporation for City Building Services, and as-needed fire plan review services, for the period July 1, 2017 to June 30, 2019.
3. That the City Manager is authorized to extend the agreement annually up to two years at his discretion and based on the previous performance of EsGil/SAFEbuilt.

PASSED AND ADOPTED this 10th day of May, 2017, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following:

- AYES: Councilmembers –
- NOES: Councilmembers –
- ABSENT: Councilmembers –
- ABSTAIN: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Public Safety/Fire
SUBJECT: **Resolution 2017-068: Council Consideration of Entering Into Memorandum of Agreement Regarding Participation In The National Urban Search and Rescue Response System**

BACKGROUND:

The Federal Emergency Management Agency (FEMA) maintains a program called the National Urban Search and Rescue (USAR) Response System. This program involves the location, extrication, and initial medical stabilization of victims trapped in confined spaces due to natural disasters, structural collapse, transportation accidents, mines and collapsed trenches; and it is considered a multi-hazard discipline where responders are trained to respond appropriately to a variety of hazards including earthquakes, cyclones, tornadoes, hurricanes, floods, dam failures, technological accidents, terrorist attacks and hazardous material releases. FEMA provides annual financial, training and technical support for the Task Forces as well as creating and verifying the standards of the Task Force personnel and equipment.

There are 28 Task Forces throughout the Country, each sponsored by a local agency. For every Urban Search & Rescue task force, there are 70 positions. But to be sure a full team can respond to an emergency, the task forces have at the ready more than 130 highly-trained members. In San Diego County, the San Diego Fire-Rescue Department is the sponsoring agency for California USAR Task Force 8 and coordinates efforts with other local participating agencies. The City of Solana Beach is presently a participating agency with one Fire Captain; who has been on the team since 1997.

FEMA and USAR Task Force 8 have been operating under the same Memorandum of Agreement (MOA) for quite some time. Several operational, legal and regulatory changes have been made and FEMA is requiring all of its sponsoring and participating

COUNCIL ACTION:

agencies to update and execute new standard MOAs. The new standard Memorandum of Agreement (Attachment 1) has no expiration date and will remain in effect unless terminated. This Agreement may be terminated by any party upon 30 days written notice.

This item is before City Council to consider approving Resolution 2017-068 authorizing the City Manager to execute a Memorandum of Agreement and any amendments with the City of San Diego, as the sponsoring agency, regarding participation in the National Urban Search and Rescue Response System with the U.S. Department of Homeland Security acting through the Federal Emergency Management Agency and the State of California.

DISCUSSION:

The City of Solana Beach is currently a participating agency of the USAR. As a participating agency of the CATF-8, the Solana Beach Fire Department is required to enter into the new, updated MOA with the City of San Diego Fire-Rescue Department, the sponsoring agency of the National USAR Response System with the U.S. Department of Homeland Security acting through FEMA and the State of California. Unless USAR teams continue to equip and train as per FEMA guidelines, they will not be a part of FEMA's national system and will lose federal government funding. As all USAR teams are first and foremost a local asset, it is imperative to have to the ability to respond to weapons of mass destruction, natural disasters, or any other emergency incidents in Solana Beach and other local jurisdictions.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is no adverse fiscal impact. The Memorandum of Agreement (MOA) provides the legal language that allows receipt of annual Federal Emergency Management Agency (FEMA) Cooperative Agreement funding.

WORK PLAN:

N/A

OPTIONS:

- Approve Staff recommendation.
- Deny Staff recommendation.
- Provide alternative direction.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 2017-068 authorizing the City Manager to execute a Memorandum of Agreement and any amendments with the City of San Diego, as the sponsoring agency, regarding participation in the National Urban Search and Rescue Response System with the U.S. Department of Homeland Security acting through the Federal Emergency Management Agency and the State of California.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Memorandum of Agreement
2. Resolution 2017-068

Memorandum of Agreement

Between

(Sponsoring Agency)

San Diego Fire-Rescue Department

And

(Participating Agency)

Solana Beach Fire Department

A Memorandum of Agreement (MOA) entered into this 10th day of April, 2017, by and between the Federal Emergency Management Agency (FEMA), the California Governor's Office of Emergency Services (CalOES), the San Diego Fire-Rescue Department (Sponsoring Agency), and the Solana Beach Fire Department (Participating Agency) for participation in Urban Search and Rescue and California Task Force 8 (CA-TF8).

I. Purpose

To delineate responsibilities and procedures for Urban Search and Rescue (US&R) activities under the authority of the Robert T. Stafford Disaster Relief and Emergency Act, Public Law 93-288, as amended in 42 U.S.C. 5121, et seq., and relevant State authorities, or when otherwise properly directed.

II. Scope

The provisions of this MOA apply only to US&R Task Force activities performed at the request of FEMA and CalOES, provided at the option of the local jurisdiction and State, and in conjunction with, or in preparation of, a Governor and/or Presidential declaration of disaster or emergency and upon activation as outlined in part V, section A. Details concerning specific working relationships on various projects may be appended to this document as they are developed.

III. Mission Statement

The mission of the US&R Task Forces is to provide support to local governments. The Task Force must ensure members can safely affect structural collapse search and rescue, including within or near a known or suspected weapon of mass destruction contaminated collapse environment, while maintaining a defensive posture to prevent additional casualties. Additionally, the Task Force may be asked to perform other missions in accordance with Federal directives.

IV. Definitions

- a. Activation: the process of mobilizing specific Task Forces to deploy to a designated disaster site. If the Task Force responds to such a mobilization request, the Task Force is to arrive with all equipment and personal gear at the pre-designated point-of-departure site within six hours of the activation notice.
- b. Alert: the process of informing Task Forces that an event has occurred and that Task Forces might be activated at some point within a twelve-hour time frame.
- c. Associated Director: the associated director for state and local programs and Support Directorate, FEMA.
- d. Department of Defense (DOD): the federal Department of Defense, including military and civilian components. DOD is the primary agency for coordinating US&R efforts under Emergency Support Function (ESF), #9, US&R, under the Federal Response Plan.
- e. Director: the director of FEMA.
- f. Disaster Assistance Employee (DAE): a temporary Federal Employee, hired under the provisions of the Robert T. Stafford Disaster Relief and Emergency Act.
- g. Disaster Medical Assistance Team (DMAT): a functional unit activated under the National Disaster Medical System (NDMS) which provides medical care in a disaster area or medical services at transfer points and reception sites associated with patient evacuation.
- h. Emergency Information and Coordination Center (EICC): a control center located within FEMA headquarters in Washington D.C., to provide interagency coordination for assistance to emergency disaster areas.
- i. FEMA: the Federal Emergency Management Agency.
- j. Incident Commander: the individual in charge of coordinating relief activities within the disaster site. Under normal circumstances this individual will be an emergency manager from the local community responsible for incident activities including the development and implementation of strategic decisions and for approving the allocation of resources.
- k. National Disaster Medical System (NDMS): a cooperative effort of the Department of Health and Human Services (HHS), DOD, Department of Veterans' Affairs (VA), FEMA, state and local governments, and the private sector designed to care for a large number of casualties resulting from either a domestic disaster or an overseas war. The Public Health Service (PHS) heads the program.
- l. National Emergency Coordination Center (NECC): a primary notification center located in Berryville, VA.
- m. Office of Emergency Services (OES): office of emergency services is equivalent to CalOES.
- n. Participating Agency: a public entity providing support to and participating with a US&R Task Force under the authority of a Sponsoring Agency.
- o. Public Health Services (PHS): The operating division of the HHS.
- p. Sponsoring Agency: a public entity providing official sanction to a US&R Task Force.

- q. State or States: the state, commonwealth, or U.S. territory government to which the Sponsoring Agency reports.
- r. Swift Water Rescue: Any rescue involving water moving at a rate requiring rescuers to use special equipment or exercise specialized water rescue skills.
- s. Task Force: an integrated collection of personnel and equipment meeting the standardized capability for addressing the special needs of US&R.
- t. Task Force Team Member (Team Member): an individual on a FEMA US&R Task Force team. A Task Force Member is responsible for meeting goals and objectives for strategies, tactics, and operations in providing medical stabilization and treatment, and extrication of entrapped victims in collapsed structures.
- u. Task Force Leader: an individual responsible for team training, equipment maintenance, mobilization, and tactical direction of the Task Force.
- v. Urban Search and Rescue (US&R): specialized tactics, personnel, and equipment suited to the unique lifesaving problems presented in structural collapse situations.
- w. Water Hazard Zone: An area encountered during a rescue covered by water or ice.
- x. Weapons of Mass Destruction (WMD): includes the following:
 - i. Any explosive, incendiary, poisonous gas or liquid, bomb, grenade, rocket having a propellant charge of more than one-quarter ounce, mine, or device similar to the above.
 - ii. Poison gas.
 - iii. Any weapon involving a disease organism.
 - iv. Any weapon designed to release fatal amounts of radiation.

V. Responsibilities

- a. FEMA shall be responsible for:
 - i. Coordination between the sponsoring agency, the local jurisdiction, the State, and other relevant governmental and private parties.
 - ii. Provide limited funding and technical support for equipment and training specifically aimed at preparing and maintaining a deployable Task Force, as prescribed in the FEMA US&R Response System manual. Use of this equipment will be limited to FEMA-sanctioned response activities, appropriate responses as determined by the local jurisdiction, and mutually agreed upon training.
 - iii. Provide out-of-pocket expenses for team members deployed to a disaster site, as outlined in part VII, "FINANCIAL AGREEMENTS."
 - iv. Provide document control at the regional office, ensuring that all reports are directed to FEMA headquarters: Federal Emergency Management Agency, US&R, 500 C Street, SW, Room 350, Washington, DC 20472.
 - v. Deploying US&R Task Forces from designated staging areas and moving such Task Forces to and from the disaster site.

- vi. Coordinating the replacement and/or rehabilitation of damaged or destroyed equipment used in the course of the operations.
 - vii. Provisions of FEMA responsibilities shall be altered during situations involving and providing for national security.
- b. The State shall be responsible for:
- i. Maintaining 24-hour alert capabilities, including point of contact or duty officer available at all times.
 - ii. Implementing FEMA's alert and activation procedure of the State sponsored Task Force if called upon to do so by FEMA.
 - iii. Document control at the State office, ensuring that all reports are directed to their respective FEMA Regional Point-of-Contact.
- c. The Sponsoring Agency shall be responsible for:
- i. Recruiting and organizing a Task Force, according to the guidelines described in the FEMA Urban Search and Rescue Response System Operations Manual.
 - ii. Providing training to all Task Force members with guidance from FEMA and local sponsoring agencies. Training should be continuous with the objectives of upgrading, developing, and renewing skills as needed to maintain qualifications for a particular position on the Task Force. A section on the Incident Command System should be taught to all Task Force members.
 - iii. Developing, practicing, and implementing an internal call-out system for US&R members.
 - iv. Providing administrative, financial, and personnel management as they relate to the Task Force. All original paperwork will be filed with the sponsoring agency, with copies, as outlined in part VIII, "REPORTING REQUIREMENTS," sent to: Federal Emergency Management Agency, US&R, 500 C Street, SW, Room 350, Washington, DC 20472.
 - v. Providing reporting as delineated in part VIII, "REPORTING REQUIREMENTS."
 - vi. Providing personnel and equipment for US&R-related exercises as agreed upon with FEMA and the State, subject to the availability of such Task Force personnel and equipment which will be based upon requirements and priorities of the participating organizations at the time such personnel and equipment are requested.
 - vii. The practice and implementation of an internal call-out system for CA-TFS members as developed by the Sponsoring Agency
 - viii. Managing administrative, financial, and personnel issues as they relate to the participating organization's role and responsibilities within the Task Force. All original paperwork will be filed at the sponsoring agency, with

copies as outlined in part VIII, "REPORTING REQUIREMENTS," sent to: Federal Emergency Management Agency, US&R, 500 C Street, SW, Room 350, Washington, DC 20472.

- ix. Developing, maintaining, and being accountable for US&R personnel and equipment by means of ground transportation, within but not limited to a 1,000 mile radius of Task Force Point of Departure. Deploying US&R Task Forces from designated staging areas and moving such Task Forces to and from the disaster site. Provide logistical, maintenance, and other support to deployed US&R Task Forces. Coordinating the replacement and/or rehabilitation of damaged or destroyed equipment used in the course of the operations.
- d. The Participating Agency shall be responsible for:
- i. Responding to the Sponsoring Agency's written request for information within thirty (30) calendar days of receipt of the request. Requests for information may include, but are not limited to, the following information: annual training requirements, minimum training documentations, salary scales, and any other information required by FEMA and normally provided by the Participating Agency because of its participation on the Task Force.
 - ii. Ensure and provide verification to the Sponsoring Agency that all Task Force Team Members from the Participating Agency have all certifications, licenses, immunizations, or requirements to participate on the Task Force.
 - iii. Ensure and provide verification, via the CA-TF8 Medical Clearance Form (Appendix A), signed by a licensed physician, that all Task Force Members from the participating agency are free from a medical condition that would prevent them from carrying out their duties on the Task Force. The Medical Clearance Form must be submitted when personnel are selected as a Task Force Member then once every thirty-six (36) months.
 - iv. Providing any Canine Handler canine acceptable accommodations for the proper care and maintenance of the canine. This includes, but is not limited to, kennel areas, relief areas, and provisions for canine care if the handler is not present or is committed to other duties. All accommodations and provisions are subject to Sponsoring Agency or the Sponsoring Agency's designee's approval.
 - v. Notifying the Sponsoring Agency immediately when a team member is deemed "non-deployable" by the Participating Agency. This includes, but is not limited to, separation of employment, leave of absence, industrial leave, light/restricted duty, or disciplinary proceedings.
 - vi. Providing CA-TF8 members under their responsibility with basic local/State/Federally required fire fighter training and providing written verification/documentation upon request from the Sponsoring Agency.
 - vii. Abiding by the Sponsoring Agency's separation policy as described in the FEMA US&R CA-FT8 Administration Manual.

VI. Procedures

- a. Activation:
 - i. Upon request from state governments or from federal disaster assistance, and/or a determination by CalOES and/or FEMA that prepositioning US&R Task Forces is prudent, FEMA shall request the activation of forces necessary to respond to the emergency or disaster situation.
 - ii. Activation notices shall be communicated by the appropriate State Emergency Management Office to participating agencies and Task Force Members via the Sponsoring Agency.
- b. Mobilization, Deployment, and Redeployment:
 - i. The Task Force Leader shall notify members of a State and/or Federal activation.
 - ii. If the Task Force responds to a notification of Federal activation, Task Force Leaders in coordination with CA-FT8 Program Management, FEMA US&R IST, and the FEMA US&R or incident leadership shall move the Task Force and its equipment to pre-designated airfields for pick-up by FEMA aircraft within six hours of the official activation or alternative pre-designated Point of Departure if transporting by ground.
 - iii. Upon arrival at the mobilization area, FEMA will provide an on-ground briefing, maps, food, and housing (as necessary), and other items essential to the initial set-up and support of the Task Force. FEMA will supply a liaison and a radio operator to each Task Force deployed to a disaster site. Contingency plans shall be established by Task Forces to be self-sufficient providing food and shelter for 72 hours.
 - iv. FEMA shall provide transportation from the staging area to the disaster site and return.
 - v. The Task Force shall be redeployed to the point of origin airfield by FEMA aircraft or ground transportation upon completion of the US&R mission.
 - vi. The Sponsoring and Participating Agencies will abide by all FEMA guidelines regarding the rehabilitation of personnel and equipment after redeployment.

VII. Financial Agreements

- a. Task Force Members shall be compensated in accordance with pay schedules and policies set forth by the Federal Government, including FEMA, Federal Disaster Assistance Employee Program, the State, and the Participating Agency's local organization as determined prior to the implementation of this agreement.
- b. Skill and experience levels shall be established for each Task Force member upon inclusion into the national USAR system and appropriate compensation determined based on part VII, section a.
- c. Task Force members shall be reimbursed for travel and per diem costs in accordance with Federal travel regulations, unless otherwise authorized.

- d. Members shall be reimbursed for reasonable personal costs of operations and maintenance incurred while engaged in disaster operations according to the FEMA guidelines.
- e. Any reasonable expense incurred by an organization in filling a Task Force member's position while the Task Force member has been activated will be paid by FEMA. FEMA will not pay personnel costs above the normal and usual rate for that position. It is expressly agreed and understood by FEMA, the State, and the local jurisdiction that such personnel costs could reasonably include overtime compensation if the local jurisdiction is required to pay such compensation costs in filling positions deemed critical for public safety and well-being.
- f. Task Force organizational materials, equipment, and supplies consumed in providing requested assistance shall be reimbursed on a replacement basis. Replacement and/or rehabilitation requests shall be submitted to FEMA.
- g. Rehabilitation or replacement costs of operational equipment will be reimbursed if the piece of equipment was used at the disaster site or on disaster exercises, as authorized by FEMA. FEMA will consider on a case-by-case basis the replacement of lost or stolen equipment. When that equipment was not lost or stolen as a result of negligence on the part of the Task Force or its personnel, FEMA will replace that equipment.
- h. No Task Force or any Task Force member shall be reimbursed for costs incurred by activation outside the scope of this agreement.
- i. All financial commitments herein are made subject to the availability of funds and the further mutual agreements of the parties.

VIII. Reporting Requirements

- a. The Sponsoring Agency will submit quarterly financial and activity reports to the State, to be forwarded to the FEMA Regional Office, and then to FEMA Headquarters, in accordance with the Cooperative Agreement.
- b. The Sponsoring Agency will submit to the State, in writing, a report to be forwarded to the FEMA Regional Office and then to FEMA Headquarters. This report shall contain all personnel changes as they relate to the composition of the Task Force. This is outlined in the FEMA Urban Search and Rescue Response System Operations Manual.
- c. The Participating Agency must report any information the Sponsoring Agency needs to fulfill its responsibilities as a sponsoring agency. These reports must be submitted within thirty (30) calendar days of receipt of request by the Participating Agency. The requests may include information regarding certification, licenses, or salaries of Participating Agency's Task Force Team Members.

IX. Conditions, Amendments, and Termination

- a. This memorandum may be modified or amended only with written agreement of all parties, and all agreements will be attached to this MOA. The memorandum may be terminated by any party upon thirty days' written notice.

- b. FEMA complies with the provisions of Executive Order 11246 of September 24, 1965, as amended and with the rules, regulations, and relevant orders of the Secretary of Labor to the end that "(FEMA) will not discriminate against any employee or applicant for employment on the grounds or race, color, religion, sex, or national origin." In addition, use of federal facilities, supplies, and services will be in compliance with regulations prohibiting duplication of benefits and guaranteeing non-discrimination. Distribution of Supplies, processing of applications, provision of technical assistance, other relief activities, and other assistance activities shall be accomplished in an equitable, impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, economic status, or sexual orientation.

X. Liability

- a. Once a Task Force is activated under terms of the MOA, the following non-liability clause, stated in P.L. 93-288, as amended, Section 305, will be in effect: "The Federal Government shall not be liable for any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee (US&R Task Force Team Member) of the Federal Government in carrying out the provisions of this act." US&R Task Force Team Members are considered employees of the Federal Government.
- b. Since this MOA represents a contractual arrangement between FEMA and the participating sponsoring agency(s), FEMA agrees to reimburse worker's compensation claims and long-term disability claims of Participating Agency's Task Force Team Members based upon the compensation outlined in their own policies. For Task Force personnel not covered under the policy of the Sponsoring Agency's jurisdiction (i.e., canine handlers, structural engineers, doctors), FEMA will register those individuals as Disaster Assistance Employees and will provide coverage through Federal policies, as provided.
- c. The Task Force Team Members will be registered as volunteers with FEMA. Task Force Team Members will remain employed by their respective sponsoring jurisdictions for salary and assessments of other benefits; but upon activation, they will become Federal employees for the tort liability purposes of the Federal Tort Claims Act. FEMA will reimburse the sponsoring agency the normal and usual rates of pay and backfill costs accrued as a result of the activation of the Task Force by FEMA.
- d. For the purposes of worker's compensation and long-term disability, Task Force Team Members who perform disaster relief functions in connection with this US&R program will be considered performing within the scope of their employment in the Participating Agency's jurisdiction and, as such, subject to the state or local worker's compensation laws. The participating jurisdiction shall be reimbursed by FEMA for the payment of these benefits and expenses incurred as a result of a FEMA sponsored training exercise or disaster response.

- e. Those individuals who are not employees of the sponsoring/participating agency will be either brought onto the sponsoring jurisdiction or the State's payroll as contingent employees for purposes of consolidated billing. If the State or local jurisdiction cannot accomplish this, FEMA will register these individuals as Federal employees at Federal pay schedules established in conjunction with the National US&R Program.

XI. Insurance

- a. Task Force Members shall, at all times during the term hereof, maintain such insurance coverage as may be required by the agency of their employer. All such insurance, including renewals, shall be subject to the approval of their employer on certificates of insurance indicating such insurance to be in force and effect and providing that it will not be cancelled during the performance of the services under this contract without thirty (30) calendar day's prior written notice to their employer. Completed certificates of insurance shall be filed with their employer prior to the performance of services hereunder, provided however, that Task Force Members shall at any time upon request file duplicate copies of the policies of such insurance with their employer.
- b. If, in the judgment of individual Task Force Team Members' employers, prevailing conditions warrant the provision by Task Force Members of additional liability insurance coverage or coverage which is different in kind, then their employer reserves the right to require the provision by Task Force Members of an amount of coverage different from the amounts or kind previously required and shall afford written notice of such change in requirements thirty (30) calendar days prior to the date on which the requirements shall take effect. Should a Task Force Team Member fail or refuse to satisfy the requirement of changed coverage within thirty (30) calendar days following their employer's written notice of the change, this MOA shall be considered terminated on the date the required change in policy coverage would otherwise take effect.

XII. Termination

- a. This agreement will be terminated immediately should Participating Agency fail to comply with any requirements of this MOA.
- b. This agreement will be terminated immediately should Participating Agency fail to respond to any requests for information by the Sponsoring Agency within the specified amount of time.

XIII. Miscellaneous Provisions

- a. This Agreement shall be construed and enforced according to the laws of the State of California.
- b. Title and paragraph headings are for convenient reference only and are not meant to be a part of this MOA.
- c. No waiver or breach of any provision of this MOA shall constitute a waiver of any subsequent breach of the same or any provision hereof, and no waiver shall be effective unless made in writing.

- d. Should any provision, paragraph, sentence, word, or phrase contained in this MOA be determined by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable under the laws of the State of California or the City/County of San Diego, such provision, paragraph, sentence, word, or phrase shall be deemed modified to the extent necessary in order to conform with such laws, or if not modifiable, then same shall be deemed serviceable, and in either event, the remaining terms and provisions of this MOA shall remain unmodified and in full force and effect or limitation of its use.
- e. This MOA constitutes the sole and entire agreement between the parties hereto. No modification or amendment hereto shall be valid unless in writing and executed by properly authorized representatives of the parties hereto.

XIV. Execution

- a. In Witness Whereof, the parties hereto have caused this MOA to be executed by the persons thereto legally authorized, on the date entered on the first page.
- b. The parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

Sponsoring Agency:

Date: _____ Official Signature _____

Name and Title: Brian Fennessy, Fire Chief, San Diego Fire Department

Participating Agency:

Date: _____ Official Signature _____

Name and Title: Mike Stein, Fire Chief, Solana Beach Fire Department

APPENDIX A

RESOLUTION 2017 - 068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, TO ENTER INTO A MEMORANDUM OF AGREEMENT AND ANY AMENDMENTS WITH THE CITY OF SAN DIEGO REGARDING THE NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

WHEREAS, the City of Solana Beach is currently and has been a participating member of the Federal Emergency Management Agency (FEMA) program Urban Search and Rescue (USAR) Task Force 8; and

WHEREAS, Several operational, legal, and regulatory changes have been made and FEMA is requiring all of its sponsoring and participating agencies update and execute a new standard Memorandum of Agreement (MOA); and

WHEREAS, the City of Solana Beach Fire Department is required to enter into the new, updated MOA with the City of San Diego Fire-Rescue Department, the sponsoring agency of the National USAR Response System; and

WHEREAS, the City of Solana Beach will lose federal government funding, if not in compliance with FEMA's new guidelines.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.

2. That the City Council authorizes the City Manager to execute a Memorandum of Agreement and any amendments with the City of San Diego, as the sponsoring agency, regarding participation in the National Urban Search and Rescue Response System on behalf of the City.

PASSED AND ADOPTED this 10th day of May, 2017, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSTAIN: Councilmembers –
ABSENT: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager *GW*
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing: Request for a Structure Development Permit (SDP) and Development Review Permit (DRP) to Demolish an Existing Single-Family Residence and Construct a New Two-Story, Single-Family Residence with an Attached Two-Car Garage at 216 Ocean Street (Case # 17-16-10 Applicants: Larry and Audrey Jackel; Resolution No. 2017-062)**

Attached is the Staff Report for a proposed new residence at 216 Ocean Street that will be subject to a Public Hearing at the May 10, 2017 City Council Meeting.

The project was presented to the View Assessment Commission (VAC) at their February 21 and March 21, 2017 VAC meetings. At the March 21, 2017 meeting, the VAC approved the project subject to a condition of approval. The View Claimants have requested that the City Council reconsider their View Assessment claims. As such, the Council will have to consider the required findings necessary to approve the Structure Development Permit (SDP).

The Staff Report is being provided in advance to allow the City Councilmembers additional time to review the report and schedule site visits to each Claimant's residence to assess their view claims prior to the Council Meeting on May 10.

Applicant Information:

Name: Larry and Audrey Jackel
Address: 216 Ocean Street
Phone Number: [REDACTED]

Claimant Information:

Name: Joseph Heilig and Lorraine Pillus
Address: 222 Ocean Street, Solana Beach
Phone Number: [REDACTED]

Name: Jorge Valdes and Suzanne Lopez-Calleja
Address: 615 E. Circle Drive, Solana Beach
Phone Number: [REDACTED]

Name: Frank and Michelle Stribling
Address: 212 Ocean Street, Solana Beach
Phone Number: [REDACTED]



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing: Request for DRP and SDP to Demolish an Existing Single-Family Residence and Construct a New Two-Story, Single-Family Residence with an Attached Two-Car Garage at 216 Ocean Street (Case # 17-16-10 Applicants: Larry and Audrey Jackel; Resolution No. 2017-062)**

BACKGROUND:

The Applicants, Larry and Audrey Jackel, are requesting City Council approval of a Development Review Permit (DRP) and a Structure Development Permit (SDP) to demolish an existing single family residence and construct a new two-story, single-family residence with a subterranean basement and a main floor, attached two-car garage and associated site improvements. The 5,817 square-foot lot is located at 216 Ocean Street.

The project proposes grading in the amounts of 850 cubic yards of cut and export in order to construct the proposed basement. An additional 65 cubic yards of cut and 80 cubic yards of fill is proposed for the associated yard improvements. The maximum building height would be 22.90 feet above the proposed (finished) grade and 106.53 feet above Mean Sea Level (MSL). The project meets three thresholds for the requirement of a DRP, including: 1) construction in excess of 60 percent of the allowable floor area; 2) construction of a second story in excess of 35 percent of the total first-level floor area; and 3) an aggregate grading quantity in excess of 100 cubic yards. The project requires a SDP because the proposed development exceeds 16 feet in height above the existing grade.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicants' request.

CITY COUNCIL ACTION:

DISCUSSION:

The property is located on the north side of Ocean Street and is the fourth property east of the intersection of W. Circle Drive and Ocean Street. The rear of the lot can be accessed from the alley which can be accessed off of Circle Drive between 664 and 680 Circle Drive. The topography of the property is relatively flat, however, between Ocean Street and the southern property line, within the public right of way, the land slopes upward approximately five feet. The elevation at the sidewalk is 75 MSL and the front property line, along Ocean Street, is at approximately 80 MSL. The rear property line is at approximately 83 MSL, which results in a change in elevation of approximately 3 feet.

The site is rectangular in shape with 110-foot side property lines and 60-foot front and rear property lines. The lot is currently developed with a single-story, single-family residence. The Applicants propose to demolish the existing residence and replace it with a new, two-story residence with a subterranean basement and an attached two-car garage in the same building footprint as the existing residence. The Applicants are also proposing associated yard improvements including a spa in the rear yard and a patio, water feature and fire pit in front of the proposed principal residence as well as other hardscape and landscaping. The project plans are provided in Attachment 1.

Table 1 (below) provides a comparison of the Solana Beach Municipal Code (SBMC) applicable zoning regulations with the Applicants' proposed design.

Table 1			
LOT INFORMATION			
Property Address:	216 Ocean Street	Zoning Designation:	MR (5-7 du/ac)
Lot Size:	5,817 ft ²	# of Units Allowed:	1 Dwelling Unit
Max. Allowable Floor Area:	2,906 ft ²	# of Units Requested:	1 Dwelling Unit
Proposed Floor Area:	2,706 ft ²	Setbacks:	Required Proposed
Below Max. Floor Area by:	200 ft ²	Front	20 ft. 20 ft.
Max. Allowable Height:	25 ft.	Side (N)	5 ft. 5 ft.
Max. Proposed Height:	22.90 ft.	Side (S)	5 ft. 5 ft.
Highest Point/Ridge:	106.53 MSL (SP 25)	Rear	25 ft. 5 ft.*
Overlay Zone(s):	SROZ	*residence: 25 ft., garage: 5 ft. per SBMC 17.20.030(D)(1)(d)	
PROPOSED PROJECT INFORMATION			
Floor Area Breakdown:		Required Permits:	
Subterranean Basement	1,702 ft ²	DRP: A DRP is required for a structure that exceeds 60% of the maximum allowable floor area, a structure with a second story in excess of 35% of the first story floor area, and for grading in excess of 100 cubic yards (aggregate)	
First Floor Living Area	1,714 ft ²		
Second Floor Living Area	673 ft ²		
Phantom Floor Area	225 ft ²		
Garage	494 ft ²		
Subtotal:	4,808 ft ²	SDP: A SDP is required for a new structure that exceeds 16 feet in height from the existing grade.	
Basement Exemption	- 1,702 ft ²		
Off-Street Parking Exemption	- 400 ft ²		
Total Floor Area:	2,706 ft²		
Proposed Grading:			
For the Basement: Cut: 850 yd ³ Fill: 0 yd ³ Export: 850 yd ³			

For Associated Yard Improvements: Cut: 65 yd ³ Fill: 80 yd ³ Import: 15 yd ³ Total: Cut: 915 yd ³ Fill: 80 yd ³ Export: 835 yd ³	
Proposed Parking: Attached 2-car garage Proposed Fences and Walls: Yes Proposed Guest House: No Proposed Accessory Dwelling Unit: No Proposed Accessory Structure: No	Existing Development: Single-family residence to be demolished.

Staff has prepared draft findings for approval of the project in the attached Resolution 2017-062 (Attachment 2) for Council's consideration based upon the information in this report. The applicable SBMC sections are provided in italicized text and conditions from the Planning, Engineering and Fire Departments are incorporated in the Resolution of Approval. The Council may direct Staff to modify the Resolution to reflect the findings and conditions it deems appropriate as a result of the public hearing process. If the Council determines the project is to be denied, Staff will prepare a Resolution of Denial for adoption at a subsequent Council meeting.

The following is a discussion of the findings for a SDP and a DRP as each applies to the proposed project as well as references to recommended conditions of approval contained in Resolution 2017-062.

Structure Development Permit Compliance:

The proposed residence exceeds 16 feet in height above the existing grade, therefore, the project must comply with all of the View Assessment requirements of SBMC Chapter 17.63 and the Applicants were required to complete the SDP process. A final Story Pole Height Certification was issued by a licensed land surveyor on November 2, 2016 which showed the tallest point of the structure illustrated by story pole #20 certified at 25 feet or 108.62 MSL. The highest story pole is illustrated by story pole #21 and has a building height of 24.93 or 109.04 MSL. Notices establishing the 30 day public notice period to apply for View Assessment were mailed to property owners and occupants within 300 feet of the project site. The deadline to file for View Assessment was December 27, 2016. Three applications for View Assessment were received.

The original project design was presented at the February 21, 2017 View Assessment Commission (VAC) Meeting. The February VAC agenda meeting packet has been attached for reference (Attachment 3). At the VAC meeting, after hearing from the Applicants, the Claimants, and discussing the project, VAC member Jack Hegenauer asked the Applicants if they were willing to redesign their project, and they agreed. After discussion among the Commission, the Applicants and the Claimants, VAC member Pat Coad made a motion to continue the project for a period of 60 days to allow for redesign, with the possibility to come back earlier if possible. VAC member Paul Bishop seconded the motion. The motion passed 6/0/1 (Pasko absent). The action minutes of the February VAC meeting have been provided in Attachment 4.

The Applicants submitted revised plans to Staff on March 9, 2017 and revised the existing story poles onsite to reflect the revised project design. The proposed revisions

were inside of the originally story poled three dimensional building envelope, therefore, an additional 30-day public notice period was not required. A revised height certification was submitted on March 14, 2017 which certified the revised structure with a maximum height of 22.90 feet or 106.53 MSL. The revised project was presented at the March 21, 2017 VAC meeting and the agenda packet has been provided in Attachment 5. At the March 21, 2017 VAC meeting, after hearing from the Applicants and Claimants and discussing the project, VAC member Kelly Harless made a motion to approve the project subject to the following condition:

Reduce the proposed deck on the southeast corner of the second floor master bedroom so that the southernmost extent of the deck railing would move to the north by three feet and raise the finished floor height of the deck by one foot as shown in the original project design.

The motion carried 4/2/1 (Coad and Hegenauer opposed/Bishop absent). The Notice of Recommendation has been provided in Attachment 6. The minutes from the March 21, 2017 meeting have not been approved by the VAC and, therefore, have not been provided.

The Claimants have requested that the City Council reconsider their View Assessment Claims. Therefore, the Council would have to be able to make the following required findings in order to approve the SDP:

1. The applicant for the structure development permit has made a reasonable attempt to resolve the view impairment issues with the person(s) requesting view assessment. Written evidence of a good faith voluntary offer to meet and discuss view issues, or of a good faith voluntary offer to submit the matter to mediation, is hereby deemed to be a reasonable attempt to resolve the view impairment issues.
2. The proposed structure does not significantly impair a view from public property (parks, major thoroughfares, bike ways, walkways, equestrian trails) which has been identified in the city's general plan, local coastal program, or city designated viewing areas.
3. The structure is designed and situated in such a manner as to minimize impairment of views.
4. There is no significant cumulative view impairment caused by granting the application. Cumulative view impairment shall be determined by: (a) Considering the amount of view impairment caused by the proposed structure; and (b) considering the amount of view impairment that would be caused by the construction on other parcels of structures similar to the proposed structure.
5. The proposed structure is compatible with the immediate neighborhood character.

In assessing submitted view claims, the SBMC requires that all feasible solutions for development be reviewed and that an alternative be chosen which provides the best balance between the owner's desire to develop their property in accordance with applicable regulations and the neighbor's desire to protect their view.

In making their determination, the Council would have the following options in evaluating the SDP:

- Approve the project subject to the Notice of Recommendation from the VAC.
- Approve the project subject to a different and/or additional condition(s) of approval.
- Continue the project for redesign.
- Deny the project.

Development Review Permit Compliance (SBMC Section 17.68.40):

A DRP is required for the following reasons: 1) the total proposed square footage would exceed 60 percent of the maximum allowable floor area in a residential zone; 2) the square footage of the proposed second story is more than 35 percent of the square footage of the proposed first floor; and 3) the proposal includes an aggregate grading quantity that exceeds 100 cubic yards of grading. The total floor area proposed is 2,706 square feet and the lot allows a maximum of 2,906 square feet. The total proposed floor area would be 93 percent of the maximum allowable. The total floor area of the second floor would be 673 square feet and the first floor would be 1,714 square feet. The second floor would be 39 percent of the size of the first floor. There would be a total of 915 cubic yards of cut, 80 cubic yards of fill, and 835 cubic yards of export.

In addition to meeting zoning requirements, the project must also be found in compliance with development review criteria. The following is a list of the development review criteria topics:

2. Relationship with Adjacent Land Uses
3. Building and Structure Placement
4. Landscaping
5. Roads, Pedestrian Walkways, Parking, and Storage Areas
6. Grading
7. Lighting
8. Usable Open Space

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. Resolution 2017-062 (Attachment 2) provides the full discussion of the findings.

1. The proposed development is consistent with the general plan and all applicable requirements of the zoning ordinance including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.
3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.
4. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicants obtaining the required permit or approval from the other agency.

If the above findings cannot be made, the Council shall deny the DRP. The following is a discussion of the applicable development review criteria as they relate to the proposed project.

Relationship with Adjacent Land Uses:

The property is located within the Medium Residential (MR) Zone. Properties surrounding the lot are also located within the MR Zone and are developed with one and two-story, single-family residences. The project site is currently developed with a single-story, single-family residence located in the center of the lot, which would be demolished entirely. The Applicants propose to construct a replacement, two-story residence with a subterranean basement and an attached two-car garage.

The project, as designed, is consistent with the permitted uses for the MR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The property is designated Medium Density Residential in the General Plan and intended for single-family residences developed at a maximum density of five to seven dwelling units per acre. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the Scaled Residential Overlay Zone (SROZ) and within the Coastal Zone. The project has been evaluated, and could be found to be in conformance with, the regulations of the SROZ, which are discussed further in this report. As a condition of project approval, the Applicants would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

Building and Structure Placement:

The residence, as designed, would be constructed in the center of the property within the same general footprint as the existing residence. The garage would be located toward the northeast corner of the lot and would be accessed from the alley. SBMC 17.20.030(D)(1)(g) indicates that,

On residential lots abutting a public street on one side and an alley on the opposite side, attached garages may be built in the yard adjacent to the alley in accordance with detached accessory structure standards contained in SBMC 17.20.020(C)(3).

According to SBMC 17.20.020(C)(3), detached accessory structures are required to conform to all front and side yard setbacks, however, they may encroach into the required rear yard setback provided that they maintain a 5 foot setback from the rear property line. In addition, the detached accessory structure cannot take up more than 30% of the rear yard area and cannot be more than one third of the lot width. The structure cannot be more than 12 feet in height where located within the rear yard setback. As designed, the proposed 12 foot tall garage would maintain a minimum five foot setback from the northern property line, would be 20 feet in width and would take up 333 square feet of the total 1,500 square foot rear yard area or 22% and is, therefore, in compliance with the specific development regulations of the Municipal Code.

The remainder of the proposed residence would be located entirely within the buildable area of the lot. The only projection into the required setback at the ground level would be proposed lightwells in order to provide emergency egress to and from the proposed subterranean basement. The lightwells are allowed to encroach into the required setback a maximum of three feet, however, they are required to be covered with a grate that is capable of supporting the weight of a 250lb person that can be opened by someone of minimal strength with no special knowledge, effort or use of key or tool.

Roof eaves along the southern, northern, and eastern sides of the second floor and the eastern side of the second floor roof would encroach a maximum of two feet into the setback areas, pursuant to SBMC Section 17.20.030(D)(4). The residence would be setback 20 feet from the southern (front) property line, 5 feet from the eastern and western side property lines, and 25 feet from the northern (rear) property line. A spa is proposed within the rear yard setback toward the northwest corner of the lot and a water feature and fire pit are proposed on a patio within the front yard setback.

The Applicants are proposing a 1,702 square-foot subterranean basement consisting of three bedrooms, two bathrooms and a den. The 1,714 square foot main floor would consist of the kitchen, living room, dining room, laundry room, one bathroom and one bedroom. The proposed two car garage would be attached to the main floor. The 696 square foot second floor would consist of a master suite with two attached decks, one toward the southeast corner of the master bedroom and one toward the northeast side of the second floor; 225 square feet of the second floor volume is area that is open to

the main floor below and has a ceiling height of 15 feet or greater so this area is counted twice towards the calculation of floor area.

The proposed project, as designed, meets the minimum required setbacks and is below the maximum allowable floor area for the property.

Neighborhood Comparison:

Staff compared the proposed project to 40 other properties within the surrounding area. This area includes properties along both sides of East and West Circle Drive, Pacific Avenue and Acacia Avenue and both sides of Ocean Street as shown on the following Map:

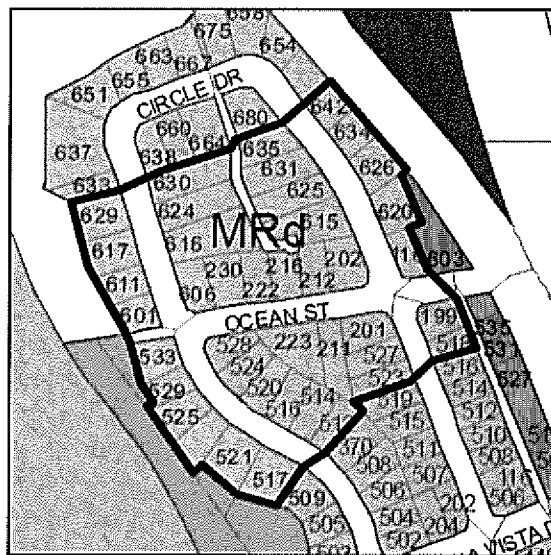


Table 2, below, provides the data for each property including approximate lot size, existing building area on each lot, and the maximum allowable square footage for potential new development.

The properties in the comparison area have a maximum FAR allowance that is calculated by using a tiered formula of 0.5 for the first 6,000 square feet of lot area, 0.175 for the next 9,000 square feet, 0.1 for the next 5,000 square feet and 0.05 for the remainder of the lot. The maximum allowable floor area for this 5,817 square foot lot is calculated as follows:

$$\frac{0.500 \text{ for the first } 5,817 \text{ ft}^2 = 2,909 \text{ ft}^2}{\text{Maximum Allowable Floor Area} = 2,909 \text{ ft}^2}$$

The existing neighboring homes range in size from 884 square feet to 4,897 square feet, according to the County Assessor records. It should be noted that the County Assessor does not include the garage, phantom space or porch areas in their total square footage. However, the Assessor does include finished basements in the square

footage calculation, which the City does not. Accordingly, the building area of the proposed project has been calculated for comparison purposes as follows:

Proposed Gross Building Area:	4808 ft ²
Delete Garage Area:	- 494 ft ²
Delete Phantom Area:	- 225 ft ²
Project Area for Comparison Table:	4,089 ft²

Table 2 is based upon the County Assessor's data and SanGIS data. It contains neighboring lot sizes, the square footage of existing development and the maximum allowable square footage for potential development on each lot.

#	Property Address	Lot Size in ft ² (GIS)	Existing ft ² Onsite (Assessor's)	Proposed / Recently Approved ft ²	Max. Allowable ft ² S.R.O.Z.	Zone
1	601 W. Circle Drive	6,142	1,509		3,025	MR
2	611 W. Circle Drive	6,014	2,010		3,002	MR
3	617 W. Circle Drive	9,094	2,535		6,541	MR
4	629 W. Circle Drive	9,199	2,283		3,550	MR
5	642 W. Circle Drive	6,259	2,266		3,045	MR
6	634 W. Circle Drive	6,230	1,555		3,040	MR
7	626 W. Circle Drive	8,338	1,678		3,409	MR
8	620 W. Circle Drive	8,182	1,602		3,382	MR
9	604 E. Circe Drive	6,696	1,498		3,122	MR
10	616 W. Circle Drive	15,655	2,409		4,641	MR
11	606 W. Circle Drive	7,597	2,924		3,279	MR
12	230 Ocean Street	7,884	3,161		3,330	MR
13	222 Ocean Street	6,899	3,141		3,157	MR
14	216 Ocean Street	5,817	1,548	4,089*	2,906	MR
15	212 Ocean Street	6,422	1,452		3,074	MR
16	202 Ocean Street	8,733	2,016		3,478	MR
17	615 E. Circle Drive	11,853	2,913		4,024	MR
18	625 E. Circle Drive	9,898	3,392		3,682	MR
19	631 E. Circle Drive	9,845	2,739		3,673	MR
20	635 E. Circle Drive	7,411	2,517		3,072	MR
21	630 W. Circle Drive	11,603	2,135		3,247	MR
22	624 W. Circle Drive	10,788	2,350		3,839	MR
23	533 Pacific Avenue	8,279	2,917		3,399	MR
24	529 Pacific Avenue	6,016	1,609		3,003	MR
25	521 Pacific Avenue	11,469	3,431		3,957	MR
26	525 Pacific Avenue	7,857	3,408		3,345	MR
27	0 Pacific Avenue	8,489	VACANT		3,436	MR
28	517 Pacific Avenue	10,686	2,912		3,820	MR
29	528 Pacific Avenue	5,963	2,647		2,982	MR

30	524 Pacific Avenue	7,049	4,897**		3,184	MR
31	520 Pacific Avenue	6,855	3,774**		3,150	MR
32	223 Ocean Street	11,141	2,618		3,900	MR
33	211 Ocean Street	8,314	1,259		3,405	MR
34	201 Ocean Street	7,729	1,897		3,303	MR
35	527 N. Acacia Avenue	6,364	884		3,064	MR
36	523 N. Acacia Avenue	6,786	1,016		3,138	MR
37	514 Pacific Avenue	7,339	1,542		3,234	MR
38	512 Pacific Avenue	6,731	1,414		3,128	MR
39	516 Pacific Avenue	6,344	1,827		3,060	MR
40	199 Ocean Street	6,541	2,733		3,095	MR
41	518 N. Acacia Avenue	4560	2,730**		2,280	MR

* This square footage includes the basement square footage of 1,702 square feet which the Assessor includes in the square footage calculation but the City does not.

** These structures exceed the maximum allowable floor area for the lot because they were built prior to the adoption of the Scaled Residential Overlay Zone which reduced the Floor Area Ratio for the lots.

Fences, Walls and Retaining Walls:

Within the front yard setback area, the SBMC Section 17.20.040(O) allows fences and walls, or any combination thereof, to be no higher than 42 inches in height as measured from existing grade, except for an additional two feet of fence that is at least 80% open to light. Fences, walls and retaining walls located within the rear and interior side yards are allowed to be up to six feet in height with an additional 24 inches that is 50% open to light and air. However, the SBMC also permits fences or walls to be 5 feet high in the front-yard setback to comply with pool fencing requirements. It should also be noted that fences and walls are measured from the pre-existing grade.

Currently, in front of the property, within the public right of way along Ocean Street is a approximately four foot retaining wall. With the proposed project, the Applicants would demolish the existing wall and plant the sloped area with low water use succulents. Two new retaining walls ranging from 2.5 feet to 3.5 feet would be constructed at the southern property line. A staircase would encroach into the public right of way in order to provide pedestrian access to the residence from Ocean Street. Any drop from a walkable area of more than 30 inches would require a 42 inch handrail pursuant to the California Building Code. Retaining walls and walking surfaces are proposed in the front yard setback at 30 inches and would not require railings. However, the proposed stairway (more than three steps) in the public right of way would need a railing on one side of the staircase.

In addition, a 6-foot high wooden fence is proposed that would surround the western, northern and eastern property lines. This fence will provide screening for the proposed location of the trash cans on the northeast side of the lot.

Currently, the plans show fences and walls that comply with the requirements of SBMC 17.20.040(O) and 17.60.070(C). If the Applicants decide to modify any of the proposed fences and walls or construct additional fences and walls, on the project site, a condition of project approval indicates that they would be required to be in compliance with the Municipal Code.

Landscape:

The project is subject to the current water efficient landscaping regulations of SBMC Chapter 17.56. A Landscape Documentation Package is required for new development projects with an aggregate landscape equal to or greater than 500 square feet requiring a building permit, plan check or development review. The Applicants provided a conceptual landscape plan (Attachment 1) that has been reviewed by the City's third-party landscape architect who has recommended approval of the conceptual landscape plan. The Applicants will be required to submit detailed construction landscape drawings that will be reviewed by the City's third-party landscape architect for conformance with the conceptual plan. In addition, the City's third-party landscape architect will perform inspections during the construction phase of the project. A separate condition has been added to require that native or drought-tolerant and non-invasive plant materials and water-conserving irrigation systems are required to be incorporated into the landscaping to the extent feasible.

Parking:

Because the lot is adjacent to an alley, the attached garage can encroach into the required rear yards setback subject to the specific development regulations of SBMC Section 17.20.020(C)(3). The SBMC and the Off-Street Parking Design Manual (OSPDM) require two (2) parking spaces for a single-family residence. The Applicants are proposing to construct an attached, two-car garage in the southeastern corner of the buildable area that would be accessed by the alley at the northeast corner of the lot. Pedestrian access would be provided by a staircase off of Ocean Street. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the floor area calculation. The proposed garage will provide the two required parking spaces, therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

Grading:

The total grading quantity for the project includes 915 cubic yards of cut, 80 cubic yards of fill and 835 cubic yards of export. A majority of the proposed grading (850 cubic yards of cut and export) is required in order to construct the proposed basement toward the center of the lot. The remaining 65 cubic yards of cut and 80 cubic yards of fill are proposed in order to perform the proposed lot improvements including the retaining walls on the southern property line and the flat patios in the front and rear yards.

Lighting:

A condition of project approval is that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

Usable Open Space:

The project consists of the construction of a new single-family residence with an attached garage on a residential lot, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

Public Hearing Notice:

Notice of the City Council Public Hearing for the project was published in the Union Tribune more than 10 days prior to the public hearing. The same public notice was mailed to property owners and occupants within 300 feet of the proposed project site on April 28, 2017. As of the date of preparation of this Staff Report, Staff has not received any call, letters, or emails regarding the project.

Conditions from the Planning, Engineering, and Fire Departments have been incorporated into the Resolution of Approval (Attachment 2).

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Zoning regulations and the General Plan. Should the Council determine that the findings can be made to approve the project, the SDP will be issued administratively with the DRP.

CEQA COMPLIANCE STATEMENT:

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. Examples of this exemption include one single-family residence or second dwelling unit in a residential zone. In urbanized areas, up to three-single-family residences may be constructed or converted under this exemption.

FISCAL IMPACT: N/A

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation adopting the attached Resolution 2017-062.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all required findings for the approval of a SDP and DRP.

- Deny the project if all required findings for the SDP and DRP cannot be made.

DEPARTMENT RECOMMENDATION:

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a SDP and a DRP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2017-062 conditionally approving a SDP and a DRP to demolish an existing single family residence, construct a new two-story, single-family residence with a subterranean basement and an attached two-car garage, and perform associated site improvements at 216 Ocean Street, Solana Beach.

CITY MANAGER'S RECOMMENDATION:

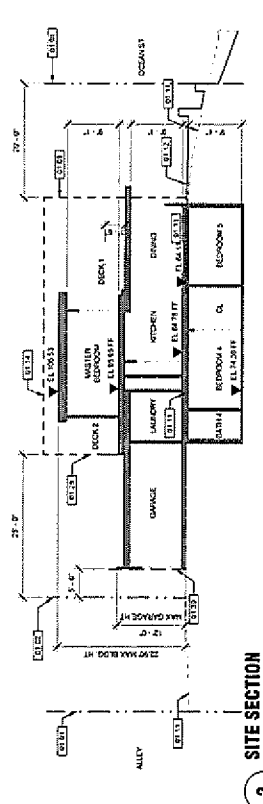
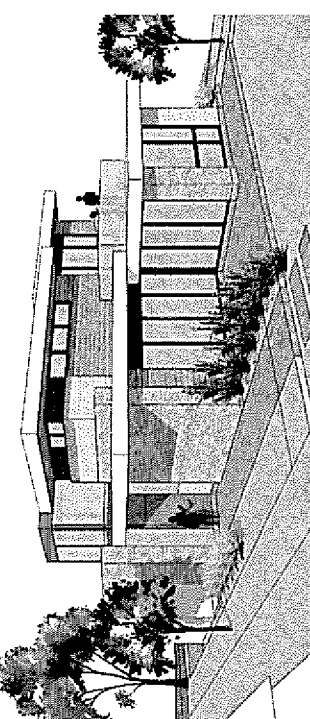
Approve Department Recommendation.



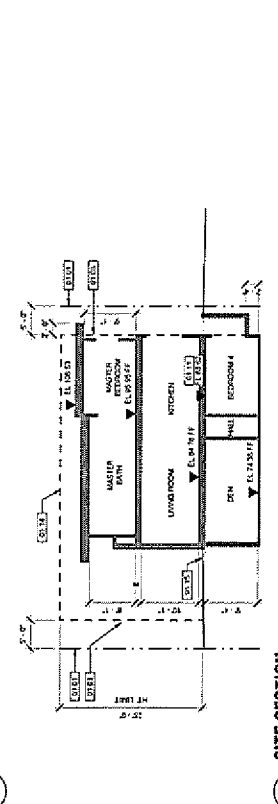
Gregory Wade, City Manager

Attachments:

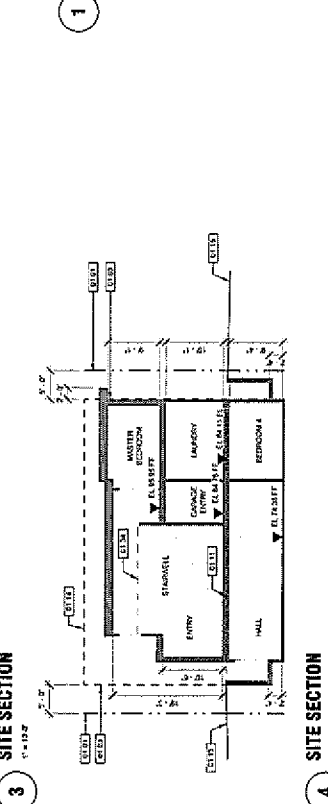
1. Project Plans
2. Resolution 2017-062
3. 2.21.17 VAC Meeting Agenda Packet
4. Approved 2.21.17 VAC Meeting Action Minutes
5. 3.21.17 VAC Meeting Agenda Packet
6. 3.21.17 VAC Notice of Recommendation



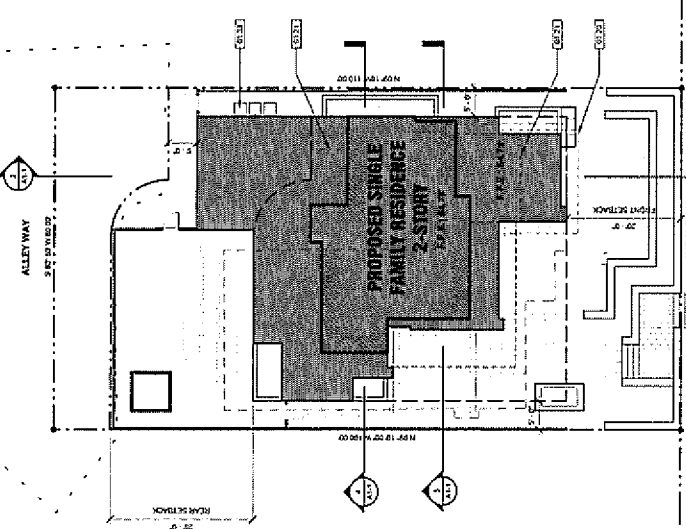
2 SITE SECTION
1" = 1/2"



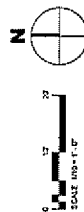
3 SITE SECTION
1" = 1/2"



4 SITE SECTION
1" = 1/2"



1 SITE PLAN
1" = 1/2"



SHEET INDEX

- A11 CONTRACT DOCUMENTS
- A12 PRELIMINARY GRADING PLAN
- A13 EXISTING SITE ELEVATION
- A14 EXISTING TOPOGRAPHY
- A15 EXISTING UTILITIES
- A16 EXISTING ERECTION
- A17 EXISTING ELECTRICAL
- A18 EXISTING MECHANICAL
- A19 EXISTING PLUMBING
- A20 EXISTING FOUNDATION
- A21 EXISTING FOUNDATION
- A22 EXISTING FOUNDATION
- A23 EXISTING FOUNDATION
- A24 EXISTING FOUNDATION
- A25 EXISTING FOUNDATION
- A26 EXISTING FOUNDATION
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- A46 EXISTING FOUNDATION
- A47 EXISTING FOUNDATION
- A48 EXISTING FOUNDATION
- A49 EXISTING FOUNDATION
- A50 EXISTING FOUNDATION

PROJECT TEAM

COMPANY	CONTACT	ROLE
STEPHEN DALTON ARCHITECTS INC.	STEPHEN DALTON	ARCHITECT
CELESTINE ARCHITECTS INC.	CELESTINE	ARCHITECT
CELESTINE ARCHITECTS INC.	CELESTINE	ARCHITECT
CELESTINE ARCHITECTS INC.	CELESTINE	ARCHITECT
CELESTINE ARCHITECTS INC.	CELESTINE	ARCHITECT
CELESTINE ARCHITECTS INC.	CELESTINE	ARCHITECT

KEYNOTES

- 01.01 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.02 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.03 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.04 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.05 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.06 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.07 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.08 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.09 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.10 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
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- 01.13 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.14 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.15 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.16 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.17 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.18 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.19 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.
- 01.20 ALL CONCRETE SHALL BE 3000 PSI STRENGTH.

PROJECT DATA

PROJECT NAME: OCEAN HOUSE
 PROJECT ADDRESS: 216 OCEAN STREET SOLANA BEACH, CA 92075
 CLIENT: STEPHEN DALTON ARCHITECTS INC.
 ARCHITECT: STEPHEN DALTON ARCHITECTS INC.
 DATE: 08/13/2015

SCOPE OF WORK

NEW 2 STORY SINGLE FAMILY RESIDENCE
 2 STORY SINGLE FAMILY RESIDENCE
 2 STORY SINGLE FAMILY RESIDENCE
 2 STORY SINGLE FAMILY RESIDENCE
 2 STORY SINGLE FAMILY RESIDENCE
 2 STORY SINGLE FAMILY RESIDENCE

DEVELOPMENT SUMMARY

AREA: 11.53 AC
 GROUND COVER: 2.47 AC
 TOTAL DEVELOPMENT: 4.42 AC
 TOTAL IMPROVEMENT: 1.13 AC
 TOTAL PROPOSED: 2.88 AC
 TOTAL IMPROVEMENT: 1.13 AC
 TOTAL PROPOSED: 2.88 AC

VICINITY MAP

OCEAN HOUSE

216 OCEAN STREET SOLANA BEACH, CA 92075

SITE PLAN

STEPHEN DALTON ARCHITECTS
 443 GENESEE AVENUE SUITE 100
 SAN JOSE, CALIFORNIA 95128
 TEL: 408.263.7210
 FAX: 408.263.7211

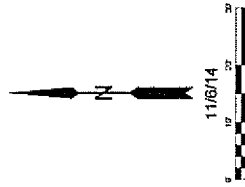
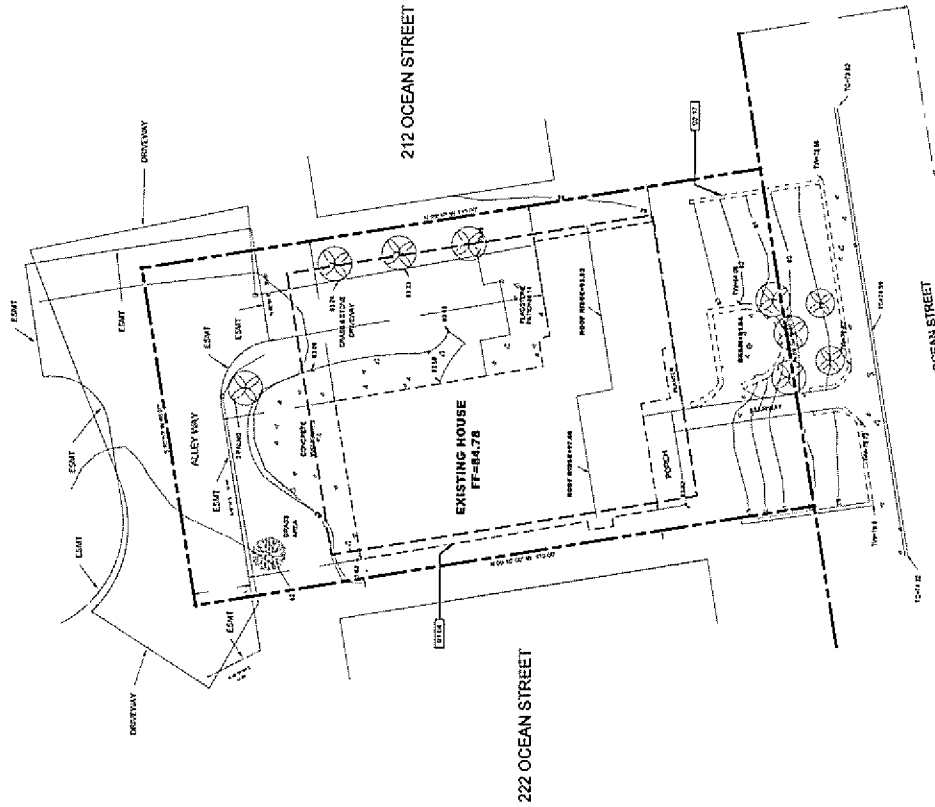
PROJECT DATA

PROJECT NAME: OCEAN HOUSE
 PROJECT ADDRESS: 216 OCEAN STREET SOLANA BEACH, CA 92075
 CLIENT: STEPHEN DALTON ARCHITECTS INC.
 ARCHITECT: STEPHEN DALTON ARCHITECTS INC.
 DATE: 08/13/2015

KEYNOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

216 OCEAN STREET



1 DEMO SURVEY
 7.1.2014

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OCEAN HOUSE
 216 OCEAN STREET SOLANA BEACH, CA 92075



Stephen Dalton Architects
 444 S. EDWARDS, STUDIO 100
 SOLANA BEACH, CA 92075
 P: 949.782.8006 / F: 949.792.1810

sd
 ARCHITECTS

NO.	DATE	DESCRIPTION
1	11/6/14	DEMO SURVEY
2		
3		
4		
5		
6		
7		
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9		
10		
11		
12		

A1-2

11/6/14 1526

KEYNOTES

01	EXISTING
02	NEW
03	DEMOLITION
04	CONCRETE
05	WOOD
06	GLASS
07	STEEL
08	MECHANICAL
09	ELECTRICAL
10	PLUMBING
11	PAINT
12	LANDSCAPE
13	ASPHALT
14	GRAVEL
15	CONCRETE
16	WOOD
17	GLASS
18	STEEL
19	MECHANICAL
20	ELECTRICAL
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56	LANDSCAPE
57	ASPHALT
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87	PLUMBING
88	PAINT
89	LANDSCAPE
90	ASPHALT
91	GRAVEL
92	CONCRETE
93	WOOD
94	GLASS
95	STEEL
96	MECHANICAL
97	ELECTRICAL
98	PLUMBING
99	PAINT
100	LANDSCAPE

LEGEND

NOT INCLUDED TOWARDS FAR

INCLUDED TOWARDS FAR

ADDITIONAL AREA TOWARDS FAR

FLOOR AREA CALCS

1.125F
2.145F
3.165F
4.185F
5.205F
6.225F
7.245F
8.265F
9.285F
10.305F
11.325F
12.345F
13.365F
14.385F
15.405F
16.425F
17.445F
18.465F
19.485F
20.505F
21.525F
22.545F
23.565F
24.585F
25.605F
26.625F
27.645F
28.665F
29.685F
30.705F
31.725F
32.745F
33.765F
34.785F
35.805F
36.825F
37.845F
38.865F
39.885F
40.905F
41.925F
42.945F
43.965F
44.985F
45.1005F
46.1025F
47.1045F
48.1065F
49.1085F
50.1105F
51.1125F
52.1145F
53.1165F
54.1185F
55.1205F
56.1225F
57.1245F
58.1265F
59.1285F
60.1305F
61.1325F
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66.1425F
67.1445F
68.1465F
69.1485F
70.1505F
71.1525F
72.1545F
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89.1885F
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91.1925F
92.1945F
93.1965F
94.1985F
95.2005F
96.2025F
97.2045F
98.2065F
99.2085F
100.2105F

216 OCEAN STREET SOLANA BEACH, CA 92075

OCEAN HOUSE

AREA DIAGRAMS

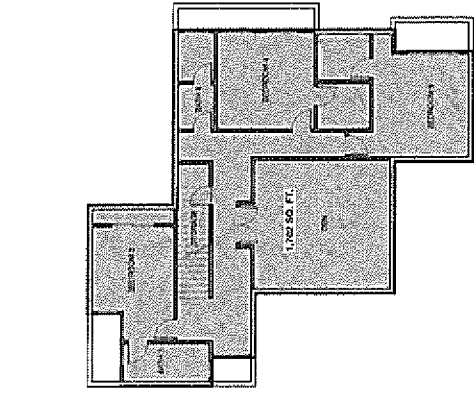
Stephen Dalton Architects

444 S. CEDROS, STUDIO 100
SOLANA BEACH, CA 92075
TEL: 949.792.2000 / F: 949.792.0919

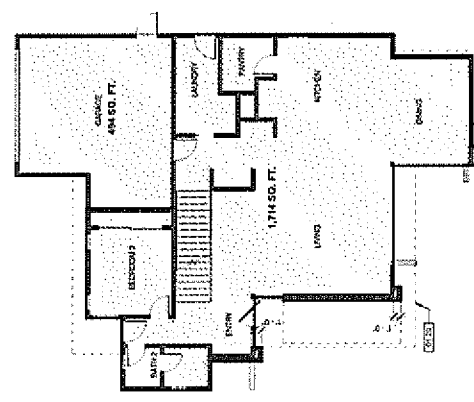
1526

11

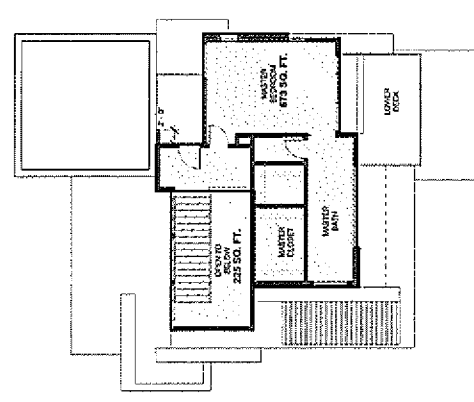
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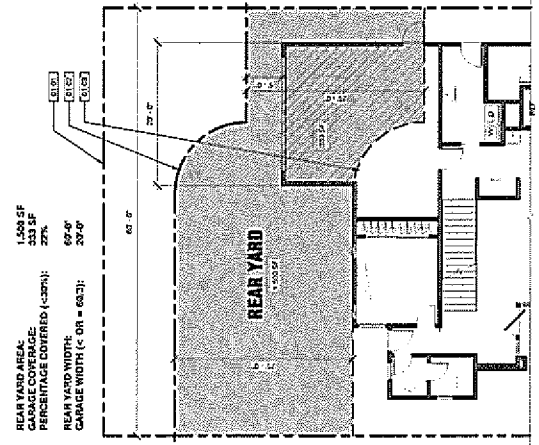
1 BASEMENT AREA DIAGRAM
1' x 10'



2 FIRST FLOOR AREA DIAGRAM
1' x 10'



3 SECOND FLOOR AREA DIAGRAM
1' x 10'



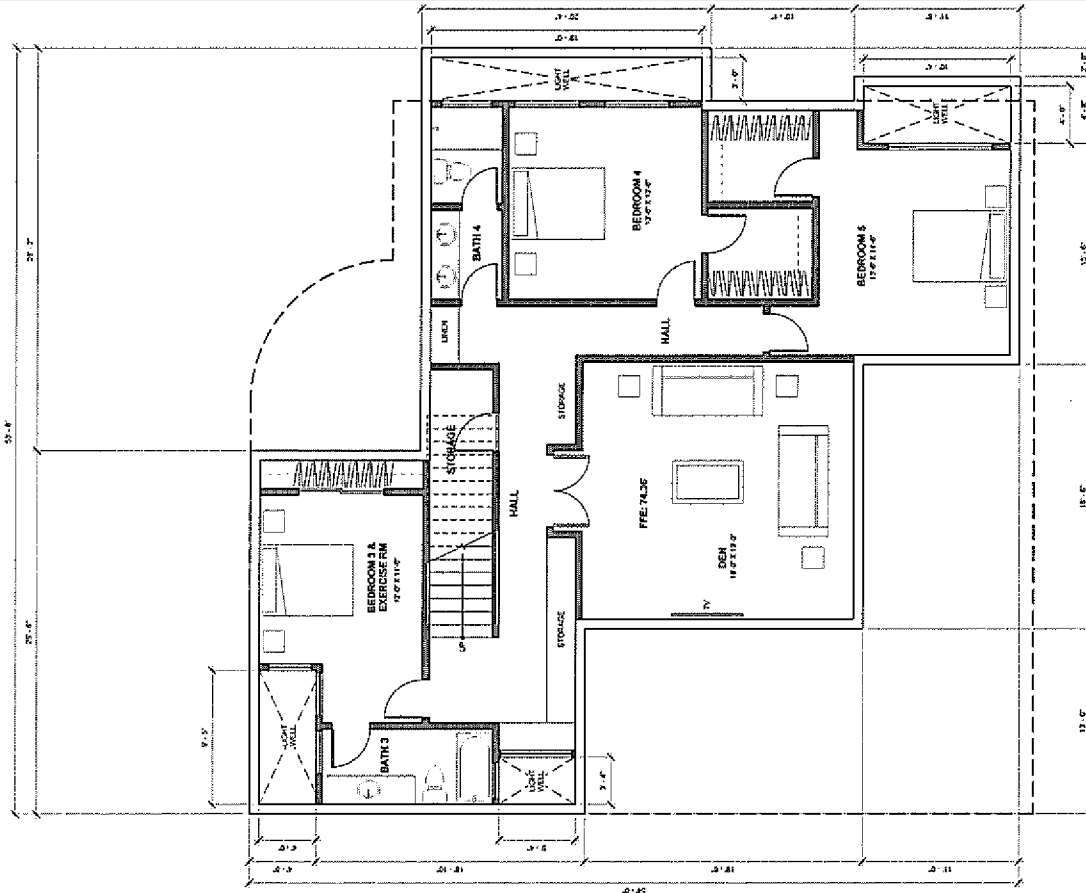
4 REAR YARD AREA DIAGRAM
1' x 10'

REAR YARD AREA: 1,500 SF
GARAGE AREA: 400 SF
PERCENTAGE COVERED (4.33%): 27%

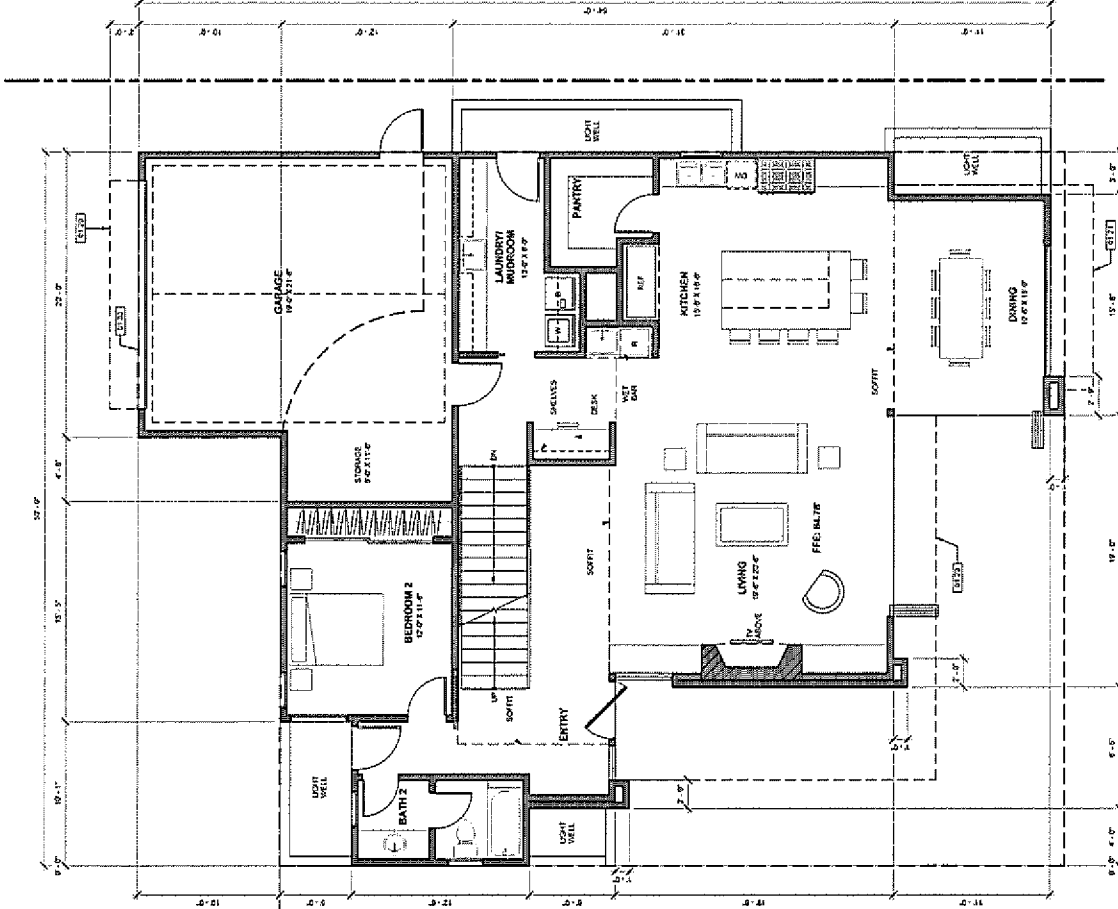
REAR YARD WIDTH: 69'0"
GARAGE WIDTH (C OR = 66.3'): 20'0"

KEYNOTES

010	STAIRS
020	WALLS
030	DOORS
040	WINDOWS
050	CEILING
060	FLOORING
070	MECHANICAL
080	ELECTRICAL
090	PLUMBING
100	FINISHES



1 BASEMENT FLOOR PLAN
1/8" = 1'-0"



2 FIRST FLOOR PLAN
1/8" = 1'-0"

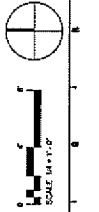
OCEAN HOUSE
216 OCEAN STREET SOLANA BEACH, CA 92075

Stephen Dallon Architects
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SOLANA BEACH, CA 92075
P: 858.753.0058 / F: 858.753.2016

Basement/First Floor

NO. 1526	DATE	DESCRIPTION
1	10/15/18	ISSUED FOR PERMITS
2	11/15/18	ISSUED FOR PERMITS
3	12/15/18	ISSUED FOR PERMITS
4	01/15/19	ISSUED FOR PERMITS
5	02/15/19	ISSUED FOR PERMITS
6	03/15/19	ISSUED FOR PERMITS
7	04/15/19	ISSUED FOR PERMITS
8	05/15/19	ISSUED FOR PERMITS
9	06/15/19	ISSUED FOR PERMITS
10	07/15/19	ISSUED FOR PERMITS
11	08/15/19	ISSUED FOR PERMITS
12	09/15/19	ISSUED FOR PERMITS

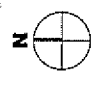
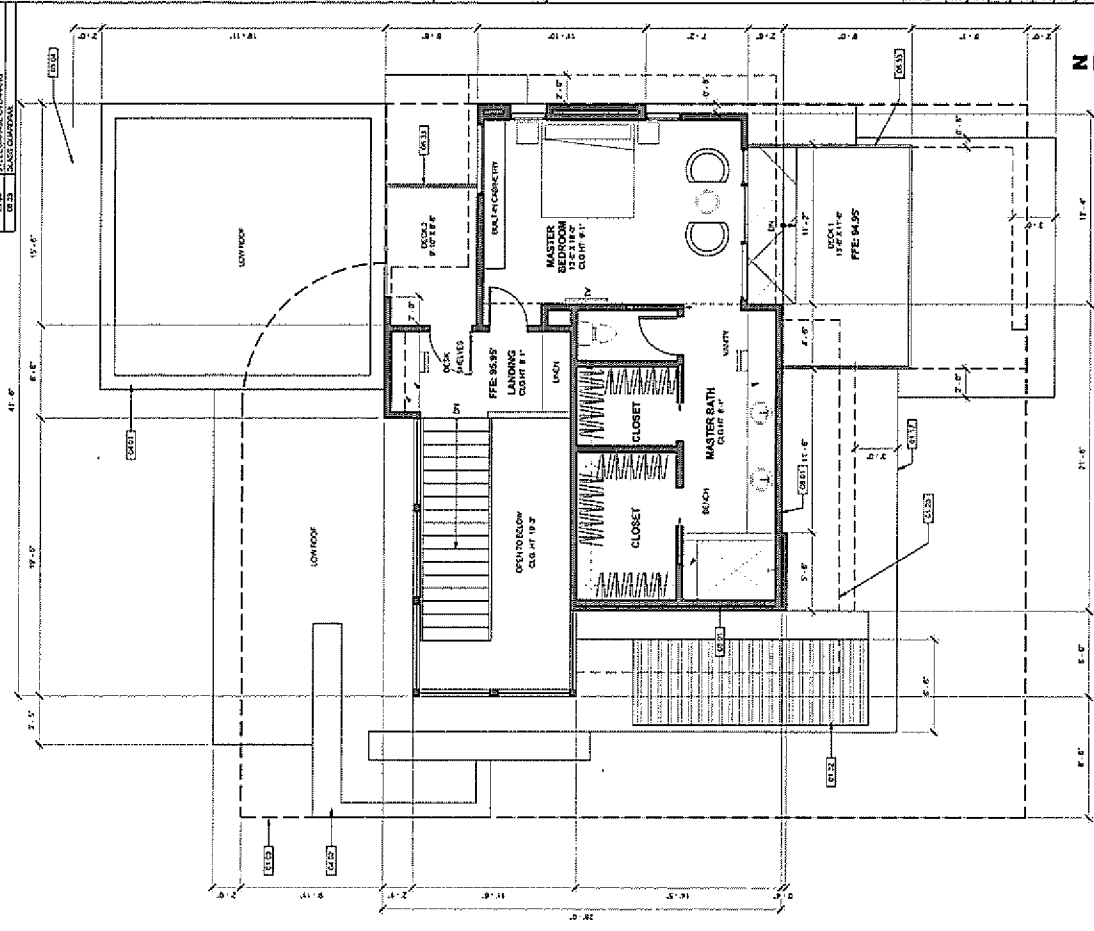
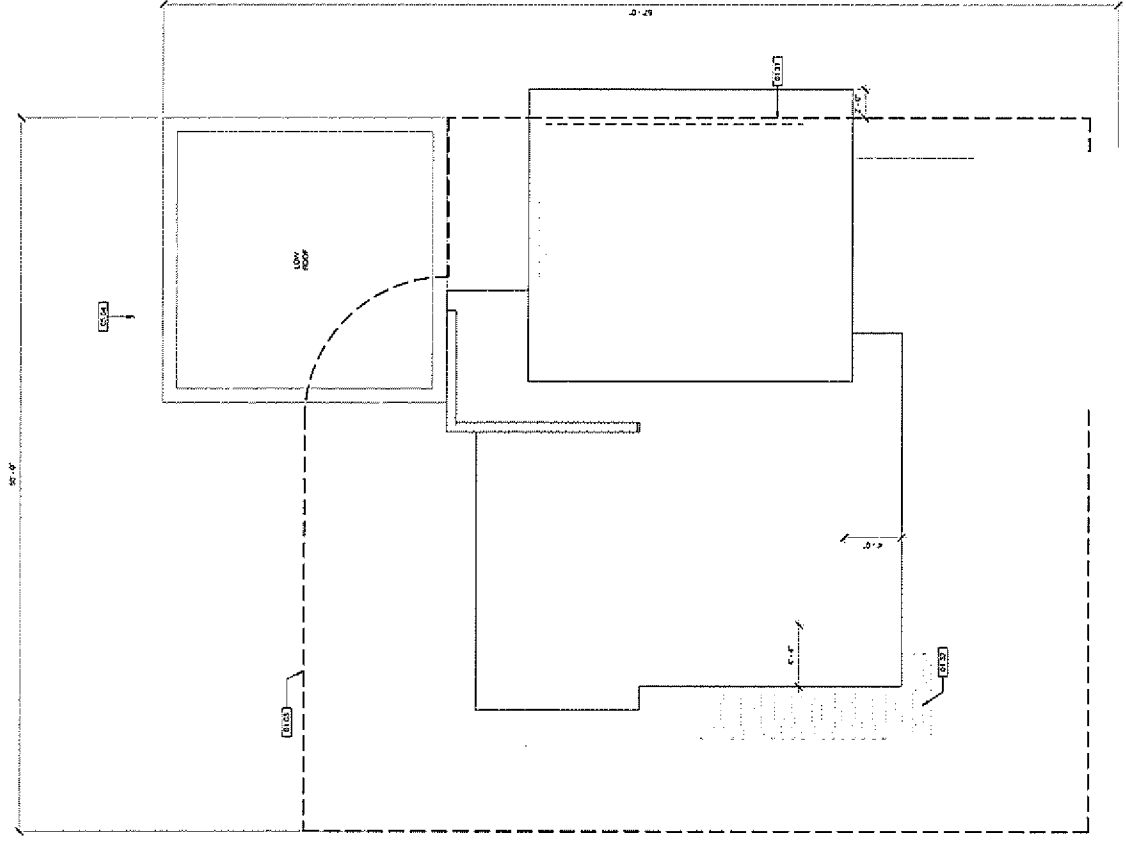
A2-1
SCALE 1/8" = 1'-0"



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KEYNOTES

010	ENTRANCE
011	ROOF COVERING
012	ROOF FINISH
013	ROOF INSULATION
014	ROOF VENT
015	ROOF DRAIN
016	ROOF CURB
017	ROOF FLASHING
018	ROOF GUTTER
019	ROOF HANGING
020	ROOF JOIST
021	ROOF TRUSS
022	ROOF BRACE
023	ROOF RIGGING
024	ROOF SHEATHING
025	ROOF STRUCTURE



SECOND FLOOR AREA
2315 SF

2 SECOND FLOOR PLAN
1/8" = 1'-0"

OCEAN HOUSE
216 OCEAN STREET SOLANA BEACH, CA 92075

SECOND/ROOF FLOOR PLAN
Stephen Dalton Architects
444 S. CEDROS, STUDIO 100
SOLANA BEACH, CA 92075
P: 858.792.3500 / F: 858.792.3514

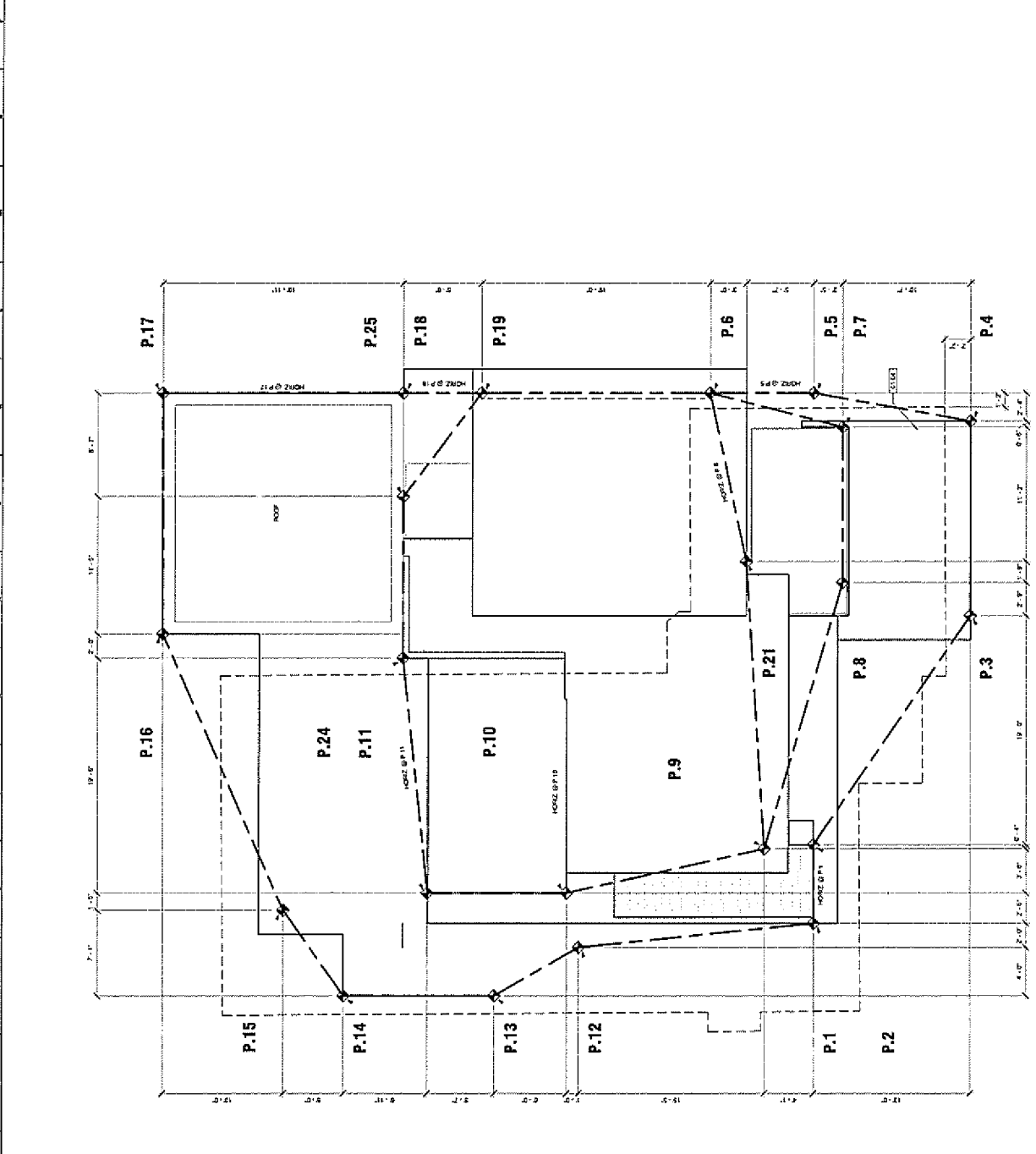
A2-2

KEYNOTES

216 OCEAN ST. STORY POLES

POLE NUMBER	POLE ELEV.	DEGREE	HEIGHT	POLE LENGTH	POLE HEIGHT
1	97.24	57.35	41.11	1.64	31.92
2	95.29	57.30	41.11	1.25	31.34
3	93.34	57.25	41.11	1.16	30.76
4	91.39	57.20	41.11	1.12	30.18
5	89.44	57.15	41.11	1.08	29.60
6	87.49	57.10	41.11	1.04	29.02
7	85.54	57.05	41.11	1.00	28.44
8	83.59	57.00	41.11	0.96	27.86
9	81.64	56.95	41.11	0.92	27.28
10	79.69	56.90	41.11	0.88	26.70
11	77.74	56.85	41.11	0.84	26.12
12	75.79	56.80	41.11	0.80	25.54
13	73.84	56.75	41.11	0.76	24.96
14	71.89	56.70	41.11	0.72	24.38
15	69.94	56.65	41.11	0.68	23.80
16	67.99	56.60	41.11	0.64	23.22
17	66.04	56.55	41.11	0.60	22.64
18	64.09	56.50	41.11	0.56	22.06
19	62.14	56.45	41.11	0.52	21.48
20	60.19	56.40	41.11	0.48	20.90
21	58.24	56.35	41.11	0.44	20.32
22	56.29	56.30	41.11	0.40	19.74
23	54.34	56.25	41.11	0.36	19.16
24	52.39	56.20	41.11	0.32	18.58
25	50.44	56.15	41.11	0.28	18.00
26	48.49	56.10	41.11	0.24	17.42
27	46.54	56.05	41.11	0.20	16.84
28	44.59	56.00	41.11	0.16	16.26
29	42.64	55.95	41.11	0.12	15.68
30	40.69	55.90	41.11	0.08	15.10
31	38.74	55.85	41.11	0.04	14.52
32	36.79	55.80	41.11	0.00	13.94
33	34.84	55.75	41.11	0.00	13.36
34	32.89	55.70	41.11	0.00	12.78
35	30.94	55.65	41.11	0.00	12.20
36	28.99	55.60	41.11	0.00	11.62
37	27.04	55.55	41.11	0.00	11.04
38	25.09	55.50	41.11	0.00	10.46
39	23.14	55.45	41.11	0.00	9.88
40	21.19	55.40	41.11	0.00	9.30
41	19.24	55.35	41.11	0.00	8.72
42	17.29	55.30	41.11	0.00	8.14
43	15.34	55.25	41.11	0.00	7.56
44	13.39	55.20	41.11	0.00	6.98
45	11.44	55.15	41.11	0.00	6.40
46	9.49	55.10	41.11	0.00	5.82
47	7.54	55.05	41.11	0.00	5.24
48	5.59	55.00	41.11	0.00	4.66
49	3.64	54.95	41.11	0.00	4.08
50	1.69	54.90	41.11	0.00	3.50
51	-0.26	54.85	41.11	0.00	2.92
52	-2.31	54.80	41.11	0.00	2.34
53	-4.36	54.75	41.11	0.00	1.76
54	-6.41	54.70	41.11	0.00	1.18
55	-8.46	54.65	41.11	0.00	0.60
56	-10.51	54.60	41.11	0.00	0.02
57	-12.56	54.55	41.11	0.00	-0.56
58	-14.61	54.50	41.11	0.00	-1.14
59	-16.66	54.45	41.11	0.00	-1.72
60	-18.71	54.40	41.11	0.00	-2.30
61	-20.76	54.35	41.11	0.00	-2.88
62	-22.81	54.30	41.11	0.00	-3.46
63	-24.86	54.25	41.11	0.00	-4.04
64	-26.91	54.20	41.11	0.00	-4.62
65	-28.96	54.15	41.11	0.00	-5.20
66	-31.01	54.10	41.11	0.00	-5.78
67	-33.06	54.05	41.11	0.00	-6.36
68	-35.11	54.00	41.11	0.00	-6.94
69	-37.16	53.95	41.11	0.00	-7.52
70	-39.21	53.90	41.11	0.00	-8.10
71	-41.26	53.85	41.11	0.00	-8.68
72	-43.31	53.80	41.11	0.00	-9.26
73	-45.36	53.75	41.11	0.00	-9.84
74	-47.41	53.70	41.11	0.00	-10.42
75	-49.46	53.65	41.11	0.00	-11.00
76	-51.51	53.60	41.11	0.00	-11.58
77	-53.56	53.55	41.11	0.00	-12.16
78	-55.61	53.50	41.11	0.00	-12.74
79	-57.66	53.45	41.11	0.00	-13.32
80	-59.71	53.40	41.11	0.00	-13.90
81	-61.76	53.35	41.11	0.00	-14.48
82	-63.81	53.30	41.11	0.00	-15.06
83	-65.86	53.25	41.11	0.00	-15.64
84	-67.91	53.20	41.11	0.00	-16.22
85	-69.96	53.15	41.11	0.00	-16.80
86	-72.01	53.10	41.11	0.00	-17.38
87	-74.06	53.05	41.11	0.00	-17.96
88	-76.11	53.00	41.11	0.00	-18.54
89	-78.16	52.95	41.11	0.00	-19.12
90	-80.21	52.90	41.11	0.00	-19.70
91	-82.26	52.85	41.11	0.00	-20.28
92	-84.31	52.80	41.11	0.00	-20.86
93	-86.36	52.75	41.11	0.00	-21.44
94	-88.41	52.70	41.11	0.00	-22.02
95	-90.46	52.65	41.11	0.00	-22.60
96	-92.51	52.60	41.11	0.00	-23.18
97	-94.56	52.55	41.11	0.00	-23.76
98	-96.61	52.50	41.11	0.00	-24.34
99	-98.66	52.45	41.11	0.00	-24.92
100	-100.71	52.40	41.11	0.00	-25.50

*POLES P.1 THROUGH P.100 ARE LOWERED FROM PREVIOUS DESIGN



1 STORY POLE PLAN (REVISED)
10-1-10

OCEAN HOUSE
216 OCEAN STREET SOLANA BEACH, CA 92075

ARCHITECTS
Stephen Dalton Architects
444 S. CEDROS, STUDIO 100
SOLANA BEACH, CA 92075
TEL: 949.782.6606 / FAX: 949.782.6016

INCORPORATED
1952
1526

KEYNOTES

- 1. SEE ARCHITECTURAL
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OCEAN HOUSE

216 OCEAN STREET SOLANA BEACH, CA 92075



Stephen Dalton Architects
 444 S. CEDROS, STUDIO 100
 SOLANA BEACH, CA 92075
 T: 858.95.0508 F: 858.95.2516

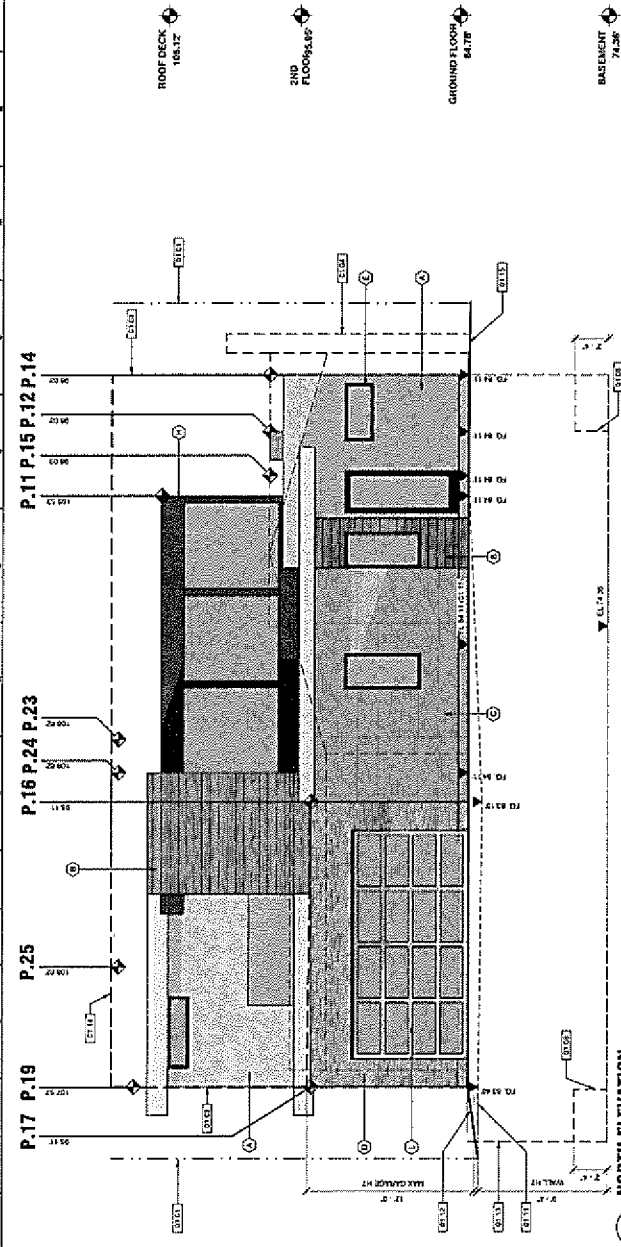
EXTERIOR ELEVATIONS

NO.	DATE	DESCRIPTION
1	10/11/17	ISSUED FOR PERMITS
2	10/11/17	ISSUED FOR PERMITS
3	10/11/17	ISSUED FOR PERMITS
4	10/11/17	ISSUED FOR PERMITS
5	10/11/17	ISSUED FOR PERMITS
6	10/11/17	ISSUED FOR PERMITS
7	10/11/17	ISSUED FOR PERMITS
8	10/11/17	ISSUED FOR PERMITS
9	10/11/17	ISSUED FOR PERMITS
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11	10/11/17	ISSUED FOR PERMITS
12	10/11/17	ISSUED FOR PERMITS

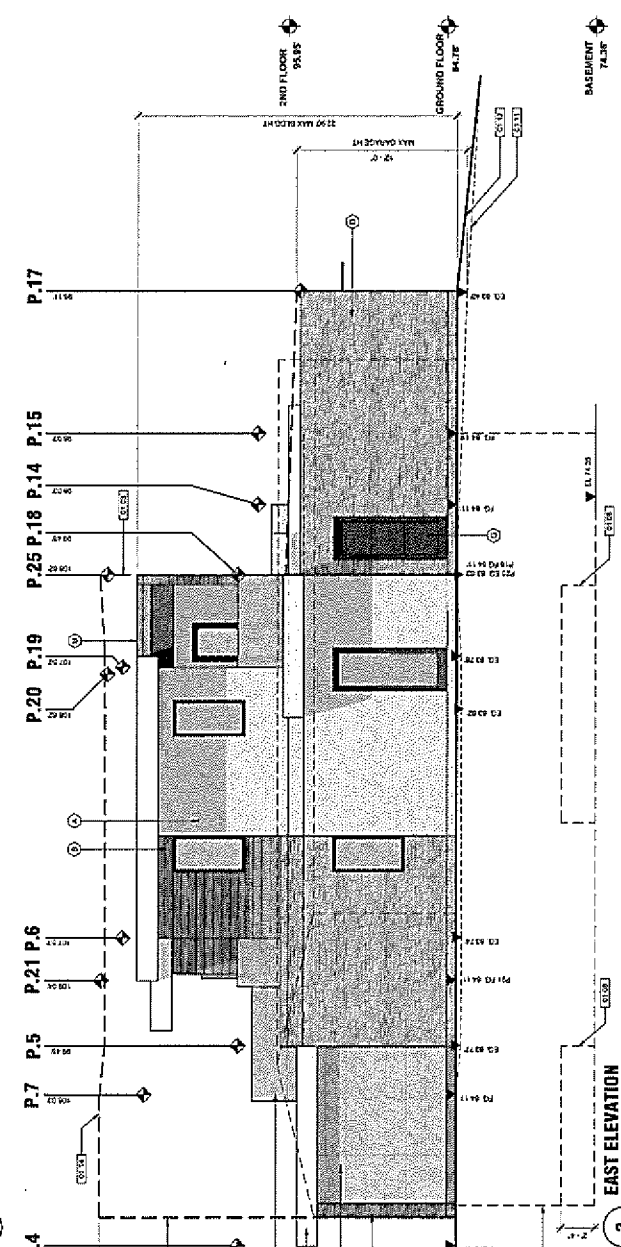
A3-2

FINISH SCHEDULE

MARK	ELEVATION	RECEPTION	FINISH
1	RECEPTION	WOOD	WOOD
2	RECEPTION	WOOD	WOOD
3	RECEPTION	WOOD	WOOD
4	RECEPTION	WOOD	WOOD
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100	RECEPTION	WOOD	WOOD



1 NORTH ELEVATION
 1/8" = 1'-0"



2 EAST ELEVATION
 1/8" = 1'-0"



PROJECT: JACKEL RESIDENCE
 LOCATION: 216 OCEAN STREET, SOLANA BEACH, CA 92075
 ARCHITECT: LARRY JACKEL

PROJECT: JACKEL RESIDENCE
 LOCATION: 216 OCEAN STREET, SOLANA BEACH, CA 92075

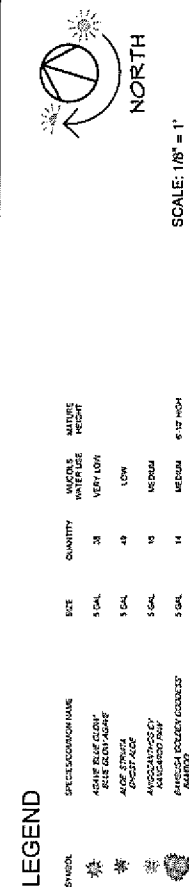
CHANGES

01/27/18	02/07/18
02/28/18	03/28/18
03/29/18	04/27/18
04/27/18	05/01/18
05/01/18	05/23/18
05/23/18	06/14/18
06/14/18	06/27/18
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07/11/18	07/27/18
07/27/18	08/01/18
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08/23/18	09/11/18
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09/27/18	10/23/18
10/23/18	11/27/18
11/27/18	12/27/18

DESIGN

DESIGN	GM
DRAWN	GM
CHECKED	GM
SCALE	1/8" = 1'
PROJECT	18-033

SHEET
L-1
OF 1 SHEET



- NOTES**
1. PLANTER AREAS TO RECEIVE 1" DRAINAGE FROM ROOF. ALL PLANTER AREAS TO RECEIVE 1" DRAINAGE FROM ROOF. ALL PLANTER AREAS TO RECEIVE 1" DRAINAGE FROM ROOF.
 2. ALL PLANTER AREAS TO RECEIVE 1" DRAINAGE FROM ROOF. ALL PLANTER AREAS TO RECEIVE 1" DRAINAGE FROM ROOF.
 3. PLANT TREES TO BE ON SEPARATE DRIP SYSTEM.
- SITE AREAS**
- BUILDING AREA: 2,078.00 FT²
 - LIGHT WELLS: 20.00 FT²
 - PREVIOUS HardsCAPE: 1,332.00 FT²
 - PERVIOUS PAVING: 370.00 FT²
 - LANDSCAPE WELLS: 1,487.00 FT²
 - TOTAL SITE AREA: 5,815.00 FT² (INCLUDES BLDG. AND ALLEYWAY (EXCLUDED))

ESTIMATED TOTAL WATER USE (ETWU) WORKSHEET

ETWU = (ETP) x (ETP) x (ETP) x (ETP)

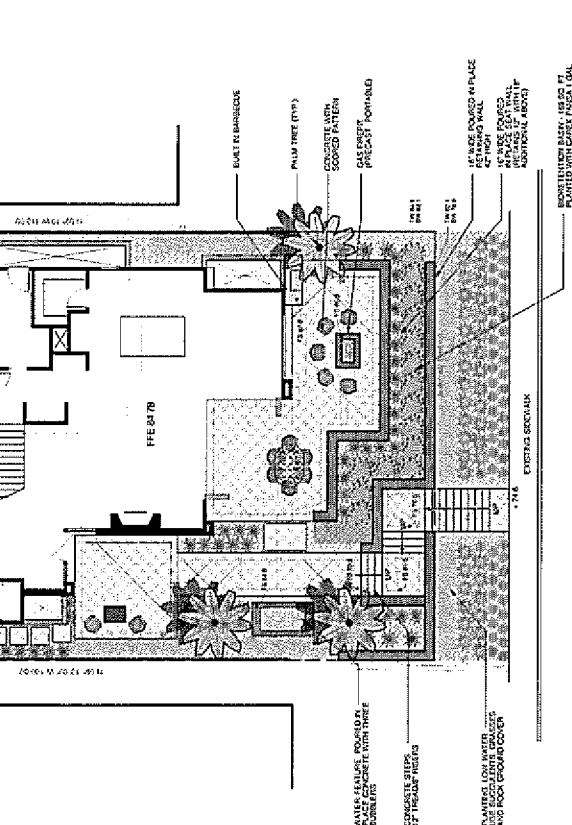
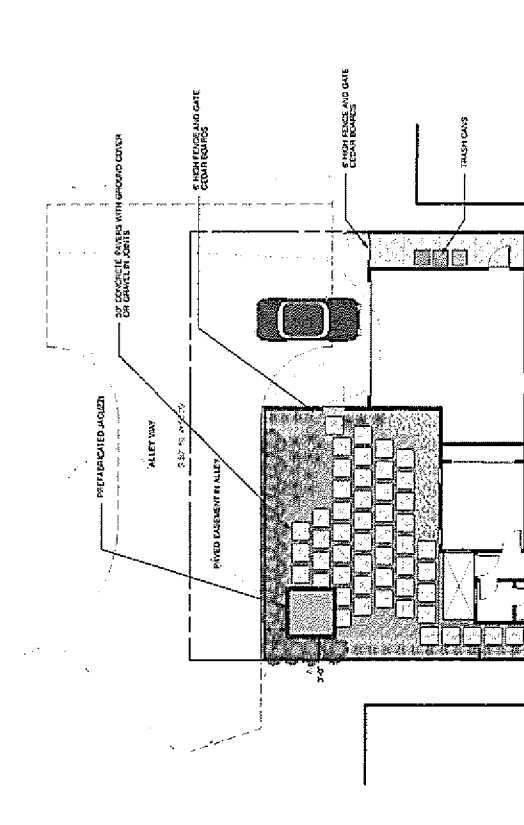
Item	Description	Area (sq ft)	ETP (inches)	ETWU (gallons)
1	Low Water Use (LWU)	4,750	0.15	10,312.5
2	Medium Water Use (MWU)	5,815	0.25	12,681.25
3	High Water Use (HWU)	1,487	0.35	3,610.75
TOTAL ETWU (gallons per year)				26,604.5

CITY OF SOLANA BEACH ESTIMATED TOTAL WATER USE (ETWU) WORKSHEET

Item	Description	Area (sq ft)	ETP (inches)	ETWU (gallons)
1	Low Water Use (LWU)	4,750	0.15	10,312.5
2	Medium Water Use (MWU)	5,815	0.25	12,681.25
3	High Water Use (HWU)	1,487	0.35	3,610.75
TOTAL ETWU (gallons per year)				26,604.5

MAXIMUM APPLIED WATER APPLICATION (AWA) CALCULATIONS

AWA (inches)	0.15
AWA (gallons per square foot)	3.15
Total AWA (gallons per year)	20,780



PRELIMINARY LANDSCAPE PLAN
NOT FOR CONSTRUCTION

PLANTING DEPENDS UPON WATER AVAILABILITY AND SOIL CONDITIONS. REDUCE SCALE ACCORDINGLY.

RESOLUTION NO. 2017-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT AND AN ADMINISTRATIVE STRUCTURE DEVELOPMENT PERMIT FOR THE DEMOLITION OF THE EXISTING SINGLE-FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE WITH A SUBTERRANEAN BASEMENT AND AN ATTACHED TWO-CAR GARAGE, AND ASSOCIATED SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 216 OCEAN STREET, SOLANA BEACH

**APPLICANTS: Larry and Audrey Jackel
CASE NO.: 17-16-10 DRP/SDP**

WHEREAS, Larry and Audrey Jackel (hereinafter referred to as "Applicants"), have submitted an application for a Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC); and

WHEREAS, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

WHEREAS, at the public hearing on May 10, 2017, the City Council received and considered evidence concerning the proposed application; and

WHEREAS, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

WHEREAS, this decision is based upon the evidence presented at the hearing, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

NOW THEREFORE, the City Council of the City of Solana Beach, California, does resolves as follows:

1. That the foregoing recitations are true and correct.
2. That the request for a DRP and a SDP to demolish an existing single family residence, construct a new two-story, single-family residence with a subterranean basement and an attached two-car garage, and perform associated site improvements at 216 Ocean Street, is conditionally approved based upon the following Findings and subject to the following Conditions:

3. FINDINGS

- A. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:

The proposed residence exceeds 16 feet in height above the existing grade, therefore, the project must comply with all of the View Assessment requirements of SBMC Chapter 17.63 and the Applicants were required to complete the SDP process. A final Story Pole Height Certification was issued by a licensed land surveyor on November 2, 2016 which showed the tallest point of the structure illustrated by story pole #20 certified at 25 feet or 108.62 MSL. The highest story pole is illustrated by story pole #21 and has a building height of 24.93 or 109.04 MSL. Notices establishing the 30 day public notice period to apply for View Assessment were mailed to property owners and occupants within 300 feet of the project site. The deadline to file for View Assessment was December 27, 2016. Three applications for View Assessment were received.

On March 21, 2017, the VAC recommended approval with the following Condition:

Reduce the proposed deck on the southeast corner of the second floor master bedroom so that the southernmost extent of the deck railing would move to the north by three feet and raise the finished floor height of the deck by one foot as shown in the original project design.

The Claimants have requested that the City Council reconsider their View Assessment Claims. Therefore, the Council visited the Claimants' properties and observed their viewing areas and made the following findings:

- I. The applicant for the structure development permit has made a reasonable attempt to resolve the view impairment issues with the person(s) requesting view assessment. Written evidence of a good faith voluntary offer to meet and discuss view issues, or of a good faith voluntary offer to submit the matter to mediation, is hereby deemed to be a reasonable attempt to resolve the view impairment issues.

[Finding to be inserted after Council discussion]

- II. The proposed structure does not significantly impair a view from public property (parks, major thoroughfares, bike ways, walkways, equestrian trails) which has been identified in the city's general plan, local coastal program, or city designated viewing areas.

[Finding to be inserted after Council discussion]

- III. The structure is designed and situated in such a manner as to minimize impairment of views.

[Finding to be inserted after Council discussion]

- IV. There is no significant cumulative view impairment caused by granting the application. Cumulative view impairment shall be determined by: (a) Considering the amount of view impairment caused by the proposed structure; and (b) considering the amount of view impairment that would be caused by the construction on other parcels of structures similar to the proposed structure.

[Finding to be inserted after Council discussion]

- V. The proposed structure is compatible with the immediate neighborhood character.

[Finding to be inserted after Council discussion]

- B. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones and specific plans.*

General Plan Consistency: The project, as conditioned, is consistent with the City's General Plan designation of Medium Density Residential, which allows for single-family residential development with a maximum density of 5-7 dwelling units per acre. The development is also consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

Zoning Ordinance Consistency: The project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) (SBMC 17.20.030 and 17.48.040), which delineates maximum allowable Floor Area Ratio (FAR), Permitted Uses and Structures (SBMC Section 17.20.020) which provides for uses of the property for a single-family residence. Further, the project adheres to all property development regulations established for the Medium Residential (MR) Zone and cited by SBMC Section 17.020.030.

The project is consistent with the provisions for minimum yard dimensions (i.e., setbacks) and the maximum allowable Floor Area (FAR), maximum building height, and parking requirements.

II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040.F:*

- a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and where feasible, complimentary to existing and potential development in the immediate vicinity of the project site. Site planning on the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects, as well as protection of the property from adverse surrounding influences.*

The property is located within the Medium Residential (MR) Zone. Properties surrounding the lot are also located within the MR Zone and are developed with one and two-story, single-family residences. The project site is currently developed with a single-story, single-family residence located in the center of the lot, which would be demolished entirely. The Applicants propose to construct a replacement, two-story residence with a subterranean basement and an attached two-car garage.

The project, as designed, is consistent with the permitted uses for the MR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The property is designated Medium Density Residential in the General Plan and intended for single-family residences developed at a maximum density of five to seven dwelling units per acre. The proposed development is to be consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the Scaled Residential Overlay Zone (SROZ) and within the Coastal Zone. The project has been evaluated, and is found to be in conformance with, the regulations of the SROZ. The Applicants are required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed in a manner which visually and functionally enhances their intended use.*

The residence, as designed, would be constructed in the center of the property within the same general footprint as the existing residence. The garage would be located toward the northeast corner of the lot and would be accessed from the alley. SBMC 17.20.030(D)(1)(g) indicates that:

On residential lots abutting a public street on one side and an alley on the opposite side, attached garages may be built in the yard adjacent to the alley in accordance with detached accessory structure standards contained in SBMC 17.20.020(C)(3).

According to SBMC 17.20.020(C)(3), detached accessory structures are required to conform to all front and side yard setbacks, however, they may encroach into the required rear yard setback provided that they maintain a 5 foot setback from the rear property line. In addition, the detached accessory structure cannot take up more than 30% of the rear yard area and cannot be more than one third of the lot width. The structure cannot be more than 12 feet in height where located within the rear yard setback. As designed, the proposed 12 foot tall garage would maintain a minimum five foot setback from the northern property line, would be 20 feet in width and would take up 333 square feet of the total 1,500 square foot rear yard area or 22% and is, therefore, in compliance with the specific development regulations of the municipal code.

The remainder of the proposed residence would be located entirely within the buildable area of the lot. The only projection into the required setback at the ground level would be proposed lightwells in order to provide emergency egress to and from the proposed subterranean basement. The lightwells are allowed to encroach into the required setback a maximum of three feet, however, they are required to be covered with a grate that is capable of supporting the weight of a 250lb person that can be opened by someone of minimal strength with no special knowledge, effort or use of key or tool.

Roof eaves along the southern, northern, and eastern sides of the second floor and the eastern side of the second floor roof would encroach a maximum of two feet into the setback areas, pursuant to SBMC Section 17.20.030(D)(4). The residence would be setback 20 feet from the southern (front) property line, 5 feet from the eastern and western side property lines, and 25 feet from the northern (rear) property line. A spa is proposed within the rear yard setback toward the northwest corner of the lot and a water feature and fire pit are proposed on a patio within the front yard setback.

The Applicants are proposing a 1,702 square-foot subterranean basement consisting of three bedrooms, two bathrooms and a den. The 1,714 square foot main floor would consist of the kitchen, living room, dining room, laundry room, one bathroom and one bedroom. The proposed two car garage would be attached to the main floor. The 696 square feet second floor would consist of a master suite with two attached decks, one toward the southeast corner of the master bedroom and one toward the northeast side of the second floor. 225 square feet of the second floor volume is area that is open to the main floor below and has a ceiling height of 15 feet or greater so this area is counted twice towards the calculation of floor area.

The proposed project, as designed, meets the minimum required setbacks and is below the maximum allowable floor area for the property.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. Trees and other large plantings shall not obstruct significant views when installed or at maturity.*

The project is subject to the current water efficient landscaping regulations of SBMC Chapter 17.56. A Landscape Documentation Package is required for new development projects with an aggregate landscape equal to or greater than 500 square feet requiring a building permit, plan check or development review. The Applicants provided a conceptual landscape plan that has been reviewed by the City's third-party landscape architect who has recommended approval of the conceptual landscape plan. The Applicants will be required to submit detailed construction landscape drawings that will be reviewed by the City's third-party landscape architect for conformance with the conceptual plan. In addition, the City's third-party landscape architect will perform inspections during the construction phase of the project. A separate condition has been added to require that native or drought-tolerant and non-invasive plant materials and water-conserving irrigation systems are required to be incorporated into the landscaping to the extent feasible.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing*

topography, by the placement of buildings and structures, or by landscaping and plantings.

Because the lot is adjacent to an alley, the attached garage can encroach into the required rear yards setback subject to the specific development regulations of SBMC Section 17.20.020(C)(3). The SBMC and the Off-Street Parking Design Manual (OSPDM) require two (2) parking spaces for a single-family residence. The Applicants are proposing to construct an attached, two-car garage in the southeastern corner of the buildable area that would be accessed by the alley at the northeast corner of the lot. Pedestrian access would be provided by a staircase off of Ocean Street. Any drop from a walkable area of more than 30 inches would require a 42 inch handrail pursuant to the California Building Code. Retaining walls and walking surfaces are proposed in the front yard setback at 30 inches and would not require railings. However, the proposed stairway (more than three steps) in the public right of way would need a railing on one side of the staircase.

SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the floor area calculation. The proposed garage will provide the two required parking spaces, therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The total grading quantity for the project includes 915 cubic yards of cut, 80 cubic yards of fill and 835 cubic yards of export. A majority of the proposed grading (850 cubic yards of cut and export) is required in order to construct the proposed basement toward the center of the lot. The remaining 65 cubic yards of cut and 80 cubic yards of fill are proposed in order to perform the proposed lot improvements including the retaining walls on the southern property line and the flat patios in the front and rear yards.

- f. *Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

A condition of project approval is that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. *Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of the construction of a new single-family residence with an attached garage on a residential lot, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

- III. *All required permits and approvals including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.*

All required permits, including a Structure Development Permit, are being processed concurrently with the Development Review Permit.

- IV. *If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicants obtaining the required permit or approval from the other agency.*

The Applicants are required to obtain approval from the California Coastal Commission prior to issuance of Building Permits.

4. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicants shall provide for and adhere to the following conditions:

- A. Community Development Department Conditions:

- I. The Applicants shall pay required Public Facilities Fees, as established by SBMC Section 17.72.020 and Resolution 1987-36.
 - II. Building Permit plans must be in substantial conformance with the architectural plans presented to the City Council on May 10, 2017, and located in the project file with a submittal date of March 9, 2017.
 - III. Prior to requesting a framing inspection, the Applicants shall submit a height certification, signed by a licensed land surveyor, certifying that the building envelope (which is represented by the story poles) is in conformance with the plans as approved by the City Council on May 10, 2017 and the certified story pole plot plan, and will not exceed 22.90 feet in height from the proposed grade or 106.53 feet above MSL.
 - IV. Any proposed onsite fences, walls and retaining walls and any proposed railing located on top, or any combination thereof, shall comply with applicable regulations of SBMC Section 17.20.040 and 17.60.070 (Fences and Walls).
 - V. The Applicants shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a grading or building permit.
 - VI. The Applicants shall provide a full Landscape Documentation Package in compliance with SBMC Chapter 17.56 prior to building permit issuance, which will be reviewed and inspected by the City's third party landscape professional.
 - VII. Native or drought tolerant and non-invasive plant materials and water conserving irrigation systems shall be incorporated into any proposed landscaping and compatible with the surrounding area to the extent feasible.
 - VIII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
 - IX. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.
- B. Fire Department Conditions:
- I. **OBSTRUCTION OF ROADWAYS DURING CONSTRUCTION:** All roadways shall be a minimum of 24 feet in width during construction

and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Fire Department.

- II. ADDRESS NUMBERS: STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a ½" inch stroke width for residential buildings, 8" high with a ½" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers.
- III. AUTOMATIC FIRE SPRINKLER SYSTEM: ONE AND TWO FAMILY DWELLINGS: Structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the Fire Department. Plans for the automatic fire sprinkler system shall be approved by the Fire Department prior to installation.
- IV. SMOKE DETECTORS/CARBON MONOXIDE ALARMS/FIRE SPRINKLER SYSTEMS: Smoke detectors/carbon monoxide alarms/fire sprinklers shall be inspected by the Solana Beach Fire Department.
- V. CLASS "A" ROOF: All structures shall be provided with a Class "A" Roof covering to the satisfaction of the Solana Beach Fire Department.
- VI. BASEMENT: All basements shall be designed and equipped with emergency exit systems consisting of operable windows, window wells or exit doors that lead directly outside via staircase and exit door or exit door at grade.

Window wells/Light wells that intrude into side yard or backyard setbacks of five feet or less, shall require a hinged grating covering the window well/lightwell opening. The grating shall be capable of supporting a weight of 250lb person; yet must be able to be opened by someone of minimal strength with no special knowledge, effort or use of key or tool. Any modification of previously approved plans related to this condition shall be subject to re-submittal and review by City staff (Fire, Building, Planning).

C. Engineering Department Conditions:

- I. Obtain an Encroachment Permit in accordance with Chapter 11.20 of the SBMC, prior to the construction of any improvements within the

public right of way including, but not limited to, the demolition and construction of surface improvements. All proposed improvements within the public right of way shall comply with City standards including but not limited to the Off-Street Parking Design Manual. Improvements shall include the demolition and removal of the existing retaining walls and stairs, as well as the construction of the proposed concrete stairs and slope as shown on the preliminary grading plan prepared by Pasco, Laret, Suiter and Associates, dated 6-15-16.

- II. All construction demolition materials shall be recycled according to the City's construction and demolition recycling program and an approved Waste Management Plan shall be submitted.
- III. All new utility services shall be installed underground.
- IV. The Applicants shall record an Encroachment Maintenance Removal Agreement (EMRA) for private improvements in the public right of way such as the concrete stairs, wing walls and landscaped slope form the back of the existing sidewalk to the property line.
- V. Obtain a Grading Permit in accordance with Chapter 15.40 of the SBMC. Conditions prior to the issuance of a grading permit shall include, but not be limited to, the following:
 - a. The Grading Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer. On-site grading design and construction shall be in accordance with Chapter 15.40 of the SBMC.
 - b. A Soils Report shall be prepared by a Registered Soils Engineer and approved by the City Engineer. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. The Grading Plan shall incorporate all recommendations contained in the Soils Report.
 - c. The Grading Plan shall incorporate all recommendations of the Hydrology Report prepared by Pasco, Laret, Suiter, and Associates, dated June 15, 2016, to the satisfaction of the City Engineer.
 - d. The Hydrology Report includes a 4000 gallon storage tank at the southwest quadrant of the property. An easement shall be recorded for maintenance of the storage tank by the property owner(s) in perpetuity, prior to the occupancy of this project.
 - e. All retaining walls and drainage structures shall be shown. Retaining walls shown on the grading plan shall conform to the

San Diego Regional Standards or be designed by a licensed civil engineer. Engineering calculations for all designed walls with a surcharge and nonstandard walls shall be submitted at grading plan check. Retaining walls may not exceed the allowable height within the property line setback as determined by the SBMC.

- f. The Applicants are responsible to protect the adjacent properties during construction. If any grading or other types of construction are anticipated beyond the property lines, the Applicants shall obtain a written permission from the adjoining property owners for incidental grading or construction that may occur and submit the letter to the City Engineer prior to the anticipated work.
- g. Pay grading plan check fee in accordance with the current Engineering Fee Schedule at initial grading plan submittal. Inspection fees shall be paid prior to issuance of the grading permit.
- h. Obtain and submit grading security in a form prescribed by the City Engineer.
- i. Obtain a haul permit for import/export of soil. The Applicants shall transport all excavated material to a legal disposal site.
- j. Submit certification from the Engineer of Record and the Soils Engineer that all public or private drainage facilities and finished grades are functioning and are installed in accordance with the approved plans. This shall be accomplished by the Engineer of Record incorporating as-built conditions on the Mylar Grading plans and obtaining signatures of the Engineer of Record and the Soils Engineer certifying the as-built conditions.
- k. An Erosion Prevention and Sediment Control Plan shall be prepared. Best Management Practices shall be developed and implemented to manage storm water and non-storm water discharges from the site at all times during excavation and grading activities. Erosion preventions shall be emphasized as the most important measure for keeping sediment on site during excavation and grading activities. Sediment controls shall be used as a supplement to erosion prevention for keeping sediment on site.
- l. Show all proposed on-site private drainage facilities intended to discharge water run-off. Elements of this design shall include a hydrologic and hydraulic analysis verifying the adequacy of the facilities and identify any easements or

structures required to properly convey the drainage. The construction of drainage structures shall comply with the standards set forth by the San Diego Regional Standard Drawings.

- m. Post Construction Best Management Practices meeting City and RWQCB Order No. R9-2013-001 requirements shall be implemented in the drainage design.
- n. No increased cross lot drainage shall be allowed.

5. ENFORCEMENT

Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.

6. EXPIRATION

The Development Review Permit and Structure Development Permit for the project will expire 24 months from the date of this Resolution, unless the Applicants have obtained building permits and have commenced construction prior to that date, and diligently pursued construction to completion. An extension of the application may be granted by the City Council according to SBMC 17.72.110.

7. INDEMNIFICATION AGREEMENT

The Applicants shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicants of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicants shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicants regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicants shall not be required to pay or perform any settlement unless such settlement is approved by the Applicants.

NOTICE TO APPLICANTS: Pursuant to Government Code Section 66020, you are

hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10th day of May, 2017, by the following vote:

- AYES: Councilmembers –
- NOES: Councilmembers –
- ABSENT: Councilmembers –
- ABSTAIN: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

CITY OF SOLANA BEACH
AGENDA

**VIEW ASSESSMENT COMMISSION
(REGULAR MEETING)**
Solana Beach City Council Chambers
635 South Highway 101, Solana Beach, CA 92075
Tuesday, February 21, 2017 - 6:00 P.M.

1. CALL TO ORDER and ROLL CALL

2. APPROVAL OF AGENDA

3. ELECTION OF OFFICERS

A. Annual Election of Chair and Vice-Chair (SBMC §2.60.005)

4. APPROVAL OF MINUTES

A. November 15, 2016

5. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

This portion of the agenda provides an opportunity for members of the public to address the VAC on items not appearing on the agenda.

Note: Speaker time limits for presenting a view project.

- Applicant, including representatives: total of 15 minutes
- Appellant, including representatives: total of 15 minutes
- Applicant, response to any new info: total of 5 minutes

6. DRP/SDP 17-16-10 Jackel Residence- 216 Ocean Street, Solana Beach, CA 92075

Applicant Information:

Name: Larry and Audrey Jackel
Address: 216 Ocean Street
Phone Number: [REDACTED]

Applicant's Representative:

Name: Stephen Dalton Architects
Phone Number: [REDACTED]

Claimant Information:

Name: Joseph Heilig and Lorraine Pillus
Address: 222 Ocean Street, Solana Beach
Phone Number: [REDACTED]

Name: Jorge Valdes and Suzanne Lopez-Calleja
Address: 615 E. Circle Drive, Solana Beach
Phone Number: [REDACTED]

Name: Frank and Michelle Stribling
Address: 212 Ocean Street, Solana Beach
Phone Number: [REDACTED]

Description of Project:

The Applicant is requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish the existing residence and construct a new multi-level, single-family residence. The existing 5,817 square foot lot is located within the Medium Residential (MR) Zone and the Scaled Residential Overlay Zone (SROZ). The project would include grading in the amounts of 915 yd³ of cut, 80 yd³ of fill, and 835 yd³ of soil to be exported off-site. The following is a breakdown of the proposed square footage:

Proposed Basement:	1,702 SF
Proposed Main Floor:	1,714 SF
Proposed Main Floor Garage:	494 SF
Proposed Upper Floor:	674 SF
<u>Proposed Phantom Space:</u>	<u>+ 225 SF</u>
Total Gross Square Footage:	4,809 SF

The tallest point of the new residence is proposed at 25 feet above the proposed grade with the highest pole at 109.04 ft. above MSL. The project requires a DRP for grading in excess of 100 yd³ (aggregate), for a structure that exceeds 60% of the maximum allowable FAR and for a second floor that exceeds 40% of the proposed main floor, floor area. A SDP is required for a square footage addition in excess of 16 feet in height.

7. **VAC Member Comments / Discussion** (10 minutes total)
8. **Staff Comments / Discussion** (10 minute total)
9. **ADJOURNMENT**

AGENDA ITEM 4

November 15, 2016 Meeting Minutes

CITY OF SOLANA BEACH
View Assessment Commission Action Minutes
Tuesday, November 15, 2016 - 6:00PM Regular Mtg.
Solana Beach City Hall Council Chambers
635 South Highway 101, Solana Beach, CA 92075

Minutes contain a summary of the discussions and actions taken by the View Assessment Commission during a meeting. View Assessment meetings are audio recorded. The audio recordings capture the complete proceedings of the meeting and are available for review.

1. CALL TO ORDER and ROLL CALL

Chairman Pasko called the View Assessment Commission Meeting to order at 6:00PM on Tuesday, November 15, 2016 in the Council Chambers at 635 South Highway 101, Solana Beach.

Present: VAC Members: Dean Pasko, Jack Hegenauer, Gary Garber, Pat Coad, Molly Fleming and Paul Bishop

Staff Members: Corey Andrews, Principal Planner, Randall Sjoblom, City Attorney, Mikki Eggum, Administrative Assistant

Absent: Jewel Edson

2. APPROVAL OF AGENDA

Chairman Pasko opened the motion to approve the agenda. The motion was made by Pat Coad and seconded by Molly Fleming. Motion passed 6/0/1 (Edson absent)

3. APPROVAL OF MINUTES

Chairman Pasko asked if anyone had any corrections to the September 20, 2016 minutes. There were no changes. Motion to approve the minutes was made by Pat Coad and seconded by Paul Bishop. Motion passed 6/0/1 (Edson absent)

4. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

Chairman Pasko opened this portion of the agenda which provides an opportunity for members of the public to address the VAC on items not appearing on the agenda. There were no comments.

Jewel Edson arrived at 6:04 PM.

5. DRP/SDP 17-16-07 Brinner-Novak- 246 Barbara Avenue, Solana Beach, CA 92075
(continued from September 20, 2016 meeting)

Applicant Information:

Name: Kristin Brinner and Chris Novak
Address: 246 Barbara Avenue

Claimant Information:

Name: Paul Dinsmoor
Address: 221 N. Granados Avenue

Name: John Freis
Address: 217 N. Granados Avenue

Name: Kade and Shirley Glaubitz
Address: 213 N. Granados Avenue

Name: Randy and Mona Howell
Address: 215 N. Granados Avenue

Description of Project:

The Applicants have redesigned the project to reduce the size of the second story living area, remove the originally proposed roof deck and lower the maximum height of the roof. The proposed revisions are within the original three-dimensional envelope of the story poles, therefore, they do not require an additional 30-day public notice period. Revisions to the heights and square footages are shown below in strike out and underline. They are also illustrated by revised story poles onsite and the attached project plans.

The Applicants are requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish the existing residence and construct a new two-story, single-family residence. The existing 4,449 square foot lot is located within the Medium High Residential (MHR) Zone. The project would include grading in the amounts of 105 yd³ of cut, 21 yd³ of fill, and 84 yd³ of soil to be exported off-site. The following is a breakdown of the proposed square footage:

Proposed Main Floor:	1,445 square feet
Proposed Second Floor :	4,329 <u>1,079</u> square feet
Total Gross SF:	2,774 <u>2,524</u> square feet

The maximum height of the new residence is proposed at ~~24.67~~ 22.40 feet above the proposed grade with the highest pole at ~~426.00~~ 123.40 feet above MSL.

Corey Andrews, Principal Planner, noted that there was a request for additional time for the Applicant's rebuttal. The Commission agreed to give 3 minutes per Claimant for the Applicants rebuttal for a total of twelve minutes.

Corey Andrews, Principal Planner, gave a PowerPoint presentation, a copy of which will be included in the project file, and described the modifications to the project.

Commissioners had questions regarding heights of the story poles, new heights as opposed to the original heights, what the total height reduction was from the original plans and also requested to review some of the slides. Corey addressed all questions.

Tyler Buffet, designer for the Applicant, passed out a packet of proposed modifications, described these modifications made to the original proposal and gave a PowerPoint presentation. A copy of the packet and PowerPoint will be added to the project file.

Commissioners had questions for Mr. Buffet asking to clarify what they are removing, buildable lot width, carport and driveway covered by second floor.

Paul Dinsmoor, Claimant at 221 N. Granados, passed out a packet of photos to the Commissioners, a copy of which will be added to the file, and described his concerns with the project stating the revisions did nothing to preserve his views.

Commissioners had questions for Mr. Dinsmoor regarding the story poles.

John Freis, Claimant at 217 N. Granados, described his concerns with the projects redesign.

Shirley Glaubitz, Claimant at 211 & 213 N. Granados were out of town and unable to attend the meeting.

Randy Howell, Claimant at 215 N. Granados described the concerns he has with the proposed revised

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design.

Kristin Brinner, Applicant, addressed issues that the Claimants had concerns with.

Commissioners had a discussion with the Applicants regarding the new design.

Chairman Pasko closed the public hearing and VAC Members began describing their findings regarding the project as follows:

Dinsmoor 221 N. Granados		Bishop	Coad	Edson	Fleming	Hegenauer	Garber	Pasko
Date Visited	Applicant							
	Claimant	11/12	11/13	11/13	11/11	11/14	11/11	11/14
Primary Viewing Area for Claimant		Living room	Living room	Living room	Living room	Living room	Living room	Living room
#1. Communication Taken Place		Y	Y	Y	Y	Y	Y	Y
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	Y
#3. Designed to Minimize View Impairment		N	N	N	N	N	N	N
#4. No Cumulative View Impairment		Y	Y	Y	Y	Y	Y	Y
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	Y

Freis 217 N. Granados		Bishop	Coad	Edson	Fleming	Hegenauer	Garber	Pasko
Date Visited	Applicant							
	Claimant	11/14	11/14	11/14	11/11	11/14	11/11	11/14
Primary Viewing Area for Claimant		Office Deck	Livingrm Deck	Study Deck	Office	Deck	Living room	Deck Livingrm
#1. Communication Taken Place		Y	Y	Y	Y	Y	Y	Y
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	Y
#3. Designed to Minimize View Impairment		Y	Y	Y	Y	N	Y	Y
#4. No Cumulative View Impairment		Y	Y	Y	Y	Y	Y	Y
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	Y

Glaubitz 213 N. Granados		Bishop	Coad	Edson	Fleming	Hegenauer	Garber	Pasko
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Date Visited	Applicant							
	Claimant	11/14	11/14	11/13& 11/14	11/11	11/14	11/15	11/14
Primary Viewing Area for Claimant		Kitchen Deck	Kitchen Deck	Kitchen Deck	Deck	Deck	Deck	Kitchen Deck
#1. Communication Taken Place		Y	Y	Y	Y	Y	Y	Y
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	Y
#3. Designed to Minimize View Impairment		Y	Y	Y	Y	Y	Y	Y
#4. No Cumulative View Impairment		Y	Y	Y	Y	Y	Y	Y
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	Y

Howell 215 N. Granados		Bishop	Coad	Edson	Fleming	Hegenauer	Garber	Pasko
Date Visited	Applicant							
	Claimant	11/14	11/14	11/13& 11/14	11/11	11/14	11/11	11/14
Primary Viewing Area for Claimant		Bedroom	Deck Bedroom	Livingrm Deck	Bedroom Deck	Deck	Deck	Deck Office
#1. Communication Taken Place		Y	Y	Y	Y	Y	Y	Y
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	Y
#3. Designed to Minimize View Impairment		N	N	N	N	N	Y	Y
#4. No Cumulative View Impairment		Y	Y	Y	Y	Y	Y	Y
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	Y

Chairman Pasko asked the applicant if they are willing to redesign, and they agreed. Jewel Edson made a motion to continue the project for redesign, no more continuances will be granted, seconded by Jack Hegenauer. Motion passed 6/1 (Garber – No).

6. VAC MEMBER COMMENTS / DISCUSSION

Commissioners and Staff had discussion regarding going paperless with plans, agenda and minutes. They also discussed email attachments.

7. STAFF COMMENTS / DISCUSSION

Randall Sjoblom, City Attorney, spoke on the issue of Commissioners disclosures and when they would be required to disclose conversations outside of the meetings. Discussion between Staff and Commissioners ensued regarding this issue.

VAC Minutes
Tuesday, November 15, 2016
Page No. 5

8. ADJOURNMENT

Chairman Pasko declared the meeting adjourned at 8:10PM.

Minutes as approved by V.A.C. on _____

Respectfully submitted,

Mikki Eggum, Administrative Assistant

Corey Andrews, Principal Planner, VAC Staff Liaison

AGENDA ITEM 6

Case #: 17-16-10 DRP/SDP

Jackel Residence

Project Address: 216 Ocean Street



CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH • CALIFORNIA 92075 • (858) 720-2400 • FAX (858) 755-1782
Planning & Community Dev Dept
City of Solana Beach

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NOV - 2 2016

STORY POLE HEIGHT CERTIFICATION

Date: OCTOBER 24, 2016

Assessor's Parcel No.: 263-072-10

Site Address: 216 OCEAN ST.

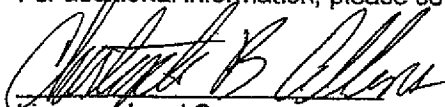
Owner's Name: JACKEL

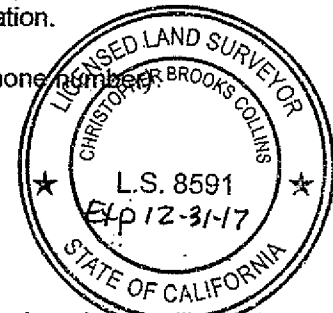
This is to certify that on OCTOBER 24, 2016 the story poles located on the above referenced site were surveyed by the undersigned, and found to be in conformance with the attached story pole plot plan. In addition, the following measurements were found:

	<u>HIGHEST POINT</u>	<u>TALLEST POINT</u>
Highest point of the story poles:	#21 <u>109.04'</u> (M.S.L.)*	<u>108.62'</u>
Pre-existing grade:	#21 ON (E) ROOF <u>84.28 +/-</u> (M.S.L.)*	<u>83.62'</u> #20
Finished grade elevation:	<u>84.11'</u> (M.S.L.)*	<u>84.11'</u>
Finished floor elevation:	<u>—</u> (M.S.L.)*	<u>—</u>
TOTAL MAXIMUM HEIGHT:	<u>24.93'</u>	<u>25.00'</u>

PLEASE NOTE: The story poles must show and include the total height must include roofing materials. At framing inspection, a **Height Certification** will be required which must be in exact conformance with the maximum height shown on Story Pole Height Certification.

For additional information, please contact me at 760-224-7653 (phone number)


Licensed Land Surveyor



Seal of Registration:

*Mean Sea Level (MSL) — all measurements must utilize an established benchmark that will not change over the course of the project. SEE S.P.H.T CERT DATED MAY 13, 2016. NO CHANGE.

C-Story Poles, Inc.

Chris Collins

1399 Ranch Road • Encinitas CA 92024
 Cell (760) 224-7653 (pole) • FAX (760) 434-7653

NAME: JACKEL

SITE: 216 OCEAN ST

DATE 10-20-16 W.D. 16-1ZZAR T.C.C. IDW/TG

B.S. PT.	T. PT.	E.S. PT.	POINT ELEV.	PLAN ELEV.	C/F LENGTH	DESCRIPTION
		1	95 ³⁵	98 ⁰³	F- 2 ⁶⁸	ROOF
	*	2	95 ⁴⁰	99 ⁹⁵	F. 4 ⁵⁵	UPR ROOF
		-	-	98 ⁰³	F- 2 ⁶³	LWR -
		3	83 ⁸⁵	99 ⁴⁵	F- 15 ⁶⁰	T
		4	84 ¹⁷	99 ⁴⁵	F. 15 ²⁸	T
		5	83 ⁷⁷	99 ⁴⁵	F- 15 ⁶⁸	STK @ EAVE
	*	6	83 ⁷⁴	107 ⁵³	F- 23 ⁷⁹	UPR STK @ EAVE
		-	-	99 ⁴⁵	F. 15 ⁷¹	LWR -
		7	94 ⁷²	106 ⁰³	F. 11 ³¹	ROOF
		8	94 ⁴⁵	106 ⁰³	F. 11 ⁵⁸	ROOF
		9	96 ⁶⁸	105 ⁵³	F. 8 ⁸⁵	ROOF
		10	96 ³⁹	105 ⁵³	F. 9 ¹⁴	ROOF
		11	96 ³⁹	105 ⁵³	F. 9 ¹⁴	ROOF
		12	94 ⁸⁴	98 ⁰³	F. 3 ¹⁹	ROOF
		13	93 ⁵³	98 ⁰³	F. 4 ⁵⁰	ROOF
		14	93 ⁵³	98 ⁰³	F. 4 ⁵⁰	ROOF
		15	95 ⁹³	98 ⁰³	F. 2 ¹⁰	ROOF
		16	83 ¹⁵	96¹¹ ^{95¹¹}	F- 12⁹⁶ ^{11⁹⁶}	(B)
		17	83 ⁴⁰	96¹¹ ^{95¹¹}	F- 12⁷¹ ^{11⁷¹}	T
	*	18	84 ⁰²	99 ⁴⁵	F. 15 ⁴³	UPR STK @ PALM
		-	-	96¹¹ ^{95¹¹}	F- 12⁰⁹ ^{11⁰⁹}	LWR -
	*	19	83 ⁷⁸	107 ⁵³	F- 23 ⁷⁵	UPR T
		-	-	99 ⁴⁵	F- 15 ⁶⁷	LWR
CONT'D PG 2 OF 2						

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DEC 22 2016

APPLICATION FOR VIEW ASSESSMENT
(Structure Development Permit)

Planning-Comm Dev Dept
City of Solana Beach

- Address of property for which the structure development permit has been requested:
216 Ocean Street
- Name, address and telephone number of individual filing this Application for Assessment:
Joseph Heilig and Lorraine Pillus
jsheilig@cox.net
958 344-3048
- Description of the viewing area as defined in Solana Beach Zoning Ordinance, Section 17.63.020(I) and extent of impairment: Upper level, primary living area
- Identify the portion of the proposed structure which is the most objectionable and suggestions to minimize the view impairment: Height and placement of top floor and roof deck, which impose on views and privacy.
Suggest eliminating, or lowering roof deck, lowering overall height of structure, and moving top story to north to reduce imposition on views. Remove windows and decks that look directly into our home.
- Description of the Applicant for Assessment's attempt(s) to resolve this issue with the owner/representative of the property for which a Structure Development Permit has been requested (attach all written correspondence exchanged between all involved parties): Several text messages and face-to-face conversations.

Joseph Heilig Lorraine Pillus
Signature of Applicant for Assessment

Date Submitted

STAFF USE ONLY: Application for Assessment fee paid?
If no written documentation of all contacts between applicant for assessment and property owner is submitted with this application, applicant informed that such documentation is needed immediately?

YES
YES

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DEC 22 2016

Planning-Comm Dev Dept
City of Solana Beach

APPLICATION FOR VIEW ASSESSMENT
(Structure Development Permit)

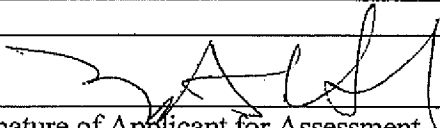
1. Address of property for which the structure development permit has been requested:
216 Ocean St., Solana Beach, Ca. 92075

2. Name, address and telephone number of individual filing this Application for Assessment:
Jorge Valdes & Suzanne Lopez-Calleja
615 E. Circle Dr, Solana Beach, Ca 92075
858-252-8224 (Jorge) ~~JORGEV@ATT.NET~~
to JORGEV3333@att.NET

3. Description of the viewing area as defined in Solana Beach Zoning Ordinance, Section 17.63.020(I) and extent of impairment: Our viewing area is our roof top viewing deck. We have a view of La Jolla, including a blue water view of the ocean at La Jolla Shores, and La Jolla Cove. Also our view includes downtown La Jolla and Mount Soledad. The proposed structure blocks all of our view of La Jolla.

4. Identify the portion of the proposed structure which is the most objectionable and suggestions to minimize the view impairment: The third floor roof deck and the roof of the second floor block our view of La Jolla. The view blockage can be minimized by eliminating the third floor roof deck and lowering the height of the roof at the second floor.

5. Description of the Applicant for Assessment's attempt(s) to resolve this issue with the owner/representative of the property for which a Structure Development Permit has been requested (attach all written correspondence exchanged between all involved parties): Exchanged emails with developer and met with developer. Developer has refused to resolve the view blockage. Developer apologized and said to me that I should have expected my southern view to be blocked by future development.


Signature of Applicant for Assessment

12-22-16
Date Submitted

STAFF USE ONLY: Application for Assessment fee paid?

YES

If no written documentation of all contacts between applicant for assessment and property owner is submitted with this application, applicant informed that such documentation is needed immediately?

YES

DEC 22 2016

RECEIVED

APPLICATION FOR VIEW ASSESSMENT
(Structure Development Permit)

1. Address of property for which the structure development permit has been requested:

216 Ocean Street Solana Beach
Ca 92075

2. Name, address and telephone number of individual filing this Application for Assessment:

Frank Stribling & Michele Stribling
212 Ocean St. Solana Beach, CA 92075
mstrib1@yahoo.com

3. Description of the viewing area as defined in Solana Beach Zoning Ordinance, Section 17.63.020(9) (see also Ordinance 201) and extent of impairment:

See Attached addendum

4. Identify the portion of the proposed structure which is the most objectionable and suggestions to minimize the view impairment:

See Attached addendum

5. Description of the Applicant for Assessment's attempt(s) to resolve this issue with the owner/representative of the property for which a Structure Development Permit has been requested (attach all written correspondence exchanged between all involved parties):

See attached addendum

Michele Stribling
Signature of Applicant for Assessment

12/22/16
Date Submitted

STAFF USE ONLY: Application for Assessment fee paid?

\$ 600.00

If no written documentation of all contacts between applicant for assessment and property owner is submitted with this application, applicant informed that such documentation needed immediately?

ADDENDUM TO APPLICATION FOR VIEW ASSESSMENT

(STRUCTURE DEVELOPMENT PERMIT)

DATE: DECEMBER 22, 2016

3. DESCRIPTION OF VIEWING AREA:

The primary viewing area is our roof deck. We have a limited whitewater ocean view and considerable blue water ocean view. All of our whitewater ocean view will be blocked by this proposed structure. In addition, our blue water ocean view will be blocked by the southerly portion of the proposed structure, including our best and highest quality blue water ocean view. The developer will have a wide ocean view from their proposed second floor rooms and viewing decks, but they will block our limited whitewater view and our blue water ocean view, including all of our best quality blue water ocean view. The developer is placing their view above our view. The developer's proposed design does not minimize view impairment and therefore violates the View Ordinance.

4. THE PORTION OF THE PROPOSED STRUCTURE THAT IS MOST OBJECTIONABLE:

The southerly portion of the proposed structure is most objectionable. The southerly portion of the proposed second floor should be eliminated. The southerly portion of the second floor deck and the roof overhang of the second floor which projects over the southerly second floor deck block our whitewater and blue water ocean views. Also, if the second floor deck is eliminated, the proposed roof for the first floor on the south side of the proposed house will also block both our whitewater and blue water ocean views. The view blockage can be minimized by removing the second floor deck and the roof overhang on the south side of the proposed structure and by lowering the height of the proposed roof of the first floor on the south side of the proposed structure.

5. APPLICANT FOR VIEW ASSESSMENT'S ATTEMPT TO RESOLVE THIS ISSUE:

We have had four meetings with the developer, including one meeting with the developer and the developer's architectural team. Also, we have had many other communications with the developer. As of this date the developer has not agreed to remedy the view blockage caused by the proposed structure.

AGENDA ITEM 6

Information from Applicants:

Larry and Audrey Jackel
216 Ocean Street

January 31, 2017

View Assessment Committee:

We are sending this note as an introduction to the agenda item for the February 21st meeting regarding the Jackel House at 216 Ocean Street.

Upon purchasing this property in January of 2016, we were informed of the previous owners (Sawtooth Development) experience in dealing with the neighbors in their attempts to build a new house on this site. It was explained to us that the Sawtooth folks had not approached the situation properly by not having communication with the neighbors surrounding their house, and therefore were not appreciated by the VAC, or the neighbors themselves. Further, we understand that Sawtooth was believed to be only a developer with a plan to sell the house upon its completion and not a future resident.

When discussing our plan to build our house, we were encouraged by numerous SB residents, who explained to us that we should plan to "play the game in Solana Beach" by, upon close of escrow, immediately planting obnoxious landscape to block our neighbors views, and then plan an obtrusive house, so we could eventually compromise by removing our landscape and reducing the shape and size of our house.

With all of this in mind, we spent a great deal of time committing to memory the Solana Beach toolkit, and listening to the VAC meeting from August 2015, specifically regarding the Sawtooth Development's fight with these same neighbors. Rather than taking the resident's suggestions of over-planning and over-planting, we chose to listen to the suggestions to Sawtooth, made by the VAC at that time, and in planning our house we specifically used the Sawtooth house as the base, and followed each and every recommendation to correct the plan created by that Developer. Our goal was to create a house that would meet all legal guidelines and requirements (which ours does), and also appease neighbors and the VAC, so that we would be able to avoid spending time and money to fight a battle that could be avoided if our neighbors were reasonable and willing to share. This VAC meeting for us, with our revised plan, is simply what the Sawtooth folks could have done to respond and make everyone happy if they wanted this to be their home, like it will be for my family.

We have tried exhaustively to befriend our neighbors and communicate about our intentions, but each one has been very rigid in their beliefs and unwillingness to share. As you will see, in case we had to deal with disgruntled neighbors, we documented each and every conversation over the past year of our ownership. Attached you will find each discussion we have had with our neighbors regarding our proposed house. Our family believes that we have done everything in our power to appease our neighbors in an attempt to work with them, but it's very clear that they do not wish to have a house built on this site that affords us the same benefits of house size, stories, roof decks, and views that each of them enjoy.

We look forward to discussing further on February 21st and thank you for your consideration.

Respectfully,

Larry and Audrey Jackel and Family

216 Ocean Street - Solana Beach, CA - VAC - Neighbor Communication

Neighbor Opposition			
<p>Joe Heilig & Lorraine Pillus - Bought house in 1998. October of 2005, Joe received Coastal Commission permit to build 1,604 sf on top of his 2,451 sf house on 6,614 sf lot</p>	222 Ocean (West)	858-349-3048	jsheilig@cox.net
<p>Previous VAC - Their complaint was that the Sawtooth house was too close to theirs and that it blocked their Eastern view and the light into their second floor family room. This comes on the tails of fighting the two people in front of them to the West, changing their main view during each of the two other fights to make the neighbors adjust to satisfy them in order to protect their Ocean view. Now they are again claiming the Eastern view. We have moved our house North 16 feet from the previous plan, and moved our second floor 22 feet away from their house, but in addition to their Western view, they don't want any of their other views blocked either.</p>			
Date of Communication			
2/17/2016	Left message for Joe Heilig and Lorraine		
3/10/2016 -3/12/2016	I contacted Joe Heilig to ask what he thinks of the Storey poles. He said in a text message "Larry, thanks for contacting us. Although the poles don't indicate the walls and roof, presuming them to extend from the planes defined, trellis or otherwise, they will eliminate most of our views of the hills."		
5/19/2016	Sent text to Joe Heilig asking if he's had a chance to take a look at our storey poles since they are up, and if he is starting to feel more comfortable with what we have planned, and maybe he won't need to oppose our plans. Have not heard back.		
5/21/2016	Received a note from Joe with the following "Larry, it's not a matter of "need to oppose" your plans. Our concern is being able to live comfortably in our home. In that regard, maintaining the existing view is important."		
5/24/2016	I sent a response to Joe's message. Thanks Joe. I appreciate the response. "Only thing is that I thought we have done a pretty darn nice job of staying away from your living room window. We don't have a chimney near you, we have backed up 16 feet from the previous plan, and all you have near your house is a couple of poles on our deck. We completely preserved your view to the Southeast and really even to the East as much as possible. There isn't even a wall near you. And trust me, the only thing upstairs is my master bedroom and my decks that allow me to get a little view. I've moved my house back so that I don't even see the ocean from any of my rooms. And trust me that the only wall I have is used to ensure that you don't see into my bedroom. I'm accomodating that. Short of me not building a second story, what else can I possibly do to make you guys happy? Please help me make this easy. Thanks.		
6/16/2016	Joe is no longer communicating or responding to us. I guess he wants to fight for whatever the VAC will give him and has offered no alternatives other than not building a second story.		
6/20/2016	Today we had a drone fly over the property to take pictures for the building plans. The High School students who did the work mentioned that the neighbor to the West (Joe) came out of his house and scolded them, telling them to stop taking pictures of his house.		

<p>12/3/2016</p>	<p>Today I saw Joe in his front yard so I went to have a chat. I asked him why he wants to fight about my house. He said he does not want to fight, but that he's not going to let me take his eastern view away. I explained that while I believe he has the most beautiful Ocean View I could ever imagine, I think we did a great job of backing off of the last plan, answering his concern by not having a wall close to his and by backing my house away from the street so that he can still maintain some of the view to the East and SouthEast. He said that he bought his property and improved his property so that he can have ALL of his views and that is what his property value is based on. I told him that I don't think he "owns" those views, and all I want to do is share the view with him. He says that my building a house does not share the view, rather that it TAKES his view away, and he is sick of people taking away HIS view. I asked if he really thought when he bought his single story house back in 1998 and was one of the first people to put up his second story in 2005 if he figured that no one else would ever build second stories on their houses. Joe explained to me that he owns his views and that I am completely wrong with my opinion. He said that he would never want to be in my position of taking away my the views that my neighbors own. I told Joe that if he loves his eastern view so much that I would be happy to trade houses with him. He said that maybe he will sell me his house one day because he won't live there forever. I told him I would be thrilled to own his house and would not fight anyone building anything on my lot because I would have such a magnificent Ocean view.</p>
<p>1/6/2017</p>	<p>I sent the following message to all three neighbors, in an attempt to ask them to set up a time where our architects can visit their house to better understand their concern: Hi there Neighbors, Please meet via email Steve and Briana from Dalton Architects. I'd like to see if you could please communicate with them to come up with a day and time next week where they might be able to visit your house. They would like take a look to see how you are suggesting that our plan will impact your view and privacy. Please respond as soon as possible. Steve and Briana have suggested that they can be available for a brief, 10 minute visit to your house at some point during the day between January 9th and January 13th. Thanks so much for your cooperation.</p>
<p>1/14/2017</p>	<p>No response to my previous message, but today I met outside with Joe. I asked Joe if he'd like for me to pay for him to have privacy glass installed in place of his windows in order to address his privacy concern. This would allow for two-way glass that does not allow anyone to see in his house, but he can see out just like now. He told me that I'm not going to change his house in any way. I told him that I don't understand his concern and asked if I could go to his second floor and see the view impairment and he said that I cannot go in his house. I told him that I will be glad to mention to the VAC that he won't let me or my Architect even see the impairment his is claiming, and that I'm sure they won't be happy to hear that he won't let us take a look. He said "No one is going to tell me who I have to invite into my house". So we left it at that.</p>

216 Ocean Street - Solana Beach, CA - VAC - Neighbor Communication

216 Ocean Street - Solana Beach, CA - VAC - Neighbor Communication				
Neighbor Opposition				
Jorge & Suzanne Valdes - bought house about 10 months before me. Moved in 5 months before us.	615 E. Circle (Back)	858-252-8224	jorgev3333@att.net	
<p>Previous VAC - Their complaint was that the house blocked the view out of their master bathroom to the South. It got thrown out by the committee because that was not actually found to be their main view by VAC members and because my trees block that view anyway. Now they are claiming the Roof Deck is their main view. The Roof deck has a 360 degree view and say I am blocking their view to La Jolla.</p>				
Date of Communication				
3/11/2016	<p>Connected via email with Jorge and Suzanne Valdes. Had very nice exchanges and sent them renderings of the house. They had questions about the ratio of upstairs to downstairs. In the last VAC they mentioned that the previous developer was using too large of a ratio, so I told them I know, and that's why I reduced it to 50% and they still seem to think they get to choose to shrink my 2nd floor. They mentioned their biggest problem is the lady in front of them, who won't cut her ficus trees down and give them an even better view.</p>			
5/15/2016	<p>Full set of Storey poles put up. I was at house working on some things and decided to go and see if I could catch Valdes at home. Finally met them and chatted. Hung out at their house for about 45 minutes. Really like them and they have done a very nice job on their house. Their view to the West and Northwest is spectacular from their bedroom and incredible, unobstructed 180 degrees to the West from their deck. They mentioned that we will block their view from their master bathroom window, to the South..... They wanted to know what our roof would look like and if they will be able to see through parts of our house. Otherwise we did not speak much about the build. Their complaint is that they cannot see out of their master bedroom bathroom, but we went up to their roof deck and I mentioned that the 360 degree view up there is amazing. They see from the whitewater in Cardiff, all the way around.</p>			
5/16/2016	<p>response via email: Hi Larry, It's was great meeting in person. I saw Audrey and her friend this morning as they were starting their walk. We purchased our home for the location, house and view in ALL directions. The proposal that you have for your home completely blocks our southern view from all view areas on all levels of our home, specifically our view of La Jolla. I realize that is not what you want to hear and I am truly sorry but I am sure that you can understand why we intend to protect the views from our home. I am open to evaluating any alternative designs that you may have. I responded and said that I don't know if he understands that he does not get ALL of his views, and that I can't figure out why he thinks that is fair. I said to him that he had to figure someone would eventually buy my house and build, so it wouldn't be right to figure that he would forever have ALL of his views, to which I received no response.</p>			
1/6/2017	<p>I sent the following message to all three neighbors, in an attempt to ask them to set up a time where our architects can visit their house to better understand their concern: Hi there Jorge and Suzanne, Please meet via email Steve and Briana from Dalton Architects. I'd like to see if you could please communicate with them to come up with a day and time next week where they might be able to visit your house. They would like take a look to see how you are suggesting that our plan will impact your view and privacy. Please respond as soon as possible. Steve and Briana have suggested that they can be available for a brief, 10 minute visit to your house at some point during the day between January 9th and January 13th. Thanks so much for your cooperation.</p>			
1/11/2017	<p>Jorge Valdes responded and said that he is not available this week to meet with the architect, so I suggested next week, or to allow the architect to go up and see the roof deck on his own. Jorge declined and sent another note that said: Larry, the concern I have with the proposed design are very straight forward and can better resolved without a visit. I do want to find an acceptable solution for both of us so I am willing to meet your architects at the building department when I return and review the plans with them to point out the issues..... I replied and said that the only way the architects can attempt to solve anything is if they have a chance to see what the problem is, but if he wants to deny our request we understand.</p>			
1/12/2017	<p>Jorge Valdes has refused to let our architects go to his roof deck to better understand their concern. He says he does not see any reason for them to visit.</p>			

216 Ocean Street - Solana Beach, CA - VAC - Neighbor Communication

Neighbor Opposition				
<p>Frank & Michelle Stribling - Frank grew up in house and moved away. Parents lived there. Frank married Michelle and when Frank's parents passed away they became the owners of the house. Built a unpermitted roof deck during the previous owner's attempts to build. Then got permit afterwards.</p>	212 Ocean (East)	858-755-4305	mstribling1@yahoo.com	
<p>Previous VAC - Their complaint was that the house blocked the view of their master bathroom to the West. They attempted to use the roof deck but that was thrown out because it was not permitted and just installed illegally. <u>Now</u> - They have since gotten a permit and now claim the roof deck as their main view. They wanted the old owner to back the house out of the way of their view.</p>				
Date of Communication				
11/11/2015	<p>Met Frank and Michelle Stribling. Happened to be over at the house and saw Frank sitting on the deck so I went to introduce myself. We chatted for about 30 minutes, until Michelle also came home, and we chatted for another 30 with all 3 of us. Great conversation, told them we look forward to living there, and that we will be flexible with our building plan and take off from where the VAC recommended with the last group. We want to have this move quickly, so rather than starting big and compromising, we will be compromising right off the bat. They said that they just want someone to build who is going to live there, and be cool to share the view. Great first meeting.</p>			
2/20/2016	<p>Met with Frank and Michelle, as well as Joe Heilig. Showed them the proposed plans and they were all very pleased. They were so appreciative that we took the time and consideration to include them. They were actually being a bit particular to try and ensure that even though we had done a 180 degree from their previous situation, they still wanted more. They want to see the story poles to make sure that nothing is blocked. Frankly, I thought they were going a bit overboard with their requests, considering how much we are giving up, but they did seem like we could get this done without their objections. Even if they object, I can't imagine that the committee would not see how much we've done to work on not upsetting everyone. Nice meeting overall.</p>			
3/10/2016	<p>First set of storey poles went up yesterday. Met with Michelle Stribling who said she is really happy that we are trying so hard to plan out something that will work for everyone. Really appreciates our plan, but it's just not quite "perfect". She said that even though she can see over our deck when she is standing up, and just about see over our deck when she sits down, and even though it's all glass and she can see through it, if we put any furniture there, then it will block her view....</p>			
5/18/2016	<p>On 5/17/16 I sent the following text message to Michelle Stribling and have yet to receive a response. Hi there Michelle. Hope you're doing great. I have been working on our house stuff and talking to a number of people about the quickest ways to get through the process. Someone had a really good idea for me that I thought I would throw out there to you. What if we sign and record a separate document that does not allow me to put any furniture on my deck that goes above the glass. No umbrellas, no plants. Nothing that extends above the glass. That way, especially with the pictures you can see here, nothing will be blocking your view. Do you think that could work without you being one who opposes our plan? Please let me know and we could draw something up for you to review. Thanks much.</p>			
5/19/2016	<p>Sent another text to Michelle Stribling to ask if she got my last message and have not received a response.</p>			

5/21/2016	Michelle Stribling responds: Larry, we appreciate your proposal. As you know, when you sit on my deck, the railing for your proposed 2nd floor deck completely blocks my ocean view. The view blockage is caused by the entire deck and railing, not just the area above the handrail. Also, based on our investigation and advice, a recorded agreement of restrictions does not work because it becomes a problem of enforcement requiring costly civil litigation for any non-compliance and great difficulty in proving damages. Thank you for running the idea by us. ----- I responded the same day via text, saying "I see. I guess that would be tough if enforcement is an issue. Would never be one with me because if I make the agreement, I would live by it no matter what. But I suppose that if I ever didn't live there, it might be tough to get another person to comply. Only confusion though, if you look at my picture, hopefully you realize that the pink string is the top of the glass. All of the blue ocean and sunset is above that. I'm not sure why you think that blocks the view. Am I viewing it wrong?" ----- Since then, no response to this message.
5/23/2016	I send Michelle another text "Michelle, hope you got to enjoy some of the fiesta this weekend. We had a great time. I saw you chatting with Joe yesterday, and didn't want to interrupt you, but it looked like you might have been headed to the party. Anyway, I checked with my architect, and we won't need to have a handrail on top of our glass, which should be good news, I'd imagine. Michelle, I guess what I'm struggling with is that you guys threw up the roof deck a year ago, after being there for 60 years, and I just have to think you would have considered that someone might have bought the house next door in order to build on the site. I get that you had a problem with Sawtooth building two stories across the front, but now that it's been pushed back I just don't understand what you could possibly want there, short of no one ever building. Please help me understand."
5/24/2016	I sent another message to Michelle today: Michelle, making sure you got the message yesterday. I'm trying so hard to appease everyone so that there is a possibility of avoiding the delays and extra money spending by going through the VAC process and then a battle in City Council if needed. I'm so hoping to be friends when all of this is done, so hopefully you can give me something to work with. I need some suggestions short of saying that you don't want me to build a second story. I just want to share the ocean view with you and our deck is lower than your deck, so what else can I do? Please give me some ideas. Thx. (Michelle responded right away and said she had not gotten my last text, but wondered if we can meet in person or on the phone next week. I said sure.)
5/31/2016	Had a long chat on the phone with Michelle Stribling today: I told Michelle that we have no intention of stealing their view, but that only want to share it, and what we can do to make that happen. Michelle made it clear that the only way they would not oppose our plan would be if we got rid of most of the deck on our second level. She said that they really want to keep the view they have, and anything we do there will interfere with it. She ask about our roof deck, and if that would be enough of a deck for us, so that maybe we could not do the deck near them. I told her we would look at the plan and see if we could do something. She said that if we did that, she would not oppose the plan.
6/16/2016	Spoke to Michelle Stribling for quite a while today. I offered a solution that, although not desirable for us, removes the glass from our first floor deck, and alleviates any problem she has with our possible furniture or people in the way of her view. While I believe the concern is absurd, I was willing to make the concession if that would take her out of opposition. Michelle then suggested that even if we do that, she will still likely oppose the plan.
6/17/2016	I met today with Michelle Stribling to talk about a possible compromise that really hurts my views and the value of my house, but is a final attempt to appease her and give her the entire, unobstructed view that she has desires. She was incredibly appreciative but said that she is going to still need to oppose my plans. She says that I will still need to go to VAC and fight with Joe and the Valdes' anyway, so she wants to still try to see if she can push to not have me build a second story. She explained that it would be nice if no one built anything higher on the site. She said she knows I will probably get it approved, and that in the end she will be very happy with our compromise of the deck that gives them their view, and that they won't fight hard in the VAC, but since I have to go through it anyway, they want to exercise their rights to go through the process. When I explained how unfair it was for her to suggest that I should build a house that has no ocean view, and also for her to fight that I should not have any roof deck, in addition to removing my first floor deck to accommodate her, she said she understands, but life isn't fair.
11/29/2016	The 30 day notice is out, and tonight we saw Michelle out taking pictures from her roof deck, so I sent the following text message Hi there Michelle, hope you had a nice holiday in Las Vegas. Audrey saw you taking pictures from the deck this evening and assumed you are preparing your case for the VAC. Just thought I would remind you that I offered you a pretty great option that saves you time, \$600, and stress, and you said you'd like to fight anyway even though we will probably end up where I'm suggesting. Kind of silly. I'm available to chat with you and Frank at your convenience. Available tomorrow night if you'd like, before you go and write your check. It's up to you. Thx.
11/30/2016	Message from Michelle: I am responding to your text message dated 11/29/16. It is unclear what you are proposing to remedy the view blockage. You have modified your story poles since your last proposal in June. Consequently, it is uncertain what you now propose as a solution to blocking my ocean view. If you want to make a proposal please put it in writing as I previously requested in June. Include the story pole plan and the floor plan for second and third levels so we can understand and evaluate what you are proposing.

11/30/2016	My Response: Michelle, I appreciate that you are following someone's advice and attempting to get everything in writing so that you may bring it with you to the VAC. In order to help you document this conversation, I have included my text message to you from last night at the bottom of this (email) chain. I have studied the process, the tool kit, and have had numerous meetings to ensure we are doing everything properly to make sure everything goes down as planned. I also went to the last VAC meeting and they are very clear that they want the neighbors to get together to speak in person, so I would love to chat more with you and Frank in person about the plan.
12/1/2016	I sent another note to Michelle: Michelle, No response? I'm confused. Are we communicating and going to meet, or are we going to fight? Please let me know. Thanks.
12/2/2016	Response from Michelle: Larry, I have been extremely busy with pre-op doctors visits and moving my son over the past 2 days. This is a very busy time of the year and Frank and I have family, work, civic & social responsibilities.. I don't appreciate the stress and pressure that you have placed on me throughout this process, issuing demands and ultimatums. Further more, I disagree with many of the points in your e-mail of November 30, 2016. You attribute statements to me that are not accurate and you mischaracterize what has occurred. For example we would prefer to resolve our view claim with you and not go to the VAC. As I said in my prior e-mail to you, it is not clear what you have proposed to remedy the view blockage caused by your new story poles erected in October. I do not understand why you continue to refuse to communicate your proposal in writing as we have requested since my meeting with you on June 17th which Frank was unable to attend. We prefer to have your proposal in writing so that we can avoid misunderstandings and unnecessary disagreements. If we meet with you to discuss your proposal we will still need to receive written confirmation of your proposal in order to assess the level of view blockage and to avoid any misunderstandings. We are willing to meet with you if you can provide the written confirmation that we are requesting.
12/2/2016	My Response: I'm sorry that this is stressful for you Michelle. Try having 3 unreasonable people attempt to block you from building a house that is completely fair. I feel your stress as well, and I tried so hard to be friendly and avoid all of this, but the wall that you and the other two neighbors have put up is simply awful. Ever since we've moved in, all three of you have been very unwelcoming and all you are doing is waiting to fight with us. Michelle, if you and Frank want to take 15 minutes away from your busy schedule to have a neighborly chat with me, where I show you what I have in mind it would help all of this a lot. After which, if we agree in concept, then I will go and spend money to have plans redrawn and have something more permanent to show you. I refuse to send you anything more than that at this time. I am available tonight, for a couple of hours late tomorrow afternoon, Sunday evening, Monday evening, Tuesday evening. If those dates don't work, then I can give you more. I'm asking for 15 minutes and if you cannot give me that time to have a face to face discussion, then you are not being reasonable and you really do not mean what you say about wanting to resolve this before fighting at the VAC. I'll see you tonight if you'd like. Just let me know.
12/4/2016	This morning I was brushing my teeth and overheard people talking on the Stribling Deck so I went out, said Hi, and asked if they wanted to take a look at my plans. Turns out that there was a friend of Michelle's there named Jack who has lived in Solana Beach and been her friend since they were kids. Jack was trying to explain my story pole plans to Michelle, and mentioned that our plans were a great compromise from the previous Sawtooth plans. He also explained that the pink ribbons that were upsetting Michelle were denoting glass, and he didn't see a problem with that. I explained to all of them exactly what the story poles denoted, and we chatted quite a bit about the plan. We did clear up a lot of things, and the Striblings assured me that as long as we can keep things low enough to not block their blue water view, that they would be fine with us building the house. I explained that it's imperative that I have a deck but that I understand the concern. I still explained that we would be willing to assure Michelle that we will not put furniture on the deck and even sign an agreement saying so, but she said that she does not want to be blocked at all. They would also like me to move the trellis poles back out of the view. I said that I would consider those options if everything else works out with the other neighbors. It was a pleasant meeting and we all walked away hoping that it can all work out well.
1/6/2017	I sent the following message to all three neighbors, in an attempt to ask them to set up a time where our architects can visit their house to better understand their concern: Hi there Jorge and Suzanne, Please meet via email Steve and Briana from Dalton Architects. I'd like to see if you could please communicate with them to come up with a day and time next week where they might be able to visit your house. They would like take a look to see how you are suggesting that our plan will impact your view and privacy. Please respond as soon as possible. Steve and Briana have suggested that they can be available for a brief, 10 minute visit to your house at some point during the day between January 9 th and January 13 th . Thanks so much for your cooperation.
1/10/2017	Michelle Stribling called the architects to set a meeting for them to come and see their house.

AGENDA ITEM 6

Information from Claimants:

Joseph Heilig and Lorraine Pillus
222 Ocean Street

Corey Andrews

From: [REDACTED]
Sent: Thursday, February 02, 2017 1:00 PM
To: Corey Andrews
Subject: Re: View Assessment Commission Meeting February 21, 2017- Jackel Residence at 216 Ocean Street

Dear Ms. Andrews,

Following is the correspondence we have had with the Jackels concerning their development plans. This is the complete thread of text messages, and a summary of front yard conversations concerning the effect of the proposed development on our privacy and view.

I appreciate your help with this process.

Joe Heilig

March 11, 2016

Hi there Joe, it's your neighbor Larry Jackel. Just wanted to check and see how you are enjoying the story poles. I think we did a good job of still allowing your upstairs window to have a nice Southeast view and allow for a lot of natural light. For what it's worth, the two front white poles are just trellis poles and not a wall. The first wall on the top level does not start until those back two poles, following the request of the previous VAC. We are trying to really do a good job and keep things easy for you. Please let me know any thoughts. Thanks much.

Larry,

March 12, 2016

Thanks for contacting us. Although the poles don't indicate the walls and roof, presuming them to extend from the planes defined, trellis or otherwise, they will eliminate most of our views of the hills.

Joe

March 12, 2016

Ah darn. I was hoping that you were just counting on having it a bit open with the light coming in. I guess it's going to be pretty tough for anyone to build a house next to you without blocking your view of the hills a bit. I was hoping that you were pleased with your view of the ocean and the rest of the panorama. 360 degree view doesn't seem super fair for us. It's okay. I understand that you want what you want. But I thought we were really compromising from what the previous guys had planned. It's really okay. We want to be good neighbors and enjoy living next to you. We will start out arguing a little in the VAC, but then hopefully we can all be friends after. Thanks much.

May 19, 2016

Hi there Joe. Hope all is well. Just checking to see if you have more clarity on our project now that the full set of poles are up. Hoping everything is looking okay to you, and that you don't see a need to oppose our plan. Please let me know. Thx.

May 21, 2016

Larry, it's not a matter of a "need to oppose" your plans. Our concern is being able to continue to live comfortably in our home. In that regard, maintaining our existing view is important.

May 24, 2016

Thanks Joe. I appreciate the response. Only thing is that I thought we have done a pretty darn nice job of staying away from your living room window. We don't have a chimney near you, we have backed up 14 feet from the previous plan, and all you have near your house is a couple of poles on our deck. We completely preserve your view to the Southeast and really even to the East as much as possible. There isn't even a wall near you. And trust me, the only thing upstairs is my master bedroom and my decks that allow me to get a little view. I've moved my house back so that I don't even see the ocean from any of my rooms. And trust me that the only wall I have is used to ensure that you don't see into my bedroom. I think we both don't want to see each other on the second floor, so I'm accommodating that. Short of me not building a second story, what else can I possibly do to make you guys happy? Please help me make this easy. Thx.

January 11, 2017

Hi Joe, just making sure you received the email message last week that I sent to you and Lorraine. Our architect has not heard from you, so we are assuming that you have chosen to deny the request to visit your house. No problem on our end. We are just trying to follow the protocol by the VAC but it's cool if you don't want them to visit. Just want to make sure you got the message and since we have not previously communicated via email, I'm sending this text message because of the certainty of delivery. Please let me know. Thx.

January 12, 2017

Larry,
I've looked for you in the neighborhood but haven't seen you. Sure I'll see you in the next few days and can address your questions.

Since your design became available from the city, we can better understand your story poles, which without access to plans weren't as clear last time we spoke.

Our concerns aren't complex. Addressing them needn't be either.

Joe

January 12, 2017

Okay. Thanks Joe. I'll be around this weekend.

Mr. Jackel and I have had several direct conversations, in which I have expressed our concerns, which have remained consistent: retention of our view and privacy.

We spoke most recently on January 14, 2017 after the plans were made available to us by the City, and we were able to understand what was represented by the story poles. I explained that the wall indicated by the poles eliminates all

eastern views from our main living area, and that the rooftop deck is situated such that it looks directly into our main living area. Thus, despite their stated intentions to avoid doing so, the current design interferes both with our views and our privacy. We have consistently suggested these concerns could be remedied by removing the rooftop deck, and lowering roof height.

----- Corey Andrews <candrews@cosb.org> wrote:

> Good Evening

> Mr. Heilig, Mr. Valdes, and Mrs. Stribling,

>

> We received an application for View Assessment from each of you during the 30-day public notice period for the proposed project at 216 Ocean Street. At this time, we have received the Applicant's matching \$600.00 application fee and the project plans in order to bring the project before the View Assessment Commission (VAC) at their regularly scheduled meeting on February 21, 2017 at 6:00 pm.

>

> Please submit, either at the counter or by email, any information you would like added to the record including information that shows that you have met with and attempted to work with the Applicant in order to resolve your view impairment prior to the meeting. This information will be added to the View Assessment Commission meeting agenda that will be distributed this Friday. Please submit any information by 5:00 pm Thursday, February 2, 2017.

>

> Please note: if you are submitting email correspondence, please eliminate duplicative emails to limit the size of the attachments.

>

> Staff will be contacting you to schedule a time to come take pictures for our presentation.

> Please let me know if you have any questions.

> Sincerely,

>

> Corey Andrews

> Principal Planner

> City of Solana Beach

>

>

AGENDA ITEM 6

Information from Claimants:

Jorge Valdes and Suzanne Lopez-Calleja
615 E. Circle Drive

Corey Andrews

From: Jorge Valdes [mailto: [REDACTED]]
Sent: Wednesday, February 01, 2017 6:12 AM
To: Corey Andrews
Subject: View assessment supporting information: 216 Ocean Street House

Corey,

During several in person meetings and as you can review in the email chain below the developer has apologized for totally blocking my southern view and states that I should be happy with my view in the other directions. Unfortunately if every property around me that may be developed in the future took the same approach I would have no view left to enjoy.

During all our exchanges the developer has never once offered to modify his proposed design in order to share the southern view. I even offered to meet with his architects at their office to point out on the elevation drawing where the impairment was occurring and the developer did not accept my offer. The modifications required to share the southern view are not significant and would not prevent the development of his property, for example they can easily be achieved with ceiling height adjustments and elimination of the roof deck. I am not asking for something unreasonable. But again the developer has no interest in even discussing modifications to his design.

thanks and let me know if you require anything else,

Jorge Valdes

Begin forwarded message:

From: Larry Jackel [REDACTED]
Subject: Re: 216 Ocean Street House
Date: May 16, 2016 at 8:23:46 PM PDT
To: Jorge Valdes [REDACTED]

No worries Jorge. We are going to proceed, as we've worked really hard to consider all of the neighbors and respect the recommendations of the previous VAC meetings. I'm not exactly sure why any of our neighbors would assume that no one would ever build a house on that site. If I owned one of those houses I would have certainly assumed that surrounded by all of the other beautiful houses with gorgeous views, someone would want to also redevelop this house on this site. If I had your house, I can honestly say that I would have known that at some point I would have a neighbor in the way of my Southern view, but I would just be thrilled that I have a 180 degree view to the West and even the full view to the North and East. It does seem pretty unreasonable and quite selfish to try and take everything. Not a stance I would take, but I get it that people like to fight.

I just really wish that wasn't your stance. Would have made things a lot easier.

See you soon.

Thanks.

LJ

Larry Jackel
Fenway Properties
[REDACTED]

On May 16, 2016, at 8:02 PM, Jorge Valdes <[REDACTED]> wrote:

Hi Larry,

It's was great meeting in person. I saw Audrey and her friend this morning as they were starting their walk.

We purchased our home for the location, house and view in all directions. The proposal that you have for your home completely blocks our southern view from all view areas on all levels of our home, specifically our view of La Jolla. I realize that is not what you want to hear and I am truly sorry but I am sure that you can understand why we intend to protect the views from our home. I am open to evaluating any alternative designs that you may have.

Jorge

Sent from my iPhone

On May 16, 2016, at 10:58 AM, Larry Jackel <[REDACTED]> wrote:

Hi there Jorge,

Nice meeting you guys on Saturday. I hope you enjoyed Game of Thrones. You'll love it even into Season 6, where we are now. Last night's show was great.

I'm happy to have you guys as neighbors. I can tell we will get along great and also that Audrey and Suzanne will really enjoy each other. (I was only sort of joking about making your wall in front low, in order to keep a ping-pong drinking area out there. Would be fun ☺.) Your house is awesome.

Hopefully the building process for us goes smoothly and we can get in there sooner than later. We don't want to be a hindrance for you guys in any way, but your view to the West is so incredible that I hope our going up to the South won't be a big issue. Hopefully everything will go smoothly.

Thanks again, and I'll see you over there soon.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436-3636 | cell (619) 889-8895
Ljackel@fenwayproperties.com | www.fenwayproperties.com

From: Jorge Valdes [<mailto:jorgev3333@att.net>]
Sent: Friday, March 11, 2016 7:04 AM
To: Larry Jackel <ljackel@fenwayproperties.com>
Subject: Re: 216 Ocean Street House

Larry

Suzanne just saw the drawings and she is going to be so jealous.

To answer your question, we are going to have to wait to see the story poles. We would hate to lose our entire southern view from our roof deck. I am concerned because I do not think that our house is at the maximum height.

Jorge

Sent from my iPhone

On Mar 11, 2016, at 9:26 AM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Well, hopefully Suzanne will have some nice success with them. We're rooting for her for sure.

Our house will go to the maximum height allowed, which I believe is 25 feet. I'm pretty sure that is correct because when I asked the architect to do something that would allow us to see over Joe's house, he said we couldn't because of the height restriction. The top of our deck has I guess 3 feet of glass so you guys and us will likely be sitting up on our decks looking at the same thing. When I look North I will see you guys, and when you look South you will see us, but the lucky thing for you is that when you look West you will get to see the ocean and when I look West I get to see the yellow side of Joe's wall. But there's obviously nothing I can do about that.

Hopefully Suzanne will have success with the Ficus neighbors so that we can see a little Northwest.

LJ

Larry Jackel
Fenway Properties
858-436-3610

On Mar 11, 2016, at 6:15 AM, Jorge Valdes
[REDACTED] wrote:

Hi Larry

We are in Miami for the weekend for a wedding. All our family lives here and we have a second home here.

So a question. What is the height? I am trying to figure out if I still have a view of LaJolla from my roof deck or if I am losing that view.

And the issue with the Ficus trees is that they just trimmed them. So you see the problem they are blocking everyone's ocean view and according to VAC guidelines we should be able to see over their roof. So the trees are still way too high and my wife

Suzanne already spoke to them to get them cut to the current height.

Jorge

Sent from my iPhone

On Mar 11, 2016, at 2:53 AM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Hey there Jorge,

Thanks for the quick response, and I'm sorry but I was out with the kids at baseball this afternoon and finally now home.

Dang, you guys sure travel a lot. I hope it's to a lot of fun places. I'm jealous.

I'm sorry that I don't have cleaner versions of the plans that I could send you via email, but I scanned a few of the hard copies to show you. Hopefully they give you a good idea. The first pdf is your actual view of our house, but of course there will be a small, but attractive fenced area so that we can enjoy our incredibly small "back yard", but we are thinking maybe we could put a hot tub back there. We are being forced to push everything back, away from the street, so we lose any opportunity for much of a yard.

The other two pdf's are a couple of views from the street on the other side. It's a pretty neat looking house from the other side as well, and that's where we intend to do any entertaining, in our "front-back yard". BBQ out front, etc.

Per your question, the plan we have is to have a basement level with some bedrooms, which doesn't count as s.f., and then our main level has 2,000 s.f. plus a 400 s.f. garage, and then the upper level has 975 s.f.

When doing our plan, we paid very close attention to the concerns of the

neighbors from the previous owner's plan. In understanding your concern, we followed the 2:1 ratio from the 1st floor to the 2nd floor. And I actually think there will still be a peak southern view for you guys between our house and Joe's next door to me.

Hopefully you like it.

Oh, and by the way, our best view will be the same as yours, if we can ever get the ficus folks to have a "tree trimming" party. I'm happy to help pay for the "trimmers". Honestly, I guess they are hoping for privacy for their pool, but man that really affects all of us behind them. Maybe they will be really nice one of these days and make all of us happy. Whatever happens, you and I are definitely in the same court for that one. Happy to strategize with you further.

Again, if you have any questions, please give me a call or happy to answer anything via email.

Really hope to hook up with you guys soon. I'm really wondering whether or not we will recognize each other from Khale's shop.

Thanks again for connecting back.

LJ

From: Jorge Valdes
[mailto:]
Sent: Thursday, March 10, 2016 3:46 PM
To: Larry Jackel
Subject: Re: 216 Ocean Street House

Great to meet you Larry, its a small world. We are traveling this weekend but it will be great to get together.

The problem with the previous owner is that he was using almost every inch of property on both

floors. Do you have any drawings
you can send me to look at?

And maybe you can help me get my
western view neighbor to cut those
ficus trees lower :) those ficus trees
are a bit too much.

thanks,

Jorge

On Mar 10, 2016, at
2:39 PM, Larry Jackel
<[ljackel@fenwayprop
erties.com](mailto:ljackel@fenwayproperties.com)> wrote:

Hi there Jorge and
Suzanne,

My name is Larry
Jackel, and I'm your
new neighbor in Solana
Beach directly across
from .

My wife and I have
tried to come and meet
you 4 times, and each
time you guys have
been gone. We are
hoping to meet you
soon, and very much
hoping that we will
have some fun living
near each other.

We have a tremendous
coincidence in people
we know. I've been
friends with the
Daluiso's since High
School. Well, Khale,
and then Brad and I
went to UCLA together
and became good
buddies after that, back
in San Diego. Just last
week I was chatting
with Khale about our

new house, and she mentioned that some good friends and neighbors of hers, the Valdes Family, had also just moved to that same area and I figured out that you are our direct neighbors. She also says that I have met both you and your wife before, in her shop, while getting haircuts. I'm sorry that I cannot put your faces with your names, but I'm sure you aren't able to either right now. I also understand that our kids might know each other at TPHS as well. That's my oldest, my Daughter, and I also have two sons (9th grade and 6th grade). I look forward to connecting the dots when we see you.

I'm reaching out today, considering that we have not been able to meet in person as of yet, to let you know that we are planning to build a new house on our site and a few of the Story Poles went up yesterday. I didn't realize they were going up so quickly, and I had hoped to meet you before they did, to chat about our plans. But since they're up, well now I'm just reaching out to say Hi, and to let you know that you can feel free to call or email with any questions.

I understand that you guys filed a complaint when the developer who owned the house before was planning to build and flip the house. I know that you didn't want your view blocked, and that you were also worried about the density of the 2nd floor. Again, not sure I can do much about the view, but the good news is that our plan for the upstairs is for a master bedroom, closet and bathroom. So I'm pretty sure that everything will meet with your concerns about the density. But, unfortunately, as much as I hope we can be great friends and neighbors for many years to come, I'm not sure how we could possibly build anything on our site that won't block you guys from your South view. I want you to know that I am so very sorry, but I'm really trying to build a house that meets all of the guidelines while giving us a share of the view that is so wonderful up there. I only hope that you guys are thrilled with your West and Northwest view enough that you will be cool with us building up so that my family and I can enjoy being there as well.

As it stands, we have pulled our second floor back from the street quite a bit from the previous plan that upset the Stribling's and Joe Heilig on the sides of us. We have been in a lot of communication with them, and are hoping that we can do our best to keep them happy, just like you guys. So far, in speaking to Michelle, who we really think is great, it seems that she really doesn't want to compromise very much, so even after seeing our story poles, she may likely still file a complaint with the City and the VAC. I understand, but at the same time I'm hoping that the VAC will understand all that we have done to compromise from the previous plan. We will just have to see how it works out, but hopefully it does not become a horror story where it's a long, drawn out battle where everyone hates each other at the end.

We are really hoping to be great neighbors and friends with everyone in the community, especially those adjacent to us. It's always nice to be able to count on neighbors, but even nicer when they can be buddies.

If you'd like to get together and chat further, we'd love to do that. Or, like I mentioned, you can feel free to contact me anytime.

I look forward to meeting you and sharing some "grape juice" with you guys.

Larry Jackel
858-436-3610 (O)



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<Doc - 3-10-16, 11-32 PM.PDF>

<Doc - 3-10-16, 11-33 PM.PDF>

Jorge



CITY OF SOLANA BEACH
View Assessment Commission Action Minutes
Tuesday, February 21, 2017 - 6:00 P.M. Regular Mtg.
Solana Beach City Hall Council Chambers
635 South Highway 101, Solana Beach, CA 92075

Minutes contain a summary of the discussions and actions taken by the View Assessment Commission during a meeting. View Assessment meetings are audio recorded. The audio recordings capture the complete proceedings of the meeting and are available for review.

1. CALL TO ORDER and ROLL CALL

Vice Chairman Hegenauer called the View Assessment Commission Meeting to order at 6:00PM on Tuesday, February 21, 2017 in the Council Chambers at 635 South Highway 101, Solana Beach.

Present: VAC Members: Jack Hegenauer, Molly Fleming, Gary Garber, Paul Bishop, Pat Coad, and Kelly Harless

Staff Members: Corey Andrews, Principal Planner, Randall Sjoblom, City Attorney, Mikki Eggum, Administrative Assistant

Absent: Dean Pasko

2. APPROVAL OF AGENDA

Vice Chairman Hegenauer called for a vote to approve the agenda. Vote passed 6/0/1 (Pasko absent)

3. ELECTION OF OFFICERS

Vice Chairman Hegenauer asked if there were any nominations for the new Chair and Vice-Chair. Pat Coad nominated Jack Hegenauer for Chairman, Jack respectfully declined. Pat nominated Paul Bishop for Chairman seconded by Molly Fleming. Vote passed 6/0/1 (Pasko absent). Pat Coad nominated Molly Fleming for Vice-Chair, seconded by Paul Bishop. Vote passed 6/0/1 (Pasko absent). Chairman Bishop asked Jack Hegenauer to continue with this meeting, Hegenauer agreed to officiate this meeting. Jack stated that he wanted it to be understood that he would like to avoid the chairmanship due to the fact that his wife is now a City Council member and he would like to take a back seat on the VAC.

4. APPROVAL OF MINUTES

Hegenauer asked if anyone had any corrections to the November 15, 2016 minutes. There were no changes. Motion to approve the minutes was made by Paul Bishop and seconded by Gary Garber. Motion passed 6/0/1 (Pasko absent)

5. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

Hegenauer opened this portion of the agenda which provides an opportunity for members of the public to address the VAC on items not appearing on the agenda.

Jeff Knutzen, 230 Ocean St., stated that he spent a year before this committee three different times when he wanted to build their home. He voiced his concern regarding the primary view that the claimants Joseph Heilig and Lorraine Pillus are claiming. He wanted to remind the VAC that the claimants had previously claimed their westerly view as being their primary view during his case.

Bonnie Kempner, 606 W. Circle Dr., stated she is concerned, and believes that there can't be a switch on what someone considers their primary view when nothing has changed. There should be some consistency with what people are claiming to be their most important view.

6. DRP/SDP 17-16-10 Jackel Residence- 216 Ocean Street, Solana Beach, CA 92075

Applicant Information:

Name: Larry and Audrey Jackel
Address: 216 Ocean Street

Applicant's Representative:

Name: Stephen Dalton Architects

Claimant Information:

Name: Joseph Heilig and Lorraine Pillus
Address: 222 Ocean Street, Solana Beach

Name: Jorge Valdes and Suzanne Lopez-Calleja
Address: 615 E. Circle Drive, Solana Beach

Name: Frank and Michelle Stribling
Address: 212 Ocean Street, Solana Beach

Description of Project:

The Applicant is requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish the existing residence and construct a new multi-level, single-family residence. The existing 5,817 square foot lot is located within the Medium Residential (MR) Zone and the Scaled Residential Overlay Zone (SROZ). The project would include grading in the amounts of 915 yd³ of cut, 80 yd³ of fill, and 835 yd³ of soil to be exported off-site. The following is a breakdown of the proposed square footage:

Proposed Basement:	1,702 SF
Proposed Main Floor:	1,714 SF
Proposed Main Floor Garage:	494 SF
Proposed Upper Floor:	674 SF
<u>Proposed Phantom Space:</u>	<u>+ 225 SF</u>
Total Gross Square Footage:	4,809 SF

The tallest point of the new residence is proposed at 25 feet above the proposed grade with the highest pole at 109.04 ft. above MSL. The project requires a DRP for grading in excess of 100 yd³ (aggregate), for a structure that exceeds 60% of the maximum allowable FAR and for a second floor that exceeds 40% of the proposed main floor, floor area. A SDP is required for a square footage addition in excess of 16 feet in height.

Corey Andrews, Principal Planner, gave a PowerPoint presentation, a copy of which will be included in the project file, and described the project.

The Commissioners had questions regarding phantom space, max FAR and the calculations. Corey provided the answers.

Larry Jackel, Applicant, requested extra time since there are three Claimants. The Commission agreed to give the applicant an extra 5 minutes for his presentation and an extra 5 minutes for rebuttal.

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Tuesday, February 21, 2017
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Larry Jackel, Applicant, spoke regarding his project and gave a PowerPoint presentation, a copy of which will be included in the project file.

Steve Dalton, Architect for the Applicants, described the project.

Commissioners had questions for Mr. Dalton regarding decks, overhang, view on deck, and the trellis. He addressed all their questions.

Loraine Pillus, Claimant, spoke regarding their concerns with the Jackel project. She presented a PowerPoint presentation, a copy of which will be included in the project file.

Jorge Valdes, Claimant, spoke his concerns regarding the Jackel project. He presented a PowerPoint presentation, a copy of which will be included in the project file.

Frank Stribling, Claimant, passed out a packet to the commissioners, a copy of which will be included in the project file. Mr. Stribling stated his concerns with the project.

Speaker, Marco Gonzalez, spoke in support of the Applicant.

Commissioner Pat Coad made a motion to have the three minutes of time that Mr. Gonzalez spoke in support of the Jackel project deducted from the applicant's rebuttal time since Mr. Gonzalez is a lawyer for Mr. Jackel. Jack Hegenauer seconded the motion. Motion passed 4/2/1 (Noes: Harless and Garber, Absent: Pasko).

Steve Dalton, Architect for the Applicants, stated his rebuttal of the Claimants statements.

Commissioners had questions for Mr. Dalton regarding; story poles, rear setbacks, movement or elimination of square footage, Stribling suggestions and timing of getting plans to claimants. Mr. Dalton and Mr. Jackel addressed all questions.

Pat Coad made a motion to close the public hearing, seconded by Paul Bishop. Motion passed 6/0/1 (Pasko absent).

Jack Hegenauer called for a 10 minute break at 7:47pm.

Jack Hegenauer called the meeting back to order at 7:55.

VAC Members began describing their findings regarding the project as follows:

Heilig/Pillus 222 Ocean St.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/16	2/16	2/17	2/19	2/19	
	Applicant	2/18	2/16	2/20	2/11	2/16	2/20	
Primary Viewing Area for Claimant		Living room	Dining room	Upstairs living	Kitchen dining	Living room	Living room	
#1. Communication Taken Place		Y	N	Y	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	

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#3. Designed to Minimize View Impairment	N	N	N	Y	N	N	
#4. No Cumulative View Impairment	Y	N	Y	Y	Y	Y	
#5. Neighborhood Compatibility	Y	Y	Y	Y	Y	Y	

Valdes/ Lopez-Calleja 615 E. Circle Dr.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/16	2/15	2/15	2/19	2/19	
	Applicant	2/18	2/16	2/20	2/11	2/16	2/20	
Primary Viewing Area for Claimant		deck	deck	deck	deck	deck	deck	
#1. Communication Taken Place		Y	N	N	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	
#3. Designed to Minimize View Impairment		N	N	N	Y	N	N	
#4. No Cumulative View Impairment		N	N	N	Y	Y	Y	
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	

Stribling 212 Ocean St.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/15	2/15	2/15	2/16	2/16	
	Applicant	2/18	2/16	2/20	2/11	2/16	2/20	
Primary Viewing Area for Claimant		deck	deck	deck	deck	deck	deck	
#1. Communication Taken Place		Y	N	N	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	
#3. Designed to Minimize View Impairment		N	N	N	Y	N	N	
#4. No Cumulative View Impairment		Y	N	N	Y	Y	Y	
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	

Jack Hegenauer asked the applicant if they are willing to redesign, and they agreed. After discussion between the Commission, the Applicant and the Claimants, Pat Coad made a motion to continue the project for a period of 60 days for redesign, seconded by Paul Bishop. Motion passed 6/0/1 (Pasko absent).

7. VAC MEMBER COMMENTS / DISCUSSION

Paul Bishop welcomed Kelly Harless to the Commission.

8. STAFF COMMENTS / DISCUSSION

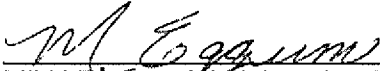
There were no Staff comments.

9. ADJOURNMENT

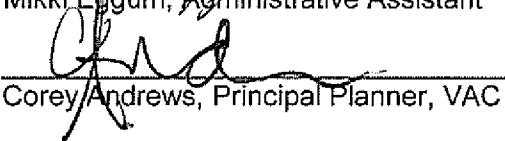
Jack Hegenauer declared the meeting adjourned at 9:16PM.

Minutes as approved by V.A.C. on 3/21/2017.

Respectfully submitted,



Mikki Engum, Administrative Assistant



Corey Andrews, Principal Planner, VAC Staff Liaison

CITY OF SOLANA BEACH
AGENDA

**VIEW ASSESSMENT COMMISSION
(REGULAR MEETING)**

Solana Beach City Council Chambers
635 South Highway 101, Solana Beach, CA 92075
Tuesday, March 21, 2017 - 6:00 P.M.

1. CALL TO ORDER and ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A. February 21, 2017

4. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

This portion of the agenda provides an opportunity for members of the public to address the VAC on items not appearing on the agenda.

Note: Speaker time limits for presenting a view project.

- Applicant, including representatives: total of 15 minutes
- Appellant, including representatives: total of 15 minutes
- Applicant, response to any new info: total of 5 minutes

5. DRP/SDP 17-16-10 Jackel Residence- 216 Ocean Street, Solana Beach, CA 92075

Applicant Information:

Name: Larry and Audrey Jackel
Address: 216 Ocean Street
Phone Number: [REDACTED]

Applicant's Representative:

Name: Stephen Dalton Architects
Phone Number: [REDACTED]

Claimant Information:

Name: Joseph Heilig and Lorraine Pillus
Address: 222 Ocean Street, Solana Beach
Phone Number: [REDACTED]

Name: Jorge Valdes and Suzanne Lopez-Calleja
Address: 615 E. Circle Drive, Solana Beach
Phone Number: [REDACTED]

Name: Frank and Michelle Stribling
Address: 212 Ocean Street, Solana Beach
Phone Number: [REDACTED]

Description of Project:

The project was originally heard at the February 21, 2017 VAC meeting and was continued for a redesign. A list of revisions has been provided after the original project description below:

Applicant is requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish the existing residence and construct a new multi-level, single-family residence. The existing 5,817 square foot lot is located within the Medium Residential (MR) Zone and the Scaled Residential Overlay Zone (SROZ). The project would include grading in the amounts of 915 yd³ of cut, 80 yd³ of fill, and 835 yd³ of soil to be exported off-site. The following is a breakdown of the proposed square footage:

Proposed Basement:	1,702 SF
Proposed Main Floor:	1,714 SF
Proposed Main Floor Garage:	494 SF
Proposed Upper Floor:	674 SF
<u>Proposed Phantom Space:</u>	<u>+ 225 SF</u>
Subtotal:	4,809 SF
Basement Exemption:	-1,702 SF
<u>Off-Street Parking Exemption:</u>	<u>-400 SF</u>
Total Floor Area:	2,707 SF

The tallest point of the new residence is proposed at 25 feet above the proposed grade with the highest pole at 109.04 ft. above MSL. The project requires a DRP for grading in excess of 100 yd³ (aggregate), for a structure that exceeds 60% of the maximum allowable FAR and for a second floor that exceeds 40% of the proposed main floor, floor area. A SDP is required for a square footage addition in excess of 16 feet in height.

Proposed Revisions:

- a. The ceiling height of the dining room proposed on the first floor in the southeast corner of the residence has been reduced from a 10'-1" ceiling height to a 9'-1" ceiling height. With this reduction, the finished floor of the second floor deck above the dining room was lowered by one foot.
- b. The southernmost railing of the second floor deck located in the southeast corner of the residence has been moved 10 feet north of its original location.
- c. The trellis proposed above the second floor deck on the southeast corner of the residence has been removed.
- d. The roof deck proposed on top of the second floor roof and the proposed spiral staircase which would provide access to the roof deck have been removed. This revision reduces the maximum building height of the proposed residence from 25 feet or 109.4 feet above MSL to 22.90 or 106.53 feet above MSL.
- e. The ceiling height of the second floor master bedroom has been reduced from a 10'-1" ceiling height to a 9'-1" ceiling height.

- f. Two stone/brick architectural features proposed on the south elevation, one on the west side of the dining room and the other on the west side of the living room, have been revised which results in a reduction of the proposed height by 1' and 1'-6".

6. VAC Member Comments / Discussion (10 minutes total)
7. Staff Comments / Discussion (10 minute total)
8. ADJOURNMENT

AGENDA ITEM 3

VAC Minutes

February 21, 2017

CITY OF SOLANA BEACH
View Assessment Commission Action Minutes
Tuesday, February 21, 2017 - 6:00 P.M. Regular Mtg.
Solana Beach City Hall Council Chambers
635 South Highway 101, Solana Beach, CA 92075

Minutes contain a summary of the discussions and actions taken by the View Assessment Commission during a meeting. View Assessment meetings are audio recorded. The audio recordings capture the complete proceedings of the meeting and are available for review.

1. CALL TO ORDER and ROLL CALL

Vice Chairman Hegenauer called the View Assessment Commission Meeting to order at 6:00PM on Tuesday, February 21, 2017 in the Council Chambers at 635 South Highway 101, Solana Beach.

Present: VAC Members:	Jack Hegenauer, Molly Fleming, Gary Garber, Paul Bishop, Pat Coad, and Kelly Harless
Staff Members:	Corey Andrews, Principal Planner, Randall Sjoblom, City Attorney, Mikki Eggum, Administrative Assistant
Absent:	Dean Pasko

2. APPROVAL OF AGENDA

Vice Chairman Hegenauer called for a vote to approve the agenda. Vote passed 6/0/1 (Pasko absent)

3. ELECTION OF OFFICERS

Vice Chairman Hegenauer asked if there were any nominations for the new Chair and Vice-Chair. Pat Coad nominated Jack Hegenauer for Chairman, Jack respectfully declined. Pat nominated Paul Bishop for Chairman seconded by Molly Fleming. Vote passed 6/0/1 (Pasko absent). Pat Coad nominated Molly Fleming for Vice-Chair, seconded by Paul Bishop. Vote passed 6/0/1 (Pasko absent). Chairman Bishop asked Jack Hegenauer to continue with this meeting, Hegenauer agreed to officiate this meeting. Jack stated that he wanted it to be understood that he would like to avoid the chairmanship due to the fact that his wife is now a City Council member and he would like to take a back seat on the VAC.

4. APPROVAL OF MINUTES

Hegenauer asked if anyone had any corrections to the November 15, 2016 minutes. There were no changes. Motion to approve the minutes was made by Paul Bishop and seconded by Gary Garber. Motion passed 6/0/1 (Pasko absent)

5. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

Hegenauer opened this portion of the agenda which provides an opportunity for members of the public to address the VAC on items not appearing on the agenda.

Jeff Knutzen, 230 Ocean St., stated that he spent a year before this committee three different times when he wanted to build their home. He voiced his concern regarding the primary view that the claimants Joseph Heilig and Lorraine Pillus are claiming. He wanted to remind the VAC that the claimants had previously claimed their westerly view as being their primary view during his case.

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Applicant's Representative:

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Description of Project:

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Corey Andrews, Principal Planner, gave a PowerPoint presentation, a copy of which will be included in the project file, and described the project.

The Commissioners had questions regarding phantom space, max FAR and the calculations. Corey provided the answers.

Larry Jackel, Applicant, requested extra time since there are three Claimants. The Commission agreed to give the applicant an extra 5 minutes for his presentation and an extra 5 minutes for rebuttal.

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Tuesday, February 21, 2017
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Larry Jackel, Applicant, spoke regarding his project and gave a PowerPoint presentation, a copy of which will be included in the project file.

Steve Dalton, Architect for the Applicants, described the project.

Commissioners had questions for Mr. Dalton regarding decks, overhang, view on deck, and the trellis. He addressed all their questions.

Lorraine Pillus, Claimant, spoke regarding their concerns with the Jackel project. She presented a PowerPoint presentation, a copy of which will be included in the project file.

Jorge Valdes, Claimant, spoke his concerns regarding the Jackel project. He presented a PowerPoint presentation, a copy of which will be included in the project file.

Frank Stribling, Claimant, passed out a packet to the commissioners, a copy of which will be included in the project file. Mr. Stribling stated his concerns with the project.

Speaker, Marco Gonzalez, spoke in support of the Applicant.

Commissioner Pat Coad made a motion to have the three minutes of time that Mr. Gonzalez spoke in support of the Jackel project deducted from the applicant's rebuttal time since Mr. Gonzalez is a lawyer for Mr. Jackel. Jack Hegenauer seconded the motion. Motion passed 4/2/1 (Noes: Harless and Garber, Absent: Pasko).

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Commissioners had questions for Mr. Dalton regarding; story poles, rear setbacks, movement or elimination of square footage, Stribling suggestions and timing of getting plans to claimants. Mr. Dalton and Mr. Jackel addressed all questions.

Pat Coad made a motion to close the public hearing, seconded by Paul Bishop. Motion passed 6/0/1 (Pasko absent).

Jack Hegenauer called for a 10 minute break at 7:47pm.

Jack Hegenauer called the meeting back to order at 7:55.

VAC Members began describing their findings regarding the project as follows:

Heilig/Pillus 222 Ocean St.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/16	2/16	2/17	2/19	2/19	
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Primary Viewing Area for Claimant		Living room	Dining room	Upstairs living	Kitchen dining	Living room	Living room	
#1. Communication Taken Place		Y	N	Y	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	

VAC Minutes
 Tuesday, February 21, 2017
 Page No. 4

#3. Designed to Minimize View Impairment	N	N	N	Y	N	N	
#4. No Cumulative View Impairment	Y	N	Y	Y	Y	Y	
#5. Neighborhood Compatibility	Y	Y	Y	Y	Y	Y	

Valdes/ Lopez-Calleja 615 E. Circle Dr.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/16	2/15	2/15	2/19	2/19	
	Applicant	2/18	2/16	2/20	2/11	2/16	2/20	
Primary Viewing Area for Claimant		deck	deck	deck	deck	deck	deck	
#1. Communication Taken Place		Y	N	N	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	
#3. Designed to Minimize View Impairment		N	N	N	Y	N	N	
#4. No Cumulative View Impairment		N	N	N	Y	Y	Y	
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	

Stribling 212 Ocean St.		Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
Date Visited	Claimant	2/19	2/15	2/15	2/15	2/16	2/16	
	Applicant	2/18	2/16	2/20	2/11	2/16	2/20	
Primary Viewing Area for Claimant		deck	deck	deck	deck	deck	deck	
#1. Communication Taken Place		Y	N	N	Y	Y	Y	
#2. No Public View Impairment		Y	Y	Y	Y	Y	Y	
#3. Designed to Minimize View Impairment		N	N	N	Y	N	N	
#4. No Cumulative View Impairment		Y	N	N	Y	Y	Y	
#5. Neighborhood Compatibility		Y	Y	Y	Y	Y	Y	

Jack Hegenauer asked the applicant if they are willing to redesign, and they agreed. After discussion between the Commission, the Applicant and the Claimants, Pat Coad made a motion to continue the project for a period of 60 days for redesign, seconded by Paul Bishop. Motion passed 6/0/1 (Pasko absent).

7. VAC MEMBER COMMENTS / DISCUSSION

Paul Bishop welcomed Kelly Harless to the Commission.

8. STAFF COMMENTS / DISCUSSION

There were no Staff comments.

9. ADJOURNMENT

Jack Hegenauer declared the meeting adjourned at 9:16PM.

Minutes as approved by V.A.C. on _____

Respectfully submitted,

Mikki Eggum, Administrative Assistant

Corey Andrews, Principal Planner, VAC Staff Liaison

AGENDA ITEM 5

**Case 17-16-10 DRP/SDP
216 Ocean Street, Solana Beach, CA**

Applicants:

Larry and Audrey Jackel

Claimants:

222 Ocean Street, Solana Beach
Joseph Heilig and Lorraine Pillus

Jorge Valdes and Suzanne Lopez-Calleja
615 E. Circle Drive, Solana Beach

212 Ocean Street, Solana Beach
Frank and Michelle Stribling

Information from Applicants:

Larry and Audrey Jackel
216 Ocean Street

Corey Andrews

From: Larry Jackel <ljackel@fenwayproperties.com>
Sent: Wednesday, March 08, 2017 1:36 PM
To: Corey Andrews
Cc: Stephen Dalton; Briana
Subject: 216 Ocean Street - Jackel House - Neighbor Communications 3-8-17
Attachments: 216 Ocean Street VAC Compromise Neighbor Communications (Heilig) 3-8-17.pdf; 216 Ocean Street VAC Compromise Neighbor Communications (Valdes) 3-8-17.pdf; 216 Ocean Street VAC Compromise Neighbor Communications (Stribling) 3-8-17.pdf

Hi Corey,

Attached are three separate PDF's showing communications with the three different claimants. Please note that some of the emails were initially delivered to the group, and are duplicated in each package. Others are direct communications with the individual claimants.

The initial messages after the previous VAC meeting start at the end of each PDF.

PDF's are labelled with Claimant's name.

Thanks.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
ljackel@fenwayproperties.com | www.fenwayproperties.com

Heilig Communication

Last Message 3/3/17

H

Larry Jackel

From: Larry Jackel
Sent: Friday, March 03, 2017 9:45 PM
To: [REDACTED] Michele Stribling'
Cc: Audrey Jackel; 'Stephen Dalton'; 'Briana'
Subject: 216 Ocean Street - Revised Plan Approval Request to Neighbors
Attachments: 170228_SD_VAC COMPROMISE comparison.pdf

Hi there Neighbors,

First, we'd like to thank you all very much for responding to all of these messages in order to quickly work through this tedious task. Audrey and I very much appreciate the courtesy to at least help us get this decision made quickly, so that we may hopefully begin building, and subsequently live in our new house as soon as possible.

I have been back and forth on many emails with all of you over the past two weeks, and while I know you all are chatting separately with each other, I have found the individual discussions to be mostly productive. There are different things that each of you want, and while I know there is power in numbers, it does not mean that we will be able to accommodate ALL of what each of you are looking for, so if possible, please consider your own individual situation.

The following is a new list of changes to the plan we presented last week. They are also shown on the attached PDF which displays all of the viewing elevations, comparing the previous plans to the new ones with the compromises. These are all items that have been requested by one or more of you and I've tried to label who each of these changes might please.

1. Removal of roof deck, thus lowering the overall height of the project by approximately 3 feet – Valdes, Heilig and Stribling
2. Lowering of our Master Bedroom ceiling by 1 foot – Valdes and Stribling
3. Removal of our trellis – Heilig and Stribling
4. Lowering of the Dining Room ceiling by 1 foot – Stribling and Heilig
5. Pull back Glass on 2nd floor deck by 10' – Stribling
6. Lowering stone features by 1 foot each as requested by Stribling – Stribling

We have listened very intently to your requests and have made all of the changes/compromises that we are willing to make and still be able to build a house for our family on this site. We now hope that each of you will compromise the small amount you need to in order to approve this plan.

Assuming you all are agreeable with the plan as presented, we will not need to go back to the VAC to have them rule on whether or not, based on primary views, we have done enough to minimize (not eliminate) view impairment.

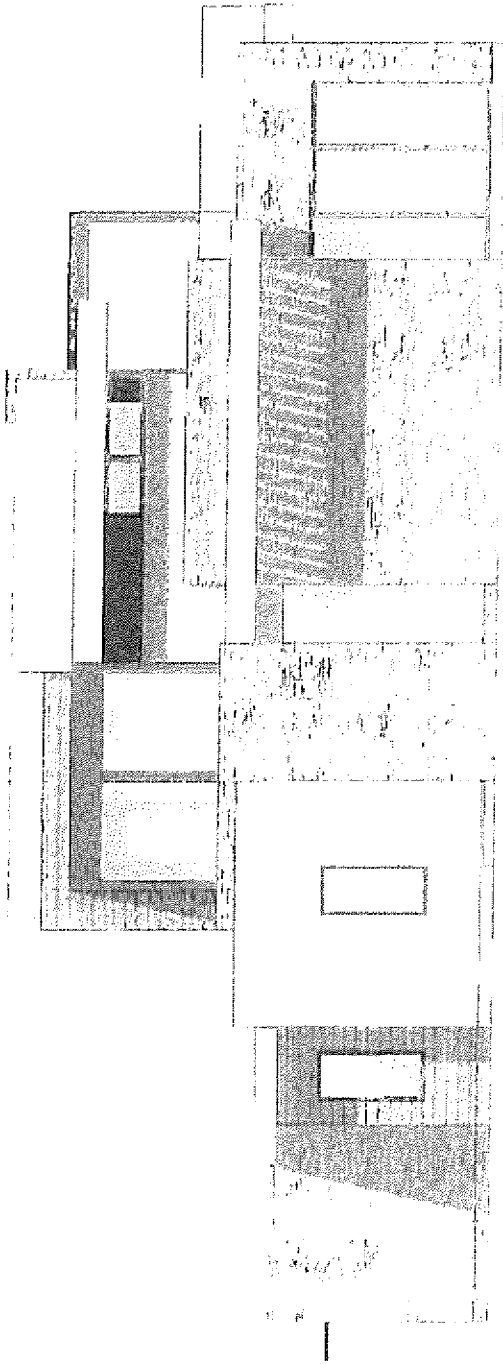
While I understand that some of you may be content and accepting of the changes, and others may still want to fight, please remember that this is not a group decision. If you individually feel like you are willing to accept the compromises as shown, thank you very much. It will make our meeting that much quicker in a couple of weeks. However, if you all choose to want to push back more, then we will simply leave it up to the VAC members to make a decision on the project.

Audrey and I want more than anything to stop talking about all of this, get our house built, and happily give you each a cup of sugar or 3 eggs, or whatever favors good neighbors do for each other from time to time. This situation has been far more taxing than anything in our wildest dreams, and we would very much like to have it be done. All we want to do is build a house and have just a very slight bit of the same enjoyment that each of you have in your houses. I know that neighbors all over Solana Beach work together to allow others to build and share the joy they have in living here. I think we are also supposed to be able to do that. Please accept our compromises and allow us to move forward.

Thank you for your consideration.

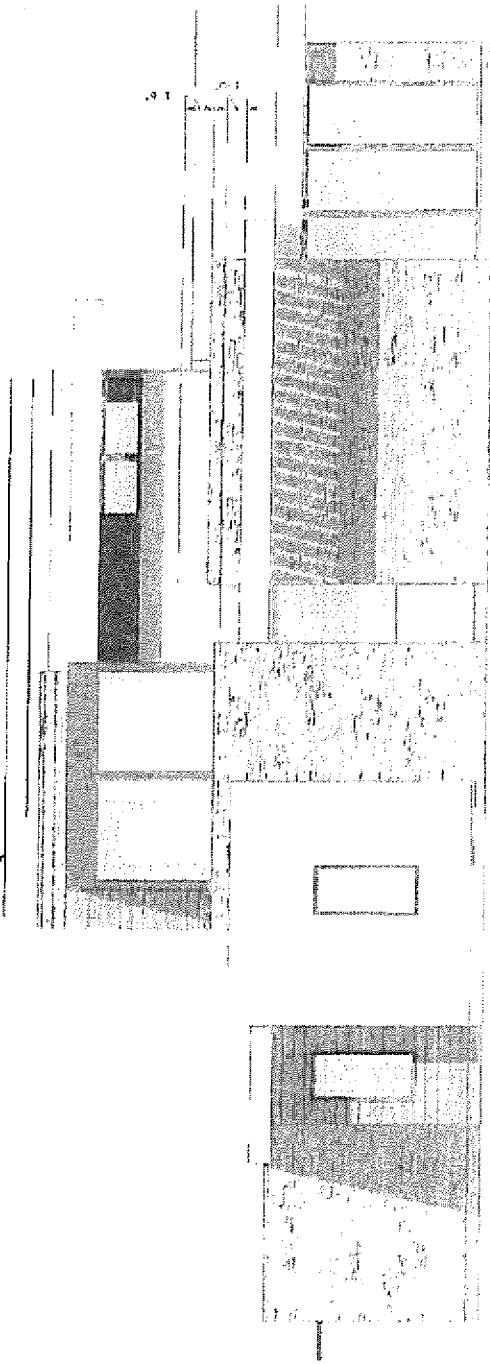
Larry and Audrey Jackel

H



A. WEST ELEVATION

REMOVED ROOF DECK



B. WEST ELEVATION



H

Larry Jackel

From: Larry Jackel
Sent: Tuesday, February 28, 2017 1:49 PM
To: [REDACTED] Pillus, Lorraine
Cc: Audrey Jackel; Briana; Stephen Dalton
Subject: RE: 216 Ocean Street
Attachments: 216 Ocean Street VAC COMPROMISE comparison West Elevation (J&L).pdf; View from 222 (2-22-17).pdf

Thanks for your response Joe.

Please see attached. One PDF shows the comparison of changes we've made since the VAC meeting. The other is the photo that you sent me with your story pole concerns, which should enable this email to make more sense.

I thought we had done a pretty good job of answering your question about the photo you sent. Again, Pole #8 is now gone. The roof deck is gone, and so are poles #21 and #22. Pole #9 is not a wall, but it's an overhang (and I understand, from your photo it's tough to tell that this pole is actually 22' away from your house). Like I mentioned before, our new plan calls for you to not see any walls from the right hand side of your photo. Just a small roof overhang, 22' away, and I guess we could argue about whether or not it will feel like a wall from inside your family room. Again, poles #9 and #10 are connected by a roof line that seem to us to be very reasonable, still allowing you to see the sky and the moonrise that you have requested. And, in answer to your other question, the metal which is called out on our roof overhang is not reflective, so you should not be looking into a mirror.

Please let us know if that was the explanation you are looking for, and if it helps you guys change your mind in any way to accept all of our compromises.

Very much appreciate your consideration.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121 direct (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
[REDACTED]ljackel@fenwayproperties.com | www.fenwayproperties.com

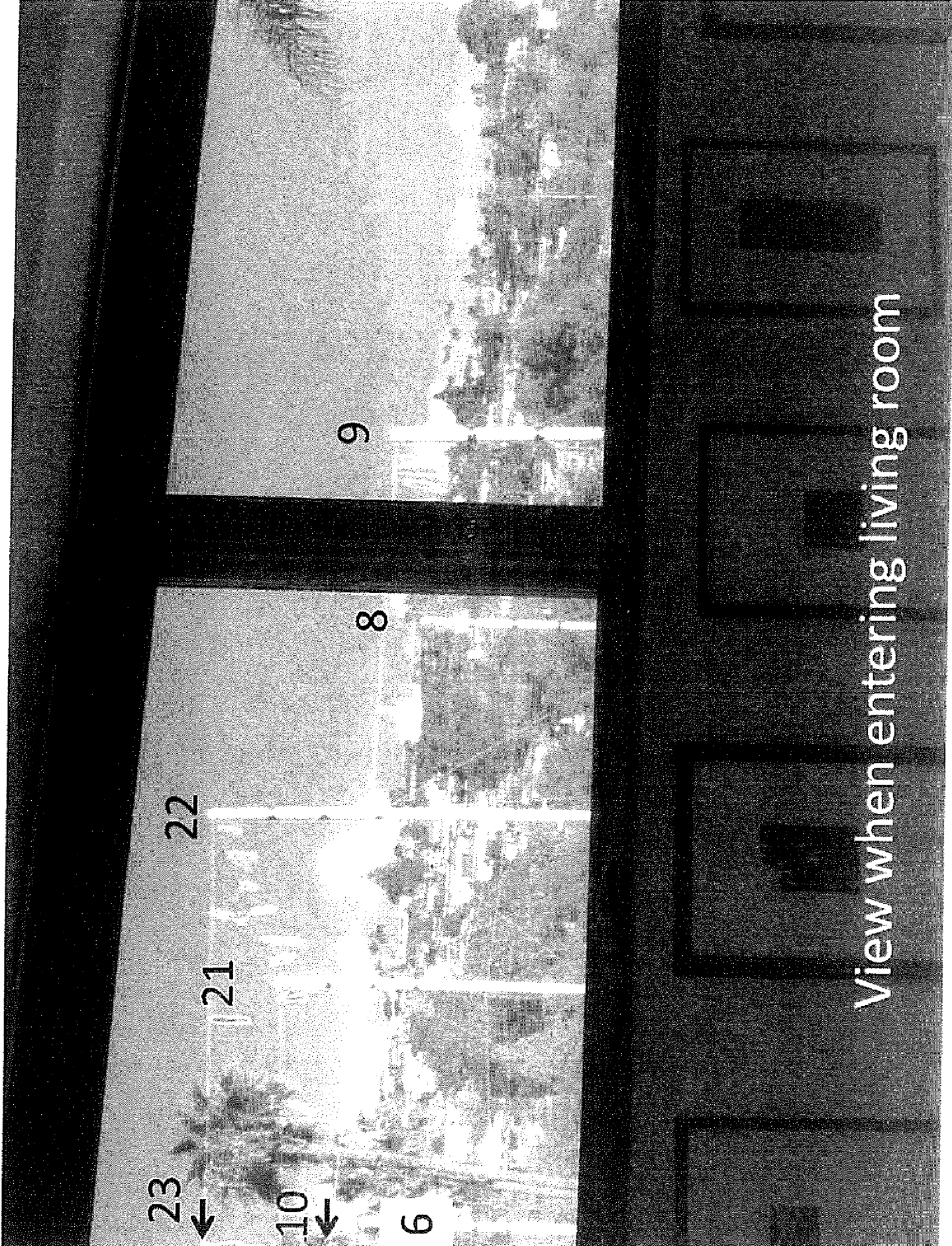
-----Original Message-----

From: [REDACTED]
Sent: Monday, February 27, 2017 9:46 PM
To: Larry Jackel <ljackel@fenwayproperties.com>; Pillus, Lorraine <[REDACTED]>
Cc: Audrey Jackel <[REDACTED]>; Briana <[REDACTED]>; Stephen Dalton <[REDACTED]>
Subject: RE: 216 Ocean Street

Larry,

Didn't see you over the weekend to discuss your proposed changes.

If the roof deck is in fact removed permanently, that resolves the problem of imposition on our privacy, and if it also resolves the obstruction of the view from Jorge and Suzanne's, that is certainly a positive direction. However, as you know, removing the glass railing does nothing to resolve the obstruction of our view. We are sorry that you state that



23 ←

21

22

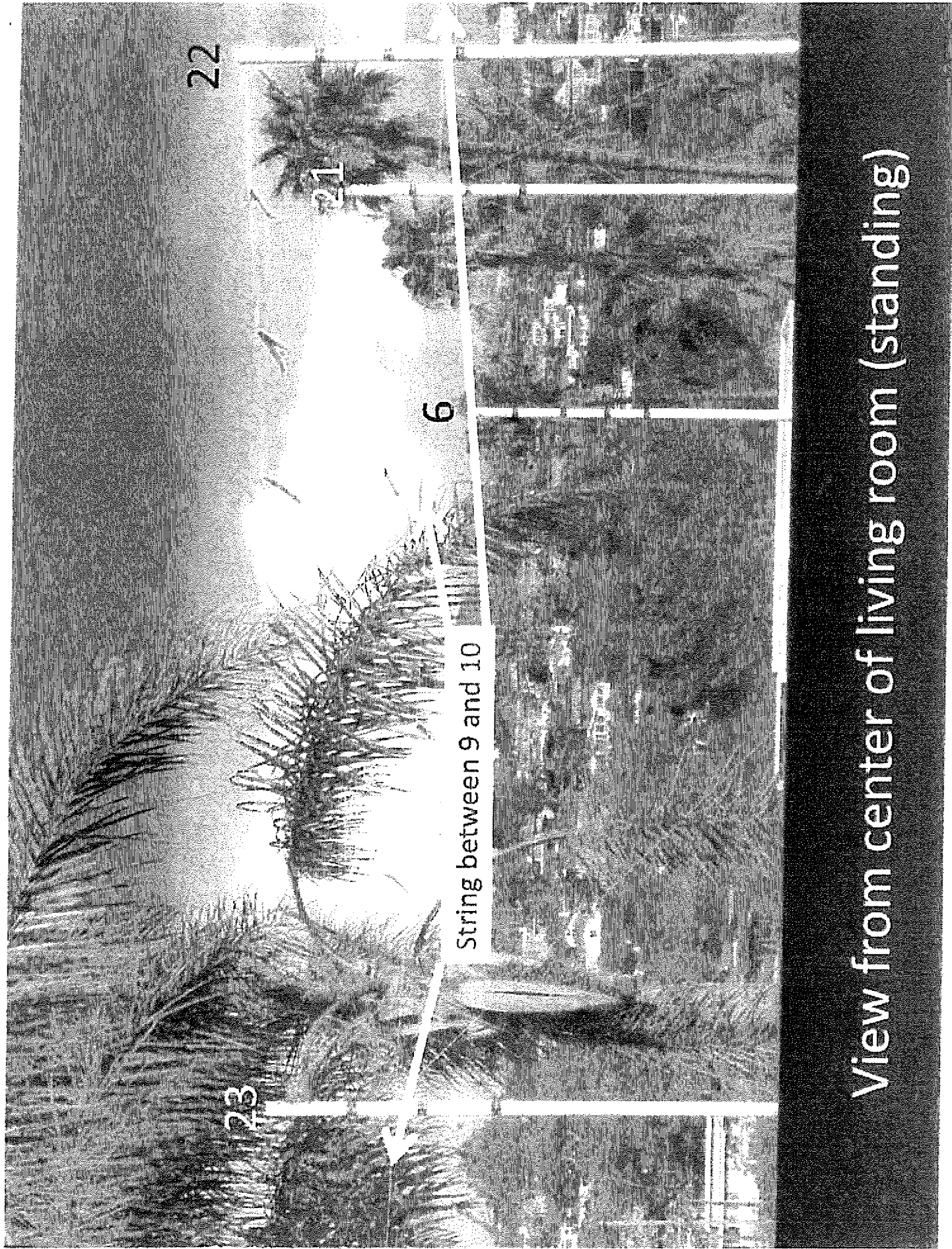
10 ←

6

8

9

View when entering living room



View from center of living room (standing)

you "have done everything (you) are willing to do," since it doesn't mitigate the impairment of our view as was defined and discussed by the VAC. H

It is important to clarify your description of our view as it is affected by your proposed development with specific reference to the story poles mentioned in your note:

- Because our view obstruction begins at the line described by poles 9-11, the removal of Pole 8 is not apparent to us, although if that reduces imposition on the Stribling's view, again, another appreciated modification.
- Poles 21 and 22 define the southern edge of the roof deck, whereas Poles 22-24 describe the west facing side of the deck, and 19 and 25 the east. Will that part of the structure described by poles 19, 22, 23, 24 and 25 also be removed? Will the structure defined by the string between poles 6 and 19 also be reduced? Or will the roof deck remain with only changes proposed to the front railing? You state that you will not have a roof deck, but we want to ensure we all understand what that means.
- You state that Pole 9 indicates the extent of the roof overhang, but on Page A2-5 of the plans the roof extends about two feet beyond Pole 9 to both the south and west. Since the roof overhang is also at least 18 inches high, to our view, that is effectively a solid wall. Further, the plans indicate it is finished in metal. Will this be reflective? If so, if it remains in our view, it would act as a mirror.

The height as depicted on Page A3-1 increases between poles 10 and 11, which would of course increase view blockage beyond that of the height defined by poles 9 and 10. Because the current story poles indicating that part of the structure are 19, 23, 24, and 25 it is difficult to determine the height above the pole 9-10 line. Will the height remain that of poles 19, 23-25?

You refer to the view standing at our living room window. None of the photos from our living room were taken from that position. They were instead taken from a more realistic position in the room. From any position in the living room we get much more than a glimpse of the proposed roof line. In the current plans, the strings between Poles 9 and 10, and between poles 6 and 19, are about two-thirds of the way up the window, and structure below that line would be the primary element of our view from that window, thereby completely obscuring the hills beyond.

You indicate that the photo we attached labeled 'entrance to our living room' shows that, without modifying your plans, "there will be no wall visible in the right hand window at all, and very little in the 2nd window." This simply is not accurate. With the roof overhang as shown in the plans, most of the view through the right window will be roof, as will be all of the view through the left window. You are correct that there will be sky above that, with the hills completely obscured as has been demonstrated in all of the photos from our living room.

A number of suggestions were made by members of the VAC, as well as by us, as to how the impairment of our view could be minimized in keeping with the goals stated in the VAC tool kit. Surely this can be achieved while also ensuring you have a house with lovely views that is certainly well 'worth building,' in contrast to the concern from your message. As we have been from the outset, we remain interested in resolving our mutual interests. We hope you are also willing to try to do that.

We will look forward to hearing from you,

Joe and Lorraine

--- Larry Jackel <ljackel@fenwayproperties.com> wrote:
> Hi Joe and Lorraine,



>
> Well, we just took a very close look, and spent quite a bit of time on the computer, trying to figure out if we are able to further accommodate your additional request. I'm really sorry, but we just cannot lower our ceiling heights at that part of our house. We will be removing the trellis and lowering the ceiling in the dining room which accommodates the Stribling's view concern, as well as helps you. We will also be lowering the ceiling in the Master Bedroom to accommodate the Valdes, but the part where you need us to lower the ceiling is where we have the Master Bathroom, which already only has an 8' ceiling. The only place we will have any sort of presence, now that we will not have roof deck, nor most of our second floor deck, is going to be in our family room and entry, which simply cannot be changed, otherwise the house is not worth building.

>
> I understand that it's not perfect for you, but I think 22' from your house will be a wall, which, when you stand up, you will get a glimpse of it. When you sit down, you will see above it.

>
> On the picture you sent, which is also attached here:

>
> Pole 8 will be gone with the trellis being removed.

>
> Pole 21 and 22 will be gone because that is the Roof Deck

>
> Pole 9 is actually the roof overhang, so the wall starts 2' behind that and spans to pole 10. When you are standing against the window, the houses through the window on the left will be blocked, but the sky above will be almost 100% visible.

>
> As a matter of fact, from the photo you sent, there will be no wall visible in the right hand window at all, and very little in the 2nd window.

>
> I hope you guys can appreciate our efforts and understand that we have done everything we are willing to do to compromise again. This is in addition to moving the house back 18' from previous plans and also moving away from your house and removing the chimney. Hopefully you are willing to compromise just slightly, by accepting what we have offered.

>
> Thanks for your consideration.

>
>
>
> Larry Jackel | Partner | Fenway Properties
> 10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121 direct
> (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
> Ljackel@fenwayproperties.com | www.fenwayproperties.com

>
>
>
> -----Original Message-----
> From: Pillus, Lorraine [mailto:[REDACTED]]
> Sent: Thursday, February 23, 2017 3:08 PM
> To: Larry Jackel <ljackel@fenwayproperties.com>
> Cc: [REDACTED]
> [REDACTED]; Audrey Jackel [REDACTED]
> Stephen Dalton [REDACTED] Michele Stribling
> [REDACTED]
> Subject: Re: 216 Ocean Street

>
> Larry,

H

>
> No problem with continuing to email us all as the conversations and plans evolve. The unified correspondence is helpful for perspective.

>
> Regards,
> Lorraine and Joe

>
>
> On Feb 23, 2017, at 11:28 AM, Larry Jackel wrote:

>
>> Hi Joe.

>>
>> Thanks for the quick response.

>>
>> I'm meeting today with Steve Dalton and Briana and we will take a look at what is feasible for your situation.

>>
>> I'm sorry to be bogging down everyone's emails with the different compromises we are willing to make for each of you. I will begin now to send emails and respond to each of you directly regarding each of the individual compromises since each of you are separately concerned with different portions of our house.

>>
>> Hopefully everyone is willing to compromise. I think that the goal and intent here is for us to try to build something that works for everyone's compromised position. I don't believe that we are supposed to be compromising all of our positions in order to ensure that all of you get to keep everything that you currently have. Our sacrifices will hopefully be met with the idea on your parts that things are going to change for you, and be different going forward, but not necessarily bad.

>>
>> Thanks for your help and consideration.

>>
>>
>> Larry Jackel | Partner | Fenway Properties
>> 10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121 direct
>> (858) 436-3610 | fax (858) 436-3636 | cell (619) 889-8895
>> ljackel@fenwayproperties.com | www.fenwayproperties.com

>>
>>
>>
>> ---Original Message-----
>> From: jshellig@cox.net [mailto:jshellig@cox.net]
>> Sent: Thursday, February 23, 2017 8:09 AM
>> To: Larry Jackel <ljackel@fenwayproperties.com>; jorgev3333@att.net;
>> lpillus@ucsd.edu
>> Cc: Briana <briana@sdarchitects.net>; Audrey Jackel
>> <audrey@jackelsd.com>; 'Stephen Dalton' <steve@sdarchitects.net>;
>> Michele Stribling <mstribling1@yahoo.com>
>> Subject: Re: 216 Ocean Street

>>
>> Larry,

>>
>> Glad to hear that after the discussion Tuesday you have a better understanding of all of our concerns. To re-emphasize, no one suggested you not build, and no one expressed an interest in denying one element or another of a house. Our concerns remain with the effect of your development on our homes. We don't believe any of your neighbors want to opine on specific design elements of your project as long as they are not intrusive or obstructive.

H

>>

>> Your proposed removal of the roof deck would indeed mitigate our privacy concern with the current plans. We appreciate that. However, our view would still be significantly impaired. As shown in the attachment, the currently proposed roof in front of our living room completely blocks the Solana Hills and much of the sky. As we and others suggested, reducing plate heights from the current 10' 1" would allow us to retain part of our views. For reference, our plates are 8'1". Perhaps the architect can determine how we can retain our views while still providing you the highest ceilings you desire, in a way that would be aligned with suggestions from Jorge, us, and those of the VAC Tuesday night.

>>

>> We want you to appreciate that your current design would forever block light, air flow and views to our main entrance, and very likely block all eastward views from our dining area. We are not at all enthusiastic about losing those views (and other important quality of life aspects), which were specifically noted and valued by several members of the VAC. We do hope to retain the privacy and views from our primary view area. Removal of the roof top deck, and reducing the overall height would be an approach toward meeting our mutual goals.

>>

>>

>> Joe and Lorraine

>>

>>

>> --- Larry Jackel <ljackel@fenwayproperties.com> wrote:

>>> Neighbors,

>>>

>>> After last night, we further understand each of your concerns with the plan for our house.

>>>

>>> As you know, our goal is to build a house in enough time for our children, while they are young and still living at home, to enjoy growing up in their new house. Therefore, we are hoping you will all please do us the courtesy of responding quickly to the messages regarding our efforts to compromise some of our positions.

>>>

>>> Repeatedly I heard last night about your desire for us to remove our roof deck. As you can imagine, it's a little frustrating, knowing that 2 of the 3 of you have roof decks that you are claiming as your primary view, but that you don't want us to have one, which would then be our primary view for the future. However, my question to Joe and Lorraine, and the Valdes', is if we are willing to remove the roof deck, are you willing to settle? Our understanding is that this is not quite perfect for you guys, but both of you would then enjoy the reduction of our total project height by the removal of the deck, maintain almost 100% of your current views, and Joe and Lorraine would receive the further benefit of removing their privacy concern. I do not believe there needs to be much done architecturally to show you what that would look like, but please let us know if you need me to spend the money to have a rendering done.

>>>

>>> Regarding the Stribling's, the architect is coming up with a design that I would imagine will satisfy your concerns. Our goal is to meet with you this Friday to show that to you with the hope that it will be sufficient enough for you to be satisfied.

>>>

>>> Again, while we know that time is not of issue to any of you regarding this project, we would very much appreciate the courtesy of trying to quickly respond to our suggestions so that we can hopefully move on to more enjoyable things. Our goal is to settle with each of you, or be back to the March meeting, so any assistance you can provide would be very much appreciated.

>>>

>>> Thank you for your consideration.

>>>

>>>

>>> Larry Jackel | Partner | Fenway Properties
>>> 10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121 direct
>>> (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
>>> ljackel@fenwayproperties.com<mailto:ljackel@fenwayproperties.com> |

Valdes Communication

Last message 3/8/17

V

Larry Jackel

From: Jorge Valdes [REDACTED]
Sent: Wednesday, March 08, 2017 8:22 AM
To: Larry Jackel
Subject: Re: 216 Ocean Street - Revised Plan Approval Request to Neighbors

Larry,

As I have stated in communications with you and at the VAC meeting not everyone's definition of significant views is the same. My views of La Jolla downtown and La Jolla Shores are really important to me, otherwise we would not be having this issue. I spent a significant amount of time on my roof deck, on my birthday, to determine a solution that I consider to be fair to both of us (minimum interruption to your home while at least giving Suzanne and me some small view of La Jolla Shores and downtown), unfortunately you don't agree with what I proposed. While unpleasant, this is not a battle, I am trying to maintain views that are very important to us and you are trying to build the house that you want and unfortunately we cannot get to an agreement. So, at this point we can agree to disagree and let VAC decide what is fair.

Jorge

On Mar 6, 2017, at 10:11 PM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Thanks for the response Jorge.

I only wish you could be reading your response from our position.

What you are losing site of, is the fact that you currently have an incredible 360 degree view. Please don't forget about your expansive views to the West, East, North and most of the South. You have become so focused on these 3 degrees of minimal impairment, (standing or sitting) to the South, that you actually believe that we are the ones who are being unreasonable. Please remember that we are not building a house that completely blocks your ocean view, like other people in other parts of Solana Beach have attempted to do to their neighbors. We are certain that the VAC's main purpose for existing is to try to avoid situations like that, and not to try to stop folks like us from building. We are simply building a two story house, in a location where a one story house currently exists, just like 95% of our neighborhood has already done. And doing so in a manner barely changes our neighbors magnificent and expansive views.

Jorge, please understand that you've been quite clear that 6" more is all you want, but we've already given you a humongous concession by removing our roof deck and by dropping to the lowest level of ceiling heights that we are willing to endure in our new house. We have reduced the maximum height of the house by over 2 feet, and we can go no further.

With that said, in the spirit of constant compromise on our part, we spoke this morning to the architect, and are willing to drop the architectural feature down to the same level as the rooftop, making it flush, as you requested, at 106.53 msl.

Hopefully this final concession will be enough for you to avoid continuing this battle. Please let us know.

Thanks.

LJ

On Mar 4, 2017, at 12:16 PM, Jorge Valdes [REDACTED] wrote:

Larry,

V

First of all I want to start by saying that we do want you to build your home as soon as possible and as I mentioned in the VAC meeting, I think it is a beautiful home. And I appreciate that you have gone down the path of making modifications to improve the situation with our view impairment. I hope you also appreciate that in my case I am making a significant compromise in totally giving up my southern view from my roof deck in a sitting position and I am only trying to maintain my view in a standing position. And also please understand that we are not wanting to "fight" as you state, we just want to share the view. Given that, I have shared pictures of my views and the view impairment that the initial design and the new modifications still cause. I think it would be helpful for all of us to understand your position if you would share pictures of the views that you will have from your southern facing deck and dining room?

I am an engineer so lets go through your points below that impact my situation because you are selectively wording it to your benefit:

- 1) Removal of the roof deck. I appreciate this change since it helps lower the height of the overall structure and while is it technically true that it lowers the height in the roof deck area by three feet, you are incorrectly making it sound as if it lowers the overall height of the structure by three feet. The height of the master bedroom area, which causes a significant portion of my view impairment, is higher than the floor of the roof deck. Also you have an architectural feature that is a high point and is completely impairing my view of downtown La Jolla. So to be completely 100% clear, if you would have truly dropped the maximum height of the structure by 3 feet, you would eliminate my view impairment and we would be done and moving on happily ever after but you have not done so.
- 2) Yes and thank you, but again as I mentioned at the VAC meeting, I need a reduction to 106 MSL to improve my view impairment.

So as of this modification you have improved my view of Mount Soledad, you have not in any way improved my view of downtown La Jolla, La Jolla Shores beach, whitewater and ocean. Thus my southern views are still almost 100% blocked, its very binary. We are down to two very simple items, 6 inch further reduction in the overall height of the structure and lowering the height of the architectural feature so that everything is at a maximum height of 106 MSL. Being an engineering and as mentioned at the VAC meeting there are still things that you can do to truly improve the impairment on my view, I am sorry that you are not willing to consider those additional changes. For example you could drop the ceiling heights another 3 inches on each floor, which is roughly 2.75% of the overall ceiling height in your new proposal and is almost imperceptible. And regarding the architectural feature, I fully understand why you want the stone wall, what I have a difficult time understanding is why it cannot be flush with the height of the master bedroom roof? The feature is dead center in my view of La Jolla. I think most rationale people would have a difficult time supporting an architectural feature being one of the main items impairing my views.

So unfortunately I guess we will have to go back to VAC again, it's a sad way to solve this and a terrible way to start our time as neighbors. So I will ask you again to please consider the small changes that would significantly improve my view,

✓

Larry Jackel

From: Larry Jackel
Sent: Monday, February 27, 2017 5:19 PM
To: 'Jorge Valdes'
Cc: Audrey Jackel; 'Stephen Dalton'; 'Briana'
Subject: RE: 216 Ocean Street
Attachments: 2.pdf; 216 Ocean Street VAC COMPROMISE comparison North Elevation (Valdes).pdf

Oops. Forgot the attachments on the last email.

Here you go.

Thanks.

Larry Jackel | Partner | Fenway Properties
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direct (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
Ljackel@fenwayproperties.com | www.fenwayproperties.com

From: Larry Jackel
Sent: Monday, February 27, 2017 4:07 PM
To: 'Jorge Valdes' <jorgev3333@att.net>
Cc: Audrey Jackel <audrey@jackelsd.com>; Stephen Dalton <steve@sdarchitects.net>; Briana <briana@sdarchitects.net>
Subject: RE: 216 Ocean Street

Jorge,

Not exactly how we were hoping you would respond, but thanks for getting back to us.

Attached you will find the two renderings that denote the compromised plan and also pdf's showing the original elevation. In answer to your two questions, yes, that particular architectural feature is on the North elevation, and yes, poles 24 and 25 are lowered to 106.95 MSL. So the overall project height reduces from 109.04 MSL down to 106.53 MSL, with the exception of that 8 1/2' section that would be at 106.95.

We will take a look to see if we come up with any other ideas, but please just let us know in the meantime if you guys maybe change your mind and decide that our last proposal was acceptable.

Thanks for the consideration.

Larry Jackel | Partner | Fenway Properties
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direct (858) 436-3610 | fax (858) 436-3636 | cell (619) 889-8895
Ljackel@fenwayproperties.com | www.fenwayproperties.com

V

From: Jorge Valdes [mailto: [REDACTED]]
Sent: Monday, February 27, 2017 6:30 AM
To: Larry Jackel <ljackel@fenwayproperties.com>
Cc: Audrey Jackel [REDACTED]; Stephen Dalton [REDACTED]; Briana [REDACTED]
Subject: Re: 216 Ocean Street

Larry,

Thanks for the information it is now clearer. In addition to my comments below I want to clarify two items:

1. The architectural feature is only on the north elevation?
2. The height of poles 24 and 25 is dropping by 1.62 ft?

So I took a look several times this weekend in order to be fair because I really want to find a solution that works for both of us.

Please refer to the attached slides, they are from a standing position on my roof deck at my eye level (we need to allow another 5 inches to cover Suzanne's eye level). The red lines are at 107 MSL to reflect the architectural feature, the yellow lines are at 106.5 MSL to reflect your proposed maximum structure height and the green lines are at 106 MSL. You can see the challenge with 107 MSL, the architectural feature is right in the middle of my view of La Jolla downtown. You can also see the challenge with 106.53 MSL. The beach, white water and ocean at La Jolla shores is right at the edge of being blocked (and this is at my standing eye level, we need another 5 inches for Suzanne). Also keep in mind that I am estimating the heights on the pictures so a small error on my part can even eliminate the view at my standing eye level.

We really do want to work with you to find a solution that is acceptable to both of us. I hope that you can appreciate that with our request of 106 MSL maximum height we are already giving up all our southern view from our roof deck while in a sitting position. We are only trying to maintain our view in the standing position, this is a significant concession on our part.

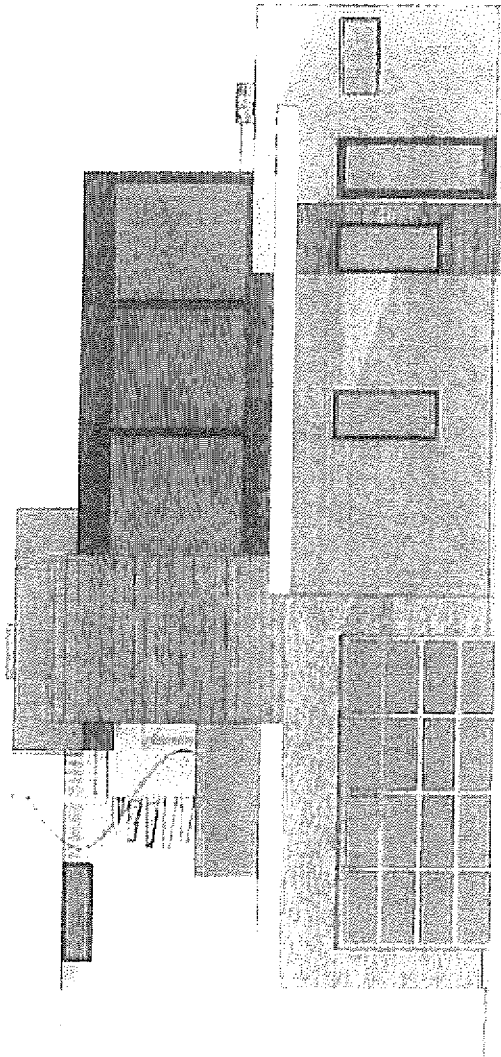
So in order to find a solution to our view impairment we are down to a 6 inch challenge on the maximum structure height and the architectural feature. I feel that solutions were presented at the VAC meeting by board members that would resolve our view impairment and allow you to maintain your ceiling heights and even the architectural feature while maintaining a maximum structure height of 106 MSL. Please consider those solutions or other options.

I am traveling on business the next fews days but will be back in town later in the week.

Jorge

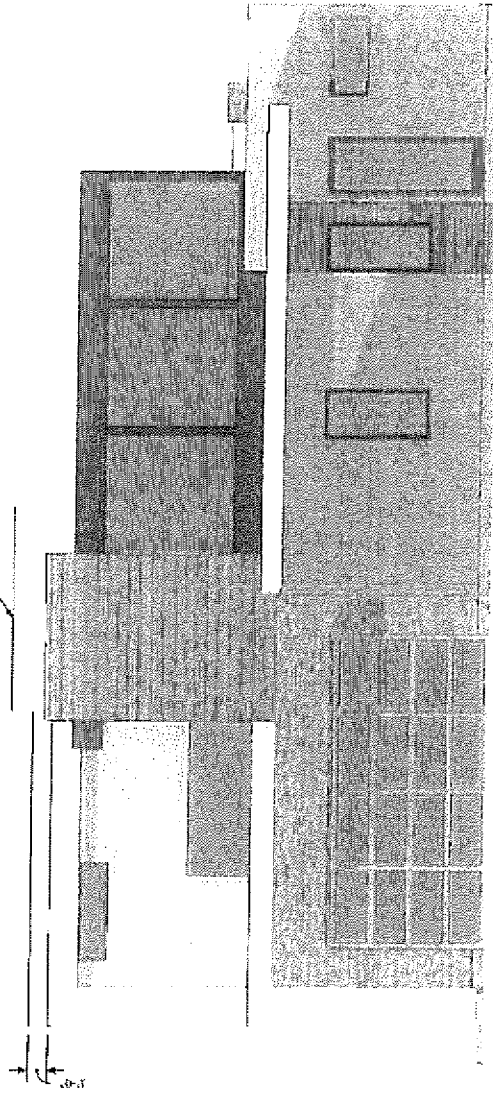
On Feb 24, 2017, at 7:16 AM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Sounds good. Enjoy your birthday.



A- NORTH ELEVATION

- HEIGHT OF ROOF DECK REMOVED



B- NORTH ELEVATION

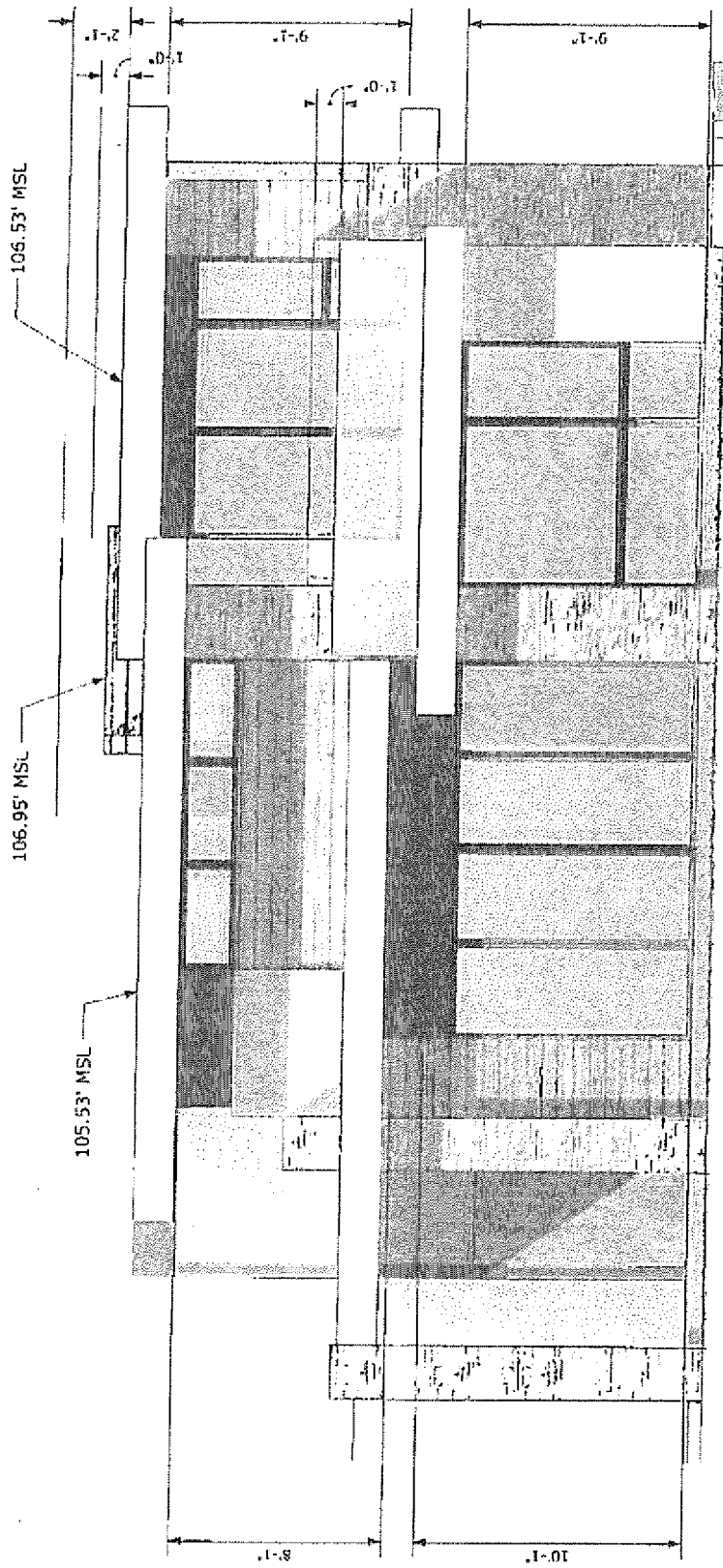


STEPHEN DALTON
www.sdaarchitects.net

OCEAN STREET HOUSE
VAC COMPROMISE 2

02.2000.17





SOUTH ELEVATION

sda
STEPHEN DALTON
www.SDArchitects.net

OCEAN STREET HOUSE
VAC COMPROMISE

02/24/2017



V

Thanks.

LJ

Larry Jackel
Fenway Properties
858-436-3610

On Feb 24, 2017, at 7:14 AM, Jorge Valdes [REDACTED] wrote:

Larry,

Thanks for the information. Today is my birthday so I will look this over the weekend and get back to you on Monday morning.

Jorge

On Feb 23, 2017, at 5:29 PM, Larry Jackel
<ljackel@fenwayproperties.com> wrote:

Jorge,

Please see attached. I'm not exactly sure if this is what you need, but thought I'd try. The two PDF's are the plan as current, where I circled the architectural feature that we'd really like to keep. The other PDF shows the new plan with a line drawn to show the old vs. new design.

In answer to your question about the poles:

Poles 22 and 23 go away

Poles 24 and 25 stay for the Architectural feature, but the new height is that 107 msl that I mentioned before. Pole 25 moves 3 feet to the West, but again, it's only 8 ½ feet wide.

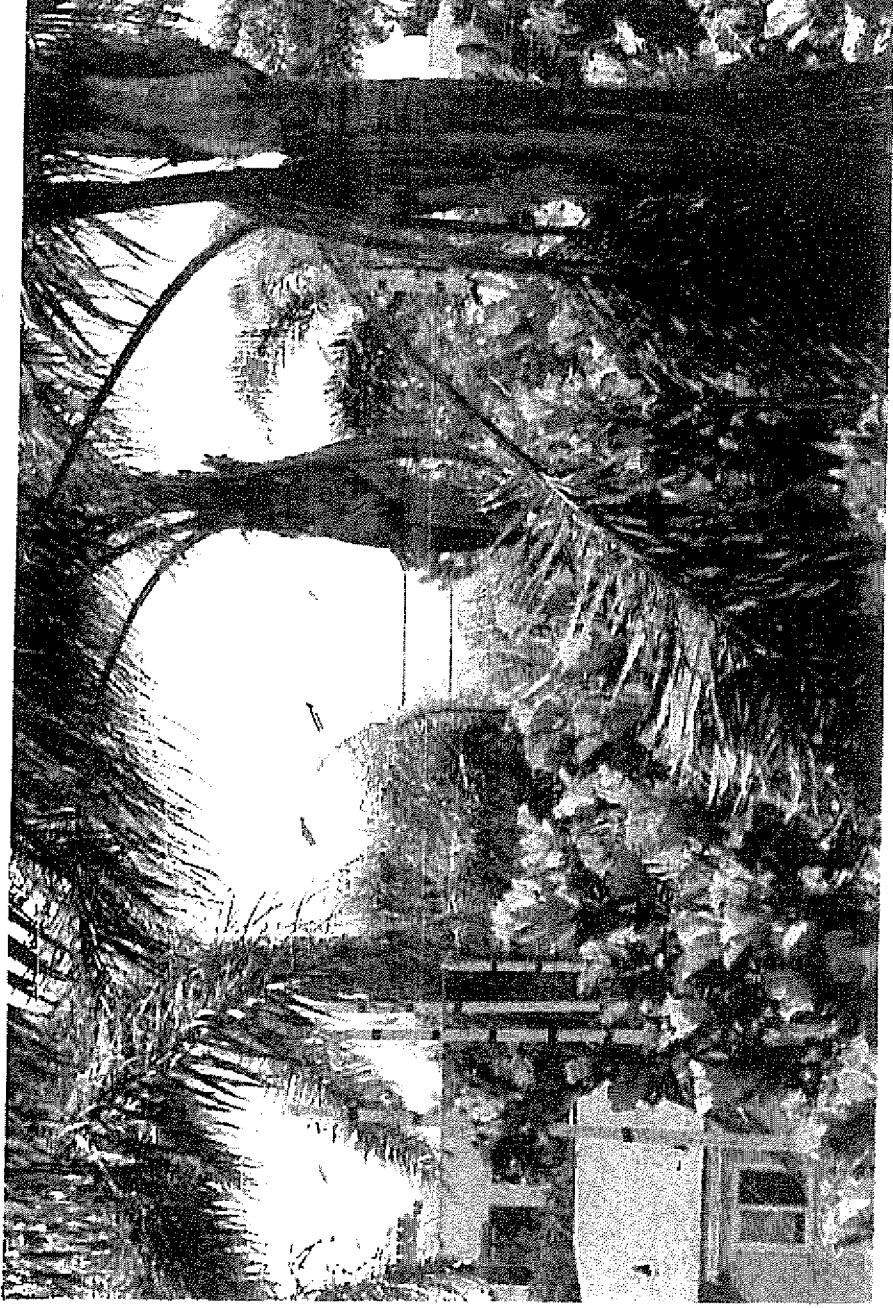
The remaining poles are at 106.53 msl

Please let me know if that all makes sense.

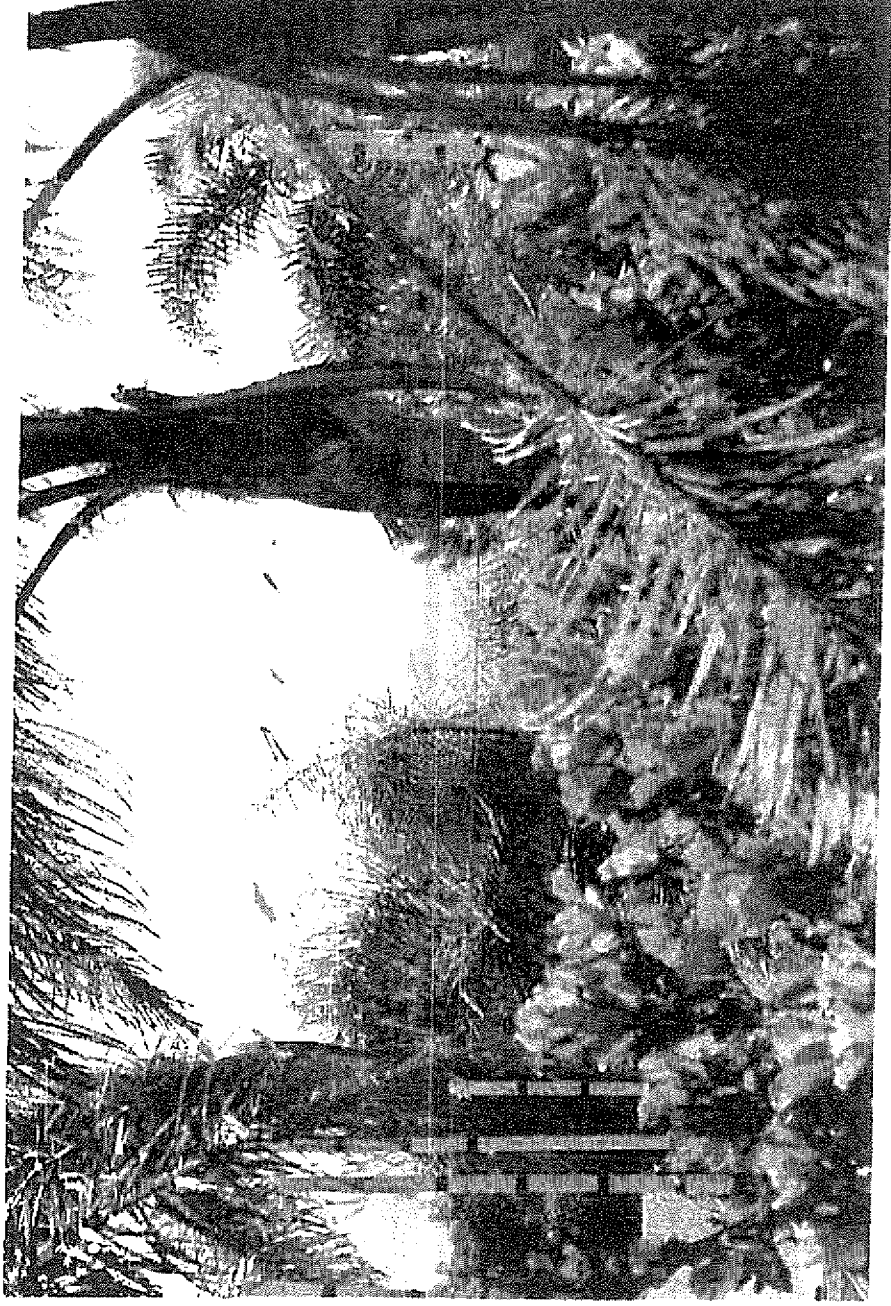
Thanks.

Larry Jackel | Partner | Fenway Properties
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Ljackel@fenwayproperties.com | www.fenwayproperties.com

View area poles 25 & 24 : La Jolla Shores

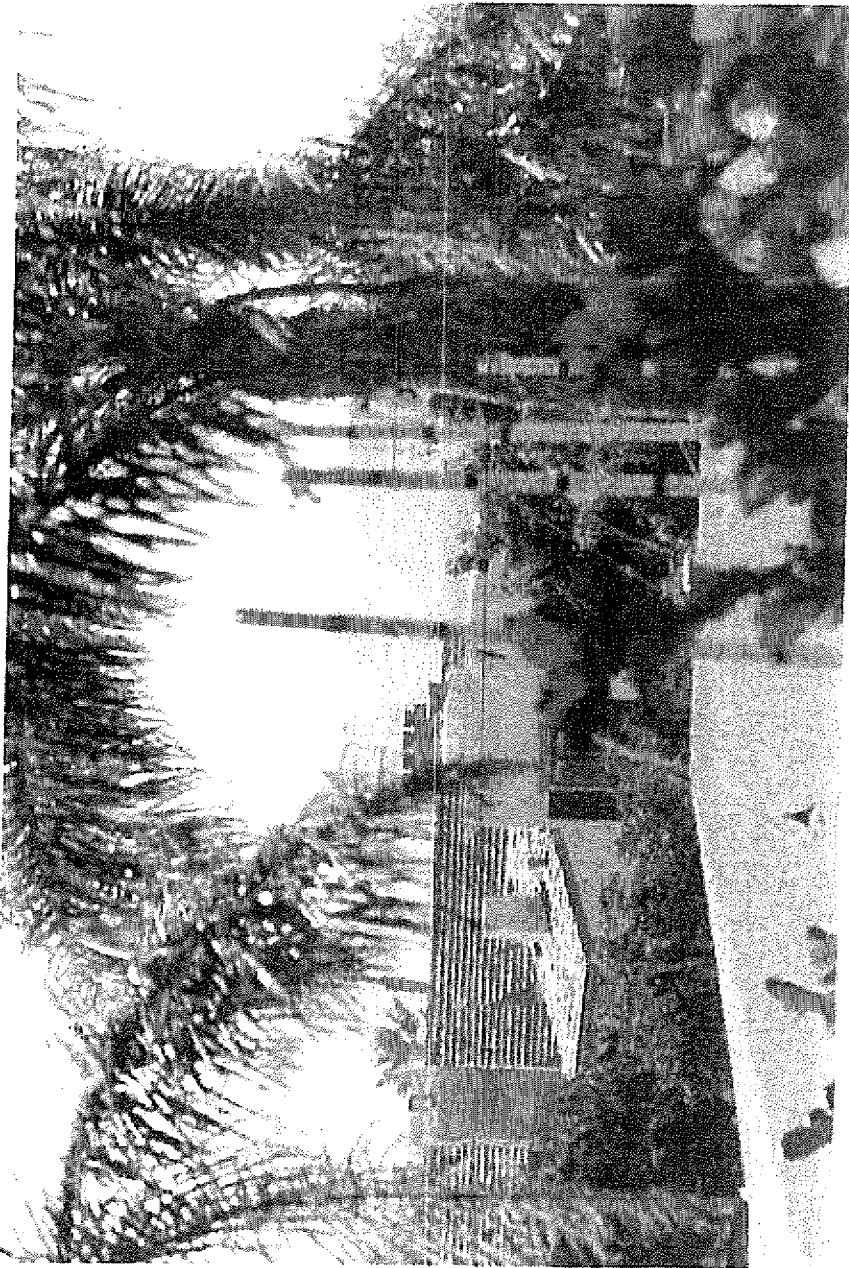


View area zoom poles 25 & 24: La Jolla Shores



v

View area poles 25, 20 & 21: La Jolla Shores



✓

View area zoom pole 25: La Jolla Shores



✓

View area zoom pole 22: La Jolla Shores

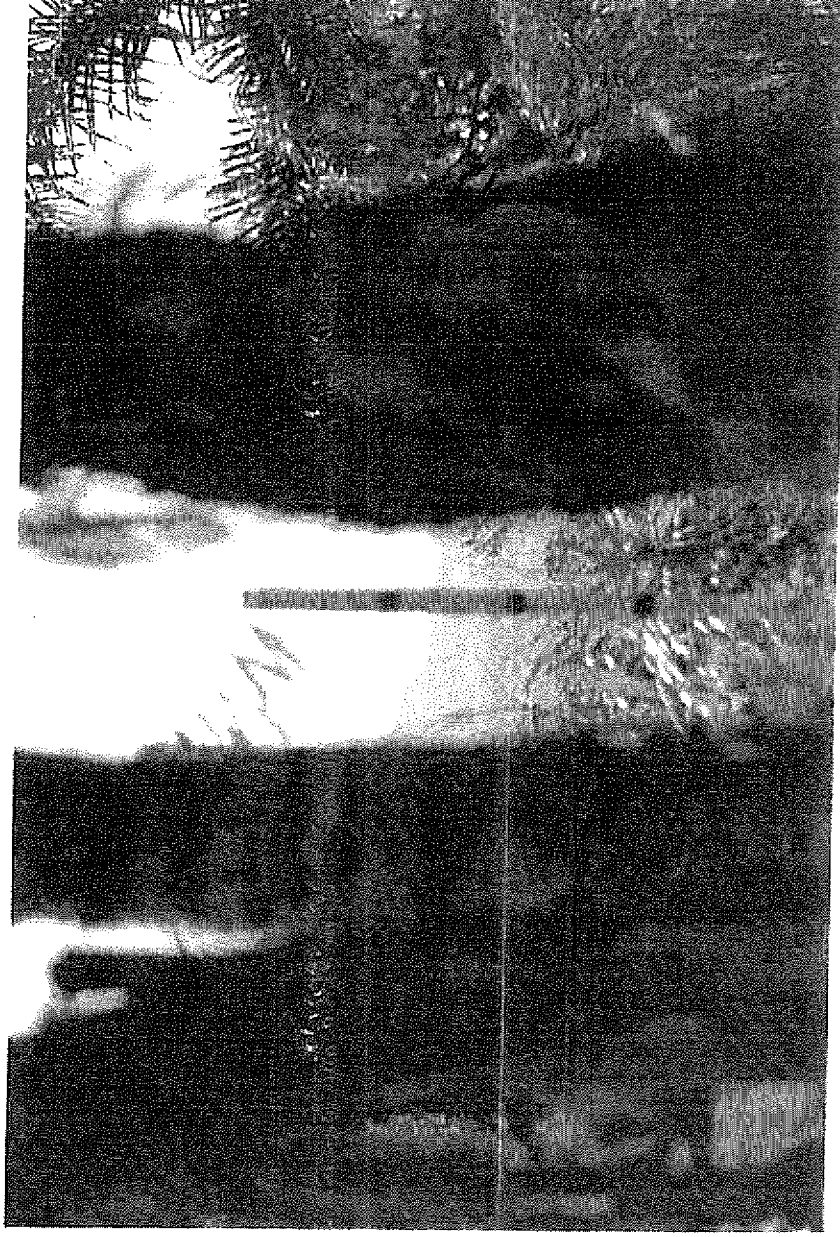
Included as reference to show 106.5 MSL vs 106 MSL



✓

View area zoom pole 23: La Jolla Shores

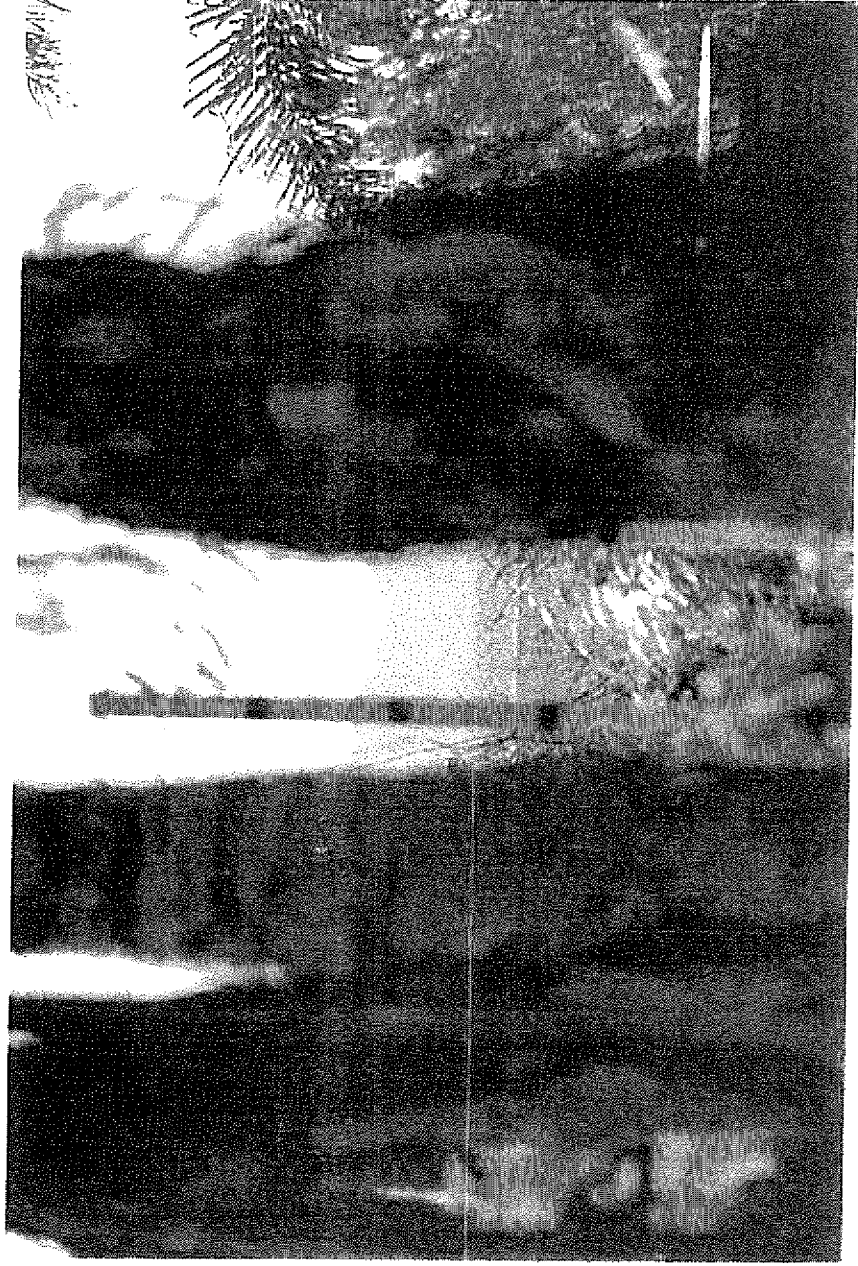
Included as reference to show 106.5 MSL vs 106 MSL



✓

View area zoom pole 22: La Jolla Shores

Included as reference to show 106.5 MSL vs 106 MSL



✓

V

From: Jorge Valdes (mailto: [redacted])
Sent: Thursday, February 23, 2017 2:57 PM
To: Larry Jackel <ljackel@fenwayproperties.com>
Cc: Audrey Jackel [redacted]; Stephen Dalton
[redacted] Briana [redacted]
Subject: Re: 216 Ocean Street

Larry,

One more thing. Its giving me a headache trying to figure out the architectural feature and I am use to looking a plans. Can your circle the feature on the elevation drawings where it is most visible and on the roof plan on sheet A2-2

thanks

Jorge

On Feb 23, 2017, at 2:38 PM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Understood. Be right back to you with that info.

Thanks.

Larry Jackel Partner Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA
92121
direct (858) 436-3610 | fax (858) 436-3636 | cell [redacted]
[redacted]
ljackel@fenwayproperties.com | www.fenwayproperties.com

From: Jorge Valdes (mailto: [redacted])
Sent: Thursday, February 23, 2017 2:28 PM
To: Larry Jackel <ljackel@fenwayproperties.com>
Cc: Audrey Jackel [redacted]; Stephen Dalton [redacted]; Briana [redacted]
Subject: Re: 216 Ocean Street

Larry,

I need some more information to be able to answer your question.

- 1) Confirm that poles 22, 23, 24 and 25 go away?
So roof deck and circular stairs up to the roof deck
go away?
- 2) I need the new heights for poles 19, 20, 21 and 6?



Jorge

On Feb 23, 2017, at 12:16 PM, Larry
Jackel
<ljackel@fenwayproperties.com>
wrote:

Jorge,

I spoke to Audrey and then my
architects this morning. In an effort to
get this done, we are willing to drop the
Master Bedroom ceilings down 1 foot,
in addition to removing the roof deck as
previously offered. My hope is that you
will be okay with me keeping the
architectural feature, which is the stone
or wood pop up right near the
bedroom. I believe it's only about 6"
higher than my master bedroom, and
only 8' 6" wide. It seems that where it's
situated it should not cause much view
impairment.

So, to summarize, my overall project
height would be 106.53 MSL, with the
exception of the 8' 6" area that would
be at 107 MSL. Please see the attached
drawing for the architectural feature.

Does that work for you?

Thanks.

Larry Jackel | Partner | Fenway
Properties
10525 Vista Sorrento Parkway,
Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436
3636 | cell (619) 889 8895
Ljackel@fenwayproperties.com | www.fenwayproperties.com



From: Jorge Valdes
(mailto:jorgevaldes3333@att.net)
Sent: Wednesday, February 22, 2017
4:40 PM
To: Larry Jackel
<ljackel@fenwayproperties.com>
Cc: Joe Sheilig
<jsheilig@cox.net>; lpillus@ucsd.edu;
Michele Stribling
<mstribling1@yahoo.com>; Audrey
Jackel <audrey@jackelsd.com>;
Stephen Dalton
<steve@sdarchitects.net>; Briana
<briana@sdarchitects.net>
Subject: Re: 216 Ocean Street

Larry,

Thanks for getting this going because like you we would like to put this behind us and be good neighbors. Thank you for the offer to remove the roof deck. But as a clarification, you are taking that suggestion the wrong way, from my point of view it is not a request for you not to have a roof deck while we get to enjoy ours, it is just what I considered (and it seems like you have reached the same conclusion) a simple suggestion to address the height of the project without major impacts to your design.

So I went on my roof deck this afternoon to look at the situation again. As I had seen before eliminating the roof deck only address a very small portion of the view impairment. The roof height over the bedroom portion of your master is still a substantial impairment. That is where you have the two 10 ft 1 in ceilings. That is why I suggested the solution of eliminating the roof deck and lowering the overall height of the structure to below 22 ft or 106 MSL. Even that reduction in height does not fully eliminate the impairment as

I cannot see La Jolla while sitting in my roof deck viewing area but I can at least see La Jolla while standing and I can accept that compromise.



Unfortunately the roof deck elimination alone only solves a small portion of the view impairment, the central portion of my southern view is still blocked, so that is not an equitable solution for sharing the southern view. I am willing to work with you and your architect on a real time basis to help you with alternate solutions so that you can get going with your project, again you are making an unwarranted statement in your email. As I mentioned last night it is a beautiful home and a great addition to the neighborhood.

Attached are the relevant slides from my presentation that show the views of La Jolla from my roof deck.

Jorge

On Feb 22, 2017, at 12:54 PM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Neighbors,

After last night, we further understand each of your concerns with the plan for our house.

As you know, our goal is to build a house in enough time for our children, while they are young and still living at home, to enjoy growing up in their new house. Therefore, we

are hoping you will all
please do us the
courtesy of responding
quickly to the messages
regarding our efforts to
compromise some of
our positions.

V

Repeatedly I heard last night about your desire for us to remove our roof deck. As you can imagine, it's a little frustrating, knowing that 2 of the 3 of you have roof decks that you are claiming as your primary view, but that you don't want us to have one, which would then be our primary view for the future. However, my question to Joe and Lorraine, and the Valdes', is if we are willing to remove the roof deck, are you willing to settle? Our understanding is that this is not quite perfect for you guys, but both of you would then enjoy the reduction of our total project height by the removal of the deck, maintain almost 100% of your current views, and Joe and Lorraine would receive the further benefit of removing their privacy concern. I do not believe there needs to be much done architecturally to show you what that would look like, but please let us know if you need me to spend the money to have a rendering done.

Regarding the Stribling's, the architect is coming up with a design that I would imagine will satisfy your concerns. Our goal is to meet with you this Friday to show that to you with the hope that it will be sufficient enough for you to be satisfied.



Again, while we know that time is not of issue to any of you regarding this project, we would very much appreciate the courtesy of trying to quickly respond to our suggestions so that we can hopefully move on to more enjoyable things. Our goal is to settle with each of you, or be back to the March meeting, so any assistance you can provide would be very much appreciated.

Thank you for your consideration.

Larry Jackel - Partner
Fenway Properties
10525 Vista Sorrento
Parkway, Suite 310, San
Diego, CA 92121
direct (858) 436-3610
fax (858) 436-3636 |
cell (619) 889-8895
Ljackel@fenwayproperties.com | www.fenwayproperties.com

Jorge

<image002.jpg>

Stribling Communications
In-person meeting scheduled for 3/8/17

S

Larry Jackel

From: Larry Jackel
Sent: Friday, March 03, 2017 9:45 PM
To: [REDACTED] 'Michele Stribling'
Cc: Audrey Jackel; 'Stephen Dalton'; 'Briana'
Subject: 216 Ocean Street - Revised Plan Approval Request to Neighbors
Attachments: 170228_SD_VAC COMPROMISE comparison.pdf

Hi there Neighbors,

First, we'd like to thank you all very much for responding to all of these messages in order to quickly work through this tedious task. Audrey and I very much appreciate the courtesy to at least help us get this decision made quickly, so that we may hopefully begin building, and subsequently live in our new house as soon as possible.

I have been back and forth on many emails with all of you over the past two weeks, and while I know you all are chatting separately with each other, I have found the individual discussions to be mostly productive. There are different things that each of you want, and while I know there is power in numbers, it does not mean that we will be able to accommodate ALL of what each of you are looking for, so if possible, please consider your own individual situation.

The following is a new list of changes to the plan we presented last week. They are also shown on the attached PDF which displays all of the viewing elevations, comparing the previous plans to the new ones with the compromises. These are all items that have been requested by one or more of you and I've tried to label who each of these changes might please.

1. Removal of roof deck, thus lowering the overall height of the project by approximately 3 feet – Valdes, Heilig and Stribling
2. Lowering of our Master Bedroom ceiling by 1 foot – Valdes and Stribling
3. Removal of our trellis – Heilig and Stribling
4. Lowering of the Dining Room ceiling by 1 foot – Stribling and Heilig
5. Pull back Glass on 2nd floor deck by 10' – Stribling
6. Lowering stone features by 1 foot each as requested by Stribling – Stribling

We have listened very intently to your requests and have made all of the changes/compromises that we are willing to make and still be able to build a house for our family on this site. We now hope that each of you will compromise the small amount you need to in order to approve this plan.

Assuming you all are agreeable with the plan as presented, we will not need to go back to the VAC to have them rule on whether or not, based on primary views, we have done enough to minimize (not eliminate) view impairment.

While I understand that some of you may be content and accepting of the changes, and others may still want to fight, please remember that this is not a group decision. If you individually feel like you are willing to accept the compromises as shown, thank you very much. It will make our meeting that much quicker in a couple of weeks. However, if you all choose to want to push back more, then we will simply leave it up to the VAC members to make a decision on the project.

Audrey and I want more than anything to stop talking about all of this, get our house built, and happily give you each a cup of sugar or 3 eggs, or whatever favors good neighbors do for each other from time to time. This situation has been far more taxing than anything in our wildest dreams, and we would very much like to have it be done. All we want to do is build a house and have just a very slight bit of the same enjoyment that each of you have in your houses. I know that neighbors all over Solana Beach work together to allow others to build and share the joy they have in living here. I think we are also supposed to be able to do that. Please accept our compromises and allow us to move forward.

S

Thank you for your consideration.

Larry and Audrey Jackel

S

Larry Jackel

From: Larry Jackel
Sent: Tuesday, February 28, 2017 12:29 PM
To: 'Michele Stribling'
Subject: RE: 216 Ocean - Jackel House plan

No problem with them getting you what you need.

Thanks.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436-3636 | cell (██████████)
Ljackel@fenwayproperties.com | www.fenwayproperties.com

From: Michele Stribling [mailto:██████████]
Sent: Tuesday, February 28, 2017 12:26 PM
To: Larry Jackel <ljackel@fenwayproperties.com>
Subject: Re: 216 Ocean - Jackel House plan

Larry, thanks for the PDF illustrations. They help us to visualize what the structure will look like, unfortunately they don't give us a comparison with where the changes are relative to the current story poles. Without this it is impossible for us to ascertain what the modifications do relative to our ocean view blockage.

I contacted your architect today and asked for a full size story pole plan with the modifications you are proposing handwritten on the story pole plan, including locations and heights. We also asked for the roof overhang locations on the story pole plans. Once we have this we will have a better idea of how the changes affect our view.

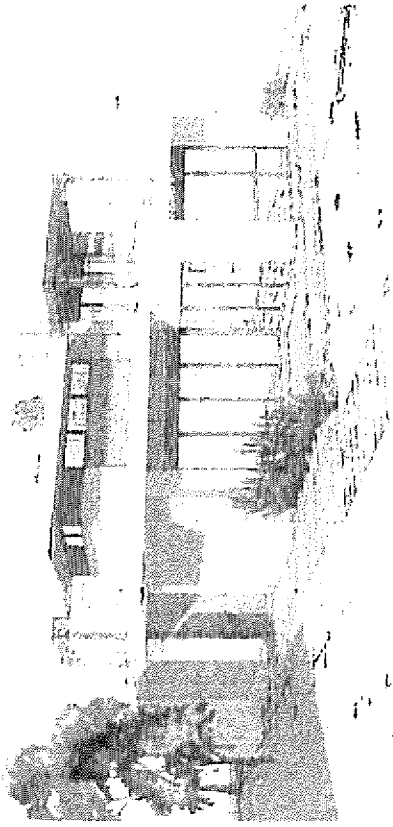
Thanks, Michele

On Monday, February 27, 2017 6:20 PM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

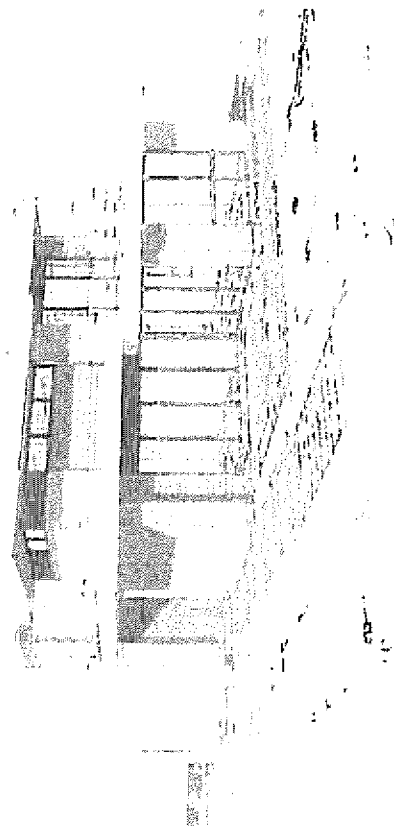
Hi Michelle and Frank,

Thanks for your time yesterday. I can't imagine you had a chance today with all of this rain to get out and take a look at compromised points of interest based on the comparison to the story poles. Hopefully it will be dry tomorrow and maybe you guys will get the opportunity to check it out.

I spent some time with the architects this morning to ask about your request to move those two walls (the one near my master bedroom and the one over by Joe and Lorraine's house). Good news is that we can do it. Actually, the architects mentioned that both of those walls are very low and very small, and even in the current position should not be in the way of any view. They mention that you would be looking quite a bit over those to see the ocean, but I asked if we could do something anyway, to maybe make an additional gesture. So as you will see on the attached plan, they lowered both of those walls by 12" more than what was already lowered. So now, considering we lowered the entire roof where our deck was, that wall closest to you is 2' lower than it was previously. And the wall by Joe and Lorraine's house, is dropped 12" as well. The architects said that the only thing that wall should blocking now, is your view of Joe and Lorraine's house.



A- VAC DESIGN



B- COMPROMISE

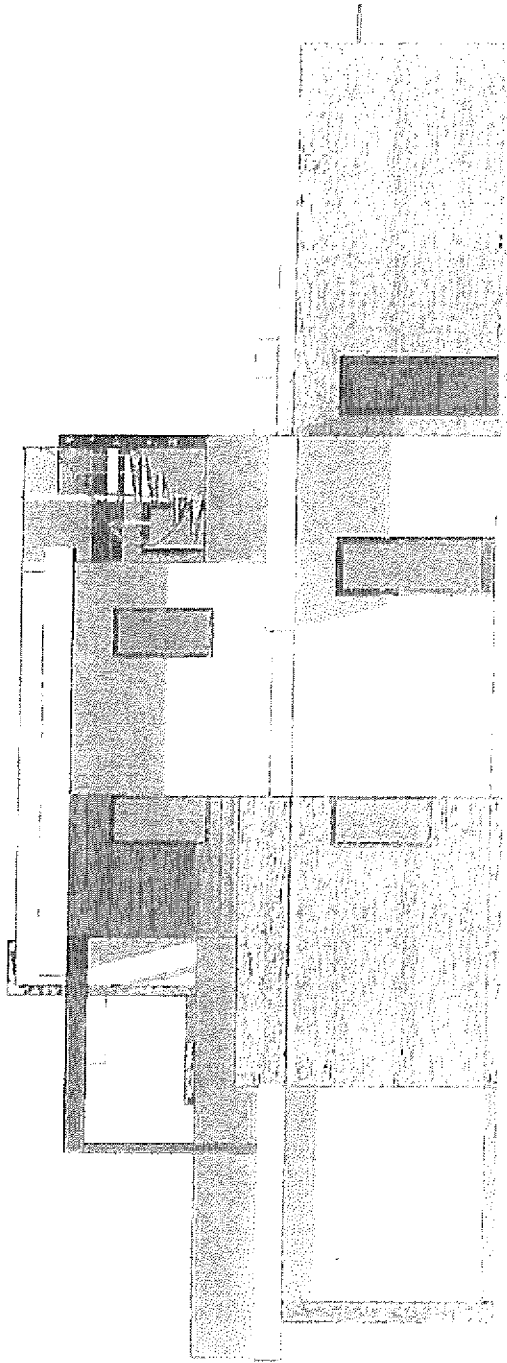
STEPHEN DALTOCH
www.sdvchess.com



OCEAN STREET HOUSE
VAC COMPROMISE 2

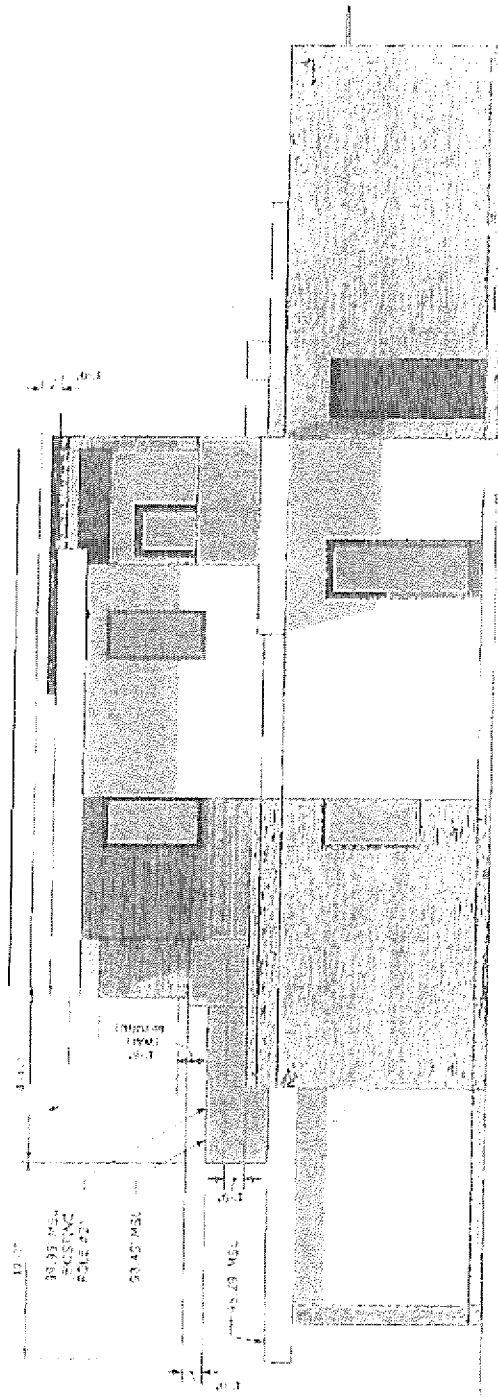
02.23.2017

S

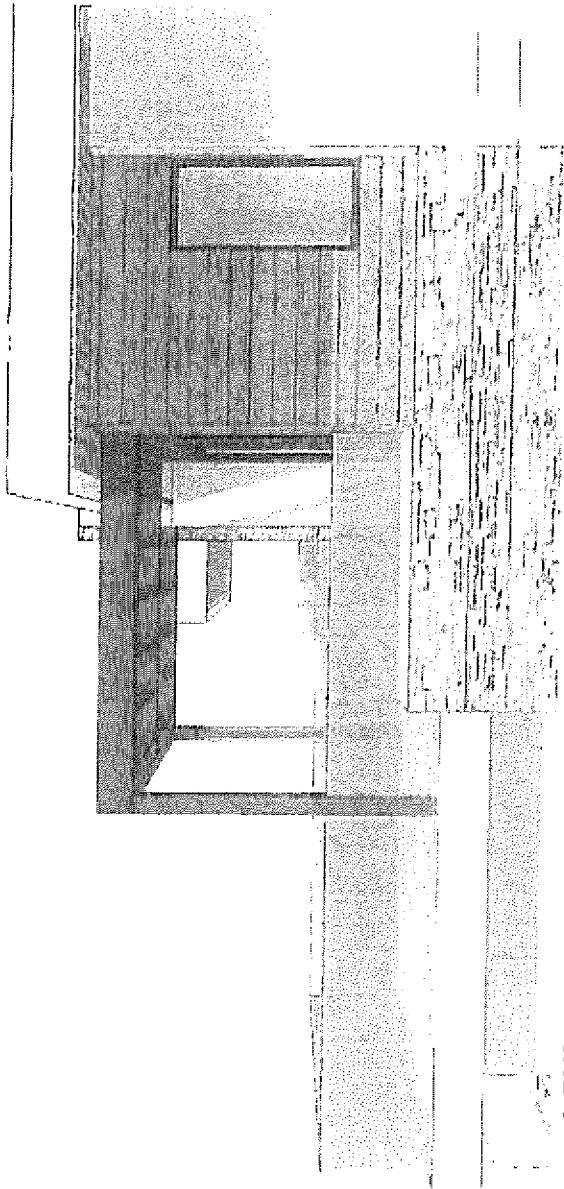


A- EAST ELEVATION

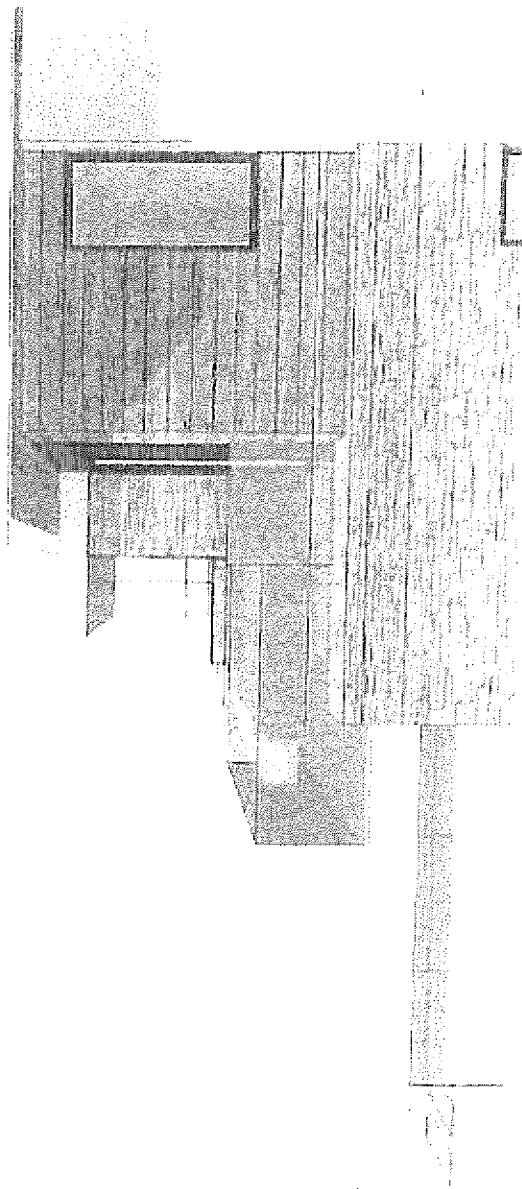
REMOVED WALLS



B- EAST ELEVATION



A- EAST PERSPECTIVE



B- EAST PERSPECTIVE

U



I've attached 3 pdf's that show different points of information and viewing angles. The first is a plan with a view from your house that shows the comparison of everything we've done since the VAC meeting. Move the glass in 10', remove the trellis, lower the dining room ceiling by 12", and now lowered the two walls you requested. Joe and Lorraine's house is denoted in Yellow on that plan.

The second pdf show the actual measurements of what has changed, compared to the original. The red is what we additionally changed today to lower those walls.

The last pdf shows the view from the South straight on, comparing my original plan to now, and showing the associated measurements.

I'm hoping that maybe all of these compromises will be acceptable to you and Frank, and that you'll find the plan acceptable, and in no further need to go through VAC. Whether or not I need to go in with the other parties, if we are good, then it makes my situation at least 1/3rd better, and would be helpful.

If you have any questions, I'm happy to answer them for you.

Thanks for the consideration.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
Ljackel@fenwayproperties.com | www.fenwayproperties.com

We met in person on 2/26/17

From: Michele Stribling [mailto:[REDACTED]]
Sent: Thursday, February 23, 2017 7:43 PM
To: Larry Jackel <ljackel@fenwayproperties.com>
Subject: Meeting to discuss proposal.

Larry:

A meeting on Sunday any time after 4:00 pm is preferable for us. I hope this can work for you. Also, we don't believe it is necessary to have your architect attend our initial meeting. After we have an opportunity to evaluate and consider your proposal, if we have any questions, then we could meet with your architect. We are more likely to have questions after we study your proposal. After all, the four fundamental items we request to resolve our view claim are straight forward -- one being the elimination of the portion of the proposed structure that is located south of the line that is created by connecting story pole #6 with story pole #9. This means making the south facade of your second floor and/or deck to be even with the south facade of Joe and Lorraine's second floor.

As I mentioned in my previous email, when we receive a proposal from you, we would appreciate having the opportunity to take it home and study it. This will help us to avoid potential misunderstandings. We need time to consider the details of a proposal before responding. Also, it's not necessary for you to spend money to have your architect create any rendering. It would help us and we respectfully request that at a minimum you or your architect simply hand write any proposed changes on a copy of the applicable Sheet of your building plans and on the Story Pole Plan so that we can easily see the proposed modifications. This will allow us to ascertain the differences from your current plan and we will be able to take these documents home with us and have some time to understand and consider what you have proposed. If you want to provide additional documents for more clarification, that's up to you.

We want to provide one point of clarification concerning the proposal made by your architect (Mr. Dalton) during the VAC meeting on Tuesday night. At the end of the VAC meeting when Mr. Dalton was addressing the VAC, he suggested you were willing to: (1) eliminate the third floor roof deck; (2) you were willing to lower the finished floor level of the southerly

second floor deck: and (3) eliminate the metal trellis above the southerly second floor deck. Unfortunately, lowering the finished floor elevation of the southerly second floor deck will not reduce the blockage of our ocean view and will not reduce the deck area on which obstructions can be placed that block our ocean view. However, lowering the finished floor level of the second floor could help lower the overall maximum finished height of the roof, and this helps Joe and Lorraine and Jorge.

For your convenience I have set forth below a summary of our proposal to resolve our view claim (this is the proposal we presented at the VAC meeting):

1. Eliminate the portion of the proposed structure that is located south of the line that is created by connecting story pole #6 with story pole #9. This includes the southerly second floor deck.
2. The portion of the 1st floor that extends south of the line between pole #6 and pole #9 -- the maximum finished height of the roof will not exceed 95 MSL.
3. Add a condition to the plans to prohibit any future modification of the plans that adds a deck or additional structure on top of the 1st story portion for the house referenced above that is south of the line between pole #6 and pole #9.
4. Add a condition to the plans to prohibit future construction of structures in the front yard at finished grade that are above 95 MSL.

We look forward to meeting with you.

Thanks.

Michele

S

Larry Jackel

From: Larry Jackel
Sent: Wednesday, February 22, 2017, 12:54 PM
To: [REDACTED]
Cc: 'Michele Stribling'; Audrey Jackel; 'Stephen Dalton'; 'Briana'
Subject: 216 Ocean Street

Neighbors,

After last night, we further understand each of your concerns with the plan for our house.

As you know, our goal is to build a house in enough time for our children, while they are young and still living at home, to enjoy growing up in their new house. Therefore, we are hoping you will all please do us the courtesy of responding quickly to the messages regarding our efforts to compromise some of our positions.

Repeatedly I heard last night about your desire for us to remove our roof deck. As you can imagine, it's a little frustrating, knowing that 2 of the 3 of you have roof decks that you are claiming as your primary view, but that you don't want us to have one, which would then be our primary view for the future. However, my question to Joe and Lorraine, and the Valdes', is if we are willing to remove the roof deck, are you willing to settle? Our understanding is that this is not quite perfect for you guys, but both of you would then enjoy the reduction of our total project height by the removal of the deck, maintain almost 100% of your current views, and Joe and Lorraine would receive the further benefit of removing their privacy concern. I do not believe there needs to be much done architecturally to show you what that would look like, but please let us know if you need me to spend the money to have a rendering done.

Regarding the Stribling's, the architect is coming up with a design that I would imagine will satisfy your concerns. Our goal is to meet with you this Friday to show that to you with the hope that it will be sufficient enough for you to be satisfied.

Again, while we know that time is not of issue to any of you regarding this project, we would very much appreciate the courtesy of trying to quickly respond to our suggestions so that we can hopefully move on to more enjoyable things. Our goal is to settle with each of you, or be back to the March meeting, so any assistance you can provide would be very much appreciated.

Thank you for your consideration.

Larry Jackel | Partner | Fenway Properties
10525 Vista Sorrento Parkway, Suite 310, San Diego, CA 92121
direct (858) 436-3610 | fax (858) 436-3636 | cell [REDACTED]
Ljackel@fenwayproperties.com | www.fenwayproperties.com

Information from Claimants:

Jorge Valdes and Suzanne Lopez-Calleja
615 E. Circle Drive, Solana Beach

Corey Andrews

From: Jorge Valdes [REDACTED]
Sent: Wednesday, March 08, 2017 9:28 AM
To: Corey Andrews
Subject: 216 Ocean Street communications

Corey,

All my communications with Mr. Jackel have been via email. I have tried to resolve the situation and even made a major concession to give up my southern view of La Jolla downtown and La Jolla Shores from my viewing area while sitting. I am only trying to maintain my views while standing. Mr. Jackel has made some concessions on his design and we have gotten close but unfortunately its the last 6 inches that is blocking our view across the horizon of La Jolla Shores beach and whitewater and La Jolla downtown. At this point we will need the VAC to decide what is fair.

thanks for you help on this issue,

Jorge

Begin forwarded message:

From: Jorge Valdes [REDACTED]
Subject: Re: 216 Ocean Street - Revised Plan Approval Request to Neighbors
Date: March 8, 2017 at 8:21:44 AM PST
To: Larry Jackel <ljackel@fenwayproperties.com>

Larry,

As I have stated in communications with you and at the VAC meeting not everyone's definition of significant views is the same. My views of La Jolla downtown and La Jolla Shores are really important to me, otherwise we would not be having this issue. I spent a significant amount of time on my roof deck, on my birthday, to determine a solution that I consider to be fair to both of us (minimum interruption to your home while at least giving Suzanne and me some small view of La Jolla Shores and downtown), unfortunately you don't agree with what I proposed. While unpleasant, this is not a battle, I am trying to maintain views that are very important to us and you are trying to build the house that you want and unfortunately we cannot get to an agreement. So, at this point we can agree to disagree and let VAC decide what is fair.

Jorge

On Mar 6, 2017, at 10:11 PM, Larry Jackel <ljackel@fenwayproperties.com> wrote:

Thanks for the response Jorge.

I only wish you could be reading your response from our position.

What you are losing site of, is the fact that you currently have an incredible 360 degree view. Please don't forget about your expansive views to the West, East, North and most of the South. You have become so focused on these 3 degrees of minimal impairment, (standing or sitting) to the South, that

you actually believe that we are the ones who are being unreasonable. Please remember that we are not building a house that completely blocks your ocean view, like other people in other parts of Solana Beach have attempted to do to their neighbors. We are certain that the VAC's main purpose for existing is to try to avoid situations like that, and not to try to stop folks like us from building. We are simply building a two story house, in a location where a one story house currently exists, just like 95% of our neighborhood has already done. And doing so in a manner barely changes our neighbors magnificent and expansive views.

Jorge, please understand that you've been quite clear that 6" more is all you want, but we've already given you a humongous concession by removing our roof deck and by dropping to the lowest level of ceiling heights that we are willing to endure in our new house. We have reduced the maximum height of the house by over 2 feet, and we can go no further.

With that said, in the spirit of constant compromise on our part, we spoke this morning to the architect, and are willing to drop the architectural feature down to the same level as the rooftop, making it flush, as you requested, at 106.53 msl.

Hopefully this final concession will be enough for you to avoid continuing this battle. Please let us know.

Thanks.

LJ

On Mar 4, 2017, at 12:16 PM, Jorge Valdes [REDACTED] wrote:

Larry,

First of all I want to start by saying that we do want you to build your home as soon as possible and as I mentioned in the VAC meeting, I think it is a beautiful home. And I appreciate that you have gone down the path of making modifications to improve the situation with our view impairment. I hope you also appreciate that in my case I am making a significant compromise in totally giving up my southern view from my roof deck in a sitting position and I am only trying to maintain my view in a standing position. And also please understand that we are not wanting to "fight" as you state, we just want to share the view. Given that, I have shared pictures of my views and the view impairment that the initial design and the new modifications still cause. I think it would be helpful for all of us to understand your position if you would share pictures of the views that you will have from your southern facing deck and dining room?

I am an engineer so lets go through your points below that impact my situation because you are selectively wording it to your benefit:

1) Removal of the roof deck. I appreciate this change since it helps lower the height of the overall structure and while is it technically true that it lowers the height in the roof deck area by three feet, you are incorrectly making it sound as if it lowers the overall height of the structure by three feet. The height of the master bedroom area, which causes a significant portion of my view impairment, is higher that the floor of the roof deck. Also you have an architectural feature that is a high point and is completely impairing my view of downtown La Jolla. So to be completely 100% clear, if you would have truly dropped the maximum height of the structure by 3 feet, you would eliminate my view impairment and we would be done and moving on happily ever after but you have not done so.

2) Yes and thank you, but again as I mentioned at the VAC meeting, I need a reduction to 106 MSL to improve my view impairment.

So as of this modification you have improved my view of Mount Soledad, you have not in any way improved my view of downtown La Jolla, La Jolla Shores beach, whitewater and ocean. Thus my southern views are still almost 100% blocked, its very binary. We are down to two very simple items, 6 inch further reduction in the overall height of the structure and lowering the height of the architectural feature so that everything is at a maximum height of 106 MSL. Being an engineering and as mentioned at the VAC meeting there are still things that you can do to truly improve the impairment on my view, I am sorry that you are not willing to consider those additional changes. For example you could drop the ceiling heights another 3 inches on each floor, which is roughly 2.75% of the overall ceiling height in your new proposal and is almost imperceptible. And regarding the architectural feature, I fully understand why you want the stone wall, what I have a difficult time understanding is why it cannot be flush with the height of the master bedroom roof? The feature is dead center in my view of La Jolla. I think most rationale people would have a difficult time supporting an architectural feature being one of the main items impairing my views.

So unfortunately I guess we will have to go back to VAC again, it's a sad way to solve this and a terrible way to start our time as neighbors. So I will ask you again to please consider the small changes that would significantly improve my view, we are truly down to 6 inches on the structure height. Do we really want to go back to VAC for that small of a change?

Jorge

On Mar 3, 2017, at 9:44 PM, Larry Jackel
<ljackel@fenwayproperties.com> wrote:

Hi there Neighbors,

First, we'd like to thank you all very much for responding to all of these messages in order to quickly work through this tedious task. Audrey and I very much appreciate the courtesy to at least help us get this decision made quickly, so that we may hopefully begin building, and subsequently live in our new house as soon as possible.

I have been back and forth on many emails with all of you over the past two weeks, and while I know you all are chatting separately with each other, I have found the individual discussions to be mostly productive. There are different things that each of you want, and while I know there is power in numbers, it does not mean that we will be able to accommodate ALL of what each of you are looking for, so if possible, please consider your own individual situation.

The following is a new list of changes to the plan we presented last week. They are also shown on the attached PDF which displays all of

the viewing elevations, comparing the previous plans to the new ones with the compromises. These are all items that have been requested by one or more of you and I've tried to label who each of these changes might please.

1. Removal of roof deck, thus lowering the overall height of the project by approximately 3 feet – Valdes, Heilig and Stribling
2. Lowering of our Master Bedroom ceiling by 1 foot – Valdes and Stribling
3. Removal of our trellis – Heilig and Stribling
4. Lowering of the Dining Room ceiling by 1 foot – Stribling and Heilig
5. Pull back Glass on 2nd floor deck by 10' – Stribling
6. Lowering stone features by 1 foot each as requested by Stribling – Stribling

We have listened very intently to your requests and have made all of the changes/compromises that we are willing to make and still be able to build a house for our family on this site. We now hope that each of you will compromise the small amount you need to in order to approve this plan.

Assuming you all are agreeable with the plan as presented, we will not need to go back to the VAC to have them rule on whether or not, based on primary views, we have done enough to minimize (not eliminate) view impairment.

While I understand that some of you may be content and accepting of the changes, and others may still want to fight, please remember that this is not a group decision. If you individually feel like you are willing to accept the compromises as shown, thank you very much. It will make our meeting that much quicker in a couple of weeks. However, if you all choose to want to push back more, then we will simply leave it up to the VAC members to make a decision on the project.

Audrey and I want more than anything to stop talking about all of this, get our house built, and happily give you each a cup of sugar or 3 eggs, or whatever favors good neighbors do for each other from time to time. This situation has been far more taxing than anything in our wildest dreams, and we would very much like to have it be done. All we want to do is build a house and have just a very slight bit of the same enjoyment that each of you have in your houses. I know that neighbors all over Solana Beach work together to allow others to build and share the joy they have in living here. I think we are also supposed to be able to do that. Please accept our compromises and allow us to move forward.

Thank you for your consideration.

Larry and Audrey Jackel

<170228_SD_VAC COMPROMISE comparison.pdf>

Jorge

<u1.jpg>

<216 Ocean Street VAC COMPROMISE comparison North Elevation (Valdes).pdf>

Jorge



Jorge





CITY OF SOLANA BEACH

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CITY OF SOLANA BEACH

View Assessment Commission Notice of Recommendation

Tuesday, March 21, 2017 - 6:00 P.M. Regular Mtg.

PROJECT CASE NO: DRP/SDP 17-16-10 Jackel Residence

PROJECT LOCATION: 216 Ocean Street, Solana Beach

APPLICANT NAME: Larry and Audrey Jackel

APPLICANT CONTACT: Stephen Dalton, Stephen Dalton Architects

PRESENT VAC MEMBERS: Molly Fleming, Gary Garber, Kelly Harless, Pat Coad, Dean Pasko, and Jack Hegenauer

STAFF MEMBERS: Corey Andrews, Principal Planner, Randall Sjoblom, Deputy City Attorney, Mikki Eggum, Administrative Assistant

ABSENT: Paul Bishop

ASSESSMENT FILED BY:

Name: Joseph Heilig and Lorraine Pillus
Address: 222 Ocean Street, Solana Beach

Name: Jorge Valdes and Suzanne Lopez-Calleja
Address: 615 E. Circle Drive, Solana Beach

Name: Frank and Michelle Stribling
Address: 212 Ocean Street, Solana Beach

PROJECT DESCRIPTION:

The Applicants are requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish the existing residence and construct a new multi-level, single-family residence. The existing 5,817 square foot lot is located within the Medium Residential (MR) Zone and the Scaled Residential Overlay Zone (SROZ). The project would include grading in the amounts of 915 yd³ of cut, 80 yd³ of fill, and 835 yd³ of soil to be exported off-site. The following is a breakdown of the proposed square footage:

Proposed Basement:	1,702 SF
Proposed Main Floor:	1,714 SF
Proposed Main Floor Garage:	494 SF
Proposed Upper Floor:	674 SF
<u>Proposed Phantom Space:</u>	<u>+ 225 SF</u>
Subtotal:	4,809 SF
Basement Exemption:	-1,702 SF
<u>Off-Street Parking Exemption:</u>	<u>-400 SF</u>
Total Floor Area:	2,707 SF

The tallest point of the new residence is proposed at 25 feet above the proposed grade with the highest pole at 109.04 ft. above MSL. The project requires a DRP for grading in excess of 100 yd³ (aggregate), for a structure that exceeds 60% of the maximum allowable FAR and for a second floor that exceeds 40% of the proposed main floor, floor area. A SDP is required for a square footage addition in excess of 16 feet in height.

Proposed Revisions:

The project was originally heard at the February 21, 2017 VAC meeting and was continued for a redesign. The project was revised and then presented to the VAC at the regularly scheduled March 21, 2017 meeting. A list of project revisions has been provided below:

- a. The ceiling height of the dining room proposed on the first floor in the southeast corner of the residence has been reduced from a 10'-1" ceiling height to a 9'-1" ceiling height. With this reduction, the finished floor of the second floor deck above the dining room was lowered by one foot.
- b. The southernmost railing of the second floor deck located in the southeast corner of the residence has been moved 10 feet north of its original location.
- c. The trellis proposed above the second floor deck on the southeast corner of the residence has been removed.
- d. The roof deck proposed on top of the second floor roof and the proposed spiral staircase which would provide access to the roof deck have been removed. This revision reduces the maximum building height of the proposed residence from 109.4 feet above MSL to 106.53 feet above MSL.
- e. The ceiling height of the second floor master bedroom has been reduced from a 10'-1" ceiling height to a 9'-1" ceiling height.
- f. Two stone/brick architectural features proposed on the south elevation, one on the west side of the dining room and the other on the west side of the living room, have been revised which results in a reduction of the proposed height by 1' and 1'-6".

DATE OF VAC MEETING:

The project was originally heard at the February 21, 2017 meeting. Jack Hegenauer asked the Applicants if they are willing to redesign, and they agreed. After discussion between the Commission, the Applicants and the Claimants, Pat Coad made a motion to continue the project for a period of 60 days for redesign with the understanding that they could come back in 30 days that would be acceptable, seconded by Paul Bishop. Motion passed 6/0/1 (Pasko absent).

The project was redesigned, story poles were revised onsite and the revised project was presented to the VAC at the March 21, 2017 VAC meeting. After discussion and review of the revised project, Kelly Harless made a motion to approve the project as redesigned subject to a condition.

Gary Garber seconded the motion and the Deputy Chair called for the vote. The motion passed 4/2/1 (Coad and Hegenauer opposed/Bishop absent)

VAC RECOMMENDATION:

At the March 21, 2017 meeting, the VAC members made a recommendation to approve the project subject to the following Condition:

Reduce the proposed deck on the southeast corner of the second floor master bedroom so that the southernmost extent of the deck is moved to the north by three feet and allow the Applicants to raise the finished floor height of the deck by one foot as shown in the original project design.

FINDINGS:

1. The Applicants for the Structure Development Permit have made a reasonable attempt to resolve the view impairment issues with the Claimants requesting view assessment. Written evidence of a good faith voluntary effort to meet and discuss view issues, or of a good faith voluntary offer to submit the matter to mediation, is hereby deemed to be a reasonable attempt to resolve view impairment issues.

Written accounts and oral testimony at the public meeting showed that there had been communication between the Applicants and the Claimants.

2. The proposed structure does not significantly impair any view from public property (parks, major thoroughfares, bikeways, walkways, equestrian trails), which has been identified in the City's General Plan or City designated viewing areas.

The subject property is not located within designated viewing areas; therefore, the proposed structure does not significantly impair views from public property.

- The proposed structure is not designed and situated in such a manner as to minimize impairment of views.

As proposed at the March meeting, the proposed development with the revisions listed above and subject to the added condition of approval, a majority of the VAC members found that it was designed or situated to minimize impairment of views for two of the three view claimants. The following indicates which VAC members could make this finding and those who could not:

Heilig/Pillus 222 Ocean St.	Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
#3. Designed to Minimize View Impairment	Absent	No	Yes	Yes	Yes	Yes	Yes
Vaides/ Lopez-Calleja 615 E. Circle Dr.	Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
#3. Designed to Minimize View Impairment	Absent	Yes	No	Yes	Yes	Yes	Yes
Stribling 212 Ocean St.	Bishop	Coad	Fleming	Garber	Harless	Hegenauer	Pasko
#3. Designed to Minimize View Impairment	Absent	No	No	Yes	Yes	No	No

- There is significant cumulative view impairment caused by granting the application as proposed.

The VAC members found that there would not be significant cumulative view impairment caused by granting the application, as revised and subject to the added condition of approval, if adjacent lots were allowed to construct a development of a similar size and height.

- The proposed structure in general is not compatible with the immediate neighborhood character.

The VAC members found that the proposed development is compatible with the immediate neighborhood character. The development, as revised and subject to the added condition of approval, will be compatible with the existing neighboring structures in terms of design, bulk, scale, height and size.

VAC Vote:

After discussion, Kelly Harless, made a motion to approve the project subject to the following condition:

March 30, 2017
March 21, 2017 VAC NOR
Page 5 of 5

Reduce the proposed deck on the southeast corner of the second floor master bedroom so that the southernmost extent of the deck railing would move to the north by three feet and raise the finished floor height of the deck by one foot as shown in the original project design. The motion carried 4/2/1 (Coad and Hegenauer opposed/Bishop absent)

Issue Date of VAC Recommendation: March 30, 2017

Corey Andrews, Principal Planner
Staff Liaison, View Assessment Committee

DocuSigned by:
Molly Fleming 3/30/2017

Molly Fleming, Deputy Chair
View Assessment Committee



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing: Request for a Development Review Permit and Structure Development Permit to Construct a New Second-Floor Addition and a First-Floor Addition to an Existing Single-Story, Single-Family Residence at 187 S. Nardo Avenue (Case # 17-16-22 Applicants: Joel and Nicole Meredith; APN 298-083-16; Resolution No. 2017-064)**

BACKGROUND:

The Applicants, Joel and Nicole Meredith, are requesting City Council approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to construct a new 1,457 square foot, second-floor addition and add 508 square feet to the first floor of an existing one-story, single-family residence with an attached two-car garage. The 9,680 square foot lot is located at 187 S. Nardo Avenue and is within the Low Medium Residential (LMR) Zone and Scaled Residential Overlay Zone (SROZ).

The maximum building height would be 25 feet above existing grade with the highest point at 199.30 feet above Mean Sea Level (MSL). As designed, the project proposes five (5) cubic yards of excavation for footings. The project requires a DRP for two reasons: 1) construction in excess of 60 percent of allowable floor area, and 2) the proposed second story would exceed 35 percent of the existing floor area of the first floor. The project requires a SDP because the proposed addition exceeds 16 feet in height above the existing grade.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicants' request.

CITY COUNCIL ACTION:

DISCUSSION:

The 9,680 square foot lot is located on the west side of S. Nardo Avenue, south of the intersection of Lomas Santa Fe and S. Nardo Avenue. The lot is rectangular in shape and predominately flat with an approximate elevation of 174.3 MSL. The site is currently developed with an existing 1,590 square foot one-story, single-family residence with an attached 449 square foot garage and 460 square foot unpermitted billiard room.

The Applicants propose to demolish the unpermitted billiard room located along the northwest portion of the residence and construct a 485 square foot addition in its place. A ten (10) square foot bay window addition is proposed along the front entry and an additional 13 square feet will be added to the existing first floor to provide the required structural elements for the second story. A new 1,457 square foot, second-story addition is proposed over the existing single-story residence. Other improvements include a 202 square foot deck along the north side of the residence adjacent to the proposed second-story addition. The total proposed floor area would be 3,604 square feet, with the 400 square foot exemption allowed for the two required off-street parking spaces located within the existing garage. The project plans are provided in Attachment 1.

Table 1, below, provides a synopsis of the Solana Beach Municipal Code (SBMC) specific minimum and maximum requirements of the zoning regulations for the building and site compared to the Applicants' proposed design. Table 1 shows that the proposed project meets the minimum SBMC requirements for parking, building setbacks, height, density, and floor area ratio (FAR).

Table 1			
LOT INFORMATION			
Property Address:	187 S. Nardo Ave	Zone:	LMR
Lot Size:	9,680 ft ²	Density Per Acre:	4 du/ac
Maximum Floor Area Allowable:	3,644 ft ²	# of Units Allowed:	1 Dwelling Unit
Proposed Floor Area:	3,604 ft ²	# of Units Requested:	1 Dwelling Unit
Below Max. Floor Area by:	40 ft ²		
Maximum Building Height:	25 ft.	Setbacks:	Required Proposed
Proposed Building Height:	25 ft.	Front	25 ft. 30 ft.
Highest Point/Ridge:	199.30 MSL	Sides	10 ft. 10 ft
		Rear	25 ft. 30 ft.

PROPOSED PROJECT INFORMATION	
Existing + Proposed Square Footage Breakdown: Existing First Floor: 1,590 ft ² Existing Garage: 449 ft ² Proposed First Floor Addition: 508 ft ² <u>Proposed Second Floor Addition: 1,457 ft²</u> Subtotal: 4,004 ft ² <u>Off-Street Parking Exemption: - 400 ft²</u> Total: 3,604 ft²	Required Permits: DRP: proposed floor area exceeds 60% of the maximum allowable floor area and the total floor area of the proposed second story exceeds 35% of the existing floor area of the first story. SDP: proposed addition would exceed 16 feet in height measured from pre-existing grade.
Proposed Grading: 5 cubic yards of excavation for footings	
Proposed Parking: 2 Parking Spaces Proposed Fences and Walls: No Proposed Accessory Dwelling Unit: No Proposed Accessory Structure: No	Existing Development: SFR To be demolished: 460 ft ² unpermitted billiard room To remain: SFR

Staff has prepared draft findings for approval of the project for Council’s consideration based upon the information in this report. Conditions from the Community Development Department, Engineering and Fire Departments have been incorporated into the Resolution of Approval. The Council may direct Staff to modify the Resolution to reflect the findings and conditions as it deems appropriate as a part of the public hearing process. If the Council determines the project is to be denied, Staff will prepare a Resolution of Denial for adoption at a subsequent Council meeting.

The following is a discussion of the findings for a DRP as each applies to the proposed project as well as references to recommended conditions of approval contained in Resolution 2017-064 (Attachment 2).

Development Review Permit Compliance (SBMC Section 17.68.40):

No building or grading permit shall be issued for any new construction if the total of existing floor area plus proposed new floor area of the structure exceeds 60 percent of the maximum floor area allowable under the applicable Floor Area Ratio (FAR) until a Development Review Permit has been submitted and approved.

In addition to meeting the zoning requirements, the project must also be found in compliance with the development review criteria. The following is a list of the development review criteria topics:

1. Relationship with Adjacent Land Uses
2. Building and Structure Placement
3. Landscaping
4. Roads, Pedestrian Walkways, Parking and Storage Areas
5. Grading
6. Lighting
7. Usable Open Space

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. If the Council conditionally approves the proposed project, Resolution 2017-064 (Attachment 2) provides the full discussion of the following findings:

1. The proposed development is consistent with the general plan and all applicable requirements of the zoning ordinance including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.
3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.
4. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicant obtaining the required permit or approval from the other agency.

If the above findings cannot be made, the Council shall deny the DRP.

The following is a discussion of the applicable development review criteria as they relate to the proposed project.

Relationship with Adjacent Land Uses:

The subject site is located on the west side of S. Nardo Avenue, south of the intersection of Lomas Santa Fe and S. Nardo Avenue, within the Low Medium Residential (LMR) Zone. The properties surrounding the site to the north, south and west are also within the LMR Zone. The properties east of the site are within the Low Residential (LR) Zone. The surrounding properties are developed with a mix of one- and two-story single-family residences. The project, as designed, is consistent with permitted uses for the LMR Zone and could be found consistent with the General Plan, which designates the property as Low Medium Density Residential. The proposed development could be found consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the Scaled Residential Overlay Zone (SROZ). The property is within the Coastal Zone and, as a condition of approval, the Applicants will be required to obtain a Coastal Development Permit, Waiver, or Exemption from the California Coastal Commission prior to the issuance of a building permit.

Building Structure and Placement:

The site is currently developed with a 1,590 square foot one-story, single-family residence with an attached 449 square foot garage and 460 square foot unpermitted billiard room. The Applicants propose to demolish the existing unpermitted billiard room located on the northwestern portion of the structure and construct a 485 square foot addition in its place. Other additions to the first floor include a ten (10) square foot bay window proposed along the front entry and an additional 13 square feet required for the structural elements necessary for the second story. The Applicants are also proposing to construct a new 1,457 square foot second-story consisting of a master suite, two bedrooms, a bathroom, and den. A 202 square foot deck will be located off of the proposed second-story addition along the north elevation.

As part of this project, the Engineering Department is requiring a four (4) foot dedication of right-of-way along the eastern property line. The LMR Zone requires a 25 foot front yard setback, 10 foot interior side yard setbacks, and a 25 foot rear yard setback. The setbacks are taken from the new property boundaries. The residence will be setback 30 feet from the new front yard property boundary, 10 feet from the interior side yards, and 30 feet from the rear yard.

As designed, the proposed project meets the required setbacks, height, and FAR.

Neighborhood Comparison:

Staff compared the proposed project to 28 neighboring properties located within the LMR and LR Zones within the surrounding area on S. Nardo Avenue, El Sueno, Carmelita Place, and Brookdale Place as shown on the following Zoning Map:

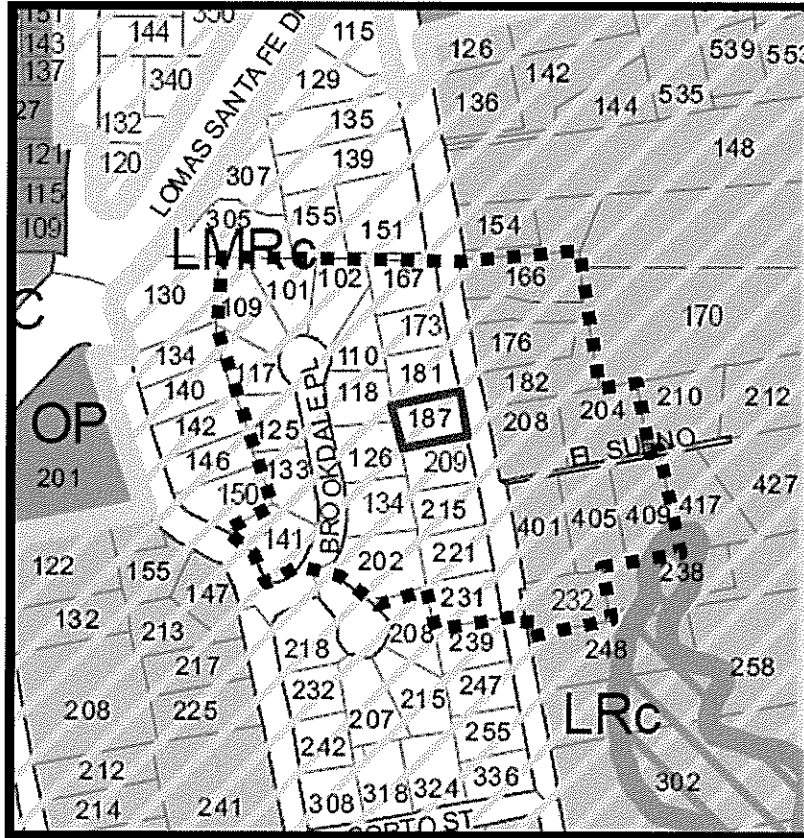


Table 2, below, provides the data for each property including approximate lot size, existing building area on each lot, and the maximum allowable square footage for potential new development.

The properties in the comparison area have a maximum FAR allowance that is calculated by using a tiered formula of 0.500 for the first 6,000 square feet of lot area, 0.175 for the portion of the lot between 6,001 – 15,000 square feet, 0.100 for the portion of the lot between 15,001 – 20,000 square feet, and 0.050 for the remainder of the lot.

The maximum allowable floor area for this 9,680 square foot lot is calculated as follows:

0.500 for the first 6,000 ft ² =	3,000 ft ²
0.175 for 6,001 to 15,000 ft ² =	644 ft ²
Maximum Allowable Floor Area =	3,644 ft²

The existing neighboring homes range in size from 1,229 square feet to 3,777 square feet, according to the County Assessor records. It should be noted that the County Assessor does not include the garage, phantom space or porch areas in their total square footage. Accordingly, the building area of the proposed project has been calculated for comparison purposes as follows:

Project Gross Building Area: 4,004 ft²
 Delete Garage: - 449 ft²
 Project Area for Comparison to the Assessor's Data: **3,555 ft²**

Table 2						
#	Property Address	Lot Size in ft ²	Existing ft ² Onsite	Proposed / Recently Approved ft ²	Max. Allowable ft ²	Zone
1	182 S NARDO AVE	15,200	2,168		3,075	LR
2	176 S NARDO AVE	11,900	1,229		4,033	LR
3	166 S NARDO AVE	17,500	3,495		4,825	LR
4	232 S NARDO AVE	31,799	2,862		6,255	LR
5	208 S NARDO AVE	16,537	2,326		4,729	LR
6	204 S NARDO AVE	17,706	1,744		4,846	LR
7	401 EL SUENO	16,795	3,641		4,755	LR
8	405 EL SUENO	16,985	3,777		4,774	LR
9	409 EL SUENO	16,763	3,777		4,751	LR
10	167 S NARDO AVE	10,500	1,983		3,788	LMR
11	173 S NARDO AVE	10,000	2,726		3,700	LMR
12	187 S NARDO AVE	9,680	1,590	3,555	3,644	LMR
13	215 S NARDO AVE	10,000	2,501		3,700	LMR
14	221 S NARDO AVE	10,000	1,660		3,700	LMR
15	181 S NARDO AVE	10,000	2,434		3,700	LMR
16	231 S NARDO AVE	10,000	1,428		3,700	LMR
17	209 S NARDO AVE	10,000	1,796		3,700	LMR
18	202 CARMELITA PL	13,800	2,311		4,365	LMR
19	134 BROOKDALE PL	11,700	3,398		3,998	LMR
20	126 BROOKDALE PL	11,300	2,337		3,928	LMR
21	118 BROOKDALE PL	10,700	3,161		3,823	LMR
22	110 BROOKDALE PL	9,200	2,231		3,560	LMR
23	102 BROOKDALE PL	10,900	2,111		3,858	LMR
24	101 BROOKDALE PL	11,200	2,196		3,910	LMR
25	109 BROOKDALE PL	12,000	2,145		4,050	LMR
26	117 BROOKDALE PL	8,500	2,320		3,438	LMR
27	125 BROOKDALE PL	9,700	2,005		3,648	LMR
28	133 BROOKDALE PL	9,100	1,553		3,543	LMR
29	141 BROOKDALE PL	11,900	3,160		4,033	LMR

Fences, Walls and Retaining Walls:

The Applicants are not proposing any new walls or fences as part of this project. The existing 6 foot fence surrounding the property along the north, south and west property boundaries will remain. The existing three (3) foot picket fence along the front property

line will be removed as part of this project. If the Applicants decide to modify any existing fences or walls or to construct additional fences and walls on the project site, a condition of project approval indicates that they would be required to be in compliance with the Municipal Code.

Landscape:

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. The project does not propose any modifications to the existing landscape areas. If the Applicants decide to modify any landscaping on the project site, a condition of project approval indicates that they would be subject to the applicable water efficient landscaping regulations at the time of project submittal.

Parking:

SBMC Section 17.52.040 and the Off Street Parking Design Manual require two parking spaces for a single-family residence. The proposed floor plan shows a garage that would allow for two parking spaces that are 9' X 19' clear. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required, therefore, 400 square feet of garage area has been exempted from the FAR calculation for the project.

Grading:

The project as designed proposes five (5) cubic yards of excavation for footings. No other grading is proposed as part of the project.

Lighting:

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC Section 17.60.060).

Usable Open Space:

The project consists of an addition to an existing one-story, single-family residence, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.J.

Structure Development Permit Compliance:

The proposed addition to the existing structure exceeds 16 feet in height above the existing grade. Therefore, the project must comply with the requirements of SBMC Chapter 17.63 View Assessment and the Applicants were required to complete the SDP process. The initial Story Pole Height Certification was certified by a licensed land

surveyor on November 9, 2016 showing a maximum building height of 25 feet measured above the existing grade. Notices were mailed to property owners and occupants within 300 feet of the project site establishing a deadline to file for View Assessment by March 15, 2017. No applications for View Assessment were received. Therefore, if the Council is able to make the required findings to approve the DRP, the SDP would be approved administratively.

As a condition of approval, a height certificate prepared by a licensed land surveyor will be required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 25 feet above the existing grade or 199.30 feet above the Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

Public Hearing Notice:

Notice of the City Council Public Hearing for the project was published in the Union Tribune more than 10 days prior to the public hearing. The same public notice was mailed to property owners and occupants within 300 feet of the proposed project site on April 28, 2017. As of the date of preparation of this Staff Report, Staff has not received any formal correspondence from neighbors or interested parties in support of, or in opposition to, the proposed project.

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Zoning regulations and the General Plan.

CEQA COMPLIANCE STATEMENT:

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 consists of construction and location of limited number of new, small facilities or structures. Examples of this exemption include one single-family residence or second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

FISCAL IMPACT: N/A

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation and adopt the attached Resolution 2017-064.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all of the required findings for the approval of a DRP.
- Deny the project if all of the required findings for the DRP cannot be made.

DEPARTMENT RECOMMENDATION:

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2017-064 conditionally approving a DRP and SDP to construct a new second-floor addition and a first-floor addition to an existing single-story, single-family residence at 187 S. Nardo Avenue.

CITY MANAGER'S RECOMMENDATION:

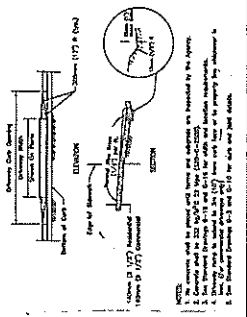
Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

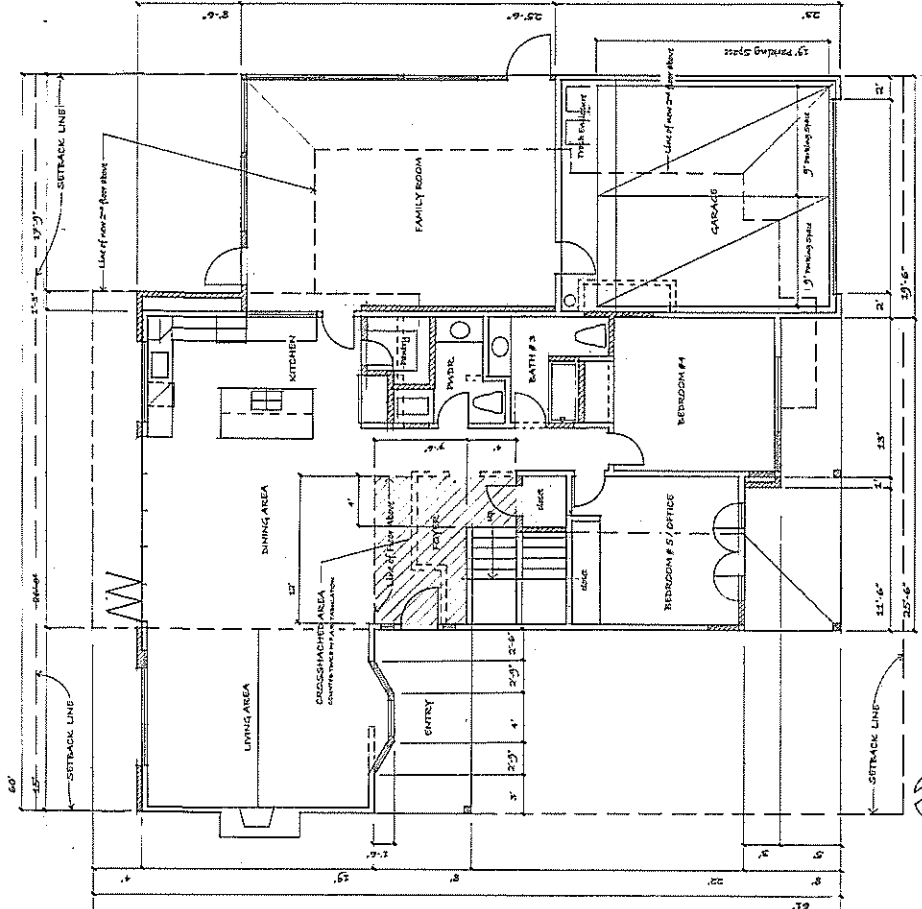
1. Project Plans
2. Resolution 2017-064



DETAIL:
 NO SCALE

MAX GRID SYSTEM STANDARD DIMENSIONS

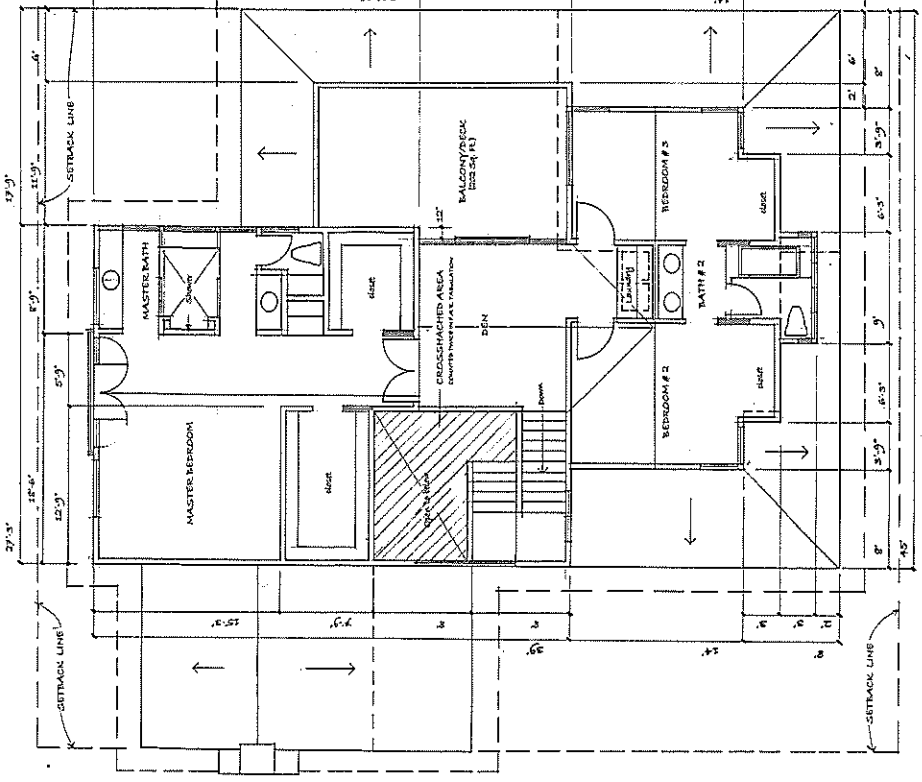
GRID	SPACING	UNIT
1-10	10'-0"	FEET
11-12	5'-0"	FEET
13-14	5'-0"	FEET
15-16	5'-0"	FEET
17-18	5'-0"	FEET
19-20	5'-0"	FEET
21-22	5'-0"	FEET
23-24	5'-0"	FEET
25-26	5'-0"	FEET
27-28	5'-0"	FEET
29-30	5'-0"	FEET
31-32	5'-0"	FEET
33-34	5'-0"	FEET
35-36	5'-0"	FEET
37-38	5'-0"	FEET
39-40	5'-0"	FEET
41-42	5'-0"	FEET
43-44	5'-0"	FEET
45-46	5'-0"	FEET
47-48	5'-0"	FEET
49-50	5'-0"	FEET
51-52	5'-0"	FEET
53-54	5'-0"	FEET
55-56	5'-0"	FEET
57-58	5'-0"	FEET
59-60	5'-0"	FEET
61-62	5'-0"	FEET
63-64	5'-0"	FEET
65-66	5'-0"	FEET
67-68	5'-0"	FEET
69-70	5'-0"	FEET
71-72	5'-0"	FEET
73-74	5'-0"	FEET
75-76	5'-0"	FEET
77-78	5'-0"	FEET
79-80	5'-0"	FEET
81-82	5'-0"	FEET
83-84	5'-0"	FEET
85-86	5'-0"	FEET
87-88	5'-0"	FEET
89-90	5'-0"	FEET
91-92	5'-0"	FEET
93-94	5'-0"	FEET
95-96	5'-0"	FEET
97-98	5'-0"	FEET
99-100	5'-0"	FEET



EXISTING 1 ST LEVEL	S.F.	EXISTING + PROPOSED	S.F.
EXISTING 1 ST LEVEL	1,200	EXISTING + PROPOSED	2,400
PROPOSED 1 ST FLOOR	1,200	PROPOSED 1 ST FLOOR	1,200
TOTAL	2,400	TOTAL	3,600

NOTE:
 ALL DIMENSIONS ARE MEASURED FROM THE EXTERIOR WALL SURFACES.

EXISTING 1 ST LEVEL	S.F.	EXISTING + PROPOSED	S.F.
EXISTING 1 ST LEVEL	1,200	EXISTING + PROPOSED	2,400
PROPOSED 1 ST FLOOR	1,200	PROPOSED 1 ST FLOOR	1,200
TOTAL	2,400	TOTAL	3,600



PROPOSED UPPER FLOOR PLAN:
 SCALE: 1/8" = 1'-0"

RESOLUTION NO. 2017-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT AND AN ADMINISTRATIVE STRUCTURE DEVELOPMENT PERMIT TO CONSTRUCT A NEW SECOND-FLOOR ADDITION AND A FIRST-FLOOR ADDITION TO AN EXISTING, SINGLE-STORY, SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED AT 187 S. NARDO AVENUE, SOLANA BEACH

**APPLICANT: Joel and Nicole Meredith
CASE NO.: 17-16-22 DRP/SDP**

WHEREAS, Joel and Nicole Meredith (hereinafter referred to as “Applicants”) have submitted an application for a Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning), of the Solana Beach Municipal Code (SBMC); and

WHEREAS, the Public Hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

WHEREAS, at the Public Hearing on May 10, 2017, the City Council received and considered evidence concerning the proposed application; and

WHEREAS, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

WHEREAS, this decision is based upon the evidence presented at the hearing and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

NOW THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the project is exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines.
3. That the request for a Development Review Permit and Structure Development Permit to construct a new second-floor addition and a first-floor addition to an existing, single-story, single-family residence located at 187 S. Nardo Avenue, is conditionally approved based upon the following Findings and subject to the following Conditions:
4. FINDINGS
 - A. In accordance with Section 17.68.040 (Development Review Permit) of the

City of Solana Beach Municipal Code, the City Council finds the following:

- I. *The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones, and specific plans.*

General Plan Consistency: The project, as conditioned, is consistent with the City's General Plan designation of Low Medium Density Residential (LMR) Zone, which allows for four dwelling units per acre. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) Permitted Uses and Structures (SBMC 17.20.020), which provides for use of the property as a single-family residence. The proposed project also adheres to all property development regulations established for the LMR Zone and cited by SBMC 17.20.030.

The design of the project is consistent with the provisions for minimum yard dimensions (i.e., setbacks), the maximum floor area ratio (FAR), maximum building height, and parking requirements.

- II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040.F:*

- a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and where feasible, complimentary to existing and potential development in the immediate vicinity of the project site. Site planning on the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects, as well as protection of the property from adverse surrounding influences.*

The subject site is located on the west side of S. Nardo Avenue, south of the intersection of Lomas Santa Fe and S. Nardo Avenue, within the Low Medium Residential (LMR) Zone. The properties surrounding the site to the north, south and west are also within the LMR Zone. The properties east of the site are within the Low Residential (LR) Zone. The surrounding properties are developed with a mix of one- and two-story single-family residences. The project, as designed, is consistent with permitted uses for the LMR Zone and is consistent with the General Plan, which designates the property as Low Medium Density

Residential. The proposed development is consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the Scaled Residential Overlay Zone (SROZ). The property is within the Coastal Zone and, as a condition of approval, the Applicants shall obtain a Coastal Development Permit, Waiver, or Exemption from the California Coastal Commission prior to the issuance of a building permit.

- b. Building and Structure Placement: Buildings and structures shall be sited and designed in a manner which visually and functionally enhances their intended use.*

The site is currently developed with a 1,590 square foot one-story, single-family residence with an attached 449 square foot garage and 460 square foot unpermitted billiard room. The Applicants propose to demolish the existing unpermitted billiard room located on the northwestern portion of the structure and construct a 485 square foot addition in its place. Other additions to the first floor include a 10 square foot bay window proposed along the front entry and an additional 13 square feet required for the structural elements necessary for the second story. The Applicants are also proposing to construct a new 1,457 square foot second-story consisting of a master suite, two bedrooms, a bathroom, and den. A 202 square foot deck will be located off of the proposed second-story addition along the north elevation.

A four (4) foot dedication of right-of-way is required along the eastern property line. The LMR Zone requires a 25 foot front yard setback, 10 foot interior side yard setbacks, and a 25 foot rear yard setback. The setbacks are taken from the new property boundaries. The residence will be setback 30 feet from the new front yard property boundary, 10 feet from the interior side yards, and 30 feet from the rear yard.

As designed, the proposed project meets the required setbacks, height, and floor area ratio (FAR).

- c. Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. Trees and other large plantings shall not obstruct significant views when installed or at maturity.*

The proposed project does not include any modifications to the existing landscape areas. The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

SBMC Section 17.52.040 and the Off Street Parking Design Manual require two parking spaces for a single-family residence. The proposed floor plan shows a garage that would allow for two parking spaces that are 9' X 19' clear. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required, therefore, 400 square feet of garage area has been exempted from the FAR calculation for the project.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The project as designed proposes five (5) cubic yards of excavation for footings. No other grading is proposed as part of the project.

- f. *Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

All new exterior lighting fixtures shall comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC Section 17.60.060).

- g. Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of an addition to an existing one-story, single-family residence, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.J.

- III. All required permits and approvals, including variances, conditional use permits, comprehensive sign plans, and coastal development permits, have been obtained prior to or concurrently with the development review permit.*

All required permits, including a Structure Development Permit, are being processed concurrently with the Development Review Permit.

- IV. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicant obtaining the required permit or approval from the other agency.*

The Applicants are required to obtain approval from the California Coastal Commission prior to issuance of Building Permits.

- B.** In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:

The proposed addition to the existing structure exceeds 16 feet in height above the existing grade. Therefore, the project complied with the requirements of SBMC Chapter 17.63 View Assessment and the Applicants completed the SDP process. The initial Story Pole Height Certification was issued by a licensed land surveyor on November 18, 2016 showing a maximum building height of 25 feet measured above the existing grade.

A height certificate prepared by a licensed land surveyor is required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 25 feet above the existing grade or 199.3 feet above the Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

5. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicants shall provide for and adhere to the following conditions:

A. Community Development Department Conditions:

- I. The Applicants shall pay required Public Facilities Fees, as established by SBMC Section 17.72.020 and Resolution 1987-36.
- II. Building Permit plans shall be in substantial conformance with the plans presented to the City Council on May 10, 2017, and located in the project file with a submittal date of May 1, 2017.
- III. Prior to requesting a framing inspection, the Applicants shall submit a height certification, signed by a licensed land surveyor, certifying that the building envelope (which is represented by the story poles) is in conformance with the plans as approved by the City Council on May 10, 2017 and the certified story pole plot plan, and shall not exceed 25 feet in height from the existing grade or 199.3 feet above MSL.
- IV. Any proposed onsite fences, walls, and retaining walls and any proposed railing located on top or any combination thereof shall comply with applicable regulations of SBMC Section 17.20.040 and 17.60.070 (Fences and Walls).
- V. The Applicants shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a grading or building permit.
- VI. If the Applicants decide to modify any landscaping after receiving project approval, the project shall be subject to the applicable water efficient landscaping regulations at the time of project submittal and native or drought tolerant and non-invasive plant materials and water conserving irrigation systems shall be required to the extent feasible.
- VII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- VIII. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.

B. Fire Department Conditions:

- I. Address Numbers: Street numbers: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and

shall meet the following minimum standards as to size: 4" high with a ½" stroke width for residential buildings, 8" high with a ½" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers.

- II. Automatic Fire Sprinkler System One and Two Family Dwellings: Structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the Fire Department. Plans for the automatic fire sprinkler system shall be approved by the Fire Department prior to installation.
- III. Smoke Detectors/Carbon Monoxide Alarms/Fire Sprinkler Systems: Smoke detectors/carbon monoxide alarms/fire sprinklers shall be inspected by the Solana Beach Fire Department.
- IV. Class "A" Roof: All structures shall be provided with a Class "A" Roof covering to the satisfaction of the Solana Beach Fire Department.

C. Engineering Department Conditions:

- I. Obtain an Encroachment Permit in accordance with Chapter 11.20 of the Solana Beach Municipal Code, prior to the construction of any improvements within the public right-of-way including, but not limited to, street improvements, and temporary construction staging of equipment and demolition of existing surface improvements.
- II. Improvements within the public right-of-way shall include a G-14A driveway approach, 19" colored concrete swale and Stabilized Compacted Decomposed Granite (D.G.) at 2% maximum cross slope from the property line to the 19" swale.
- III. The Applicants shall dedicate 4' of right-of-way along the eastern property line prior to final inspection.
- IV. All construction demolition materials shall be recycled according to the City's Construction and Demolition recycling program and an approved Waste Management Plan shall be submitted.
- V. Obtain a Minor Grading Permit. Conditions prior to the issuance of a minor grading permit shall include, but not be limited to, the following:
 - a. The Minor Grading Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer.
 - b. Show the roof drains and other drainage features as to

- how the existing and proposed drainage is conveyed.
 - c. Provide a certified letter from a registered Civil Engineer documenting that the project does not substantially increase storm water run-off.
 - d. Pay minor grading plan check fee in accordance with the current Engineering Fee Schedule at initial minor grading plan submittal. Inspection fees shall be paid prior to issuance of the minor grading permit.
 - e. The Applicants shall transport all excavated material to a legal disposal site.
 - f. No increased cross lot drainage shall be allowed.
 - g. Submit certification from the Engineer of Record that all private drainage facilities and finished grades are functioning and are installed in accordance with the approved plans.
- VI. Temporary construction fencing shall be located on the subject property unless the Applicants have obtained an Encroachment Permit in accordance with Chapter 11.20 of the Solana Beach Municipal Code.
- VII. Due to actual field conditions encountered during construction, additional Engineering Department conditions may be added as warranted.
6. ENFORCEMENT: Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.
7. EXPIRATION: The Development Review Permit and Structure Development Permit for the project will expire 24 months from the date of this Resolution, unless the Applicants have obtained building permits and has commenced construction prior to that date, and diligently pursued construction to completion. An extension of the application may be granted by the City Council according to SBMC 17.72.110.
8. INDEMNIFICATION AGREEMENT: The Applicants shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicants of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election,

the Applicants shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicants regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicants shall not be required to pay or perform any settlement unless such settlement is approved by the Applicants.

NOTICE TO APPLICANT: Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10th day of May 2017, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing: Request for a Development Review Permit and Structure Development Permit to Construct a First-Floor Addition and a New Second-Floor Addition to an Existing, Single-Story, Single-Family Residence with an Attached Two-Car Garage at 1448 Santa Marta Court (Case # 17-16-09 Applicants: Sara Hyzer and Christopher Coelho; APN 263-581-19; Resolution No. 2017-065)**

BACKGROUND:

The Applicants, Sara Hyzer and Christopher Coelho, are requesting Council approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to construct a 369 square-foot first-floor addition and new 599 second-floor addition to an existing, single-story, single-family residence with an attached two-car garage on a 9,900 square-foot lot located at 1448 Santa Marta Court in the Low-Medium Residential (LMR) Zone. The maximum building height would be 22.6 feet above existing grade and 277.6 feet above Mean Sea Level (MSL). The project includes 10.3 cubic yards of excavation for footings. The project requires a DRP because the total floor area would exceed 60 percent of the maximum allowable for the lot. The project requires a SDP because the proposed addition exceeds 16 feet in height above the existing grade.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicants' request.

DISCUSSION:

The 9,900 square-foot lot is located on the north side of Santa Marta Court. The lot is roughly rectangular in shape with an arced southwest corner adjacent to the terminus of the Santa Marta Court cul-de-sac and a rear property line that is not parallel to the front property line. The lot slopes gradually from the rear to front with approximately 6 feet of elevation change. The lot is developed with a single-story, single-family residence with an attached two-car garage on a flat building pad. The proposed first and second-floor

CITY COUNCIL ACTION:

addition would be located on the northwest side of the residence. Surrounding properties are developed with one and two-story, single-family residences.

The Applicants propose to construct a 369 square-foot addition of a family room to the first floor of the residence, which would be located on the patio immediately north of the existing kitchen and dining room. The proposed family room would open up to a covered patio to the north. The proposed 599 square-foot, second-floor addition would be located immediately above the proposed family room and covered patio. The second floor would consist of a master suite with a balcony and a fifth bedroom. The total proposed floor area would be 3,040 square feet, which would include the application of the 400 square-foot exemption for the two required off-street parking spaces located within the existing garage. The maximum allowable floor area for the property is 4,470 square feet. The maximum proposed building height would be 22.6 feet above the existing grade. The proposal includes 10.3 cubic yards of grading for the excavation for footings. The project plans are provided in Attachment 1.

Table 1 (below) provides a comparison of the Solana Beach Municipal Code (SBMC) applicable zoning regulations with the Applicants' proposed design.

Table 1			
LOT INFORMATION			
Property Address:	1448 Santa Marta Ct.	Zoning Designation:	LMR (4 du/ac)
Lot Size:	9,900 ft ²	# of Units Allowed:	1 Dwelling Unit
Max. Allowable Floor Area:	4,470 ft ²	# of Units Requested:	1 Dwelling Unit
Proposed Floor Area:	3,040 ft ²	Setbacks:	Required Proposed
Below Max. Floor Area by:	1,430 ft ²	Front	25 ft. +35 ft.
Max. Allowable Height:	25.0 ft.	Side (W)	10 ft. 10 ft.
Max. Proposed Height:	22.6 ft.	Side (E)	10 ft. 10 ft.
Highest Point/Ridge:	277.6 MSL	Rear	25 ft. +50 ft.
Overlay Zone(s):	None		
PROPOSED PROJECT INFORMATION			
Floor Area Breakdown:		Required Permits:	
Existing First Floor	1,800 ft ²	DRP: A DRP is required because the proposed project would exceed 60% of the maximum allowable floor area for the lot and the proposed second story would exceed 35% of the existing floor area of the first floor. SDP: A SDP is required because the proposed addition would exceed 16 feet in height measured from pre-existing grade.	
Existing Garage	478 ft ²		
Existing Phantom Space (15'+)	194 ft ²		
Proposed First Floor Addition	369 ft ²		
Proposed Second Floor Addition	599 ft ²		
Subtotal	3,440 ft ²		
Garage Exemption	- 400 ft ²		
Total Floor Area Proposed	3,040 ft²		
Proposed Grading: Footing Excavation: 10.3 y³ Export: 10.3 y³ Aggregate: 10.3 y³			
Proposed Parking: Attached 2-car garage		Existing Development:	
Proposed Fences and Walls: No		Single-Story, Single-Family Residence with an	
Proposed Accessory Dwelling Unit: No		Attached Two-Car Garage	
Proposed Accessory Structure: No			

Staff has prepared draft findings for approval of the project in the attached Resolution 2017-065 (Attachment 2) for Council's consideration based upon the information in this report. The Applicable SBMC sections are provided in italicized text and conditions from the Planning, Engineering and Fire Departments are incorporated in the draft Resolution of Approval. The Council may direct Staff to modify the Resolution to reflect the findings and conditions it deems appropriate as a result of the public hearing process. If the Council determines the project is to be denied, Staff will prepare a Resolution of Denial for adoption at a subsequent Council meeting.

The following is a discussion of the findings for a DRP and an administrative SDP as each applies to the proposed project as well as references to recommended conditions of approval contained in Resolution 2017-065.

Development Review Permit Compliance (SBMC Section 17.68.040):

A DRP is required because the project would exceed 60 percent of the maximum allowable floor area for the lot.

In addition to meeting the zoning requirements, the project must also be found in compliance with development review criteria. The following is a list of the development review criteria topics:

1. Relationship with Adjacent Land Uses
2. Building and Structure Placement
3. Landscaping
4. Roads, Pedestrian Walkways, Parking, and Storage Areas
5. Grading
6. Lighting
7. Usable Open Space

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. Resolution 2017-065 provides the full discussion of the required findings below:

1. The proposed development is consistent with the general plan and all applicable requirements of the zoning ordinance including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.
3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.
4. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally

approve the development review permit upon the Applicants obtaining the required permit or approval from the other agency.

If the above findings cannot be made, the Council shall deny the DRP. The following is a discussion of the applicable development review criteria as they relate to the proposed project.

Relationship with Adjacent Land Uses:

The property is located within the LMR Zone. Properties immediately surrounding the lot are also located within the LMR Zone and are developed with one and two-story, single-family residences. The project, as designed, is consistent with the permitted uses for the LMR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas or overlay zones; however, it is located within the Coastal Zone. As a condition of project approval, the Applicants would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

Building and Structure Placement:

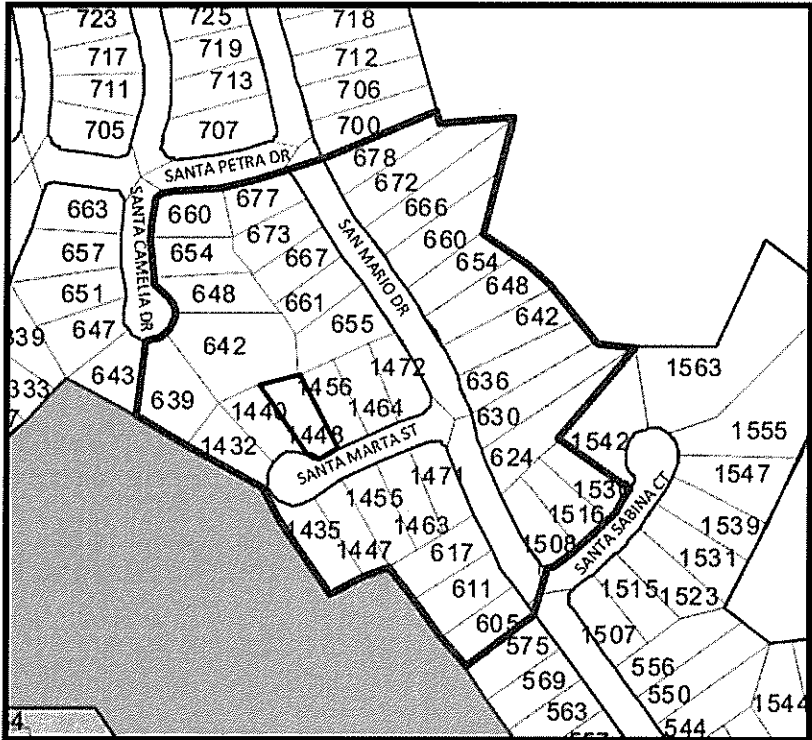
The property is currently developed with a single-story, single-family residence with an attached two-car garage with driveway access off of Santa Marta Court. The existing residence is built on a flat building pad. The proposed development includes expanding the existing building footprint to the northwest with a first and second-floor addition.

The 369 square-foot, first-floor addition would consist of a family room and a covered patio that would be exempt from the floor area calculation. The second floor would consist of a master suite with a balcony on the northern side and a fifth bedroom. The required setback areas would be free and clear of structures except for existing allowable encroachments including eaves, fencing, and landscaping.

The proposed project, as designed, is below the maximum allowable floor area, below the maximum building height for the property, and meets all required setbacks.

Neighborhood Comparison:

Staff compared the proposed project to 37 other properties within the surrounding area. As shown on the following Zoning Map, they include other LMR properties along San Mario Drive, Santa Sabina Court, Santa Petra Drive, and Santa Camelia Drive.



The neighboring residences consist of one and two-story, single-family residences ranging in size from 1,525 square feet to 3,521 square feet, according to the County Assessor records. It should be noted that the County Assessor does not include garages, covered porches, phantom floor area, unfinished basements or accessory buildings in the total square footage. Accordingly, the building area of the proposed project has been calculated for comparison purposes by deleting the area of the garage/office as well as the vaulted area in the residence as follows:

Project Gross Building Area	3,440 ft ²
Delete Garage Area	- 478 ft ²
Delete Phantom Space	- 194 ft ²
<hr/>	
Project Area for Comparison to Assessor's Data	2,768 ft ²

Table 2 is based upon the County Assessor's data and SanGIS data. It contains neighboring lot sizes, the square footage of existing development and the maximum allowable square footage for potential development on each lot.

Table 2						
#	Property Address	Lot Size in ft ² (SanGis)	Existing ft ² (Assessor)	Proposed / Recently Approved ft ²	Max. Allowable ft ²	Zone
1	639 Santa Camelia Dr	18,800	3,040		7,140	LMR
2	642 Santa Camelia Dr	27,007	1,935		8,551	LMR
3	648 Santa Camelia Dr	12,400	2,831		5,220	LMR
4	654 Santa Camelia Dr	11,800	1,871		5,040	LMR
5	660 Santa Camelia Dr	12,000	1,646		5,100	LMR
6	677 San Mario Dr	10,900	2,241		4,770	LMR
7	673 San Mario Dr	10,300	1,977		4,590	LMR
8	667 San Mario Dr	10,600	1,525		4,680	LMR
9	661 San Mario Dr	9,900	3,521		4,470	LMR
10	655 San Mario Dr	15,400	1,607		6,120	LMR
11	1472 Santa Marta Ct	10,500	2,640		4,650	LMR
12	1464 Santa Marta Ct	8,900	2,021		4,170	LMR
13	1456 Santa Marta Ct	10,000	1,607		4,500	LMR
14	1448 Santa Marta Ct	9,900	1,800	2,768	4,470	LMR
15	1440 Santa Marta Ct	10,100	1,525		4,530	LMR
16	1432 Santa Marta Ct	11,200	2,358		4,860	LMR
17	1435 Santa Marta Ct	12,500	1,879		5,250	LMR
18	1447 Santa Marta Ct	10,600	1,575		4,680	LMR
19	1455 Santa Marta Ct	10,800	2,268		4,740	LMR
20	1463 Santa Marta Ct	10,700	2,609		4,710	LMR
21	1471 Santa Marta Ct	9,800	1,607		4,440	LMR
22	654 San Mario Dr	11,800	2,330		5,040	LMR
23	660 San Mario Dr	15,200	2,268		6,060	LMR
24	666 San Mario Dr	19,200	2,413		7,260	LMR
25	672 San Mario Dr	19,000	2,576		7,200	LMR
26	678 San Mario Dr	12,900	1,935		5,370	LMR
27	1530 Santa Sabina Ct	9,600	2,268		4,380	LMR
28	1516 Santa Sabina Ct	10,300	2,268		4,590	LMR
29	1508 Santa Sabina Ct	11,900	1,525		5,070	LMR
30	624 San Mario Dr	17,500	2,795		6,750	LMR
31	630 San Mario Dr	17,500	2,136		6,750	LMR
32	636 San Mario Dr	15,200	2,415		6,060	LMR
33	642 San Mario Dr	15,900	1,765		6,270	LMR
34	648 San Mario Dr	15,600	2,171		6,180	LMR
35	617 San Mario Dr	12,900	2,006		5,370	LMR
36	611 San Mario Dr	13,200	2,180		5,460	LMR
37	605 San Mario Dr	11,600	2,584		4,980	LMR

Fences, Walls and Retaining Walls:

Within the front yard setback area, the SBMC allows fences and walls or any combination thereof, to be no higher than 42 inches in height as measured from existing grade, except for an additional two feet of fence that is at least 80 percent open to light. Fences, walls and retaining walls located within the rear and interior side yards are allowed to be up to six feet in height with an additional 24 inches that is 50 percent open to light and air.

The Applicants do not propose to modify existing fences or construct new fences, retaining walls or garden walls. If the Applicants decide to modify any of the existing fences and walls or construct additional fences and walls, on the project site, a condition of project approval indicates that they would be required to be in compliance with SBMC 17.20.040(O) and 17.60.070(C) and (D).

Landscape:

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. A new single-family residence with homeowner-provided landscaping, where the landscaped area is greater than or equal to 500 square feet, is required to submit a Landscape Development Package. The Applicants are not proposing to modify or replace the existing landscaping. Therefore, the project is not subject to the Water Efficient Landscape Ordinance. However, a condition of project approval has been added to require that native or drought-tolerant and non-invasive plant materials and water-conserving irrigation systems must be incorporated into the landscaping to the extent feasible.

Parking:

SBMC Section 17.52.040 and the Off-Street Parking Design Manual (OSPDM) require two (2) parking spaces for a single-family residence. The OSPDM specifies that parking spaces located in a private garage be at least 9 feet by 19 feet and unobstructed by improvements in order to comply with required parking. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation.

The Applicants are proposing to construct an addition to an existing single-family residence with an attached two-car garage. Two off-street parking spaces are required and are currently located in the existing garage. The property would comply with the OSPDM as the two required spaces would be maintained. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required; therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

Grading:

The proposed grading includes 10.3 cubic yards of excavation for footings to be exported off site.

Lighting:

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

Usable Open Space:

The project consists of the construction of a first-floor addition and a new second-floor addition on a developed residential lot; therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

Structure Development Permit Compliance:

The proposed addition to the existing structure exceeds 16 feet in height above the existing grade. Therefore, the project must comply with the requirements of SBMC Chapter 17.63 View Assessment and the Applicants were required to complete the SDP process. The initial Story Pole Height Certification was issued by a licensed land surveyor on March 8, 2017 showing a maximum building height of 22.6 feet measured above the existing grade. Notices were mailed to property owners and occupants within 300 feet of the project site establishing a deadline to file for View Assessment by April 14, 2017. No applications for View Assessment were received. Therefore, if the Council is able to make the required findings to approve the DRP, the SDP would be approved administratively.

As a condition of approval, a height certificate prepared by a licensed land surveyor will be required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 22.6 feet above the existing grade or 277.6 feet above the Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

Public Hearing Notice:

Notice of the City Council Public Hearing for the project was published in the Union Tribune more than 10 days prior to the public hearing. The same public notice was mailed to property owners and occupants within 300 feet of the proposed project site on April 27, 2017. As of the date of preparation of this Staff Report, Staff has not received any formal correspondence from neighbors or interested parties in support of, or in opposition to, the proposed project.

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Zoning regulations and the General Plan. Should the Council determine that the findings can be made to approve the project, the SDP will be issued administratively with the DRP.

CEQA COMPLIANCE STATEMENT:

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Section 15303 is a Class 3 exemption for new construction or the conversion of small structures. Examples of this exemption include one single-family residence or second dwelling unit in a residential zone. In urbanized areas, up to three-single-family residences may be constructed or converted under this exemption.

FISCAL IMPACT: N/A

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation adopting the attached Resolution 2017-065.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all required findings for the approval of a DRP.
- Deny the project if all required findings for the DRP cannot be made.

DEPARTMENT RECOMMENDATION:

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2017-065 conditionally approving a DRP and SDP to construct an 369 square-foot first-floor addition and new 599 second-floor addition to an existing, single-story, single-family residence with an attached two-car garage located at 1448 Santa Marta Court.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.

A handwritten signature in black ink, appearing to read 'Gregory Wade', written over a horizontal line.

Gregory Wade, City Manager

Attachments:

1. Project Plans
2. Resolution 2017-065

EX/DEMO FLOOR PLAN
 NEW FLOOR PLANS
 SCALE: 1/4" = 1'-0"

CONTRACT NO. 14000
 DATE: 5/28/2017
 OWNER: MARIA G. COELHO
 SHEET: A2

PROJECT: COELHO-HYZER ADDITION
 ARCHITECT: CHRISTOPHER COELHO & SARA HYZER
 1448 SANTA MARITA CT, SOLVIA BEACH, CA 92078
 949.435.1111
 LICENSE NO. 14000
 CONTRACT NO. 14000
 DATE: 5/28/2017
 OWNER: MARIA G. COELHO
 SHEET: A2

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 OWNER: MARIA G. COELHO
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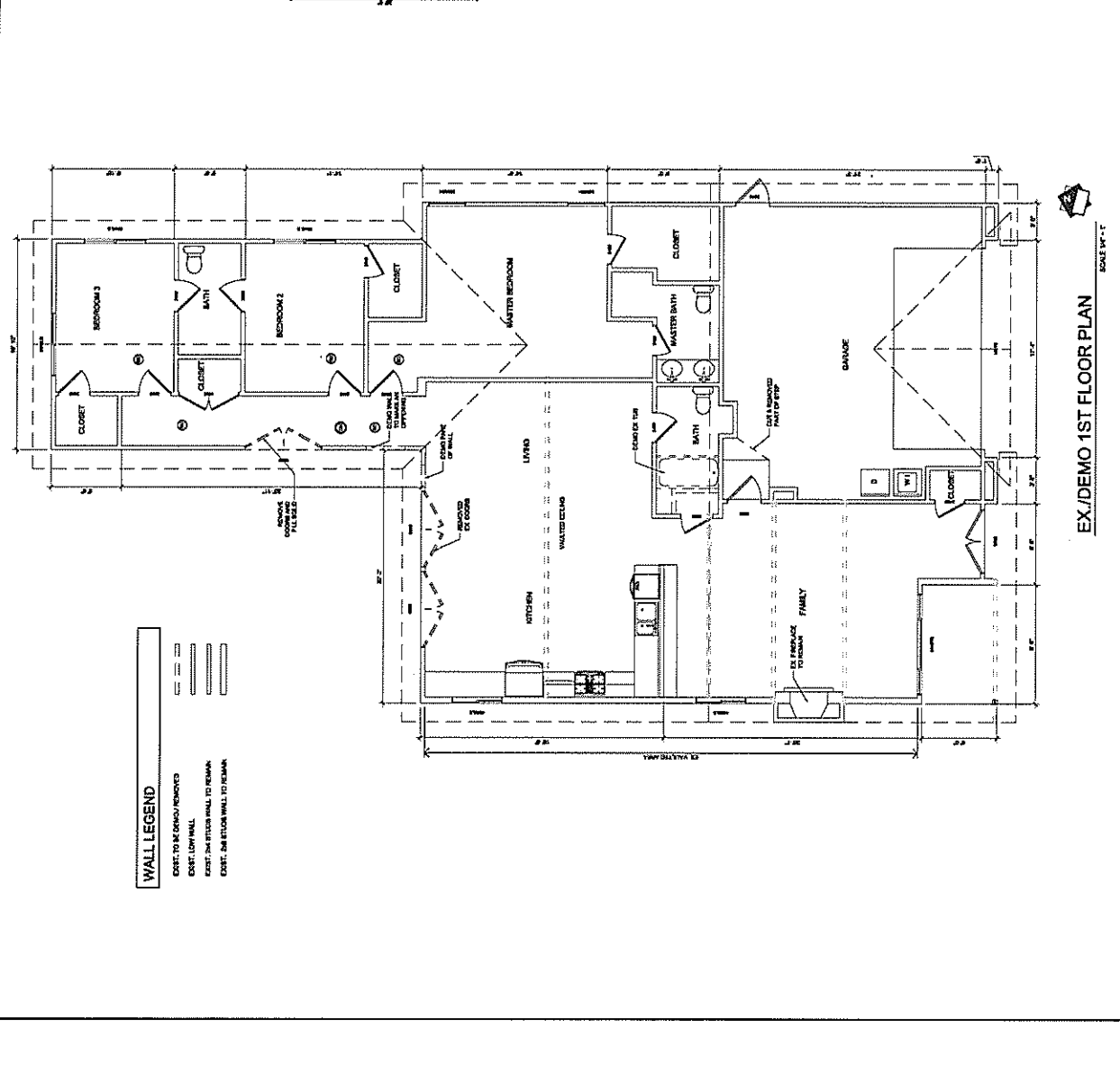
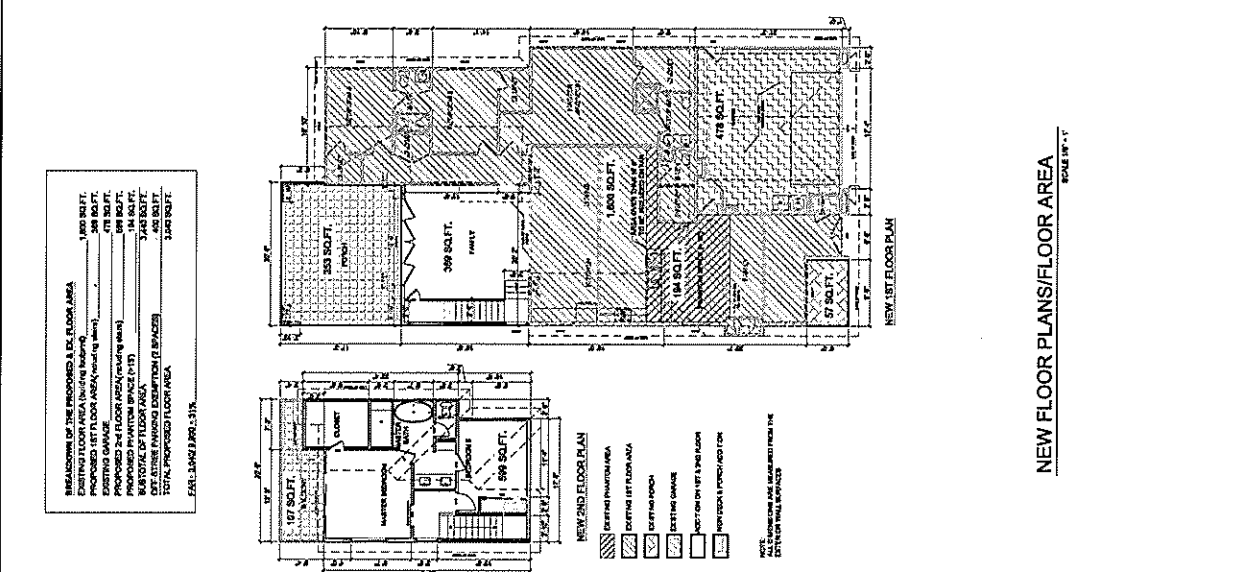
PROJECT: COELHO-HYZER ADDITION
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 SCALE: 1/4" = 1'-0"

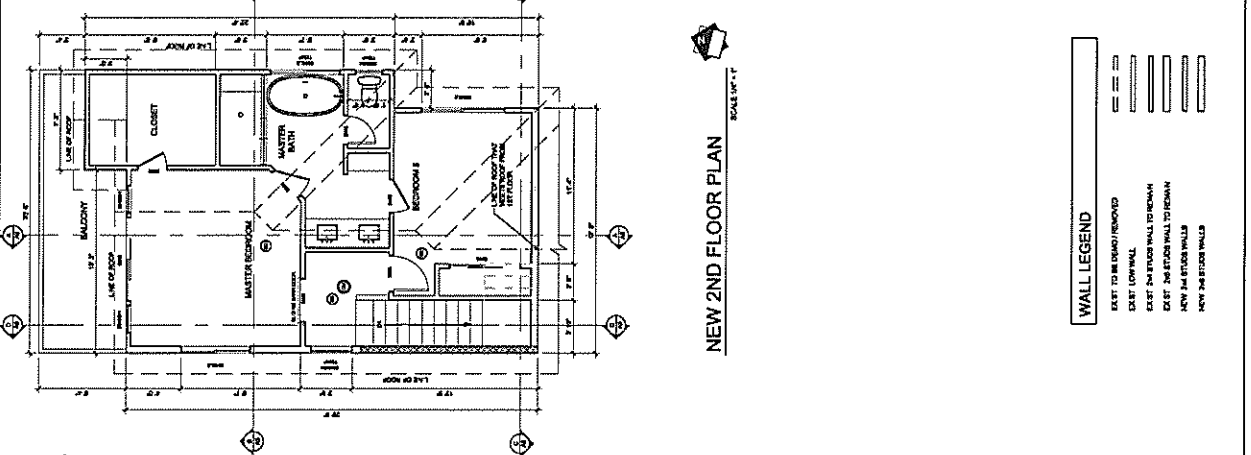
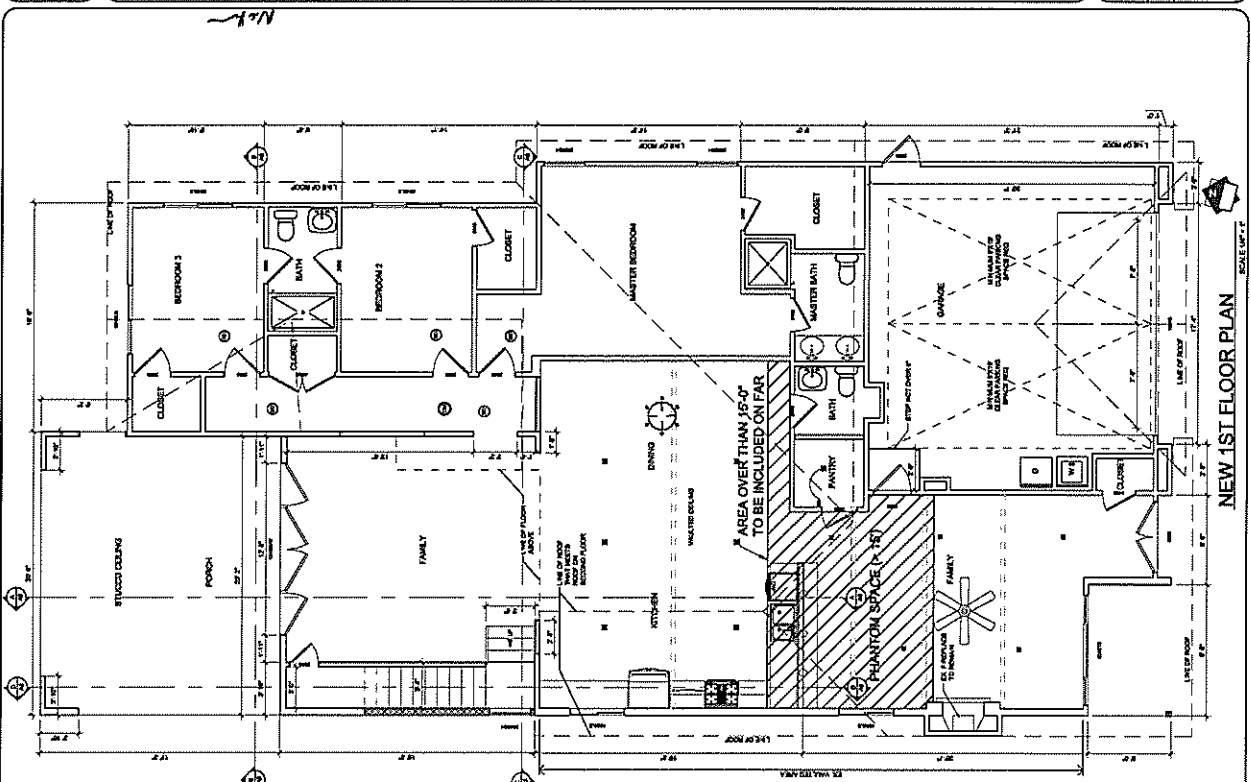
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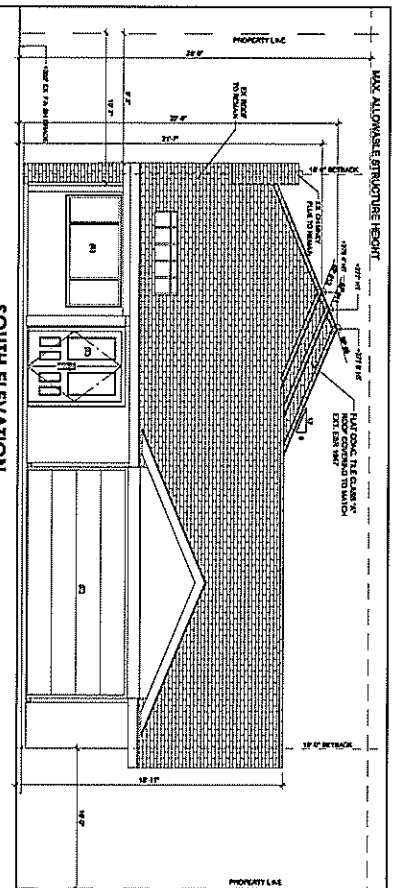
CONTRACT NO. 14000
 DATE: 5/28/2017
 OWNER: MARIA G. COELHO
 SHEET: A2



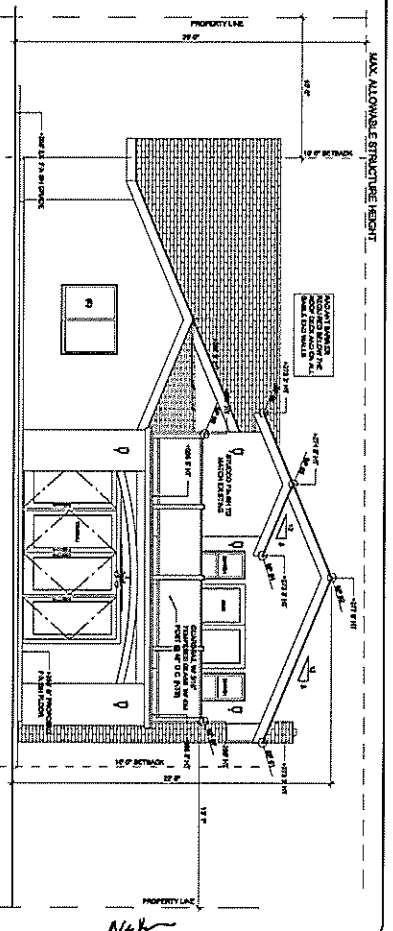
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- EXIST. LOW WALL
- EXIST. 2-4 STUD WALL TO REMAIN
- EXIST. 2-4 STUD WALL TO DEMO
- NEW 2-4 STUD WALLS

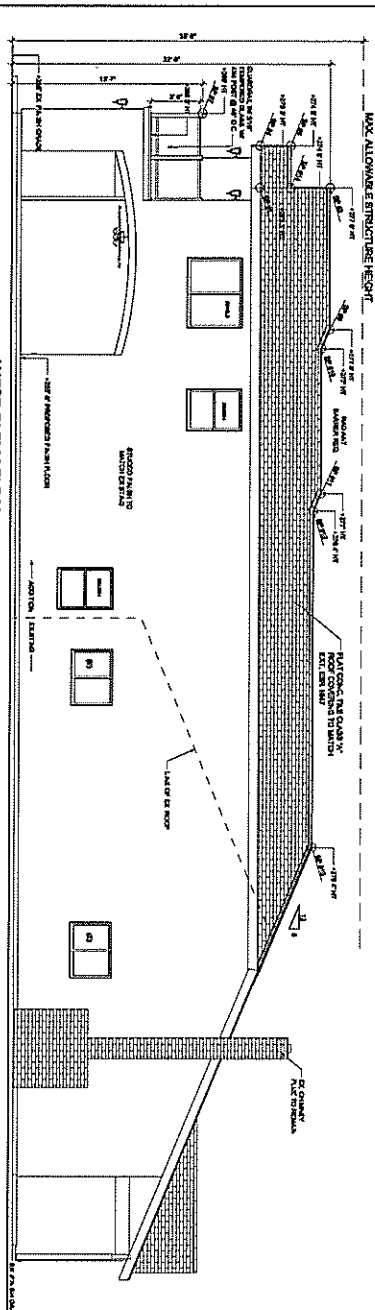
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- NEW WALLS TO REMAIN



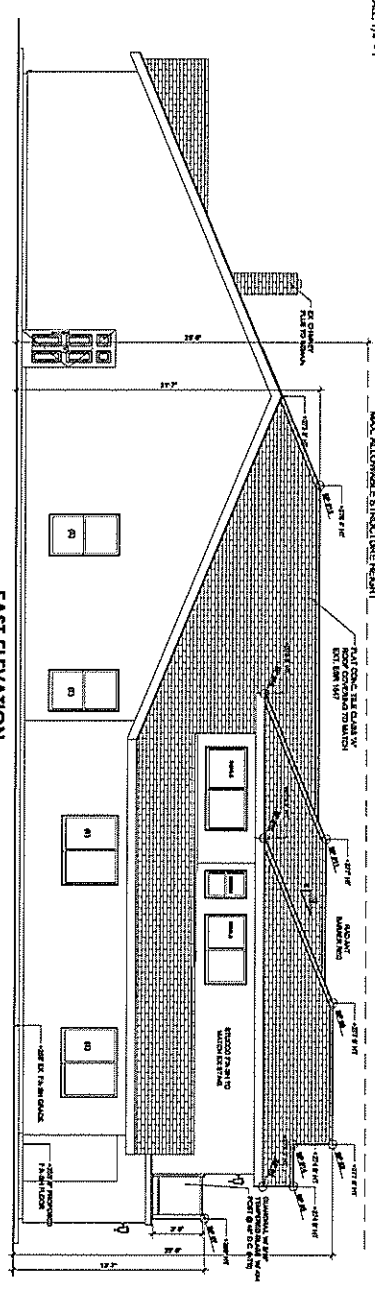
SOUTH ELEVATION
SCALE: 1/8" = 1'



NORTH ELEVATION
SCALE: 1/8" = 1'



WEST ELEVATION
SCALE: 1/8" = 1'



EAST ELEVATION
SCALE: 1/8" = 1'

PROJECT: COELHO-HYZER ADDITION
 DATE: 12/15/2017
 DRAWN BY: MARIAN G.
 CHECKED BY: [blank]
 SCALE: 1/8" = 1'

A4	SHEET TITLE ELEVATIONS	PROJECTIVE COELHO-HYZER ADDITION CHRISTOPHER COELHO & SARA HYZER 1448 SANTA MARTA CT, SOLANA BEACH, CA 92076	ARCHITECT RITZ 500 DODD CA 92111 CA License # 27151, TX #62348, IL #021-001-001-001-001	ENGINEER NDC MADEIRA ENGINEERING CONSULTANTS, INC. 10000 N. CENTRAL EXPRESSWAY, SUITE 100 DALLAS, TEXAS 75243	NO. 1 DATE:
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NO PART OF THESE PLANS OR ANY PARTS THEREOF SHALL BE REPRODUCED, COPIED, REPRODUCED, OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ENGINEER. THE ARCHITECT AND ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THEM BY THE CLIENT. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THEM BY ANY OTHER PARTY.

DATE	
DESCRIPTION	

NDC

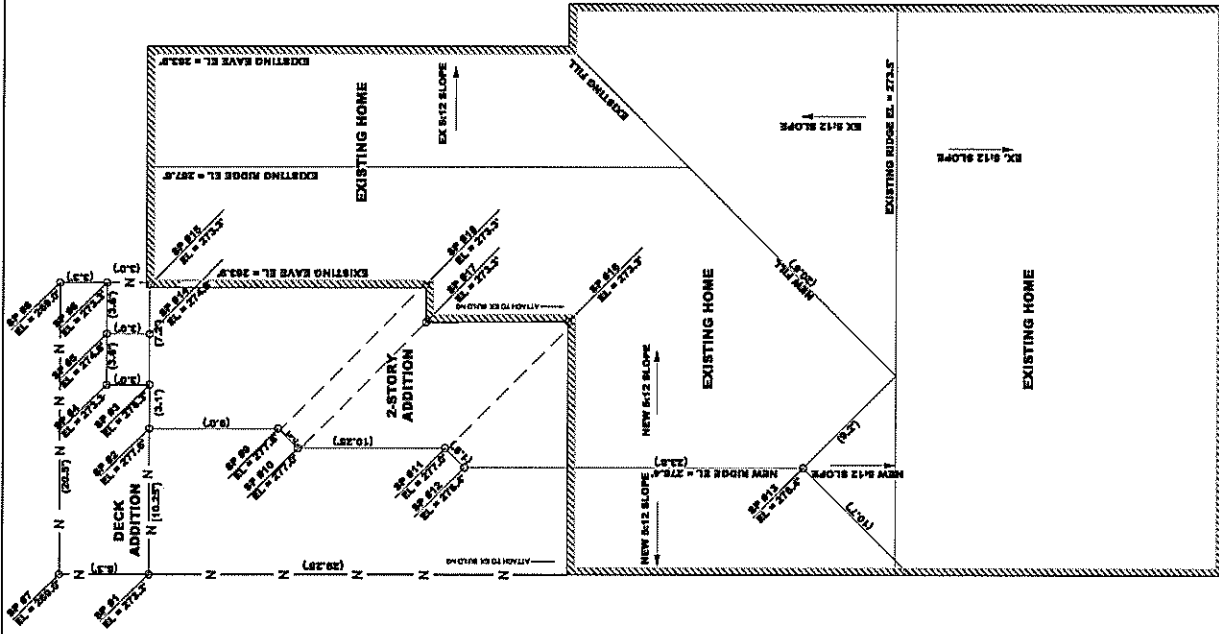
RITZ

CHRISTOPHER COELHO & SARA HYZER

PROJECT: COELHO-HYZER ADDITION
 ARCHITECTURAL DETAILS
 BUILDING SECTIONS
 SHEET: A6

1448 SANTA MARTA CT, SOLANA BEACH, CA 92075
 949.433.1111
 2023 CHURCHMAN ROAD, SUITE 200, SAN DIEGO, CA 92108
 619.433.1111

CONTRACT NO: 12110001015
 DATE: 02/26/2015
 DRAWN BY: MANOJ D. BASTI
 CHECKED BY: [Signature]



STORY POLE PLAN

SCALE: 1/8" = 1'-0"

RESOLUTION NO. 2017-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT AND AN ADMINISTRATIVE STRUCTURE DEVELOPMENT PERMIT TO CONSTRUCT A FIRST-FLOOR ADDITION AND A NEW SECOND-FLOOR ADDITION TO AN EXISTING, SINGLE-STORY, SINGLE-FAMILY RESIDENCE WITH AN ATTACHED, TWO-CAR GARAGE ON PROPERTY LOCATED AT 1448 SANTA MARTA COURT, SOLANA BEACH

**APPLICANTS: Sara Hyzer and Christopher Coelho
CASE NO.: 17-16-09 DRP/SDP**

WHEREAS, Sara Hyzer and Christopher Coelho (hereinafter referred to as "Applicants"), have submitted an application for a Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC); and

WHEREAS, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

WHEREAS, at the public hearing on May 10, 2017, the City Council received and considered evidence concerning the proposed application; and

WHEREAS, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

WHEREAS, this decision is based upon the evidence presented at the hearing, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

NOW THEREFORE, the City Council of the City of Solana Beach, California, does resolves as follows:

1. That the foregoing recitations are true and correct.
2. That the request for a Development Review Permit and a Structure Development Permit to construct a first-floor addition and a new second-floor addition to an existing, single-story, single-family residence with an attached two-car garage at 1448 Santa Marta Court, is conditionally approved based upon the following Findings and subject to the following Conditions:
3. FINDINGS
 - A. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. *The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones and specific plans.*

General Plan Consistency: The project, as conditioned, is consistent with the City's General Plan designation of Low-Medium Density Residential (LMR), which allows for single-family residential development with a maximum density of four dwelling units per acre. The development is also consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

Zoning Ordinance Consistency: The project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) (SBMC 17.20.030 and 17.48.040), which delineates maximum allowable Floor Area Ratio (FAR), Permitted Uses and Structures (SBMC Section 17.20.020) which provides for uses of the property for a single-family residence. Further, the project adheres to all property development regulations established for the Low-Medium Residential (LMR) Zone and cited by SBMC Section 17.20.030.

The design of the addition is consistent with the provisions for minimum yard dimensions (i.e., setbacks) and the maximum Floor Area Ratio (FAR), maximum building height, and parking requirements.

- II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040.F:*

- a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and where feasible, complimentary to existing and potential development in the immediate vicinity of the project site. Site planning on the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects, as well as protection of the property from adverse surrounding influences.*

The property is located within the LMR Zone. Properties immediately surrounding the lot are also located within the LMR Zone and are developed with one and two-story, single-family residences. The project is consistent with the permitted uses for the LMR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The development is also consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential

neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within Coastal Zone. As a condition of project approval, the Applicants will be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed in a manner which visually and functionally enhances their intended use.*

The property is currently developed with a single-story, single-family residence and an attached two-car garage with driveway off of Santa Marta Court. The existing residence is built on a flat building pad. The proposed development includes expanding the existing building footprint to the northwest with a first and second-floor addition.

The 369 square-foot, first-floor addition will consist of a family room and a covered patio. The patio is exempt from the floor area calculation because it will be open on two sides. The second floor will consist of a master suite with a balcony on the northern side and a fifth bedroom. The required setback areas will be free and clear of structures except for existing allowable encroachments including eaves, fencing, and landscaping.

The project is below the maximum allowable floor area, below the maximum allowable building height, and meets all required setbacks for the property.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. Trees and other large plantings shall not obstruct significant views when installed or at maturity.*

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. A new single-family residence with homeowner-provided landscaping, where the landscaped area is greater than or equal to 500 square feet, is required to submit a Landscape Development Package. The Applicants do not propose to modify more than 500 square feet of landscape area, and therefore, are not subject to the Water Efficient Landscape Ordinance. However, a condition of project approval has been added to require that native or drought-

tolerant and non-invasive plant materials and water-conserving irrigation systems are required to be incorporated into the landscaping to the extent feasible.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

The project consists of a remodel and addition to an existing single-family residence with an attached two-car garage. Two off-street parking spaces are required and are currently located in the existing two-car garage. The property will comply with the Off-Street Parking Design Manual (OSPDM) as the two required spaces will be maintained. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required; therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The project includes grading in the amount of 10.3 cubic yards of excavation for footings to be exported off site.

- f. *Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures

shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of a first-floor addition and a new second-floor addition on a developed residential lot; therefore, usable open space and recreational facilities are not required according to SBMC 17.20.040.

- III. All required permits and approvals including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.*

All required permits, including a Structure Development Permit, are being processed concurrently with the Development Review Permit.

- IV. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the applicants obtaining the required permit or approval from the other agency.*

The Applicants shall be required to obtain approval from the California Coastal Commission prior to issuance of Building Permits.

- B. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:

The proposed residence exceeds 16 feet in height from the pre-existing grade; therefore, the project complied with all of the requirements of SBMC Chapter 17.63 (View Assessment), and the Applicants completed the SDP process. A Story Pole Height Certificate was issued by a licensed land surveyor on March 8, 2017, which showed a maximum building height of 22.6 feet from the proposed grade. The highest story pole was certified at 277.6 feet above Mean Sea Level (MSL) as measured from the existing grade.

Notices were mailed to all property owners and residents within 300 feet of the property and the deadline to file for View Assessment was April 14, 2017. No applications for View Assessment were received. Therefore, the requirements for the approval of a SDP have been met. The SDP will be issued administratively with the DRP.

As a condition of project approval, once construction has begun, the Applicants shall be required to submit a height certification, prior to the framing inspection, for the tallest portion of the residence and also the highest point above MSL. The Height Certification shall be signed by a licensed land surveyor and will verify that the framing materials and the proposed roofing materials will not exceed the maximum building heights approved by the SDP.

4. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicants shall provide for and adhere to the following conditions:

A. Community Development Department Conditions:

- I. The Applicants shall pay required Public Facilities Fees, as established by SBMC Section 17.72.020 and Resolution 1987-36.
- II. Building Permit plans shall be in substantial conformance with the architectural plans presented to the City Council on May 10, 2017, and located in the project file with a submittal date of May 3, 2017. The civil and landscape plans shall be updated to accurately reflect the referenced architectural plans prior to the issuance of a Building Permit.
- III. Prior to requesting a framing inspection, the Applicants shall be required to submit a height certification, signed by a licensed land surveyor, certifying that the building envelope (which is represented by the story poles) is in conformance with the plans as approved by the City Council on May 10, 2017 and the certified story pole plot plan, and shall not exceed 22.6 feet in height from the existing grade or 277.6 feet above MSL.
- IV. Any proposed onsite fences, walls and retaining walls and any proposed railing located on top, or any combination thereof, shall comply with applicable regulations of SBMC Section 17.20.040 and 17.60.070 (Fences and Walls).
- V. The Applicants shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a grading or building permit.
- VI. Native or drought tolerant and non-invasive plant materials and water conserving irrigation systems shall be incorporated into any proposed landscaping and compatible with the surrounding area to the extent feasible.

- VII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- VIII. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.

B. Fire Department Conditions:

- I. Address Numbers: Street Numbers: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the following minimum standards as to size: 4" high with a ½" inch stroke width for residential buildings, 8" high with a ½" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners and entrances to commercial centers.
- II. Smoke Detectors / Carbon monoxide Alarms / Fire Sprinkler Systems: Smoke detectors/carbon monoxide alarms/fire sprinklers shall be inspected by the Solana Beach Fire Department.
- III. Class A Roof: All structures shall be provided with a Class "A" roof covering to the satisfaction of the Solana Beach Fire Department.

C. Engineering Department Conditions:

- I. All construction demolition materials shall be recycled according to the City's Construction and Demolition recycling program and an approved Waste Management Plan shall be submitted.
- II. The Applicants shall prepare a City of Solana Beach Storm Water Checklist for Minor Projects to address potential water quality impacts to ensure that pollutants and runoff from this development are reduced to the maximum extent practicable.
- III. Underground all new utility services including, but not limited to, electrical and telephone.
- IV. An Erosion Control Plan shall be prepared. Best management practices shall be developed and implemented to manage storm water and non-storm water discharges from the site at all times during excavation and grading activities. Erosion prevention shall be

emphasized as the most important measure for keeping sediment on site during excavation and grading activities. Sediment control shall be used a supplement to erosion prevention for keeping sediment on site.

- V. Temporary construction fencing shall be located on the subject property unless the Applicants have obtained an Encroachment Permit in accordance with Chapter 11.20 of the Solana Beach Municipal Code.

5. ENFORCEMENT

Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.16 and 1.18 in addition to any applicable revocation proceedings.

6. EXPIRATION

The Development Review Permit and Structure Development Permit for the project will expire 24 months from the date of this Resolution, unless the Applicants have obtained building permits and have commenced construction prior to that date, and diligently pursued construction to completion. An extension of the application may be granted by the City Council according to SBMC 17.72.110.

7. INDEMNIFICATION AGREEMENT

The Applicants shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicants of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicants shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicants regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicants shall not be required to pay or perform any settlement unless such settlement is approved by the Applicants.

NOTICE TO APPLICANTS: Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees,

dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10th day of May, 2017, by the following vote:

AYES: Councilmembers –
NOES: Councilmembers –
ABSENT: Councilmembers –
ABSTAIN: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: Engineering Department
SUBJECT: **Consideration of the Final Report for the Marine Safety Center Feasibility Needs Assessment Study**

BACKGROUND:

The Marine Safety Center at Fletcher Cove was constructed in or around the 1940s and is in need of constant repairs and renovation to meet the needs of the Marine Safety Department. As part of the Fiscal Year (FY) 2015/2016 Adopted Budget, funding was allocated to perform a needs assessment and feasibility study to determine the best course of action for the renovation/replacement of the existing facility.

To accomplish this task, a Professional Services Agreement (PSA) with Stephen Dalton Architects (SDA) was approved at the March 23, 2016 City Council meeting.

This item is before the City Council to receive the final report for the Marine Safety Center (MSC) Feasibility/Needs Assessment Study and to provide direction to the City Manager as may be needed.

DISCUSSION:

Summary of MSC Needs Assessment Study

For the past year, Staff has been working with SDA on the preparation of the Fletcher Cove MSC Feasibility/Needs Assessment Study (Study). A complete copy of the Study is included with this Staff Report as Attachment 1. The current building has served as the Lifeguard Headquarters for over 70 years which is well beyond its expected useful life. The Study assessed the physical condition, the programmatic needs of the Lifeguards and the development options of the site. The results of the Study indicate that nearly all building components are degraded and are past their useful lifespan. Spatially, the current building layout does not meet the functional needs of the

CITY COUNCIL ACTION:

Lifeguards. Additionally, compliance with the current accessibility codes of the Americans with Disabilities Act (ADA) or the California Building Code for this facility is questionable.

Through consultations with the Lifeguard Staff and after evaluating other Lifeguard Stations throughout the County, it has been determined that a MSC of approximately 3,700 square feet (sf) to 4,700 sf would be required to meet the needs of the Marine Safety Department. For comparison purposes, the existing MSC is approximately 1,480 sf. To address the programmatic needs of the Lifeguards, three options were considered for the redevelopment of the existing MSC as follows:

Option 1 – Temporary Modular Facility: This option is a short-term solution to the immediate space requirements of the Lifeguards but does not address the functional needs (in particular, this alternative does not provide for a second floor observation area which was identified as an essential element of the lifeguards' core function). Since this option would be used only to satisfy space issues and as a low-cost alternative, the aesthetics of this option would be of lower quality than the other two options. Additionally, while this option has the lowest initial construction cost, it has the highest overall cost when factoring in life-cycle costs over 50 years.

Option 2 – Renovate and Expand the Existing Facility: This option would remove all finishes, doors, windows, mechanical equipment, electrical systems, and plumbing systems of the existing building but would leave the roof structure and foundation in place. While this option may retain the historic roofline of the existing facility, extensive structural modifications would be required that would eliminate any costs savings typically associated with a renovation project. Although additional floor area would be added, this options falls into the lower end of the area needed to meet the current and future needs of the Marine Safety Department operations.

Option 3 – Demolish the Existing Facility and Construct a New Facility: This option would completely demolish the existing facility and construct a new facility that would meet the functional, space and accessibility needs of the Marine Safety Department. Although this option would provide the largest facility and have the highest construction cost, it should be noted that the cost per square foot is equivalent to Option 2. The overall cost of Option 3 is higher because it provides approximately 1,000 sf more than Option 2.

The Study provided an extensive analysis of the existing MSC and determined that it is undersized and poorly laid out to adequately support the operational requirements of the Marine Safety Department. Some of the major deficiencies of the existing building include an inadequate restroom (the only restroom in the building); substandard, shared breakroom/first aid station; the second floor Captain's Office is accessible only by

climbing a ladder; the main observation area between the back of the building and the top of the bluff lacks an enclosed area to keep Lifeguards out of the elements; the current foundation around the perimeter of the building is cracked and crumbling in several locations; the interior walls, doors and fixtures are at or past their serviceable life span which make maintenance extremely difficult; and since the existing facility was constructed prior to the enactment of modern accessibility laws, the list of items that do not meet current accessibility standards is extensive.

The assessment of the existing facility shows that the building is insufficient and functionally obsolete in several areas. Operationally, the facility is undersized to meet the current and future needs of the Lifeguards and its layout does not support their daily operations. From a maintenance and structural integrity standpoint, the building is well past its expected lifespan. While adequate utility services are available on site, the distribution of these utilities within the building is inadequate and does not meet current building codes.

SDA held several meetings with the Marine Safety Department to determine what features would be required for the future use of a MSC. These meetings and research of other Lifeguard Stations recently constructed throughout the County have led to the three redevelopment options previously summarized. A comparison chart of the three options that includes costs, area, and key features is shown below in Table 2 (The complete comparison table is found in Section 3, Page 6 of the Study).

Table 1 – Cost Comparison of Options

Category	Option 1 (Temporary Modular)	Option 2 (Renovate & Expand)	Option 3 (Demo & Rebuild)
Preliminary Cost	\$1,651,600	\$3,371,600	\$3,996,000
Area	3,520 sf	3,780 sf	4,770 sf
Cost per Square Foot	\$469	\$892	\$837
50 Year Cost	\$7,027,266	\$3,371,600	\$3,996,000
Separation of Public/Guard Areas	No	Yes	Yes
2 nd Floor Observation Area	No	Yes	Yes
Meets Space Requirements	No	No	Yes

In addition to the three options detailed above, SDA provided preliminary cost estimates for three elective components that the Lifeguards stated would be beneficial to their operations. These three components are a beach access stairway that would lead from the back of the station to the beach, a seawall along the coastal bluff to protect the investment in the redeveloped MSC and a beach level observation post that would

investment in the redeveloped MSC and a beach level observation post that would eliminate the need to place a portable tower on the beach each season. These three elective components are not included in the preliminary costs provided in Table 1. Should this project move forward, it is recommended that these elective features, if desired by the City Council, be included in the project design when applying for the required permits from the California Coastal Commission (CCC).

Preliminary Discussions with CCC Staff

On January 12, 2017, City Staff and SDA met with CCC staff to discuss the project and receive feedback. An overview of the entire Fletcher Cove Master Plan (FCMP) was presented that included the projects completed to date (Fletcher Cove Park, Fletcher Cove Restrooms and Fletcher Cove Community Center) and noted that one of the final phases of the FCMP is to rehabilitate the MSC. The preliminary findings of the Needs Assessment Study were presented as well as a brief summary of the Lifeguards' key functions that would be important in providing an enhanced level of service for this community. In addition to some of the key facility elements outlined in the Study, the discussion also involved a possible need for a seawall or bluff retention device to abate erosion at the base of the bluff underneath the MSC, and a desire to place a permanent beach level observation post near the bottom of the beach access ramp giving direct access to the beach for Lifeguard personnel.

In general, CCC staff was supportive of the project but was not able to provide any specific direction or guidance since a preliminary design for a future facility has not been developed. However, CCC staff is able to provide more information on lessons learned from other similar projects recently constructed in the region. They also stated that a justification for all operational components should be provided. Once completed, a copy of the Study and all future studies completed for this project will be forwarded to the CCC for their review. As the project proceeds in the future, City Staff will work closely with CCC staff to make sure that concerns of both agencies are met.

CEQA COMPLIANCE STATEMENT:

Consideration for acceptance of the Needs Assessment study is not a project as defined by CEQA. If and when a preferred alternative is selected and pursued, environmental analysis will be performed.

FISCAL IMPACT:

The Fiscal Year (FY) 2015/2016 Adopted Budget included funding for the Needs Assessment Study. The next phase of the project would be the preliminary/schematic design that would develop the preferred alternative to the 30% design phase. During this phase, sufficient details would be developed that would allow for submittals in order to obtain discretionary permits such as a Structure Development Permit/Development

Review Permit through the City and a Coastal Development Permit through the CCC. The estimated cost to prepare the preliminary design and submittal of discretionary permits is approximately \$125,000.

Once the preliminary design is completed and the discretionary permits are obtained, Staff is estimating that it would cost an additional \$450,000 to complete environmental studies, final design plans and specifications that would allow for a competitive bidding process. The final design cost is a very rough estimate calculated by Staff in order to give an idea of the funding needed to complete the design of the renovation and/or reconstruction of the MSC. Those costs would be subject to negotiations with the selected consultant once the project reaches that phase.

WORK PLAN:

This project is identified in the Community Character Priorities/Capital Projects section of the FY 2016/2017 Work Plan.

OPTIONS:

- Approve Staff recommendation.
- Approve Staff recommendation with modifications.
- Do not approve Staff recommendation and provide direction.

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council receive the Fletcher Cove Marine Safety Center Feasibility/Needs Assessment Study prepared by Stephen Dalton Architects and provide direction to Staff as may be needed.

CITY MANAGER RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. MSC Needs Assessment – Final Report

FLETCHER COVE MARINE SAFETY CENTER

NEEDS ASSESSMENT

March 29, 2017

Prepared for:

The City of Solana Beach

Prepared by:

Stephen Dalton Architects, Inc.

444 S. Cedros, Studio 190
Solana Beach, CA 92075
(858) 792-5906





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EXECUTIVE SUMMARY

Purpose:

At the request of the City of Solana Beach, this Needs Assessment Report has been prepared for the Solana Beach Marine Safety Center at Fletcher Cove. The current building has served as the Lifeguard Headquarters for approximately 73 years, well beyond its expected useful life. Though it suffers from degradation and provides inadequate space it is cherished by many in the community as a long standing symbol of the lifeguard service.

Outline:

This report assesses the Marine Safety Center needs in three sections:

- 1) Physical condition;
- 2) Programmatic needs of the Lifeguard service;
- 3) Development options.

Summary:

The results of the existing facilities assessment indicate that nearly all building components are degraded and are past their useful lifespan. These components will require replacement. Spatially, the current layout and floor area of the facility fails to meet the programmatic and functional needs of the lifeguards. Additionally, the facility is out of compliance with current accessibility codes (ADA and California Building Code), most notably: second floor access, floor levels and door widths.

The programmatic requirements for the lifeguards were established in consultation with lifeguard staff, and by evaluating other lifeguard facilities in San Diego County. The resulting Program indicates that a facility of between 3,700 SF and 4,700 SF is required to fully meet the lifeguards' mission. Notable programmatic needs include a second story observation tower; a first aid room; and additional garage storage. Separation of lifeguard and public circulation and work areas was also deemed important.

To address the lifeguards' programmatic needs, three development options were studied.

Option 1 -Temporary Modular: This option is a short-term solution to the immediate spatial needs of the lifeguards, but it fails to meet significant functional requirements (in particular, a second floor observation area). Architectural aesthetics are a major concern with this option in that the modular buildings do not meet the quality of building anticipated by the Fletcher Cove Master Plan. While this option has the lowest initial construction cost, it has the highest overall cost when considering the life-cycle cost over fifty years.

Option 2 – Renovate and Expand: This option anticipates removing all finishes, doors, windows; and mechanical, electrical and plumbing systems of the existing facility while retaining the roof structure and foundation. While it may retain the history roofline of the existing facility, extensive structural modifications will be required that will erase any cost savings typically associated with renovations. Although additional floor area will be added, this option falls into the lower end of the area range needed to meet the programmatic requirements.

Option 3 – Demolish and Rebuild: This option would completely demolish the existing facility and construct a new facility to meet the Program. New construction will offer the best opportunity to meet functional, spatial and access requirements. As presented in this report, this option is the largest facility and has the highest initial cost. It should be noted that the higher cost of this



option, relative to Option 2, is a function of its larger floor area. If the floor area was the same as Options 2, this option would cost the same or slightly less than Option 2.

Each development option presented in this report is accompanied by a site diagram that illustrates the relative size of the programmatic elements. These diagrams provide a determination, at a conceptual level, how each options fits on the project site. These diagrams are not intended to present specific design solutions. Additionally, three site features (access stair, sea wall and a beach level observation post) are anticipated to be included with each of the options.

Conclusion:

The Fletcher Cove Marine Safety Center has had a long and distinguished history. As is expected for a building of its age and coastal location, it suffers from the continual effect of the marine environment and heavy use. At 73 years old, it has exceeded an expected useful life of 50 years and operates in a degraded state. This degradation is expected to accelerate as the cumulative effects of building component failures (such as flashing and waterproofing) compound. In light of its degradation and limited space, its replacement should be prioritized.

Of the development options presented here, Option 1 is the least desirable in that it fails to meet basic functional and aesthetic goals of the City. It's only perceived value is a low initial cost, yet this cost is misleading since its 50-year lifecycle cost is the highest of the three options. Option 2 is appealing in that it can potentially retain the historic character of the existing facility. While this is potentially true, extensive additions and modifications will be necessary that may alter the character regardless. Also, any perceived cost savings associated with a renovation are not likely to be realized on a renovation of this scope. In the end, working with the existing building will likely add cost and result in a less efficient layout. It is our opinion that Option 3 presents the best alternative to achieving the lifeguards' programmatic goals at a comparable cost per square foot to Option 2. Architecturally, Option 3 could be designed in such a way as to reflect the historic character of the existing facility, thus achieving a valued element of Option 2.

SECTION 1

EXISTING FACILITIES BUILDING ANALYSIS



SECTION 1 EXISTING FACILITIES BUILDING ANALYSIS

I. BACKGROUND

Fletcher Cove Beach Park is located on a coastal bluff overlooking the Pacific Ocean in the heart of Solana Beach. It provides the main public beach access and recreational opportunities for the City. Fletcher Cove Beach Park currently includes pedestrian walkways, 34 parking spaces, tot lot, basketball court, boardwalk, grassy areas and public restrooms including showers. The Marine Safety Building which serves as headquarters for Solana Beach Lifeguards sits in the southwest corner of the park; it is bound by an existing parking lot to the east and a public overlook to the north. Lifeguards are on duty year round at Fletcher Cove from 8:00 a.m. to 8:00 p.m. during the summer months and reduces hours in the winter. The Marine Safety Building provides lifeguard, medical aid and dispatch services for all 1.7 miles of Solana Beach's coastline.

Since the development of the San Diego County Lifeguard Service began in the early 1940's, the Solana Beach Lifeguard Headquarters has played a big role in the community. The original structure was built in 1943 by lifeguards from lumber left over from the construction of Camp Callan in Torrey Pines and still stands in its original form today. The Solana Beach Department of Marine Safety has grown to approx. 4-5 full time lifeguards year round, 40 plus seasonal employees and has the longest running junior lifeguard program in the county. During high season, the current headquarters is used by 12-14 lifeguards on a daily basis. While the department has expanded its mission to respond to a variety of ocean rescues and situations, the current facility does not meet the 21st century needs of a marine safety center.

The Solana Beach Lifeguards make many rescues every year, but their real success comes from preventative contacts with the general public that are made constantly. These preventive contacts are categorized and documented as Citizen Assists and Safety Contacts by the department each year. Records show that between the years of 1986 and 2016, the lifeguards of Solana Beach have nearly doubled their Citizen Assists from 21,053 to 39,423 and saw a consistent rise of Safety Contacts with a total of 31,182 in 2016 (Chart 1). It is projected that these numbers for preventive contacts will only continue and/or accelerate at this pace. With the increase in contacts means an increase in need for lifeguard staff and equipment which only accelerates the need for an expanded facility.

In 2001, the City of Solana Beach updated its Masterplan for Fletcher Cove which included improvements to the park and a new marine safety center. The redesigned public park opened in 2007 but the lack of funds prevented the construction of a new headquarters for the lifeguards. To assist in the prioritization of future development of the Solana Beach Marine Safety Center, this section will evaluate the adequacy of the existing facilities and infrastructure.

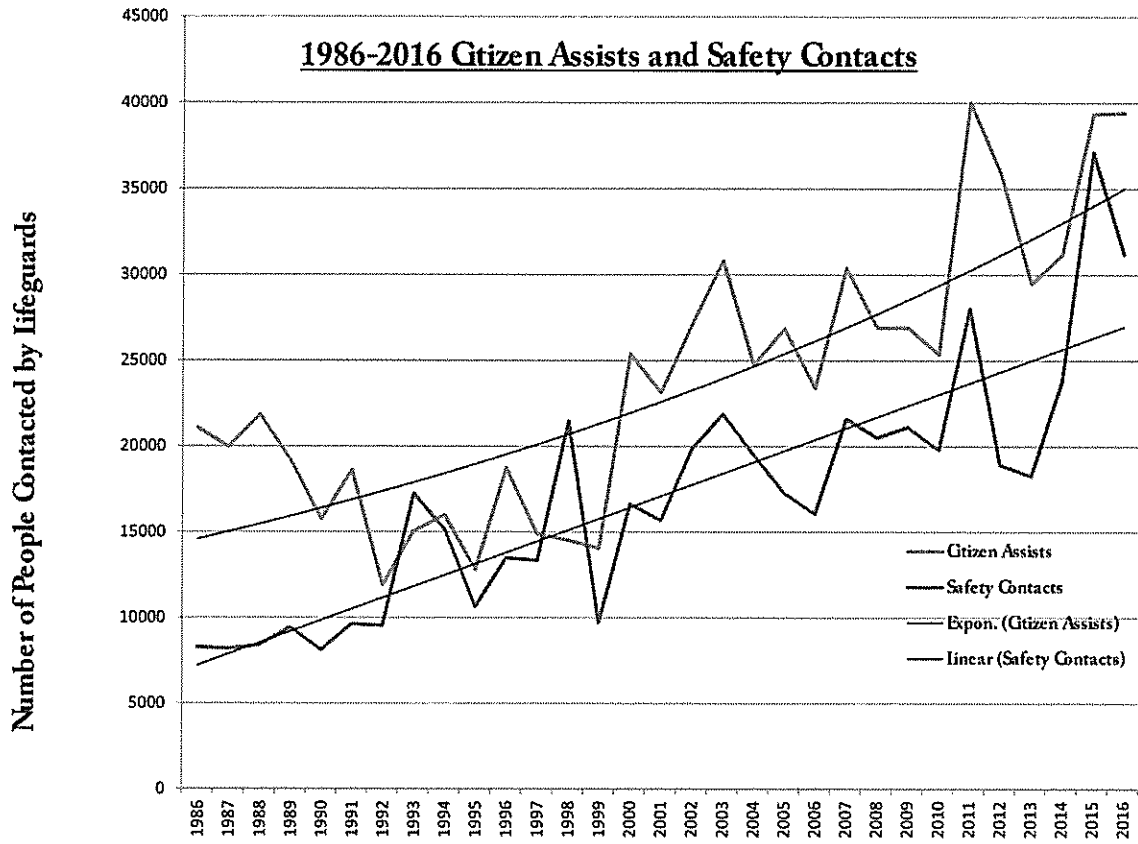


Chart 1



II. EXISTING FACILITY ANALYSIS

The existing Marine Safety Headquarters is an approximately 1,480 SF, one-story structure with a 175 sq. ft. loft space accessible only by ladder (Figure 1). It has a concrete slab on grade foundation, wood framed walls covered in wood siding and its roof is framed with wood rafters covered with low quality asphalt shingles. There is an uncovered exterior side yard on the south side of the building that is utilized for oversized equipment and overflow. Site observations and interviews with lifeguard staff have identified four areas of deficiency in the existing building. These areas include:

- A. Operations
- B. Maintenance & Structural Integrity
- C. Utility Services
- D. Accessibility



Figure 1

A. OPERATIONS

The existing facility is under-sized and poorly laid-out to adequately support the lifeguards' operational requirements. A room by room assessment discovered many deficiencies.

Entry - To approach the station the public must cross over an active driveway of lifeguard equipment to enter the front door of the headquarters on the southeast corner (Figure 1). The entry area serves many purposes, locker area for main lifeguard staff, staff office space for daily record keeping, general area to interface with public and corridor to get to the exterior of building. Current desk space is not sufficient for staff size, and the built-in casework was not designed to house or function properly for the user of a computer. The room is dark and ventilation is inadequate, as doors must be left wide open to cool station. With the doors wide open, lifeguards can't control access to the station and are constantly disrupted (Figures 2-3).



Figure 2



Figure 3

Dispatch - Dispatch/Communications/Observation room which faces directly west is connected directly off the main entry area. The room is cramped and only sufficient space for one person, but the space also serve as main access point/circulation to the west exterior space which causes major interruptions. The only observation window is located on the first floor and has blind spots of beach area that cannot be seen. The communication equipment should be housed in proper cabinets, instead are place on makeshift shelves, exposed to dust and the marine environment (Figures 4-5).

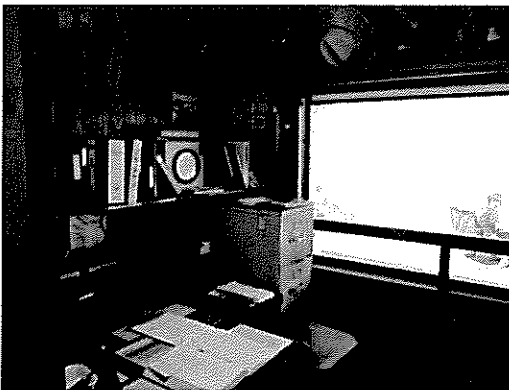


Figure 4

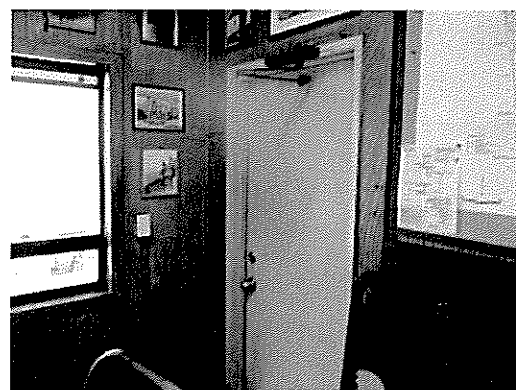


Figure 5

Garage - The two garage spaces in the current facility serve as the main interior storage space, maintenance area, large meeting room, workout space, laundry area and locker room. In order to utilize the space or access storage, lifeguard must pull out all ATVs and trailers and park outside. This becomes time consuming and that effort could be put towards other tasks. In order to access the lockers which are located on the edge of garage, the lifeguards must step around parked vehicles and be cautious of other stored equipment overhead.

The garage has limited ventilation or natural light unless the garage doors are open. Both the north and south garage spaces become very hot in the summer time and remain cold in the winter. The storage areas above the garages become extremely hot during the summertime and this causes problems with the equipment being stored up there. The low ceiling height means that the rescue trucks must be stored outside in harsh weather conditions. The doors have to be manually operated and open outwards taking up valuable space. Storage space needs are not met with current provided area and all overflow storage needs are pushed outside or up in cramped loft space. This adversely exposes equipment to unnecessary harsh weather elements and makes access to vital recuses equipment harder to obtain (Figures 6-9).

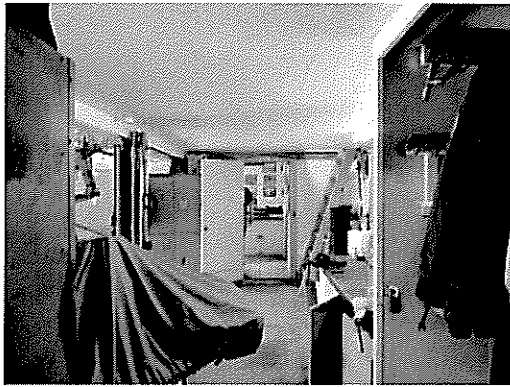


Figure 6

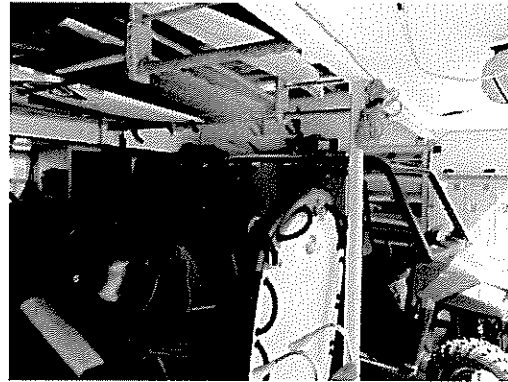


Figure 7

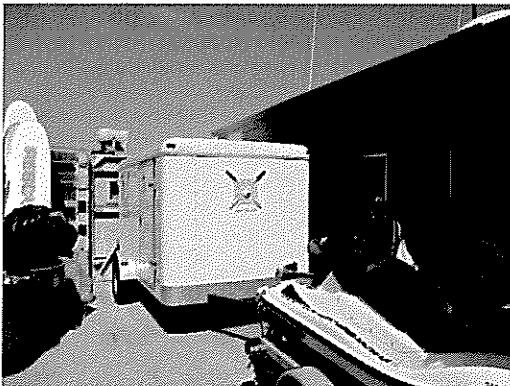


Figure 8



Figure 9

Restroom - Currently, there is one inadequate restroom that both the lifeguard staff and visiting public patrons must share which does not comply with current building codes or ADA requirements. The fixtures include only one toilet, one sink and a small shower. This space is also utilized for storage space of wetsuits and a corridor space to get from the garage to the first aid room. To enter or exit the restroom, there are steps and large changes in heights from the adjoining rooms. The steps are not uniform height and have no warning strips, which is a tripping hazard (Figures 10-13).



Figure 10



Figure 11



Figure 12



Figure 13

Breakroom/First Aid - Lifeguards are currently using a small room in northwest corner of the building as the breakroom/kitchen and the first aid room. The single wide exterior entry to the first aid room is behind the back gate, which makes the entry not easily accessible or visible to general public or for emergency medical crew to reach with a rolling stretcher. Most first aid must be administered outdoors due to interior space restrictions exposing the patrons unnecessary to the outdoor elements. The lifeguards have access to a small sink in the kitchen area to use for first aid purposes, but this brings up concern for proper sanitation and cross contamination in area being used for medical treatment. The toilet facilities are next to the first aid room, but the room is not easily accessible or properly set up to support movement of an injured person. The current room does not have appropriate floor area or equipment for the lifeguards to properly treat the public with the current standards of care. The state of the casework and appliances are inadequate to properly serve as a meal prep area or the first aid work surface. All surfaces within the room are not easily cleaned and cannot be sanitized for medical purposes. This space remains extremely cold in the winter due to the inefficient heating system within the current facility (Figures 14-17).

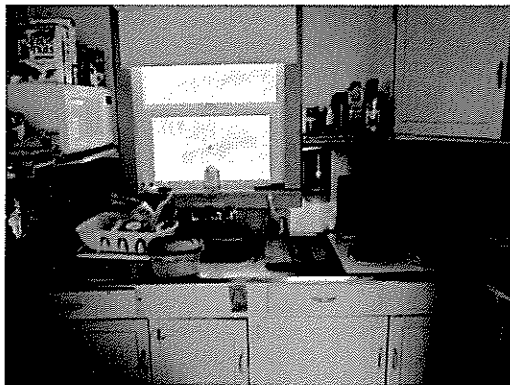


Figure 14

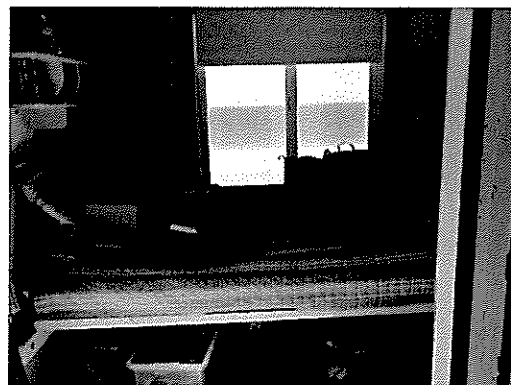


Figure 15



Figure 16



Figure 17

Captain's Office - Currently, the only elevated vantage point for viewing the beach in the Marine Safety Center is from the Captain's office located in a second floor loft. This office is accessible only by ladder, which provides poor access and is dangerous. The office has restricted ceiling heights and inadequate floor space for other officers. Storage is limited and requires lifeguards to crawl on hands and knees to access it. The physical and visual separation of the office from the rest of the facility makes for poor communication and interactions within the station, yet does not provide acoustic privacy for sensitive conversations.

The skylights in the loft provide good daylight but at certain times, the light is hard to control and the room heats up excessively. In the winter time, the uneven distribution of heating system causes the upstairs office to heat up like a sauna which diminishes the lifeguards' ability to focus on their task. In the summer time, the space unbearably warm and to cool it you have to open the window. With the window open, the wind blows all of the papers on the desks around and also brings in substantial moisture which creates problems for the computers and other electronics upstairs (Figures 18-21).

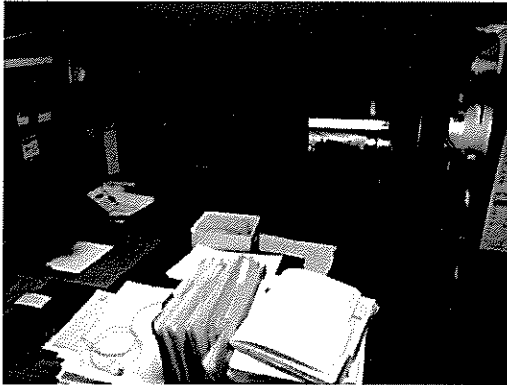


Figure 18

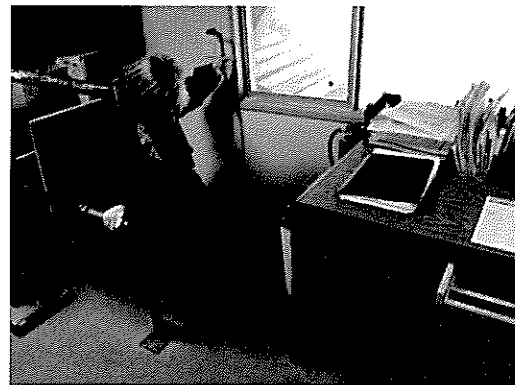


Figure 19



Figure 20



Figure 21

Observation Area - The current facility impedes the lifeguards' primary duties of ocean observation and rescue due to its lack of an enclosed observation area. Currently, lifeguards are required to sit outside in the elements, removed from the station, when watching the beach. Beach access is not available from the observation area. (Figures 22- 23)

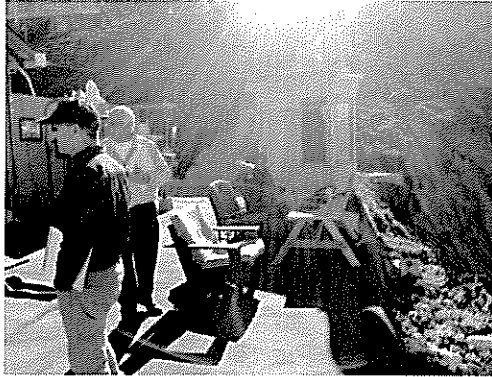


Figure 22

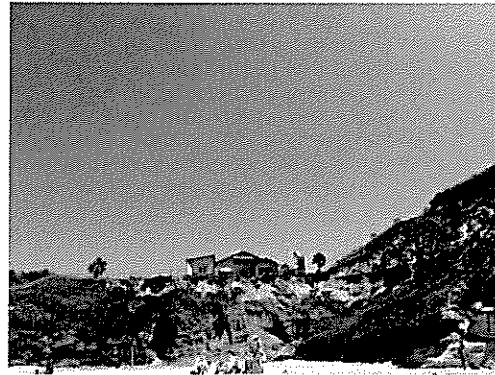


Figure 23

B. MAINTENANCE & STRUCTURAL INTEGRITY

On the whole, the Marine Safety Center has been well maintained over the years, but these maintenance efforts offer diminishing returns as most of the building components have exceeded their effective life span. The coastal environment causes constant deterioration of the building components. As the weather-proofing components (i.e. flashings, roofing, and wall coverings) continue to deteriorate there will likely be an acceleration of structural failures.

Foundation/Slabs - The current foundation curb around the perimeter of the building is crumbling in several areas this is usually caused by the poor water drainage or exposure to the salty air. Cracking and the general weathering exposing the aggregate in the concrete was observed in several locations as well along the foundation curb (Figures 24-25).

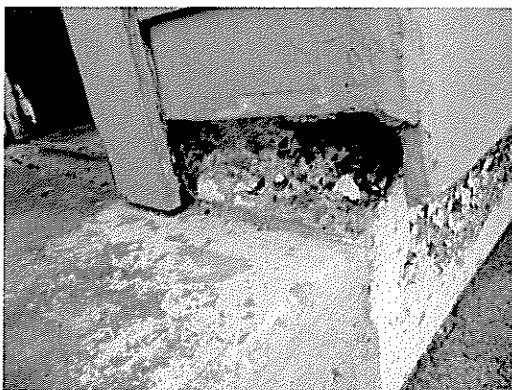


Figure 24



Figure 25

It's evident throughout the building that the concrete slabs are original to the structure, as there are large heavily worn/dented areas from years of repeated use and uneven surfaces. In all high traffic areas, the top coatings of paint or sealant are completely removed exposing the unsealed concrete to the harsh elements. Most transitions from room to room are uneven and the wood thresholds are rotting (Figures 26-27).



Figure 26



Figure 27

Floors - The bathroom tiled floor is tough to keep clean, as the grout is missing in several places and tiles are cracked, chipped and missing. If not repaired, this will lead to further water infiltration into slab and exposure to the salt air. The wood baseboards are rotted and have large areas of chipped paint. The tile baseboards have cracked or in some cases missing altogether (Figures 28-29).



Figure 28



Figure 29

Walls - Exterior walls are constructed of wood studs with wood wainscot on the lower portion and synthetic siding above. The exterior siding is rotting, chipped and pulling away from wall assembly in many locations. The wood wainscot is original to the structure and has reached the end of its useful life due to decay and deterioration. In several instances, the wood wainscoting has improper ground clearance. The exterior wood water table is missing a drip edge, which is exposing the foundation to unnecessary water. Based on the age of the building, it is possible that the upper synthetic siding contains asbestos but no testing has been completed. Some siding panels have exposed fasteners that have rusted and are streaking down the face of wall which can signify moisture damage. All interior walls have uneven surfaces, are hard to clean and paint is chipping in all locations (Figures 30-33).



Figure 30



Figure 31



Figure 32



Figure 33

Doors - All wood doors, both interior and exterior, exhibit extensive wear and are dented from years of use. Most paint finishes on door panels and frames are peeling and have extensive chipping. In a few locations, the top of the door frame is failing and rotting away. All metal door hinges and door hardware are rusting due to the exposure to marine environment and causing the doors not to function properly. Most exterior doors are missing a door threshold, leaving the building exposed to exterior water intrusion. Many of the windows have been updated to vinyl retrofit windows but were installed without sealant. The remaining older wood framed windows are no longer in operable condition and window sills are rotting. All window head flashing is rusted and no longer serving its purpose to shed water (Figures 34-37).



Figure 34

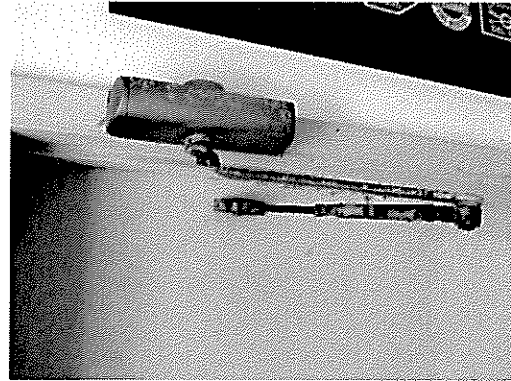


Figure 35



Figure 36

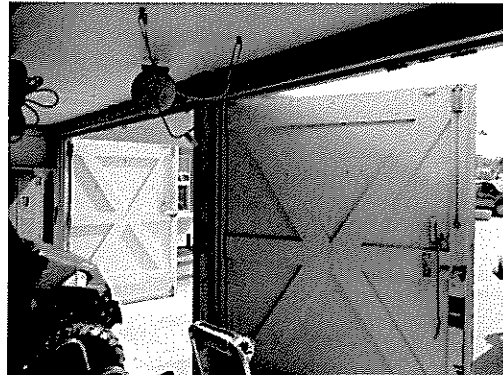


Figure 37

Roof / Ceiling - The interior ceilings are a collection of exposed wood rafters, particle board and drop tile ceiling. Based on visual inspection, the rafters within the interior of the building look to be in good condition. The original sheathing planks are starting to rot and split on the interior spaces. There are places where the particle board ceiling has been damaged and large holes are visible. In the current dispatch room, there is a drop ceiling and it is possible that the tiles contain asbestos. There is minor water staining on the ceiling in the garage. The current roof is an old, low-quality asphalt shingle roof and needs to be replaced. All rafter tails and the sheathing planks on the exterior of the building are in poor shape; they are either rotting or splitting and eventually will lose the structural integrity. The exterior wood roof members have been exposed to the harsh marine environment and will only continue to degrade at a rapid pace (Figures 38-41).



Figure 38

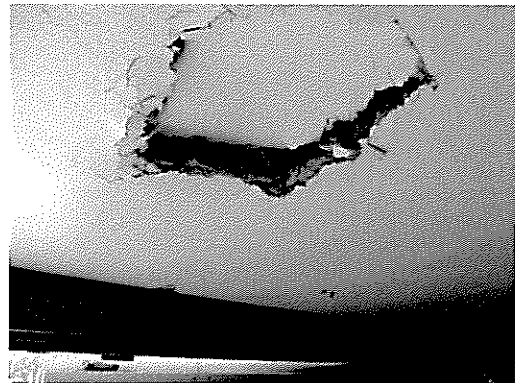


Figure 39



Figure 40



Figure 41

Interior Fixtures - All interior wood casework is past its life span, as most doors do not close fully and the paint is chipping. All metal hardware is rusted and not functioning properly. The metal storage lockers in garage area have rusted and are hard to maintain. The wood countertops surfaces are dented and show extensive sign of wear (Figures 42-45).



Figure 42

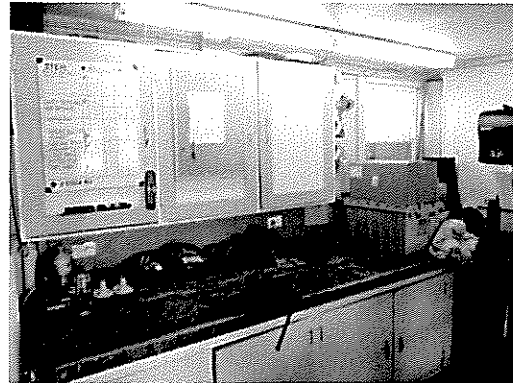


Figure 43

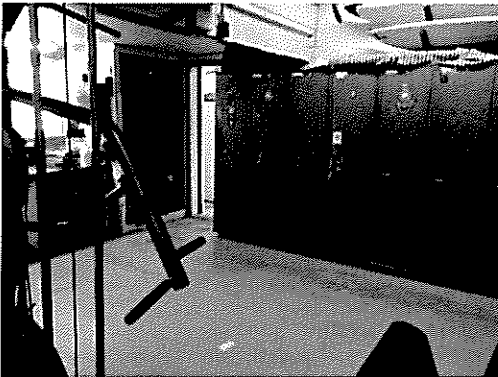


Figure 44



Figure 45



C. UTILITY SERVICES

Electrical - The electrical service to the building was updated to a 400 amp panel when the public restrooms were completed at Fletcher Cove Park. The interior and exterior wiring is an ad hoc and surface mounted mess of wires and a maze of exposed conduit. The current state of the electrical wiring is not to code and puts the station at high risk of an electrical fire. There is an insufficient amount of power outlets and the placement of switches is inconvenient. All the exterior utility boxes that are on north wall are rusted.

Plumbing - The exact condition of the plumbing servicing the building is unknown but according to lifeguards, there is at least one major service call a year regarding plumbing backup. It is estimated that the waste pipes could be about 50 percent blocked according to lifeguards. There is a gas line connected to the building which runs the kitchen stove top and the dryer (Figures 50-55).

Mechanical - Currently, there is no mechanical air condition system installed in the building, cooling is done through natural ventilation. Windows and doors are left open to help cool the building but lifeguards report that this does not provide adequate cooling. The building is serviced with a mechanical heating system and heat is distributed through metal ducts on the first floor while flex ducts service the captain's loft space office. The heating system distributes heat unevenly throughout the building, which leaves first floor cold and the loft intolerably warm (Figures 46-53).

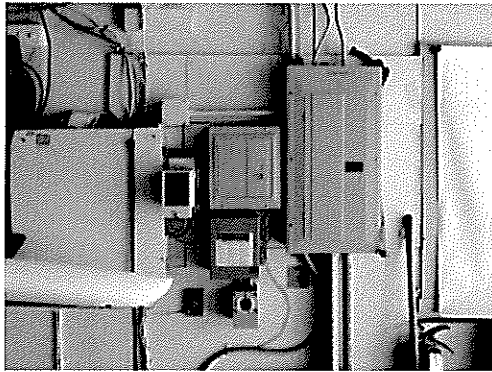


Figure 46

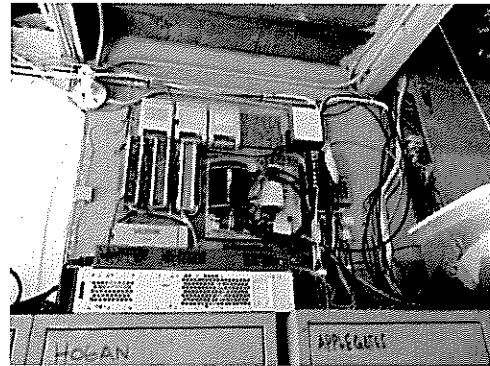


Figure 47



Figure 48

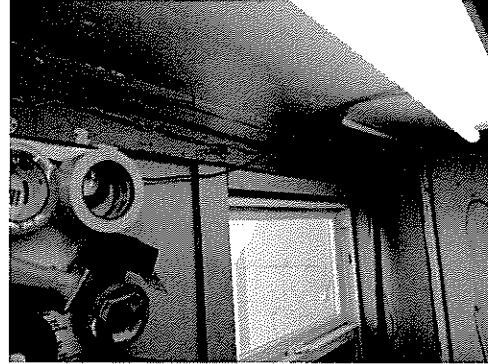


Figure 49

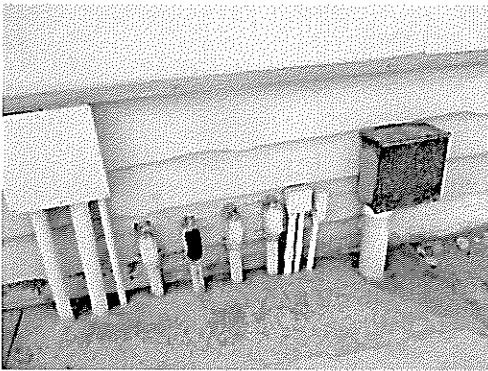


Figure 50

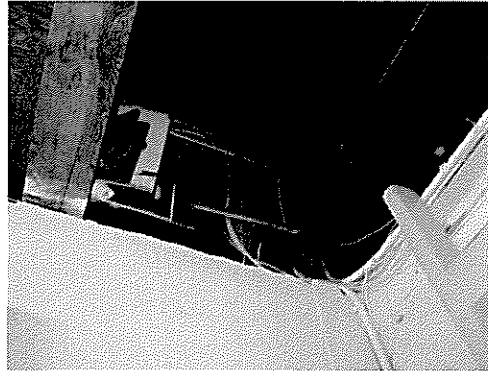


Figure 51



Figure 52



Figure 53



D. ACCESSIBILITY

The building was constructed in 1943, well before modern accessibility laws were enacted. The list of items out of compliance with accessibility standards [both Americans with Disabilities Act (ADA) and California Building Code (CBC)] is extensive and a detailed accounting is beyond the scope of this report. The deficiencies can be broadly summarized as follows.

Throughout the facility, there is a lack of accessible signage and required maneuvering clearances. Existing doors do not meet minimum width requirements, floor clearances or threshold heights. An accessible path of travel is required throughout the facility, but is missing in this facility. To meet this requirement will require structural modifications to remove the many changes in floor level, as well as increased door widths and room sizes. Additionally, counters and casework throughout the facility fail to meet accessible height restrictions. Finally, access to the second floor via the existing ladder is not a compliant means of circulation.

The existing restroom has many deficiencies. The heights and location of wall mounted restroom accessories are non-compliant. At each fixture, the clear floor space and clearances are not met. The shower and toilet have no grab bars. The shower has no accessible shower heads / controls, a non-compliant threshold and fails to meet required sizes/clearances per ADA (Figures 10-14).

Though the nature of their job requires lifeguards to be able-bodied, they would still benefit from accessibility features. Wider doors, clear floor space and level floors would aid in retrieval of equipment, provide greater access and speed to facilities and generally reduce accidents. Public accommodation within the facility, namely the first aid room, restroom and entry lobby, should be compliant. To do so will require structural modifications to provide the necessary clearances and maneuvering space.

III. CONCLUSION

Our assessment of the existing facility shows that it is failing in four primary areas. Operationally, the facility is undersized to meet the current and future needs of the lifeguards and its layout doesn't support their daily operations. From a maintenance and structural integrity perspective, the facility is well past its expected lifespan. Significant degradation has occurred, and failures in the building's weather-proofing systems will continue to compound and accelerate the deterioration of its structural components. While adequate services (power, water and gas) are available on site, the distribution of these utility services within the building is inadequate, unsafe and not to code. Finally, the facility fails to meet current accessibility standards for both lifeguards and the public. Recommendations to correct these deficiencies are outlined in Section 3 of the Needs Assessment report.

SECTION 2

FACILITIES PROGRAM



SECTION 2 FACILITIES PROGRAM

I. GENERAL SITE CONSIDERATIONS

A. Beach Access Stair

1. Integrate pedestrian path from station to beach level with new sea wall / bluff stabilization.
2. As an alternate, consider stairs that connect station to beach level tower. The stair could be wood framed and made to span over the bluff face to minimize bluff disturbance.

B. Beach Level Observation Post

1. Located where old public showers were located.
2. This tower could be similar in size and function as the tower at Tide Park.

C. Seawall

1. Located at bottom of bluff directly in front of the Marine Safety Center

II. MARINE SAFETY HEADQUARTERS

Rooms / Required Spaces:

1. Dispatch Center

- a. Size: 10' x 12'
- b. West facing with maximum view of cove.
- c. Angled glass windows to eliminate glare and reflections. Refer to City of San Diego specifications.
- d. In a remodel scenario, above the current first aid room would be a good location.
- e. Equipment
 - i. Ceiling mounted binoculars
 - ii. Public address system
 - iii. Phone
 - iv. Computer
 - v. Marine band base station radio
 - vi. Portable radios
 - vii. 800 MHz radio / battery rack
 1. (3) racks
 - viii. GP300 radio / batter rack
 1. (2) racks
 - ix. All-in-one Printer / Copy / Fax machine



f. Furnishings

- i. Dispatch desk / counter
 - i. Counter to run the length of room
 - ii. Corresponds to western view. Adjacent to observation windows.
 - iii. Shelving for maintenance manuals, training logs and reference material.
- ii. Multipurpose table
 - i. Center of room
 - ii. Storage for maps and charts
 - iii. Backlit table top
- iii. File cubbies for distribution of paper work.
 - i. (35) cubbies total
- iv. Storage
- v. Office supplies
- vi. Drawers
- vii. File cabinets

2. Observation Deck

- a. Size: 8' x15' min.
- b. West facing with access from Dispatch room
- c. Extend the entire width of building
- d. Guardrail
 - i. Must not interfere with view from Observation / Dispatch Room
 - ii. Top rail should provide adequate hand rest
 - iii. Footrest at bottom

3. Garage

- a. Equipment: (Length x Depth x Height)
 - i. 3 trucks, size: 17' x 7' x 7'; (may grow to 4)
 - ii. 2 PWC (personal water craft), size: 8' x 4' x 6.5';
 - iii. 1 UTC (quad), size: 10' x 6' x 7'; (may grow to 2)
 - iv. 1 IRB (inflatable rescue boat), size: 14.5' x 6.5';
- b. Consider detached garage to south of existing station as a way to remodel existing station more effectively.
- c. Concrete drive apron with floor drain for vehicle washing
 - i. Comply with storm water regulations



- d. 12' Long Workbench / Tool Storage min. 8' x 4' x 6.5'
- e. Additional storage
 - i. Rescue boards
 - ii. Rescue can rack
 - iii. Swim fin rack
 - iv. Beach wheelchair
 - v. Surfboards
 - vi. Rescue boat equipment
 - vii. Beach safety flags and signs
 - viii. Outboard motor rack
 - ix. Fuel can storage
- 4. Equipment Storage
 - a. SCUBA Locker, size 16' x 4' x 6.5';
 - b. Cliff Rescue, 8' x 4' x 6.5'
 - c. Maintenance / Tools Exterior size 8' x 4' x 6.5'
- 5. Locker Room(s) – 300 SF
 - a. Separate men's and women's areas
 - b. Located on ground floor
 - c. Lockers
 - i. 10 full size for full time staff
 - ii. 20 – 30 half size for seasonal guards
 - d. Fixtures
 - i. 1 shower;
 - ii. 1 sink;
 - iii. Toilet
 - iv. urinal
 - e. Changing / dressing area
- 6. Restrooms
 - a. Near first aid room.
 - b. ADA compliant
- 7. Training / Meeting Room
 - a. Size: 12x18
 - b. Provide storage
- 8. Junior Guard Office / Storage
 - a. Office size, 10' x 12';



- b. Storage size, 10' x 20'
 - c. Entrance separate from primary station entrance.
9. Offices
- a. Open offices
 - b. Private office for Captain, 10' x 12'
 - c. 5 desks
10. First Aid Room
- a. Size: 12' x 14'
 - b. Location
 - i. Northwest corner of building
 - ii. View of ocean
 - iii. Easy access from beach and entry lobby
 - iv. Double doors to exterior for gurney access
 - v. Adjacent to restroom
 - c. Fixtures
 - i. Floor drain
 - ii. Floor / foot sink
 - iii. Countertop sink with foot activated and hand levers
 - d. Storage
 - i. Adjacent to recovery area
 - ii. 2'-6" x 8'-0"
 - iii. First-aid supplies
 - e. (1) Bed
 - i. Mobile for easy reconfiguration
11. Stingray Treatment Station
- a. Outside near first aid room under cover
 - b. Access with hot and cold water.
 - c. Drainage to separate blood from storm-water
12. Reception / Lobby
- a. Size: 10' x 10'
 - b. Location
 - i. Ground floor
 - ii. Northeast side of building
 - c. Door



- i. Controlled access from Dispatch Room
 - ii. Doorbell / intercom system
 - iii. Consider video display
 - d. Waiting area
 - i. 1 -2 seats
 - ii. Minimal area
 - e. Reception counter
 - i. Public greeting area
 - ii. Control access to interior
 - f. Information board
 - i. 3' x 4'
 - ii. Visible by public
 - iii. Locate to minimize disturbance of lifeguards
- 13. Exercise Room
 - a. Size, 11' x 14'
 - b. Equipment
- 14. Kitchen
 - a. Size, 10' x 12'
 - b. Refrigerator
 - c. Sink
 - d. Stove
 - e. Microwave
 - f. Dishwasher
 - g. Pantry
 - h. Laundry Room
 - i. Located near locker rooms
- 15. Storage
 - a. Janitorial closet, 4' x 4'
 - i. Cleaning supplies
 - ii. Restroom supplies
 - iii. Mop sink
 - b. Electric Room, 3' x 4'
 - c. IT Closet, 3' x 4'
 - d. Emergency Generator, 4' x 8'
 - e. Server Cabinet / Closet, 3'x3'x8'



- f. Utility Closet, 3'x6'
 - i. 100 gallon water heater
 - ii. Forced Air Unit (FAU): consider locating above ceiling or attic space.
- 16. Exterior Covered Guard Entry – 200 SF
 - a. Location
 - i. East side of building between garage & main hallway
 - b. For surf, swift water, SCUBA gear
 - c. Must be secured from public
 - d. Exterior showers

III. GENERAL INTERIOR FEATURES

- A. Floor drains in all ground floor rooms
- B. Central vacuum
- C. Emphasize security, durability and ease of use
- D. Wall area for photos and awards on both levels.
- E. Intercom system throughout building
- F. Public address system
- G. Cable and DSL networked connections
- H. Phone service
 - 1. Phone in each room
- I. Mechanical heating
 - 1. Consider passive cooling strategies
 - 2. No air conditioning
- J. Provide access for, and accommodate Sheriff's deputies

IV. GENERAL EXTERIOR FEATURES

- A. Provide separate public and guard entrances
- B. Lighting
 - 1. Station lighting on timer
 - 2. Flood lighting for boat launch and night operations.
 - a. (2) total
- C. Utilities
 - 1. Speakers for phone ringer
 - 2. Exterior outlets on both levels
 - 3. Hose bibbs
 - a. (1) second floor
 - b. (3) ground floor
- D. Animal kennel for aquatic animals and birds
 - 1. Secured from public



- E. Exterior Showers
 - 1. Lifeguard use only
 - 2. Adjacent to guard entrance
 - 3. Provide hot and cold water
 - 4. Comply with regulatory codes
 - a. Connect drain to sewer
 - b. Provide overhead shelter
 - c. Perimeter curb
- F. Create buffer between lifeguard operations and public to maintain safety and limit distractions.
 - 1. Use intercom to control access to station

V. MATERIALS

- A. Metals
 - 1. Non-corrosive materials should be used throughout.
 - 2. Minimize the use of metals.
 - 3. When necessary, the preferred metals are stainless steel, aluminum, and lastly, galvanized steel.
 - 4. Selection of type of metal based on maintenance cost and life expectancy.
- B. Wood framing
- C. Composite siding
- D. Cement, epoxy
- E. Flooring
 - 1. No polished concrete floors.
 - 2. Use rubberized or non-skid tile or epoxy



VI. COMPARISONS OF SIMILAR FACILITIES

Summary Table: San Diego County Marine Safety Centers (Area vs Mile of Beach)		
City	Square Feet	Miles of Beach
Imperial Beach	6,000*	1.25
Mission Beach	6,007*	1.5
Silver Strand State Beach	4,500*	2.7
Oceanside	4,500*	3.7
South Pacific	4,400*	1.25
South Mission Beach	3,809	1.25
Ocean Beach	3,500*	.75
Moonlight Beach	3,250*	3.5
Camp Pendleton	2,700*	.6
Coronado Beach II	2,574	1.75
Del Mar Beach	2,400	2.5
La Jolla Shores	2,135	2.
La Jolla Children's Pool	1,877	1
Solana Beach (Existing)	1,655*	1.7
Coronado Beach	1,226*	1.75
North Island Beach I	1,100	.75
North Island Beach II	900	.75

*Total square footage includes garage

SECTION 3

DEVELOPMENT OPTIONS



SECTION 3 DEVELOPMENT OPTIONS

I. BUILDING OPTIONS

Each building option presented in this report is accompanied by a site diagram that illustrates the relative size of the programmatic elements (see Attachments at end of Section). These diagrams provide a determination, at a conceptual level, how each option fits on the project site. These diagrams are not intended to present specific design solutions.

OPTION 1 – TEMPORARY MODULAR

(Reference - Attachment 1)

This option provides immediate, temporary relief to the lifeguards' space needs. It requires the demolition of the existing facilities and the use of prefabricated, modular trailers and a garage structure. It includes one 28'x40' garage; two 12'x40' trailers; and one 36'x40' trailer.

The trailers themselves are problematic in that they do not meet the full programmatic requirements of the lifeguard and fail to meet the operational needs due to, among other things, a lack of an elevated observation area. They are also aesthetically unpleasing (Figure 1) and would not be consistent with the architectural quality established by the rest of Fletcher Cove or the Fletcher Cove Masterplan.

While this option presents the lowest initial cost, it does not provide the same building life expectancy as the other options. Two scenarios were considered. Scenario 1 replaces the temporary trailers with a permanent facility after ten years. Scenario 2 keeps the temporary trailers for 25 years (their expected lifespan) and replaces them with similar trailers after 25 years. In both scenarios, the 50-year cost of this option exceeds the other two options presented in this report.

50-Year Cost - Option 1: Temporary Modular						
	CURRENT COST		FUTURE			50 -YEAR COST
	MODULAR	REBUILD/ MODULAR	INFLATION	YEARS	FV	
Scenario 1	\$1,651,600*	\$4,000,000*	3.00%	10	\$5,375,666*	\$7,027,266*
Scenario 2	\$1,651,600*	\$1,651,600*	3.00%	25	\$3,458,084*	\$5,109,684*

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.



Summary Table - Option 1: Temporary Modular		
SIZE	TOTAL ESTIMATED COST	EST. COST PER SQ. FT.
3,520 SQ FT	\$ 1,651,600*	\$ 469*
a.	Lower initial cost for Interim modular facility but cost of permanent facility will only escalate	
b.	Trailer configuration does not effectively serve the lifeguard program needs or mission	
c.	Aesthetics of trailers do not match the visual standards envisioned by the master plan of Fletcher Cove.	
d.	Fails to meet basic requirements for observation.	

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.

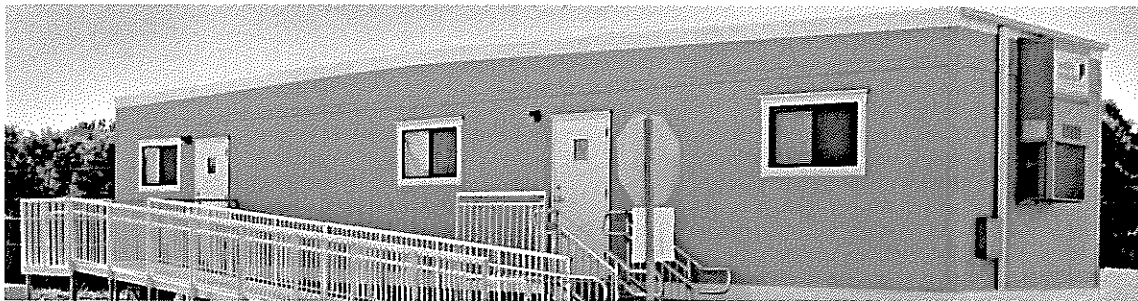


Figure 1



OPTION 2 - RENOVATE & EXPAND

(Reference - Attachment 2)

This option would strip the existing building to its structural frame and replace all finishes and building components with new materials. To overcome existing space shortages, additional floor area would be added. In order to keep some to the defining character attributes of the existing facility, this option would attempt to maintain the existing building envelope and footprint as much as possible. Significant re-work would be required of the interior spaces to increase operational efficiencies for the lifeguards.

Expansion would occur at the southeast hillside corner with a large garage and storage area to accommodate vehicles and equipment storage. A second floor observation area would be added over the existing first aid room in the northwest along with a second floor admin area positioned over a small addition to the west side encompassing a kitchen and exercise area. Although this option can achieve significant improvements to the facility, the existing building footprint restricts some programmatic requirements and the net result is a facility at the lower end of the range of building sizes anticipated by the Program.

On a cost per square foot basis, this option is comparable to the Demolish & Rebuild option. Yet, as a renovation, this option will incur costs not associated with other options. Despite utilizing the existing structure, significant foundation and framing work will be required. Some of this work, due to the concealed nature of the existing structure, can't be determined until demolish begins, which will add cost beyond that estimated here. Also, the cost savings associated with utilizing the existing building structure will be off-set by increased costs to work around existing elements.

Summary Table - Option 2: Renovate & Expand		
SIZE	TOTAL ESTIMATED COST	EST. COST PER SQ. FT.
3,780 SQ FT	\$ 3,371,600*	\$892*
a.	Construction cost and scope of work are on par with a newly constructed facility	
b.	Some character of original headquarters would be maintained by utilizing parts of the existing building footprint.	
c.	Unknown conditions of existing building components could add a significant cost	

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.



OPTION 3 - DEMOLISH & REBUILD

(Reference - Attachment 3)

The existing Marine Safety Center would be completely demolished and replaced with a new, purpose-built facility to meet the lifeguards’ programmatic requirements. The upper floor would accommodate lifeguard administration, an elevated observation room/deck and a staff training room. The ground floor contains a lobby, restroom and first aid room which is separated from the active duty area for the lifeguards. The rest of the ground floor is dedicated to locker rooms, kitchen, exercise room and large garage and indoor storage space for all necessary equipment.

This option provides the greatest flexibility to maximize efficiency and optimize the building layout in support of the lifeguards’ mission. The building would be designed for the coastal environment and would be constructed for a 50-year lifespan. The Demolish & Rebuild option is consistent with the Fletcher Cove Masterplan and the City’s Local Coastal Program Land Use Plan.

Construction cost would be consistent with the Renovate & Expand option on a cost per square foot basis, but without hidden issues and costs inherent with renovation projects.

Summary Table - Option 3: Demolish & Rebuild		
SIZE	TOTAL ESTIMATED COST	EST. COST PER SQ. FT.
4,770 SQ FT	\$3,996,000*	\$837*
a.	This option would be constructed to last 50+ years out of durable materials for the harsh marine environment.	
b.	New facility will met all programmatic and mission needs of Lifeguards, for both current and future growth needs.	
c.	Highest initial cost option but cost less over its lifespan.	
d.	Size of New Construction is comparable to other Marine Safety Centers in San Diego County.	

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.

II. SITE IMPROVEMENTS



(Reference - Attachment 4)

BEACH ACCESS STAIRWAY & SEAWALL

A new, lifeguard only, stairway on the western edge of the project site is proposed to reduce the response time to the beach. This will aid the lifeguards by providing a more direct route to the beach, enable them to maintain visual contact with targets and avoid congestion on the public ramp.

A seawall is also proposed at the base of the bluff to provide long-term stability to the bluff and new facility. The height of the seawall is approximately 10 feet tall

Summary Table : Beach Access Stairway / Seawall			
	LENGTH	COST	
Stairway	Approx., 72 LF	(POPC)*	\$410,400*
Seawall	Approx., 91 LF	(POPC)*	\$455,000*

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.

BEACH LEVEL OBSERVATION POST

The newly constructed beach level observation post, similar in size to the one at Tide Park in Solana Beach, would be placed at the bottom of existing beach access ramp and utilizes the existing pad of the old public showers. The observation post will eliminate the need for the seasonal tower placed on the sand every year, thus increasing the amount of sand available for public use. The beach level observation post allows lifeguards to easily interface with the public as they enter the beach and make important preventive public contacts.

Summary Table : Beach Level Observation Post			
SIZE		PRELIMINARY COST	
Bldg. Square Footage	Approx. 100 SQ FT	(POPC)*	\$50,000*

***Preliminary Opinion of Probable Cost:**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.

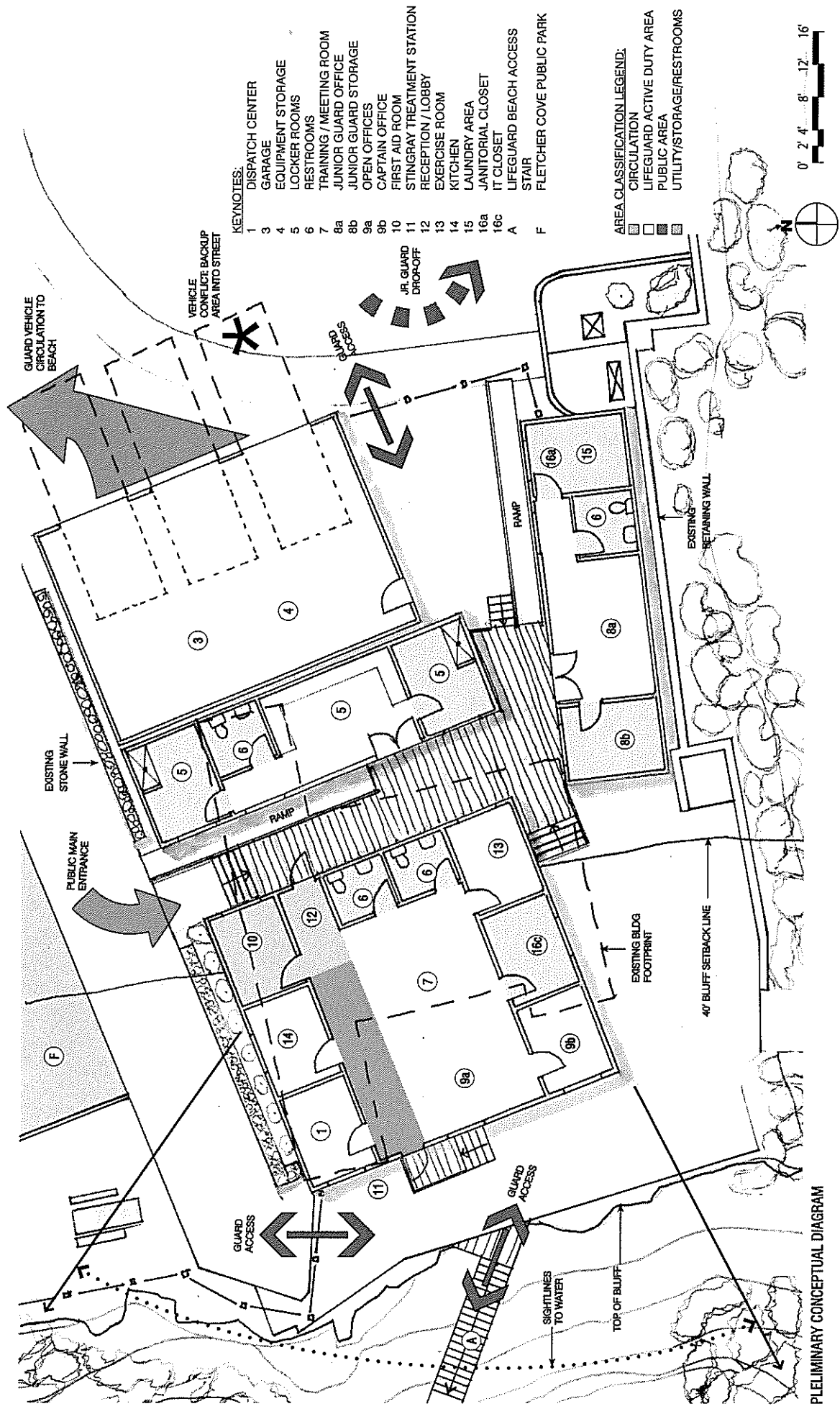


III. SUMMARY TABLE

Category	<u>Option 1</u> Temporary Modular	<u>Option 2</u> Renovate & Expand	<u>Option 3</u> Demolish & Rebuild
Preliminary Cost	\$ 1,651,600*	\$ 3,371,600*	\$3,996,000*
Area	3,520 SQ FT	3,780 SQ FT	4,770 SQ FT
Cost per Square Foot	\$ 469*	\$ 892*	\$837*
50 Year Cost	\$7,027,266*	\$ 3,371,600*	\$3,996,000*
ADA	✓	✓	✓
Beach Level Observation Post	✓	✓	✓
Beach Access stairs	✓	✓	✓
Short term improvement	✓		
Long term improvement		✓	✓
Aesthetic		✓	✓
Separation of public/active guard areas		✓	✓
2 nd Floor Observation Tower		✓	✓
Community character		✓	✓
Efficient interior layout			✓
Meets space requirements			✓

***Preliminary Opinion of Probable Cost :**

All costs are in 2016 dollar values. Annual inflation rates of 3% to 5% should be anticipated. For the intent of the needs assessment report, the project costs are based on the preliminary conceptual program layouts.



KEYNOTES:

- 1 DISPATCH CENTER
- 3 GARAGE
- 4 EQUIPMENT STORAGE
- 5 LOCKER ROOMS
- 6 RESTROOMS
- 7 TRAINING / MEETING ROOM
- 8a JUNIOR GUARD OFFICE
- 8b JUNIOR GUARD STORAGE
- 9a OPEN OFFICES
- 9b CAPTAIN OFFICE
- 10 FIRST AID ROOM
- 11 STINGRAY TREATMENT STATION
- 12 RECEPTION / LOBBY
- 13 EXERCISE ROOM
- 14 KITCHEN
- 15 LAUNDRY AREA
- 16a JANITORIAL CLOSET
- 16c IT CLOSET
- A LIFEGUARD BEACH ACCESS
- F STAIR
- F FLETCHER COVE PUBLIC PARK

AREA CLASSIFICATION LEGEND:

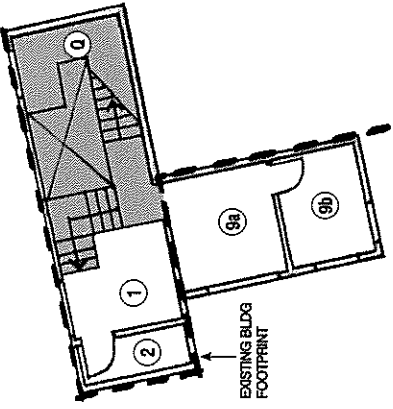
- CIRCULATION
- LIFEGUARD ACTIVE DUTY AREA
- PUBLIC AREA
- UTILITY/STORAGE/RESTROOMS



PLENARY CONCEPTUAL DIAGRAM



SECOND LEVEL:

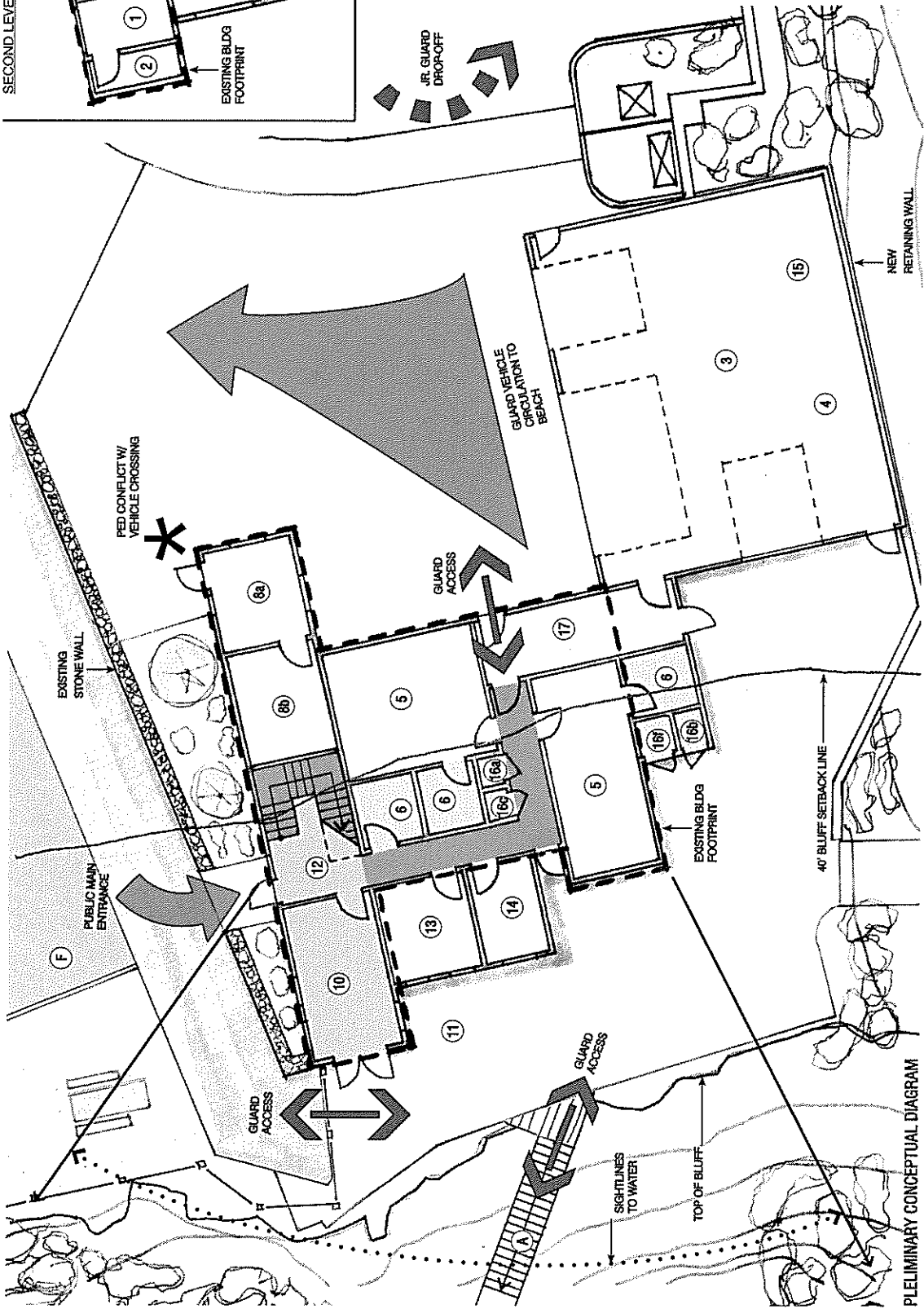


KEYNOTES:

- 1 DISPATCH CENTER
- 2 OBSERVATION DECK
- 3 GARAGE
- 4 EQUIPMENT STORAGE
- 5 LOCKER ROOMS
- 6 RESTROOMS
- 8a JUNIOR GUARD OFFICE
- 8b JUNIOR GUARD STORAGE
- 9a OPEN OFFICES
- 9b CAPTAIN OFFICE
- 10 FIRST AID ROOM
- 11 STINGRAY TREATMENT STATION
- 12 RECEPTION / LOBBY
- 13 EXERCISE ROOM
- 14 KITCHEN
- 15 LAUNDRY AREA
- 16a JANITORIAL CLOSET
- 16b ELECTRICAL ROOM
- 16c IT CLOSET
- 17 EXTERIOR COVERED GUARD ENTRY
- A LIFE GUARD BEACH ACCESS STAIR
- F FLETCHER COVE PUBLIC PARK

AREA CLASSIFICATION LEGEND:

- CIRCULATION
- LIFE GUARD ACTIVE DUTY AREA
- PUBLIC AREA
- UTILITY/STORAGE/RESTROOMS



PRELIMINARY CONCEPTUAL DIAGRAM

STEPHEN DALTON ARCHITECTS
WWW.SDARCHITECTS.NET

MARINE SAFETY CENTER NEEDS ASSESSMENT
OPTION 2 - RENOVATE AND EXPAND

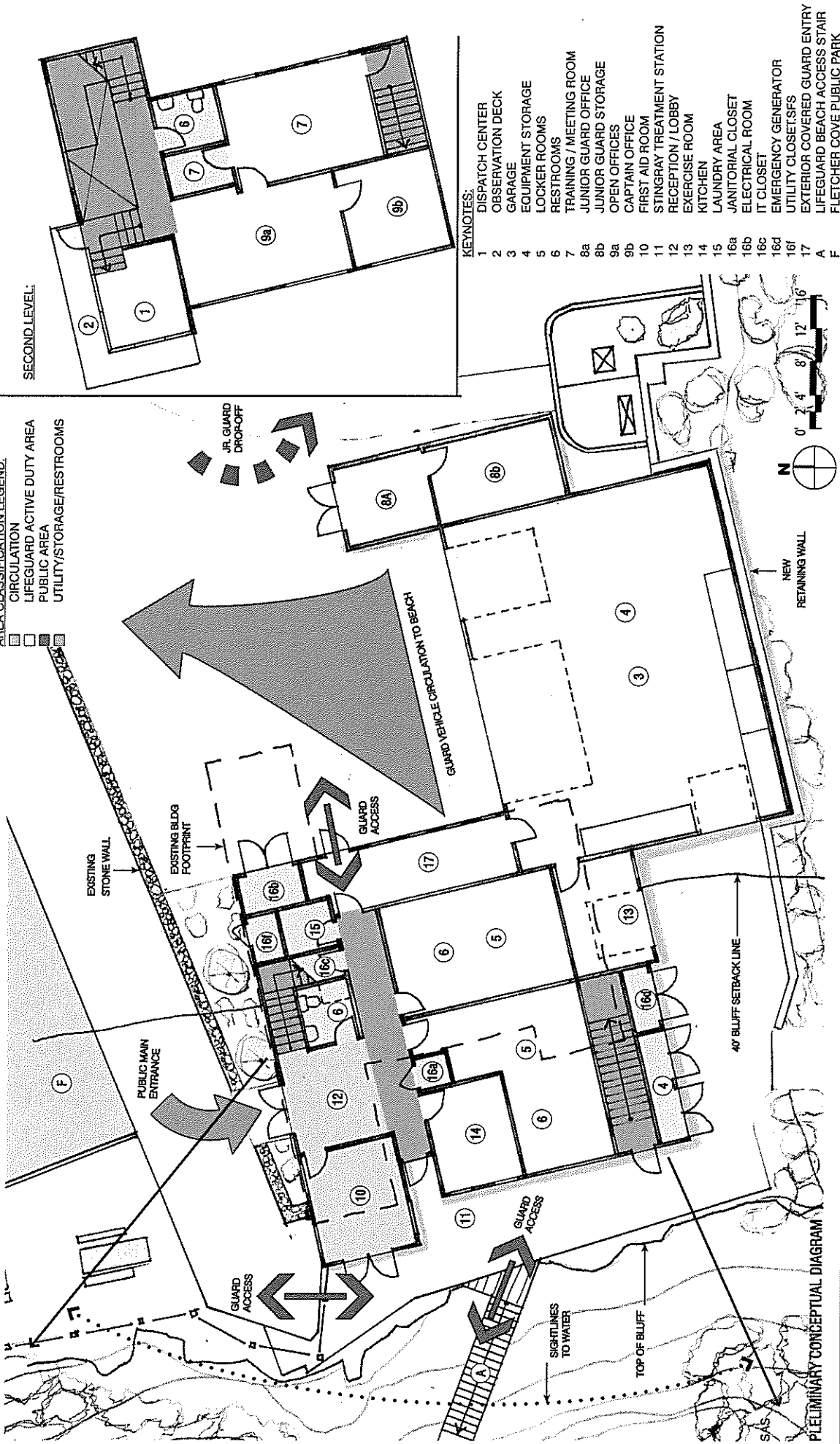
ATTACHMENT 2

03/29/2017



AREA CLASSIFICATION LEGEND:

- CIRCULATION
- LIFE GUARD / ACTIVE DUTY AREA
- PUBLIC AREA
- UTILITY / STORAGE / RESTROOMS



KEYNOTES:

- 1 DISPATCH CENTER
- 2 OBSERVATION DECK
- 3 GARAGE
- 4 EQUIPMENT STORAGE
- 5 LOCKER ROOMS
- 6 RESTROOMS
- 7 TRAINING / MEETING ROOM
- 8a JUNIOR GUARD OFFICE
- 8b JUNIOR GUARD STORAGE
- 9a CAPTAIN OFFICE
- 9b OPEN OFFICES
- 10 FIRST AID ROOM
- 11 STINGRAY TREATMENT STATION
- 12 RECEPTION / LOBBY
- 13 EXERCISE ROOM
- 14 KITCHEN
- 15 LAUNDRY AREA
- 16a JANITORIAL CLOSET
- 16b ELECTRICAL ROOM
- 16c IT CLOSET
- 16d EMERGENCY GENERATOR
- 17 UTILITY CLOSET/SFS
- A EXTERIOR COVERED GUARD ENTRY
- F LIFE GUARD BEACH ACCESS STAIR

STEPHEN DALTON ARCHITECTS
WWW.SDARCHITECTS.NET

MARINE SAFETY CENTER NEEDS ASSESSMENT
OPTION 3 - DEMOLISH AND REBUILD

ATTACHMENT 3

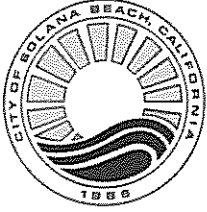
03/29/2017





- KEYNOTES:
- A LIFEGUARD BEACH ACCESS STAIR
 - B BEACH LEVEL OBSERVATION TOWER
 - C PROPOSED SEAWALL
 - D MARINE SAFETY CENTER SITE
 - E PUBLIC BEACH ACCESS RAMP
 - F FLETCHER COVE PUBLIC PARK
 - G PARKING LOT
 - H S. SIERRA AVE
 - I PUBLIC RESTROOMS / SHOWERS
 - J SEASONAL LIFEGUARD TOWER
 - K OVER LOOK
 - L PLAYGROUND
 - M PUBLIC BEACH
 - N





STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: May 10, 2017
ORIGINATING DEPT: City Manager/Finance
SUBJECT: **REFINANCING OF SUCCESSOR AGENCY TAX
ALLOCATION BONDS AND SOLANA BEACH PUBLIC
FINANCING AUTHORITY SUBORDINATE SEWER
REVENUE BONDS**

BACKGROUND:

In 2006, the former Solana Beach Redevelopment Agency (RDA), now the Successor Agency to the RDA, issued Tax Allocation Bonds (TA Bonds) in the amount of \$3,555,000 to assist with the financing of various redevelopment projects throughout the City's RDA Project Areas.

In 2007, the Solana Beach Public Financing Authority (Authority) issued Subordinate Sewer Revenue Bonds (Wastewater Bonds) in the amount of \$9,825,000 to finance capital improvements to the Sanitation System.

Staff is exploring refunding the TA Bonds and Wastewater Bonds and has engaged the services of Kenneth Dieker of Del Rio Advisors, LLC (Municipal Advisor) to assist Staff in the refunding process. Mr. Dieker was the municipal advisor on the issuance of the existing TA Bonds and the existing Wastewater Bonds as well as other debt issuances done by the City.

The report is before Council to seek input on authorization to move forward with the refinancing of the TA Bonds and Wastewater Bonds.

COUNCIL ACTION:

DISCUSSION:

Tax Allocation Bonds

The proposed Tax Allocation Refunding Bonds, Series 2017 (2017 TA Bonds) would be structured to refund in full the existing TA Bonds currently outstanding in the amount of \$2.82 million. It is estimated that the 2017 TA Bonds would be issued in an estimated amount of \$2.7 million. The amount of the 2017 TA Bond issue is slightly smaller than the \$2.82 million outstanding debt on the existing TA Bonds because the existing TA Bonds have a reserve fund that will be used to make the final payment on these bonds. Those dollars will be used to downsize the amount of 2017 TA Bond issuance and no new reserve fund will be required for the 2017 TA Bonds. The final maturity of the existing TA Bonds is June 1, 2036 and the final maturity of the 2017 TA Bonds is estimated to be shortened to December 1, 2035.

Given the short term remaining on these bonds (+/- 18 years), the relatively small amount that remains outstanding and the demand for successor agency debt, the Municipal Advisor has recommended a direct placement for this bond issuance. A full public offering of these refunding bonds would incur much greater time and expense to complete the process. While the interest rates can be lower on a public offering, when all the costs involved in a public offering are included, a direct placement makes better economic sense when all the costs are factored.

At this point, the recommended process would be to formalize a term sheet and work with a Placement Agent, Brandis Tallman LLC (the "Placement Agent"), to send the term sheet to the universe of direct placement lenders, generally commercial banks that purchase obligations such as these. An assembled Financing Team would then review the term sheet responses, decide on a lender, negotiate any deal terms and finalize the documents. The final interest rate would not be determined until a lender has been identified, has agreed to all deal terms and has formally locked the rate on the bonds prior to closing the transaction.

The following is a tentative schedule proposed for the refunding:

May 10	City Council Meeting	Briefing on Refunding
Week of		
May 15	Oversight Board Meeting	Request Successor Agency Prepare Refunding
May-June	Financing Team	Prepare Draft Documents & Savings Analysis
June	Fiscal Consultant	Prepares Agency Projections
June 14	Successor Agency	Approve Transaction to the Oversight Board
June 22	Oversight Board	Approve Transaction and send to State Department of Finance (DOF)
July	Financing Team	Prepares Term Sheet and Sends to Lenders
July	Issuer / Financing Team	Lender Selected and Terms Negotiated
August	Issuer	DOF Approval (DOF has sixty days to review and approve the transaction)
August	Financing Team	Close the Transaction

Based on market conditions as of March 2017, issuance of 2017 TA Bonds is estimated to result in total savings of \$326,315 and net present value (NPV) savings of approximately \$247,042. This equates to 8.76% in NPV savings. Total savings will vary and will be driven by how quickly the DOF approves the financing and the team can lock the rate with the chosen lender.

Generally, NPV savings in excess of 3.00% are considered significant. The Government Finance Officers Association, in their best practices white paper titled "Analyzing and Issuing Refunding Bonds" from February 2011, reports that "one test often used by issuers to assess the appropriateness of a refunding is the requirement specifying the achievement of a minimum net present value (NPV) savings. A common threshold is that the savings (net of all issuance costs and any cash contribution to the refunding), as a percentage of the refunding bonds, exceeds 3-5%."

Estimated annual savings would become available after the payment of enforceable obligations as approved on the Recognized Obligation Payment Schedule ("ROPS") and would be distributed among various taxing entities such as the County, school district(s), and the City.

The table below highlights the current estimated savings for the 2017 TA Bonds:

Summary of Savings Results for 2017 TA Bonds*	
Net Present Value Savings (\$)	\$247,042
Net Present Value Savings (% of Par Value Refunded)	8.76%
Avg. Annual Savings	\$18,128
Total Debt Service Savings	\$326,315

**Projected savings are based on an interest rate from March 2017. The rate is subject to change based on market conditions at the time the rate is locked.*

The primary goal of the refunding is to generate savings to the various participating taxing entities, including the City. The issuance of the 2017 TA Bonds will not move forward unless the minimum savings threshold of 3.0% can be achieved, and subject to the Successor Agency authorization.

Wastewater Bonds

The proposed Subordinate Sewer Revenue Refunding Bonds, Series 2017 (2017 Wastewater Bonds) would also be structured to refund in full the existing Wastewater Bonds currently outstanding in the amount of \$7.78 million. It is anticipated that the 2017 Wastewater Bonds will be issued in an estimated amount of \$7.0 million. The 2017 Wastewater Bonds issue size is slightly smaller than the \$7.78 million outstanding debt on the existing Wastewater Bonds because they also have a reserve fund that will be used to make the final payment on those Bonds. Those dollars will be used to downsize the amount of 2017 Wastewater Bonds to be issued and no new reserve fund will be required for the 2017 Wastewater Bonds. The final maturity of the existing Wastewater Bonds is March 1, 2037 and the final maturity of the 2017 Wastewater Bonds is estimated to be shortened to March 1, 2036.

The Municipal Advisor has looked at selling the refunding bonds as both a public offering and a direct placement. A public offering involves preparing an official statement (the primary marketing document to investors), obtaining an underlying rate and selling the bonds to both retail and institutional buyers in an open public sale. A direct placement involves marketing the bonds to a group of direct lenders, primarily commercial banks, which operate in the municipal finance arena. While the costs to issue a direct placement are lower, the interest rates are generally higher. When you factor in all the costs and weigh that with the interest rates, sometimes a public offering works better and sometimes it does not. Under current market conditions, a public offering for the 2017 Wastewater Bonds makes for better economics given the very strong S&P AA underlying rating and the market demand for enterprise credits, such as the City's wastewater bonds. When everything is factored, the Municipal Advisor has recommended a public offering as the sale type for the 2017 Wastewater Bonds.

The largest time lag to getting this transaction to market is the preparation of the official statement. Conveniently, the San Elijo JPA is currently in the process of preparing a public bond sale and most of the data provided to the JPA for that official statement can be used for the preparation of the official statement for the 2017 Wastewater Bonds.

The following is a tentative schedule proposed for the refunding:

May 10	Authority Meeting	Briefing on Refunding
May-June	Financing Team	Prepares Draft Documents and Official Statement
June	Financing Team	Rating Agency Presentation
June 28	Authority Meeting	Approve Transaction
July	Financing Team	Rating Released
July	Financing Team	Official Statement Printed
August	Financing Team	Bonds Sold
Aug 16	Financing Team	Close the Transaction

Based on market conditions as of March 2017, the refunding is estimated to result in total savings of \$1,250,303 and NPV savings of approximately \$949,726 or 12.21% of the amount of outstanding existing Wastewater Bonds.

The table below highlights the current estimated savings for the 2017 Wastewater Bonds:

Summary of Savings Results for 2017 Wastewater Bonds*	
Net Present Value Savings (\$)	\$949,726
Net Present Value Savings (% of Par Value Refunded)	12.21%
Avg. Annual Savings	\$65,805
Total Debt Service Savings	\$1,250,303

**Projected savings are based on an interest rate from March 2017. The results are subject to change based on market conditions at the time of the sale.*

As with the 2017 TA Bonds, the NPV savings for the 2017 Wastewater Bonds (net of all issuance costs and any cash contribution to the refunding), as a percentage of the refunding bonds, also exceeds 3-5% the recommended minimum threshold.

The primary goal of the refunding is to generate as much savings as possible for the City's ratepayers. The issuance of the 2017 Wastewater Bonds will not move forward unless the minimum savings threshold of 3.0% can be achieved.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

Tax Allocation Bonds

As illustrated above, current estimated total savings of \$326,315 or over \$18,100 per year for a net present value benefit of \$247,042 can be realized by refinancing the existing TA Bonds. Savings would be distributed among various taxing entities, one of which is the City. The level of savings will depend upon market conditions at the time the rate is locked.

The 2017 TA Bonds would not be an obligation of the City, but rather the Successor Agency. Debt Service on the 2017 TA Bonds will be supported by tax increment revenues collected by the County and deposited into the Successor Agency's Redevelopment Property Tax Trust Fund ("RPTTF"). Property tax savings accruing to the City's General Fund will increase based upon the City's tax share percentage.

In addition to the direct economic benefit of the refunding, the Successor Agency will no longer be required to prepare and file Annual Continuing Disclosure to the Electronic Municipal Market Access system saving both time and dollars. In addition, depending on the selected lender, the Successor Agency may no longer need to pay the annual costs of a Trustee or Paying Agent.

Due to preparing projections and other pertinent information in the Fiscal Consultant's Report, the fees and expenses of Fraser & Associates, acting as Fiscal Consultant, cannot be contingent on the sale of the 2017 TA Bonds. The fee for Fiscal Consultant is currently estimated at \$10,000-\$15,000 and can be recovered either through the costs of issuance upon successful closing or, should the refinancing not close, these costs can be recovered on a future ROPS.

The fee of Del Rio Advisors, LLC acting as Municipal Advisor to the City and Successor Agency are contingent upon closing and are currently estimated at \$22,500, including expenses. The fee for Brandis Tallman LLC, acting as Placement Agent to the Successor Agency, is also contingent upon closing and is currently estimated at \$22,500.

Contingent fees are payable only from a successful sale and closing of the 2017 TA Bonds. The Municipal Advisor is obtaining fee quotes from the other anticipated team members. Staff will return to Council and/or the Successor Agency for approval of the financing team and applicable consultant contracts for those consultants once they are selected for approval.

Wastewater Bonds

As illustrated above, total savings are estimated to be \$1,250,303 or \$65,800 per year. The NPV benefit is \$949,726 or 12.21% of the outstanding Wastewater Bonds, well in excess of minimum industry standards. The annual savings would directly benefit the City's ratepayers by lowering debt service each year. The final level of savings will depend upon market conditions at the time the 2017 Wastewater Bonds are sold.

The 2017 Wastewater Bonds would not be an obligation of the City's General Fund, but rather the Wastewater Enterprise Fund. Debt Service on the 2017 Wastewater Refunding Bonds will be supported based on the following flow of funds:

Plus:	Gross Wastewater Revenues
Less:	Operations and Maintenance Costs
Equals:	Net Wastewater Revenue
Less:	Debt Service on San Elijo JPA 2011 Refunding Revenue Bonds
Equals:	Residual Net Revenue (Used to Pay Debt Service on the 2017 Wastewater Bonds)
Less:	Debt Service on the 2017 Wastewater Bonds

The assembled financing team would work on a contingent fee basis, meaning nothing would be due unless the transaction closes. However, as part of the financing process, the Authority will be seeking a rating from S&P. The cost of the rating is non-contingent and will be due whether or not the refunding closes. This expense is not expected to occur until later in the financing process and is estimated to cost between \$15,000 and \$20,000.

The fee of Del Rio Advisors, LLC, acting as Municipal Advisor to the City and Authority, is contingent upon the successful sale and closing and is currently estimated at \$37,500, including expenses. The Municipal Advisor has been requested to obtain fee quotes from the other anticipated team members. Staff will return to Council for approval of the financing team and applicable consultant contracts for those consultants once they are selected.

WORK PLAN:

N/A

OPTIONS:


- Approve staff recommendation.
- Approve staff recommendation with alternative amendments / modifications.
- Deny staff recommendation

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council provide input and necessary and authorize Staff to continue pursuing refinancing of the existing TA Bonds and Wastewater Bonds.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager