

RESOLUTION NO. PC-2025-XX

A RESOLUTION OF THE CITY OF LA MESA PLANNING COMMISSION APPROVING PROJECT 2023-2859 (GATESIDE ROAD) – A REQUEST FOR A SPECIAL PERMIT TO ALLOW FOR A SIX-FOOT-HIGH RETAINING WALL WITH CUT THAT EXCEEDS SIX FEET WITHIN THE SIDE YARD SETBACK ON A VACANT LOT LOCATED ON GATESIDE ROAD (499-030-49-00) IN THE R1S (SUBURBAN RESIDENTIAL) ZONE.

WHEREAS, the property owner of APN 499-030-49-00, a vacant lot located on Gateside Road in the R1S (Suburban Residential) zone, proposes to construct a retaining wall, with a cut exceeding 6 feet, within the side yard setback.

WHEREAS, the more than 6 foot cut would exceed the development standards of La Mesa Municipal Code (LMMC) Section 24.05.030 (l)(6), Development Standards for Fences and Retaining Walls.

WHEREAS, LMMC Section 24.05.030 (l) projects that exceed the development standards for fences and retaining walls may be approved by Planning Commission through a Special Permit.

WHEREAS; LMMC Section 24.02.050, provides that Planning Commission may authorize a Special Permit to expand the limits of certain development standards, when such expanded limits are reasonable but need evaluation of impact on adjacent properties and uses.

WHEREAS, the property owner submitted an application for a Special Permit to construct the proposed retaining wall with a cut that exceeds 6 feet within the side yard setback.

WHEREAS, the project has been determined to be exempt from environmental review in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15303. Section 15303 exemptions for one single-family residence in a zone which permits residential uses. The project meets all the conditions necessary to qualify for the exemptions and none of the exceptions listed in Section 15300.2 apply.

WHEREAS, the Planning Commission did receive and consider a staff report for the proposal.

WHEREAS, on February 19, 2025, the Planning Commission of the City of La Mesa held a duly noticed public hearing and accepted public testimony in consideration of Project No. 2023-2859.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

Special Permit Findings (LMMC Section 24.02.050):

1. The location and characteristics of the proposed buildings and/or structures, and the allowed uses of them, will not impact unfavorably upon adjacent properties.

The proposed project, a concrete block wall, within the side yard setback, with landscaping and set behind side yard gates that reduce visibility of the wall from off-site of the property, would not impact unfavorably upon adjacent properties. The retaining wall will be situated into the existing topography and inset from the property line and the adjacent properties to the north and south. The side yard section of the wall which is proposed to exceed a six-foot cut would likely be visible only from the

proposed development and therefore there would be minimal if any impact on the neighboring properties. The areas surrounding the retaining walls, driveway, and residence are proposed to be landscaped, which will further minimize any potential for visual impact to adjacent properties. The use of cement block retaining wall will not obstruct to the view and due to topographic conditions, it would not be out of scale in relation to other structures in the vicinity. Therefore, construction of the proposed project would not impact unfavorably upon adjacent properties.

2. The project is consistent with the design objectives established as policy of the City Council.

The retaining wall is designed to fit within the context of the neighborhood through the use of materials and landscaping. The neighborhood is characterized by lower density development, relatively large yards, and scenic views. The retaining wall allows for development of the site consistent with the surrounding neighborhood, while maintaining the existing scenic features of the site. The proposed project is proposed to integrate with the hillside features and landscaping that currently exists on the site. The proposed project will be set behind a side yard gate and will be located in an area on site that will likely not be visible from the public right of way due to the topography of the site.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The foregoing findings of fact and determinations are supported by the staff report, plans, and exhibits, all of which are herein incorporated by reference.
3. The Planning Commission approves Project No. 2023-2859, subject to the conditions in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 19th day of February 2025, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Lynnette Santos, Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2025-XX duly passed and adopted by the Planning Commission.

Lynnette Santos, Secretary
La Mesa Planning Commission

Exhibit APC Resolution PC-2025-XX
Project 2023-2859
Conditions of Approval

1. The project is conditionally approved as set forth on the application and project drawings received electronically by the City on November 15, 2024, consisting of eighteen (18) sheets total, including Sheet T1 – Title Sheet, Sheet A0 – 2022 Low Rise Residential Mandatory Measures Summary, Sheet A01 – Site Plan, Sheet A1 – First and Second Floor Plan, Sheet A2 – Roof Plan and Average Grade Elevation, Sheet A3 – Elevations, Sheet A4 – Sections, Sheet A5 – Details, Sheet 1 – Grading Plan, Sheet 2 – Grading Plan, Sheet 3 – Grading Plan, Sheet 4 – Grading Plan, Sheet 5 – Grading Plan, Sheet 6 – Grading Plan, Sheet 1 – Title Sheet Landscaping Plan, Sheet 2 – Landscaping Plan Notes, Sheet 3 – Landscape Plan, Sheet 4 – Irrigation Plan Notes, Sheet 5 – Irrigation Plan.
2. This approval shall not waive compliance with any section of the La Mesa Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
3. Prior to any use or issuance of final occupancy of the project site pursuant to this approval, all conditions of approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.
4. The applicant is responsible for coordinating civil, landscape, and architectural plans and supplemental materials at building permit submittal to ensure that all project plans and materials are internally consistent and consistent with each other. Inconsistent construction documents will not be accepted.
5. This constitutes an approval of the discretionary entitlement only. Additional permits, including but not limited to building and grading permits, may be required by the Community Development Department or other City departments prior to commencement of construction and/or use. It is the property owner and applicant's responsibility to obtain all necessary permits required for the type of project proposed.
6. The applicant shall obtain an encroachment permit and final inspection for improvements in the public right-of-way. The design of the new driveway approach shall comply with the San Diego Regional Standards and shall provide one legal on-street parking space between driveways.
7. The Owner shall waive any claims of liability against the City and indemnify, hold harmless and defend the City and City's employees regarding any component of the City's approval, and shall execute an indemnity agreement in substantially the form as provided by the Community Development Department prior to building permit issuance, initiating use in reliance of this permit, and the Community Development Director is hereby authorized to execute the same.

A. THE FOLLOWING CONDITIONS SHALL BE SATISFIED AT BUILDING SUBMITTAL:Building

1. Plans must be complete and stamped by a licensed professional/s.
2. All permits (Grading, Landscape, etc.) for this development project shall be submitted and issued concurrently.

3. The project must comply with the applicable adopted codes at the time of Building permit submittal.
4. The project must comply with the City's Construction and Demolition Ordinance regulating recycling of construction materials.
5. A building permit is required for retaining wall structural design (in addition to a grading permit).
6. Soils report by a licensed Soils Engineer is required.

Engineering

1. Public improvement and grading plans shall be complete and stamped by a licensed professional engineer.
2. All engineering permits (encroachment, grading, et cetera) for this development project shall be submitted concurrently. An encroachment permit (major) with a traffic control plan is required for work to be performed in the street right-of-way, e.g., utility installation; new curb and gutter, sidewalk and driveway approach; lighting; tree planting; parking of construction equipment; storage of materials; etcetera. Use of an appropriate regional standard traffic control plan is suggested.
3. The project shall comply with the applicable adopted City of La Mesa engineering standards and policies and San Diego County Regional Standard Drawings. All public and private improvements in the city right-of-way shall comply with City of La Mesa engineering standards.
4. The project shall comply with the City's stormwater quality and erosion control requirements.

B. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO THE ISSUANCE OF BUILDING AND GRADING PERMITS:

Engineering

1. All engineering bonds shall be secured and fees paid prior to the issuance of engineering permits.

C. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO CERTIFICATE OF FINAL OCCUPANCY:

Building

1. The applicant shall obtain finals from all departments for all issued permits: Building, Fire, Planning, and Engineering prior to the issuance of a certificate of occupancy.

Engineering

2. The applicant shall obtain final inspections and approvals from all departments for all issued permits prior to the issuance of a certificate of occupancy.