

RESOLUTION NO. PC-2025-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA MESA APPROVING PROJECT 2024-0705 (ELASAAD) – A REQUEST TO ALLOW FOR A RETAINING WALL TO EXCEED THE MAXIMUM HEIGHT OF FOUR FEET ALLOWED IN THE FRONT SETBACK BY TWO FEET WITHIN THE FRONT SETBACK ON A VACANT LOT LOCATED ON HIGH STREET (475-351-28-00, 475-351-29-00, 475-351-30-00) IN THE R1S (SUBURBAN RESIDENTIAL) ZONE.

WHEREAS, the property owner of APN 475-351-28-00, 475-351-29-00, 475-351-30-00, three vacant lots located on High Street in the R1S (Suburban Residential) zone proposes to construct a retaining wall of 6 feet in height on the front setback exceeding 4 feet allowed, with a cut exceeding 6 feet.

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

WHEREAS, LMMC Section 24.05.030 (I) 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 a driveway and retaining wall with a cut that exceed 6 feet and height of 6 feet within the front setback.

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

WHEREAS, on April 16, 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. 2024-0705.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

1. The project is 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.
2. Special Permit Findings (LMMC Section 24.02.050):
 - A. 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 6 foot wall within the front yard setback(s) would not impact unfavorably upon adjacent properties. The area surrounding the retaining walls and driveway, is proposed to be landscaped, which would minimize visual impacts to adjacent properties and would be constructed into the existing topography to the extent possible. The walls are proposed to give vehicular access to the recently

subdivided parcels for future development and improvements and would maintain the visual character of the neighborhood. Additional 8 trees will be incorporated into the project design. No project features will impact the western view from High Street, and the on-site landscaping would minimize the visual impact of the wall as seen from west of the development. Any future development would be required to meet all design standards and zoning regulations as required by the La Mesa Municipal Code.

B. 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 and relatively large yards. The retaining wall allows for development of the site consistent with the surrounding neighborhood, while maintaining the existing scenic features of the site including the unimpeded western view, sloped topography of the hillside, and limited development within the neighborhood. The proposed project is proposed to integrate with the hillside features and incorporate landscaping to reduce the visual impact of the retaining wall.

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. 2024-0705, 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 16th day of April 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 A
PC Resolution PC-2025-XX
Project 2024-0705
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 three (3) sheets total, including Sheet 1 – Site Plan, Profile and Cross Section, Sheet 2 – Grading Plan, Sheet 3 – Landscape 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. A building permit is required. Building plans and calculations must be stamped by a licensed Engineer.
2. All permits (encroachment, grading, or other) for this project shall be submitted and issued concurrently.
3. The project must comply with the City's Construction and Demolition Ordinance regulating recycling of construction materials.

4. This project shall comply with current adopted California Building, Residential, and Green codes at time of permit submittal.

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

Engineering

1. Access to all three parcels must be clearly shown on the plans. An access easement to all three parcels must be clearly identified and recorded. Access road shall comply with all applicable codes and regulations, including fire department standards.
2. Utilities to and from all three parcels must be clearly shown on the plans.
3. The project shall comply with the applicable adopted City of La Mesa engineering standards and policies and the San Diego County Regional Standard Drawings (SDCRSD). All public and private improvements in the City right-of-way shall comply with City of La Mesa engineering standards. The proposed reduction of one of the driveways requires that it conforms with SDCRSD G-14.
4. Prior to the issuance of certificate of occupancy OR final for the construction of the retaining wall in the right-of-way, a copy of recordation of the access easement needs to be submitted.
5. The project shall comply with the City's stormwater quality and erosion control requirements.
6. In consideration of the new drainage and landscape improvements (brow ditch, basin, trench drain, planter areas), a private maintenance agreement or covenants will be required.
7. In consideration of the improvements in the right-of-way (retaining wall, planter, brow ditch) an Encroachment Maintenance and Removal Agreement (EMRA) will be required.
8. The applicant shall obtain an Encroachment Permit and Traffic Control Permit prior to beginning any proposed work within the City right of way.

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

Building

1. The applicant shall obtain final approvals from all departments for all issued permits: Building, Fire, Planning, Engineering.