

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
March 2012

3/13/2012 Present: Benton (Chairman), Collins, , Costello,
Liera, Merten, Thorsen

3/20/2012 Present: Benton (Chairman), Collins, DuCharme-Conboy, Costello,
Liera, Merten, Thorsen

1. NON-AGENDA PUBLIC COMMENT 3/13/12 (None on 3/20/12)

Thorsen: Hennessey Sidewalk Cafe. Appeal at Planning Commission Hennessey's was continued to comply with the conditions of the Tree Removal Permit. Applicant was asked to comply with the Tree Removal Permit before Appeal of the NUP could be further reviewed. I followed up with the Project Manager Glenn Gargas. Most recent information I received was the Applicant had contacted Street Tree Division and was in process of having a new Permit issued. Glenn's reply: Yes, Pamela Allen-Sanders got back to me stating that Hennessey's is applying for a new Street Tree Permit. She stated that they do not need to amend or correct the past one, which was Project No. 237926.

Merten: The Whale Watch Way project, which is opposed by various members of the La Jolla Shores community, was presented to the City Council, where it was approved by a vote of 7-1. A neighborhood group has been organized, named La Jolla Shores Tomorrow, which has hired an attorney. In order to continue opposition to the Whale Watch Way project, a suit is required to challenge the EIR, on grounds that it is incomplete. That suit was filed, and hopefully this will bring the owner and their architect to redesign their project. La Jolla Shores Tomorrow contends that the project is much larger than it should be, as it is at least 60% than would be permitted on a similar lot anywhere else in the City.

2. FINAL REVIEW 3/13/12

Project Name: **KEATING RESIDENCE** recorder setting 31 00:01:44

9633 La Jolla Farms Road

Permits: CDP

Project #: PO#266405

DPM: Glenn Gargas 619-446-5142

ggargas@sandiego.gov

Zone: RS-1-2

Applicant: Garrett Vanleewam 760-580-8608

Scope of Work: Scott Maas 619-297-6153

(Process 3) Coastal Development Permit to demolish existing residence and construct a 10,834 SF single-family residence on a 1.07 acre site at 9633 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, First Public Roadway.

Presenters: Taal Safdie, AIA
Scott Maas, AIA

Provided for this REVIEW:

Applicant response in italics.

a. Please provide a photo simulation of the streetscape showing the proposed Keating Residence with the existing houses on each side. This to be used to allow comparison of Bulk & Scale, as well as structure height with changing topography. *A presentation board of photos and simulations was shown of the streetscape, neighboring houses and the Project.*

b. Please check building envelope sloping height limit setback on East side. *SD Muni Code 131.0444 Angled Building Envelope Plane / Maximum Structure Height in Residential Zones. Table 131-04H states that on lots 150' or greater in width, the angle building envelope plane is not applicable.*

DISCUSSION:

Applicant response in italics.

Neighbors on both sides do not have a problem with project. City wants 10 parking spaces on the lot.

Astronomy dome doesn't open, is below parapet, ≤ 30 ft. The whole house is setback 70 ft from the curb.

Collins: Where is the 11,000sq ft distributed? *Ground floor: main living spaces, dining room, kitchen, garages, family room, media room, quest rooms, second level: bedrooms, office, multipurpose space.*

Thorsen: There is so much light and air this should be OK. This is OK with the Com. Plan, pg 90.

Merten: Com. Plan newer construction has to transition with existing older 1 story construction. The neighbor next door is 30 ft away from this element. Is this neighbor aware of the 30 foot high box? *We think they are.*

Liera: the house is moved well up and back from the street.

Merten: I like everything about this project; it's just the proximity of that high box to the neighbor.

Costello: the way the dome and parapet are configured you will not see most of the sky with a telescope.

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit to demolish existing residence and construct a 10,834 SF single-family residence on a 1.07 acre site at 9633 La Jolla Farms Road.

(Thorsen/Liera, 3-2-1)

In Favor: Costello, Liera, Thorsen

Oppose: Collins, Merten

Abstain: Benton

MOTION PASSES

recorder setting 31 00:32:50

3. PRELIMINARY & FINAL REVIEW 3/13/12

Project Name: **BEAUTIFICATION OF COAST BOULEVARD**

Coast Boulevard at the Children's Pool

Applicant: Phyllis Minick, Head, Beautification Committee, La Jolla Parks & Beaches, Inc.
pminick@aol.com 858-459-5939

Scope of Work:

Redesign of the public promenade and belvedere on Coast Boulevard at the Children's Pool. Total improved area: 11,610 SF. Improved pathway: approx. 10,000 SF (475 linear feet). Planting area: 1,703 SF.

Presenter: Phyllis Minick

APPLICANT PRESENTATION:

Applicant response in italics.

Already approved by LJCPA. Walk ways are 8 ft, at a minimum.

City wants to raise wall at bluff for safety. Landscaping matches the desert scape style of Casa Manana. Plants are drought resistant and squirrel resistant. Construction will be coordinated with the Life Guard Station, cost saving too. LJTC had a rider on their approval "to ban all donor tables".

Merten: Since this was approved by the LJCPA why bring this to us? *Because you didn't meet last month. To get approvals from all the Community Groups.*

Collins: What about parking? *Added a few parking spaces and handicapped*

Merten: Does P&B agree with the driveway to the beach? Instead of having a bluff edge driveway, we could preserve the bluff edge. ADA and other beach access could be from the center and switch-back giving access to all levels.

Minick: Wonderful. Can you write a letter to the City about that? recorder setting 31 00:44:55

Matt Peterson: It's great!

Costello: Mrs. Minick has done a wonderful job creating this Project. Her Landscape Architect Jim Neri did an excellent job on the coastal bluff edge and walk down the street.

SUBCOMMITTEE MOTION: to Combine Preliminary and Final Reviews.

(Thorsen/Costello, 6-0-0)

In Favor: Benton, Collins, Costello, Liera, Merten, Thorsen,

Oppose: 0

Abstain: 0

MOTION PASSES

SUBCOMMITTEE MOTION: To approve the Conceptual Plan for the Beautification of Coast Boulevard Walkway at the Children’s Pool without the coastal bluff drive (which would not be approved in any private project), and the destruction of the bluff.

(Costello/Liera, 5-0-1)

In Favor: Collins, Costello, Liera, Merten, Thorsen,

Oppose: 0

Abstain: Benton, as Chair

MOTION PASSES

recorder setting 31:00:53:28

4. PRELIMINARY & FINAL REVIEW 3/13/12

Project Name: **WOOLF RESIDENCE**

Project #: 6353 Camino de la Coasta

Permits: CDP

PO#267503

DPM: John Fisher 619-446-5231

Zone: RS-1-7

Applicant: Matt Peterson (619) 234-0361

Scope of Work: Brian Longmore 858-603-9478

(Process 3) Coastal Development Permit to demolish existing structures and construct a 5,467 SF single-family residence on a 0.3 acre site Camino de la Costa in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (Appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area.

Presenters: Matt Peterson, Attorney

Mark Christopher, AIA

APPLICANT PRESENTATION: *Applicant response in italics.*

Max height 29 ft. Curb cut 12 ft. All street trees to remain. FAR = 0.54 RS-1-7. Had meeting with neighbors.

Merten: Retaining walls in the sideyard must be ≤ 6ft.

Collins: What is roof pitch? *3/12 and 5/12.*

Merten: There is a problem at the North-West corner by the fireplace with height / angle. Can be solved by moving the stairway 3 ft forward to the street.

Benton: The Chair will entertain a Motion to trail this issue to allow the Applicant to change and sign their drawings to solve the above problem.

SUBCOMMITTEE MOTION: to Trail the Item.

(Merten / Collins, 6-0-0)

In Favor: Benton, Collins, Costello, Liera, Merten, Thorsen

Oppose: 0

Abstain: 0

MOTION PASSES

recorder setting 31 01:19:44

SUBCOMMITTEE MOTION: to re-open the Woolf Item.

(Collins / Merten , 6-0-0)

In Favor: Benton, Collins, Costello, Liera, Merten, Thorsen

Oppose: 0

Abstain: 0

MOTION PASSES

On the following sheets, the Architect moved the stairway forward which alters the grade/elevation solving the issue, and signed these sheets: A-22, A-3.2, A-1.1, A-c1.1.

SUBCOMMITTEE MOTION: to Combine Preliminary and Final Reviews.

(Thorsen/Collins, 6-0-0)

In Favor: Benton, Collins, Costello, Liera, Merten, Thorsen,

Oppose: 0

Abstain: 0

MOTION PASSES

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit to demolish existing structures and construct a 5,467 SF single-family residence on a 0.3 acre site Camino de la Costa with the adjustments made to the drawings on this date.

(Thorsen/Merten, 5-0-1)

In Favor: Collins, Costello, Liera, Merten, Thorsen,

Oppose: 0

Abstain: Benton, as Chair

MOTION PASSES

5. PRELIMINARY REVIEWS 3/13/12 + 3/20/12

recorder setting 31 01:21:51

Project Name:	GIRGIS RESIDENCE	Permits:	CDP + SDP
	811 Havenhurst Point	DPM:	Glenn Gargas 619-446-5142
Project #:	PO#262975		ggargas@sandiego.gov
Zone:	RS-1-4	Applicant:	Don Vanderpool 619-557-0575

Scope of Work:

(Process 3) Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence and construct a 7,384 SF single-family residence on a 0.40 acre site at 811 Havenhurst Place in the RS-1-4 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit.

Presenters: John Dodge, AIA
 Don Vanderpool
 Greg Hebert, AIA
 Miles Cooper, AIA

APPLICANT PRESENTATION:

Applicant response in italics.

New house has a main level and basement as opposed to 2-stories. Applicant will remove some illegal development in the open space and repair the ground surface. Allowed Far = 0.47, proposed = 0.383. 32 % lot coverage. Height will be 6' lower than existing house. Total sq ft 7,380 sq ft. Area underground: 3,700 sq ft inhabitable, 600 sq ft mechanical.

Merten: Is this a roof eave or terrace? How does the terrace and overhang look in elevation? We need a section.

What is the setback? What does this look like in elevation and section?

Thorsen: Where the pool is there is an easement, what about the AT&T easement? *It is an old easement, not currently used. We will get a letter or permit to vacate.*

Thorsen: This home seems large, how does it compare to the surrounding houses? *Larger than what is there. Same finish floor elevation, same roof height. Not out of scale with other houses. Larger foot print. 32% lot coverage.* What is below? What is the view from below?

Merten: How do you calculate the sideyard setback of this irregular shaped lot?

50 ft into the lot, width of 101 ft .8% => 13'9" ft / 2 => 8'9" 3/8 and 5 ft (minimum of 4 ft).

PUBLIC COMMENT 3/13/12:

Evelyn Heidelberg, Attorney: Representing Mrs. Akers. Issues with Com. Plan and Muni Code compliance, CC&R issues too.

1. Out of scale with surrounding residential development.

FAR study = 7,384 sq ft / 17,698 sq ft = 0.44

Com. Plan calls for consideration of prior development.

2. Visual Resources aspect, is next to a park, Soledad Open Space Park (SOSP). Raises VR issues. Re view from Folsom Dr. Proposed development will be demonstrably larger, stick out in away the existing structure does not. Com. Plan, next to a Park, requires reducing perceived Bulk & Scale, by reducing façade and, use of materials that blend with landscape.

Tony Crisafi, AIA: Representing Mrs. Akers. Has been asked to review plans and ask questions. There are CC&R issues that should first go to the HOA. HOA is active and Mr. Crisafi will go to them for resolution of CC&R issues. The were projects which came thru here recently where the pool and terraces were considered structures because they were lifted out of the ground. They were attached to the house and whether the Prop D datum would be behind the pool instead of located on the site as here. As well as the retaining walls. A question for the Applicant is the 10 ft sideyard setback and the CC&R setbacks. And how the structure would comply with that? CC&Rs restrict basement construction. Because of lack of knowledge of soil instability. Concerned about amount of excavation. When Arkers did their remodel they had to monitor effects to neighbors 20 ft rear yard setbacks on actually on Engineering drawings and are required setbacks or private walls.

Needs to make sure City does their due diligence in reviewing soils report. Then HOA can decide if this complies with the to CC&R. Akers are on North, are concerned about visual aspects, ie the public view of the ridgeline from the parkland. Ie Folsom Dr.

recorder setting 31 01:56:32

2. Terraces – etc FAR, and Prop D, we should use same calc method

Miles Cooper: *terrace is part of the house; part in back is part of the lot, not the house. About retaining walls, the Fire Dept requires 5 ft or greater, perimeter firewalls bordering open space. There are two walls, the 5.5 ft firewall, and 4 ft wall.*

Thorsen: Significant issues are with the Com. Plan. Com. Plan lists Soledad Park. Can spillover from the vanishing pool run down the slope? What about the AT&T easement? **Cooper:** *spillover collects in a trough, then there is a yard drain to collect excess this goes to planters. The AT&T easement is on their private property, but they are not using the easement (in 40-50yr). AT&T will be asked to vacate.*

recorder setting 31 02:08:32

Visual Resources. There is concern, from Com.Plan about Soledad Open Space Park, that the structure does stand out more than any other. Whether the ocean is seen or not.

Liera: Can you show what species of plants, sizes, and location called out on the plans that will show how the views will be not just be maintained but enhanced as well. **Cooper:** *We can add more details and points to sheets. Top of wall and finish grade is on existing sheets. Trying to mitigate effect of large walls. Pool is higher than walls.*

Please provide for next review:

a. Identify pool wall vs retaining wall, problem with height down slope elevation. Identify Code Sections, make corrections, if needed.

b. Meet with neighbors

c. Create an exhibit showing and comparing how other houses in the neighborhood encroach into the views (re Com. Plan).

- d. An analysis /study of sideyard to East as it makes a narrow corridor, gets much closer to the other existing house. What will happen to walkway relative to landscaping?
- e. Provide a view straight down the property line showing the “terrace and eave overhang”.
- f. Provide a section perpendicular to property line at terrace and overhang.
- g. Provide a streetscape scene to show that structure is compatible with the other homes on that part of street.
- h. At egress staircase – retaining wall, identify Code Section, make corrections if needed.

Provided for review 3/20/12:

Applicant response in italics.

Correct FAR is 0.441

- a. Identify pool wall vs retaining wall, problem with height down slope elevation. Identify Code Sections, make corrections, if needed. *Drawing provided, wall no higher than 6 ft, elevations read*
- b. Meet with neighbors. *Continuing to meet with neighbors, demonstrated some views.*
- c. Create an exhibit showing and comparing how other houses in the neighborhood encroach into the views (re Com. Plan). *Photos of several properties shown from below from Folsom Dr.* recorder setting 32 0046:43
- d. An analysis /study of sideyard to East as it makes a narrow corridor, gets much closer to the other existing house. What will happen to walkway relative to landscaping? *Drawing including Landscaping plans. We are upgrading several items to meet current codes; 1) 6 ft firewalls, 2) retaining walls that also prevent encroachment by landscaping.*
- e. Provide a view straight down the property line showing the “terrace and eave overhang”. *Pulled roof back (50% into sideyard setback OK by Code provided o closer than 2.5 ft). 113.025.2b completely underground is exempt from setback requirement. Merten:* Maybe exempt from setback requirement, but the wall height still applies. This not completely underground. *Benton:* It is a retaining wall. *As a backup plan, Code will let us use this as a planter . Merten:* Would like to see more setback on the East side. Minimum setback is OK by Code, but I wish you would give more setback (everything else is so nice and polite).
- f. Provide a section perpendicular to property line at terrace and overhang. *Done, see above.*
- g. Provide a streetscape scene to show that structure is compatible with the other homes on that part of street. *Our Project is lower than the existing.. Provided several photos.*
Thorsen: CP Visual Resources, be more respectful to Neighbors to the North and East. Street Scene, CP pg 5. *re Hillsides: When new development occurs next to a park or open space reduce perceived B&S by articulation of the facing façade. So, I think we have done that.* recorder setting 32 00:53:41
- h. At egress stair case – retaining wall, identify Code Section, make corrections if needed.

Thorsen: neighbors to left didn’t know about project, now concerned.

Thorsen: Handout re “purpose and findings for SDP, and applicable land use plan”, explained requirements for SDP. Explained LJ Com. Plan’s Applicable Land Use, Visual Resources , and Steep Hillsides.

Costello: Handout of table and graphs re “Numerical analysis of lot size, floor area and FAR”, explained such. A numerical analysis provides an unbiased and unemotional method of comparing the numerical perimeters of a house with neighboring houses. In this case, the house does not compare favorably.

DuCharme: Vigorously opposes the idea of numerical analysis, would rather judge on project’s aesthetic qualities. recorder setting 32 01:16:25

PUBLIC COMMENT 3/20/12

Tony Crisafi, AIA: Representing Mrs. Akers. Provided a handout with 3 sections and 14 questions. Showed photos and cumulative impact of wall extended along all properties. Cumulative impact would be like Fort Rosecrans cemetery.

Needs to get answers from HOA about 10 ft setback in requirement in CC&Rs. Will be a 42” glass wall and reflections. Arkers would like to be able to continue to use their terrace.

Evelyn Heidelberg, Attorney: Representing Mrs. Akers. When were other houses for comparison built? Before the current La Jolla Com. Plan? **Cooper: front yard setback is 10 ft.**

Mark Morris, AIA, Oasis Arch. Representing the owners to the East. Homeowner didn't receive DSD Notice. recorder setting 32 01:37:43

Benton: admire that the project is no higher than the current house. Shares concern about the retaining wall at the rear of property.

Merten: B&S are not necessarily building size or FAR. Here B&S could be compatible with the neighborhood. Agrees with Crisafi's point about the cumulative effect of walls being extended from other properties. It would change the character of the neighborhood and be the basis for a CEQA lawsuit. Wall could be changed to be a lot friendlier from below.

Benton: Seconds Merten's comments.

Collins: Has problem with the relationship to CC&Rs, the HOA needs to provide answers before we can proceed.

In order to consider changes to Plans,
APPLICANT REQUESTS CONTINUANCE.

6. FINAL REVIEW 3/20/12

recorder setting 32 00:00:00

Project Name: **AT&T SOUTH TORREY PINES ROW**

9170 1/3 N. Torrey Pines Rd Permits: ROW

Project #: PO#227221 DPM: Alex Hempton 619-446-5349

AHempton@sandiego.gov

Zone: RS-1-7 Applicant: Shelly Kilbourn, Plancom Inc.

Scope of Work: 619-208-4685

The project is an existing wireless communication facility located at the northwest corner of North Torrey Pines Road in the La Jolla Community Plan area. The existing facility is located on a light standard in the public right of- way with the associated equipment located above ground at the base of the standards. The light standard holds 2 antennas. The existing facility was constructed in 2000 for AT&T (formerly GTE) and is an integral part of the network.

Presenter: Shelly Kilbourn

APPLICANT PRESENTATION:

Provided an 11"x17" handout of drawings and plans. Antennae station has existed for 10 yr. 2 antennae on traffic light, 2 on light standard. Will use the existing H frame, landscaping will be enhanced as planned, cables coming out of antennae will be covered.

Provided for this REVIEW: Applicant reply in italics

- a) Limit posts, "H" frame to 48 inches height (discrepancy 6 ft or 4 ft). *Will use existing H frame, 4' 7".*
- b) Increase screen planting compatible with traffic sight line, visibility triangle. *Will use 13 Fortnight Lilies.*
- c) Compatible with visibility triangle, flowering plants in front, taller plants in back (bigger than 5 gal?). *Will use 15 gal. plants, Fortnight Lilies and Toyons.*
- d) Please email final, corrected drawings to Alexis. *Done.*

Questions were emailed about possible encroachment into UCSD property. Plants have been moved back to avoid that. No irrigation system, will be watered by water truck. SD City will maintain landscaping. Facility is not actually on UCSD property.

SUBCOMMITTEE MOTION: Findings can be made to approve the Project.

(DuCharme /Thorsen, 5-0-1)

In Favor: Collins, DuCharme-Conboy, Costello, Merten, Thorsen

Oppose: 0

Abstain: Benton, as Chair

MOTION PASSES

recorder setting 32 00:07:58

7. PRELIMINARY REVIEW 3/20/12

Project Name: **CONTRERAS RESIDENCE**
 9554 La Jolla Farms Road Permits: CDP + SDP
 Project #: PO#268481 DPM: Michelle Sokolowski 619-446-5278
 msokolowski@sandiego.gov
 Zone: RS-1-2 Applicant: Mark Lyon 858-459-1171

Scope of Work:

(Process 3) Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence and construct a 11,886 SF single-family residence on a 0.82 acre site at 9554 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem Parking.

Presenter: Mark Lyon

APPLICANT PRESENTATION:

Applicant response in italics

Handout provided, 13 pages. 11,900 sq ft house, 35,000 sq ft lot, RS-1-2, FAR allowed = 0.45, proposed = 0.33. Existing house built in 1972. tri-angle shaped lot, sideyard setback 50 ft back gives 32 ft / 2 => 18.5 ft, 13.5 ft. Parking (impact zone) required 2, provided 5. Most neighboring homes are 2 stories, one single story, some up to 10,000 sq ft, 4,000 sq ft. no public view corridor, no views. Going thru first Cycles Review, answered questions, issues like Brush Management, Environmental, Planning.

sq ft of homes on the East and West? Maybe well over 10,000 sq ft. Will handle storm water. The owner, Contreras, did contact neighbors on sides, but not across the street.

recorder setting 32 00:18:50

DuCharme: Could you show some elevations? Maybe a section that goes thru the street, shows your house in relation to the houses across the street? That shows views, even if private? *I don't have a section that goes thru the home and into the neighbors. I could do that for next time?*

Within 1.5 ft. of the 30 ft height limit. CDP issued in 1988 but was never built; the deck at the vertex of lot has a CDP. Are those a pool and fountain at the back of the lot. Two curbs cuts, 100 ft apart. The SDP is because of the ESL. The discretionary permit is just for a CDP because we are in Map 720. The discretionary permit is just for a CDP.

DuCharme: the front portions are 1 story, 2 story are in the back, keeping the massing in the back.

Provide for FINAL REVIEW:

- a. Provide a neighborhood FAR comparison (with lot size, floor area)(County Assessor, or Zillow OK).
- b. Continue to contact neighbors, discuss project.
- c. Provide an elevation across the street, section, East, to canyon with heights – elevations of neighbors.
- d. Provide a photo comparison with neighbors (if not a photosimulation). recorder setting 32 00:38:43