

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT

For
JULY 2013

July 9 2013 Present: Benton (Chair), Collins, Costello, Leira, Merten, Welch

July 16 2013 Present: Benton (Chair), Collins, Costello, Kane, Leira, Welch

1. NON-AGENDA PUBLIC COMMENT 07/16 /13

Leira: Did the Cultural Landscape Study ever go to the CPA? *No.*

Michael Sims: Asked what triggers a Public Notice, Discretionary Review?

2. FINAL REVIEW 07/09/13 (Previously reviewed 06/11/13)

Project Name: **BIDDULPH RESIDENCE**

7106 Vista Del Mar	Permit:	CDP
Project #: 319815	DPM:	Paul Godwin, (619) 446-5190
Zone: RS-1-7		pgodwin@sandiego.gov
	Applicant:	Carmen Sanchez
		(858) 459-9291

Scope of Work:

Coastal Development Permit (Process 3) to demolish a 3,321-square-foot, two-story residence and construct a 4,953-square-foot, two-story over basement, single-family residence on a 0.11-acre site located at 7106 Vista Del Mar. The site is in the RS-1-7 Zone, 1st Public Roadway, Coastal (appealable), Coastal Height, Parking Impact and Sensitive Coastal Overlay Zone in the La Jolla Community Plan.

APPLICANT PRESENTATION 07/09/13: (Tony Crisafi, Carmen Sanchez, Brian Will, Matt Peterson)

The gate and property line issues were satisfied (gate removed from plans). Some of the numbers have been clarified, and/or corrected as a result of the alterations. There has been a lot line adjustment increasing the lot sq. footage. Project on a 5,081 sq. ft. lot plus lot line adjustment to add 221 sq. ft. (total site area 5,302 sq. ft.), current 1983 house with basement, 3,321 sq. ft., replace with 2,875 sq. ft. 2-story over a 2,129 sq. ft. basement. Basement sq. ft. not in FAR. FAR allowed = 0.59. FAR proposed, = 0.54. Footprint pushed back and significantly smaller. 3 bedrooms, 4 off street parking spaces, 2 garages, 2 driveways. Basement will have window well 2 x 10.5 ft. Height at Ridgeline is 23.6' above finished floor (26.1' above curb at corner of Fern Glen and Vista del Mar). Height at Chimney is 26.1' above finished floor (28.6' above curb at corner).

Provided for FINAL REVIEW 07/09/13: *Applicant reply in italics*

- a) Please include the proposed structure in the photographic street façade study of the neighborhood. *Done with several photographs, Photoshop images and drawings.*
- b) Verify correct property line and gate placement. Settle Rutherford's gate issue, etc. Please return with corrected plans. *Done, gate removed from corrected plans (maintenance easement is on neighbor's property).*
- c) Are there any approved plans for neighboring houses to be remodeled / new construction? *There are some, one 2008, 2009, maybe one earlier.*
- d) View study, building height, neighborhood context. *A coastal aerial photo provided showing neighborhood context and number of levels of each house. Four homes are 3-levels, eighteen homes are 2-levels, two homes are 1-level.*

- e) Provide a profile of proposed house with neighbor's house from East side to illustrate relationship of the two. **Done.**
- f) Provide an exhibit showing earthwork with existing topography; use colors. **Provided a color handout clearly differentiating topography and changes.**
- g) Provide a section North –South of neighborhood illustrating houses' relative elevations. **Provided.**
- h) Show impact of new development on Coastal Access. **Keeping new house as far back as possible from access easement. Reduced footprint. Impact significantly less.**
- i) Illustrate house from public views. **Done.**
- j) What is lot coverage, % landscape, % hardscape? **A Project Information sheet was provided, which included: Lot Coverage = 34%; front yard hardscape = 43%; front yard landscape = 57%.**

DISCUSSION 07/09/13:

Jeremy Horowitz: *Concerned about Neighborhood Character (NC), Bulk & Scale. Presented a PowerPoint with handout showing subject property and neighbors, comparisons. Only 3-level house in neighborhood. Out of NC since the living space of house (not FAR) is about the same as the lot sq. ft. (~5,000 sq. ft. / ~5,000 sq. ft.). Basement is living space, not really a basement. Should use natural topography, not excavate.*

Gordon Dunfee: *Nine people in attendance are in opposition. Pointed out that there were no changes except removing the gate, no adjustment of the Bulk & Scale.*

Additional comments in opposition from: **David Sear, Carol Baker, Drew Littlemore, Frank Kragen, Casey Johnson, Cristina Sear.** Letters in opposition from **W. Toles** and **T. McGarry** entered into the record.

Matt Peterson: *We have four letters from neighbors that do not oppose the project.*

Merten: *The North elevation shows a flat wall and the neighbor's one-story garage sits way back. This flat, blank wall will stand out. There is no transition here as the LJ Community Plan calls for, i.e. a transition between old and new and different heights.*

Welch: *Appreciates the way the house sets back. There are 3-story houses all along the beach area. Concerned about the number of neighbors that are here in opposition. Not sure the 2-story matches up with neighbor on the North.*

Collins: *What do you see from the beach, can you see the basement? **The basement is not seen from beach level.** The owner wants to use the basement as a living level? **Yes***

Leira: *Bothered by the concept of a basement being a living area.*

Benton: *The house has the appearance of three stories. Members of the Community get some relief that the house is pulled away from the easement to the beach and not on the property line. If the situation was reversed the Community would be concerned.*

Crisafi: *We would like to return next week with some design changes and for a final vote.*

recorder setting 008 01 31 49

FINAL REVIEW 07/16/13 (Previously reviewed 06/11/13, 07/09/13)

APPLICANT PRESENTATION 07/16/13: (Tony Crisafi, Carmen Sanchez, Brian Will, Matt Peterson)
Last time some DPR Members thought the North elevation was too flat, stark, and needed some treatment. We softened the upper level and pulled it back. The front roof is now lower, more articulation, gave roof some "rafter tails" and roof reduction of 8 ½ inches.

DISCUSSION 07/16/13:

There is almost no reduction in sq. ft. Basement still a living space, and house has 3 levels. Soften South corners with landscaping?

Horowitz: *Out of Neighborhood Character, Bulk & Scale.*

16 letters of opposition were sent to DPR. Also comments by **Sally Miller, Julie Ellner, Bert McClusky, Kemp Biddulph, Gordon Dunfee.** *Can see difference in Bulk & Scale from easement. Our issues are not about private views.*

Crisafi: *For Bulk & Scale, use FAR to quantify, proposing FAR = 0.54, one house to the North = 0.59, two doors down = 0.64. Our high roof is 27 ft., low roof is 18 ft. Two properties to the North: one is 18 ft. high, next door is 22 ft. high. We did meet with neighbors (none of them are here today) to get feedback, most of it positive. The three 3-story houses are within the 300 ft. radius.*

Benton: *What is the highest point of your roof relative to the highest point on the roof of the house on the North? 9 ft. taller, prior to lowering roof 8.5 in, so it is now 8 ft. 3.5 in higher. Right.*

Kane: PowerPoint about UCSD students' study

Welsh: *Explained history of the development of the neighborhood, this house is the last of three originals. They were not well designed, not well built. All the others have been remodeled and made larger. The new house is more in Neighborhood Character; the question is Bulk and Scale...a good solution for this lot.*

SUBCOMMITTEE MOTION: The project is in keeping with the Neighborhood Character. The basement is an extension of the house and private court yard. Design is of good composition of form and color.

(Benton/Welsh 2-3-1)

In Favor: Costello, Welsh

Oppose: Collins, Leira, Kane

Abstain: Benton

Motion Fails

Mr. Crisafi drew on plans to remove part of the house basement sq. ft. on the South side, convert a substantial amount of hardscape to landscape (300-500 sq. ft.) and add some trees.

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit and Site Development Permit to demolish a 3,321-square-foot, two-story residence, process a lot line adjustment, and construct a 2875-sq ft., two-story over a 2129-sq ft. basement, single-family residence located at 7106 Vista Del Mar as modified at the LJDPR meeting 16 July 2013.

(Benton/Welsh 3-2-1)

In Favor: Costello, Leira, Welsh

Oppose: Collins, Kane

Abstain: Benton

Motion Passes

3. FINAL REVIEW 07/09/13 (Previously reviewed 06/18/13)

Project Name: **1860 LA JOLLA RANCHO CDP**

1860 La Jolla Rancho Road	Permits:	CDP
Project #: 313059	DPM:	Glen Gargas, (619) 446-5142
Zone: RS-1-1		GGargas@sandiego.gov
	Applicant:	Gene Cipparone, (858) 587-9100

Scope of Work:

Coastal Development Permit (Process 2) to demolish an existing single family residence & garage, and construct a house with basement & observation deck and one-story media building with storage and bathroom on a 1.07 acre lot at 1860 La Jolla Rancho Rd. in the RS-1-1 zone, Geo 53, Coastal Overlay (non appealable 1), Coastal Height, Parking Impact, La Jolla Community Plan, Council 1.

APPLICANT PRESENTATION 07/09/13: (Gene Cipparone)

Provided for FINAL REVIEW: *Applicant reply in italics*

- a) Please provide SD Muni Code reference allowing 6 ft. solid wall (instead of 3 ft. solid, 3 ft. 50% open?) *It is in conflict with the Code. We will move the fence back 25 ft. so it will not be in the front yard setback. There is no design for a fence yet.*
- b) If fence is redesigned, please present the new design. *n/a*
- c) Show driveway design. *Driveway will be large cobble set in Epoxy, this will be stamped concrete. 5% to 1% climb, long and curving.*
- d) Provide a landscaping plan that includes existing trees and planned trees. *Large mature trees at perimeter that we will keep. We have 40 trees that will grow to be a large fence. We will introduce olive trees and along the driveway, sycamore trees. The effect will be a Tuscan meadow with sage grasses.*
- e) Explain excavation with respect to the Recorded Archeological Site. (Applicant will send information to Chairman who will send to Members.) *Contacted Brian Smith who then emailed letters to DPR Members about the Recorded Arch. Site. The City is aware of the Archeological Sites in relationship to houses, etc. There will only be minor excavation, which will be monitored. All excavated material will be re-used on site and not removed.*
- f) Provide a grading plan including the location and amount of excavation, excavation calculations, grading calculations. Explain excavation for pool. *Pool will be jackhammered by hand and rebuilt, not excavated.*

Please Provide for FINAL REVIEW:

- a) Please return with a design for the fence or wall (behind the 25 ft. setback?) and the driveway entry gate (whatever structure).
- b) Please provide a landscape plan with trees and tree species specified. Refer to the Land Dev. Code checklist where it details how to assemble a Landscape Plan, trees.

recorder setting 008 01 51 20

FINAL REVIEW 07/16/13 (Previously reviewed 07/09/13, 06/18/13)

APPLICANT PRESENTATION 07/16/13 (Gene Cipparone, Martin Schmidt)

Provided for FINAL REVIEW 07/16/13: *Applicant reply in italics*

- a) Please return with a design for the fence or wall (behind the 25 ft. setback?) and the driveway entry gate (whatever structure). *The fence will be behind the 25 ft. setback. There will be a formal entry with sliding gate. 6 ft. stucco wall with eighteen rhythmic step downs following the topography.*
- b) Please provide a landscape plan with trees and tree species specified. Refer to the Land Dev. Code check list where it details how to assemble a Landscape Plan, trees. *Provided. Existing pine trees will remain, will add California sycamores, olive trees, dwarf citrus trees. There will be an informal Tuscan meadow with Mediterranean shrubs.*

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit to demolish an existing single family residence & garage, and construct a house with basement & observation deck and one-story media building with storage and bathroom at 1860 La Jolla Rancho Rd.

(Collins/Kane 5-0-1)

In Favor: Collins, Costello, Kane, Leira, Welsh

Oppose: 0

Abstain: Benton

Motion Passes

4. PRELIMINARY REVIEW 07/09/13Project Name: **Henely Residence**

615 Wrelton Dr.

Project #: 279093

Zone: RS-1-7

Permits: CDP

DPM: Glen Gargas, (619) 446-5142

GGargas@sandiego.gov

Applicant: Claude-Anthony Marengo

858-459-3769

Scope of Work:

Coastal Development Permit for an interior and exterior remodel and 4,064 sq. ft. addition to an existing 1,733 sq. ft. single-family one-story residence, and a new non-habitable accessory building and associated site improvements to include new landscaping, site walls, Jacuzzi and new driveway on a 0.32 acre property. The project site is located at 615 Wrelton Dr. in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Ht Limit, Residential Tandem Parking Impact, Transit Area.

APPLICANT PRESENTATION 07/09/13: (C-A Marengo)

There are questions about slope and site conditions of the back area. Hired consultants to study the slope. Answered questions of neighbors. Retaining walls, accessory structures are now part of Coastal Process as previous records can't be found. Geo Report says slopes are backfill and not sensitive. Will do shoring to stabilize walls if needed. Backyard improvements will remain. Side yard setbacks 7ft 4 in (irregular lot calc). A visually shielded Jacuzzi area is proposed at back of lot down slope. Neighbor has private view easement over back of lot. Jacuzzi low so it is not in easement. A Great Room. Five bedrooms.

DISCUSSION 07/09/13:

Dan Valdez, PE. From Coffey Engineering, Representing the Roses and Redferns: *His office wrote letters to Glenn Gargas and City Code Compliance about the unpermitted retaining walls on the slope, gazebo, unpermitted fill and other issues. We have some questions:*

Is the (global) stability of the rear slope addressed in the Geotechnical Report as the planned development will be closer to the bluff edge? Also, along the West side of the property there are ground water issues, drainage?

Dr. Charles Redfern: *The Roses can't attend today because of health issues. The West side of the property was a foot path to the, now, Tourmaline Beach; it was a ravine. I'm not sure what filling for pads means.*

Marengo: *I can clarify that. We brought in Christen Wheeler Engineering. They did borings, sampling on the walls to see how they were sustained, etc. We will send reports to everyone, there was some fill. Pads were formed long before any of us came along. Drainage will be picked up from hardscape areas and go into BMP filters, nothing going down the slope.*

Valdez: *The ground water on the Roses property is an issue and still needs to be addressed.*

Costello: *The property is currently being used as a vacation rental. It is listed online as such. There have been some very wild parties held there in the past. With five bedrooms, the Great Room, it looks like the rentals will continue. It is functioning as a hotel. This is RS-1 Zone. You need a NUP for a hotel. Or a title restriction to prevent vacation rentals.*

Please Provide for FINAL REVIEW:

- a) Please provide the Geology Technical Report
- b) Please provide the Environmental Report.
- c) Please indicate the parking plan and the drawings, number of parking spaces required.
- d) Provide an elevation section through 5163 Chelsea (Redfern's Property) to the bluff edge. Would like to understand the relationship to the single level houses across the street.
- e) Please provide a photo montage along Chelsea.

- f) Provide a property title restriction to prevent the house from being used for short term or vacation rental.

recorder setting 008 02 34 49

FINAL REVIEW 07/16/13 (PREVIOUSLY REVIEWED 07/09/13)

APPLICANT PRESENTATION 07/16/13: (Claude-Anthony Marengo)

Provided for FINAL REVIEW: *Applicant reply in italics*

- a) Please provide the Geology Technical Report. *Emailed to DPR Members*
b) Please provide the Environmental Report. *Can't provide, DPM Glenn Gargas is on vacation.*
c) Please indicate the parking plan and the drawings, number of parking spaces required. *2 cars in garage, 2 on street (for 5 bedrooms).*
d) Provide an elevation section through 5163 Chelsea (Redfern's Property) to the bluff edge. Would like to understand the relationship to the single level houses across the street. *Provided. Two profiles.*
e) Please provide a photo montage along Chelsea. *Showed photos of one house on each side of present house.*
f) Provide a property title restriction to prevent the house from being used for short term or vacation rental. *Owner will not provide.*

DISCUSSION 07/16/13:

Nathan Rose: *Concerned about short term rentals, their disruptive influence on the neighborhood, had to repair damage of previous neighbors' construction himself. Four parking spaces are not enough; the bluff was illegally and improperly extended 10 to 20 ft. by fill dirt. There is significant erosion.*

Charles Redfern: *The Henely property is on the first public right of way from the ocean, 300 ft. from the high tide mark. In the LJ Farms we call this "tier 1 coastal." (Marengo: This is not identified by the City as a Coastal bluff.) Believes this is an ocean cliff. How does the view easement and the steep slope figure into the buildable area of the 14,900 sq. ft. lot? Aren't they subtracted from the buildable lot area? The proposed Jacuzzi is to be in the unbuildable ocean bluff.*

Evelyn Hill: *2nd level will block our ocean view.*

John Coffey, Coffey Engineering: *Can't drain from front yard to the front the way you depict.*

(Marengo: *Will collect all water into a collection basin and pump to street.) Would like to review the Wheeler Geotechnical Report. There was confusion about which reports were relevant, their dates, and to whom delivered.*

Costello: *In violation of the SD Muni Code RS Zoning (Ch. 13, Art 1, Div. 4) this property is being used for commercial purposes, a hotel. Current rates are \$12,000 per week. On-line ads shown. With five bedrooms and the secluded Playboy Jacuzzi, it will not just be a residence, but a business. This site has been the subject of some very wild parties, which we also expect to continue.*

Eli Shaprut, Naval Architect: *This plan will endanger the shore line, needs caissons to protect bluff and structure.*

Alex Jvirblis: *Parking is insufficient. Owner rents properties as a business and will continue to rent the new house. Drainage plan is insufficient.*

SUBCOMMITTEE MOTION: To deny the project because the property is being illegally used as a hotel and will continue to be used as a hotel after construction.

(Costello / Benton 1-2-3)

In Favor: Costello

Oppose: Collins, Leira

Abstain: Benton, Kane, Welsh

Motion Fails

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit at 615 Wrelton Drive.

(Benton /Collins 1-1-4)

In Favor: Collins

Oppose: Costello

Abstain: Benton, Kane, Leira, Welsh

Motion Fails

SUBCOMMITTEE MOTION: To table the project until the issues raised can be clarified by Code Enforcement and the City Attorney relative to this property.

(Collins/Kane 5-0-1)

In Favor: Collins, Costello, Kane, Leira, Welsh

Oppose: 0

Abstain: Benton

Motion Passes

Marengo indicated he would proceed directly to the LJCPA for review.

5. PRELIMINARY REVIEW 07/09/13

Project Name: **Neptune Apartments EOT**

6767 Neptune Place

Permits:

EOT for CDP/SDP

Project #: 325506

DPM:

Paul Godwin, (619) 446-5190

Zone: RM-3-7

Applicant:

pgodwin@sandiego.gov

Claude-Anthony Marengo

858-459-3769

Scope of Work:

Extension of Time (EOT) for Coastal Development Permit and Site Development Permit (Process 3) to demolish 19 dwelling units and construct a 24 unit residential apartment complex on a 0.56 acre site located at 6767 Neptune Place. Affordable/In-Fill Housing and Sustainable Building Expedite Program. The project is located in the RM-3-7 Zone, appealable Coastal Overlay Zone, Coastal Height Limit Overlay Zone, Sensitive Coastal Overlay Zone, the Beach Impact Area of the Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone and within the La Jolla Community Plan.

APPLICANT PRESENTATION 07/09/13: (C-A Marengo)

There are no changes in the plans. Asking for 3 year EOT.

SUBCOMMITTEE MOTION: to Combine Preliminary and Final Reviews.

(Costello / Merten 6-0-0)

In Favor: Benton, Collins, Costello, Leira, Merten, Welsh

Oppose: 0

Abstain: 0

Motion Passes

SUBCOMMITTEE MOTION: Findings can be made for an Extension of Time (EOT) for Coastal Development Permit and Site Development Permit to demolish 19 dwelling units and construct a 24 unit residential apartment complex at 6767 Neptune Place.

(Costello / Collins 6-0-0)

In Favor: Benton, Collins, Costello, Leira, Merten, Welsh

Oppose: 0

Abstain: 0

Motion Passes

recorder setting 008 20 05 05

6. PRELIMINARY REVIEW 07/16/13

Project Name: **Sprint Coast Boulevard SCR**
939 Coast Blvd. Permits: SCR
Project #: 324629 DPM: Karen Lynch Ashcraft, (619)
446-5351
Zone: LJPD-5 Applicant: K LynchAsh@sandiego.gov
Caitlyn Kes, 858-527-9938

Scope of Work:

Substantial Conformance Review to remove & replace four existing antennas with four new antennas and install four new radio remote heads. All of the replacement equipment will still be behind existing concealment walls with no visual impact to the building and no new electrical or structural work is proposed. The project site is located at 939 Coast Boulevard within the La Jolla Community Plan, Coastal Overlay Zone.

APPLICANT PRESENTATION 07/16/13: (Caitlyn Kes)

Simple replacement with no increase in visual impact.

SUBCOMMITTEE MOTION: to Combine Preliminary and Final Reviews.

(Costello / Collins 6-0-0)

In Favor: Benton, Collins, Costello, Kane, Leira, Welsh

Oppose: 0

Abstain: 0

Motion Passes

SUBCOMMITTEE MOTION: Findings can be made for a Substantial Conformance Review to remove & replace four existing antennas with four new antennas and install four new radio remote heads at 939 Coast Boulevard.

(Costello / Kane 5-0-1)

In Favor: Collins, Costello, Kane, Leira, Welsh

Oppose: 0

Abstain: Benton

Motion Passes

7. PRELIMINARY REVIEW 07/16/13

Project Name: **Bonair Residence**
754-758 Bonair St. Permits: CDP
Project #: 312633 DPM: Glen Gargas, (619) 446-5142
Zone: RM-1-1 Applicant: GGargas@sandiego.gov
Daniel Linn, 858- 459-8108

Scope of Work:

Coastal Development Permit, Tentative Map (originally a Map Waiver) & Variance (Process 3) to demolish an existing duplex and construct three, 3-story, detached single family residences ranging from 1,929 square feet to 2,185 square feet on a 9,225 square property. The variance is to maintain two curb cuts, where only one would be allowed. The project site is located at 754-758 Bonair Street, in the RM-1-1 zone, Coastal (non-appealable), Parking Impact Overlay Zones and within the La Jolla Community Plan area.

APPLICANT PRESENTATION 07/16/13: (Dan Linn)

Zoning allows 3 units, RM-1-1. Will build three each 3-story units. One will have surface garage, two basement garages. Windows not opposite each other. No alley. Two units share driveway. Will need two curb cuts (requires a variance). ≥ 6 ft. separation between units.

DISCUSSION 07/16/13

Michael Sims, Gail Forbes, Brindan Byrne, and Bob Wineteer: *Neighborhood lots are 60 ft. wide, here 90 ft. divided by 3. 30 ft. will be substandard. 3-story walls will look like canyon walls. Some 2, but not 3 story in neighborhood. Bike path impact? Drainage? Two curb cuts, too close. Bonair Way used to be a stream bed; basements have a seepage/flooding problem. Need sump pumps.*

Please Provide for FINAL REVIEW:

- a) Provide a photographic study of the Neighborhood Character; include both sides of the block and the adjacent block.
- b) For the above properties, provide lot areas and floor areas.
- c) Draw relationship of units to the bike path.
- d) Address drainage issue.
- e) How will the units be finished, colors? Provide materials board.

8. ACTION ITEM 07/09/13

Ongoing discussion of DPR Committee Exhibit Requirements

Suggestions and updates to be provided by committee members.

Item Continued until the July 16, 2013 meeting.

9. ACTION ITEM 07/16/13

Ongoing discussion of DPR Committee Exhibit Requirements

Suggestions and updates to be provided by committee members.

Continued until August meeting.