

La Jolla Shores Permit Review Committee–Minutes
Tuesday June 22, 2010
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee Members present: Lucas, Merten, Morton (chair), Naegle, Schenck

1. Non-Agenda Public Comment

Phil Merten: The LJ (La Jolla) PDO limits mixed use to 1.7 FAR. Citywide, two pedestrian oriented neighborhood commercial zone designators limit the maximum FAR to 1.5 and 1.75. Although the LJS (La Jolla Shores) PDO does not have FAR guidelines for mixed use, should not the city-wide guidelines be considered when deciding bulk and scale and issues of fitting into the existing neighborhoods? For example, the proposed Whitney project is 2.3 FAR, which is 30% more than could be built anywhere else in the city for mixed use.

2. Chair Comments – Boyden in absentia

For July we anticipate hearing the McLeod residence at 8484 LJ Shores Drive-plans received, awaiting cycle. We will also likely hear the relocation of historic structures to 2503 Ardatth Road- awaiting noticing confirmation and receipt of plans. Please confirm attendance at this meeting

3. Project Review – Hooshmand Residence – Third Review –

- PROJECT NUMBER: 198459
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 2480 Rue Denise
- PLANNER: Glenn Gargas; Ph: 619-446-5142; ggargas@sandiego.gov
- OWNERS REP: Scott Spencer; 858-8898; scottspencerarchitect@yahoo.com

PROJECT DESCRIPTION: An addition and remodel to an existing residence (Applicant)

Note: The NOA dated December 28, 2009 cites a (PROCESS 3) Coastal Development Permit and Site Development Permit for a 4,463 sq. ft. addition to an existing single family residence on a 0.29 acre site at 2480 Rue Denise in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone. However, the applicant stated that a revised plan reducing the additional square footage by 1500 sq. ft. and including additional changes was planned to be submitted to the City as of March 9.

The changes listed above were in fact submitted and reviewed in March. However, subsequently, additional changes have been made and applicant states they were shown to City on May 17. New values are in parenthesis in red. The plans outlined in red were in fact dated and submitted to the City as of May 25, 2010. City copy has been received. These were denied by the committee, see motion below.

As of May 28 the applicant had decided to revise and the project was slated to be pulled from the LJCPA agenda by President Joe LaCava. On June 1, applicant e-mailed that there would be a revision ready for public view by June 15.

On June 14, information was received indicating the first story addition was increased to 2064 sq. ft. and the subterranean (lower level) square footage was eliminated, with the total square footage increasing slightly to 4551 sq. ft.-including garage. These plans were delivered in a timely fashion, but had not been re-dated.

- Lot Size: 12,660 s. f. or 0.29 acres
- Existing Sq/Ft: 2015 plus 420 garage
- Addition Sq/Ft: 1st story 1981 s.f. plus 52 s.f. garage (1953 plus 52 garage) June 14th changed see above
- Subterranean: 212 (Lower level?) (105.1 at lower level) June 14th eliminated, see above
- Total Sq/Ft 3996 plus 472 garage, except subterranean (4545 incl. garage; 4073 without)
- Percent of lot covered: 36% (37.2%) on June 14 now 37.9%
- Floor area ratio: .369 (.359) on June 14 still .359
- Height: 29.6' (30' & 29'6") on June 14th still the same
- Front yard setback: 7' 0" on June 14th still the same
- Side yard setback: 5'6" (Existing)/ 10'0" new, June 14th the same again
- Percent of green softscape: 55% (54.6%) June 14th the same
- Off street parking: 2
- SEEKING: Site Development Permit (SDP) and Coastal Development Permit (CDP)

Previous action March 22. See March 22 PRC minutes for more information

Motion: Schenck; Second Morton

To continue this item to a future meeting. The applicant should consider design issues raised by the Luetzow letter. We recommend meeting with neighbors and putting up story poles.

The applicant should bring next time:

- Neighborhood FAR and setback calculations for properties within 300 ft.
- Percentage of property on a 25% or greater slope and a percentage of coverage over that area.
- Elevations of the front of the house.

The motion is approved: 6-1-1. Approve: Lucas, Morrison, Merten, Morton, Schenck, Naegle; Oppose: Furtek; Abstain: Boyden (chair)

Previous action: May 25, 2010. See May 25 PRC Minutes for more information

Motion: Furtek; Second: Lucas – amendment by Merten accepted.

Motion to deny. Project does not conform to LJS PDO section 1510.0301(b): Specifically: “Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area.”

It also does not abide by the three principles on Page 4, three on Page 5, and the first principle on Page 6 of LJ Shores Design Manual. The perceived bulk and relationship of the northward (rear) expansion and extension of the house in relationship to the development on adjacent properties disrupts the architectural unity of the area.

Motion carries: 7-0-1

Approve: Furtek, Morton, Merten, Morrison, Naegle, Lucas, Schenck; Oppose: None;

Abstain: Boyden (chair)

Presentation by Scott Spencer: Plans dated 5/24/2010

The board had raised issues about whether the under-floor area was to be included in the Gross Floor Area calculations. If lower level area could be considered as gross floor area (under-floor gross floor area), it would be around 2,000 sq ft and would be out of character with the neighborhood. In response the lower floor and stairs have been removed and it will be left natural below. Essentially, the new design is a “one floor house on stilts.”

To recap the design changes: The floor area below has been removed. The new design is a 2,054 addition with respect to the present house. The house is now 4079 sq. ft. and the garage 472 sq. ft., giving 4551 sq ft total to the design. The under-floor area was increased 145 sq ft. as a result of removing the existing un-permitted space and putting wall in to support above structure.

The existing grade below the house is approx. 20 - 25%. Merten expressed concerns that anything less than 25% grade should be counted in Gross Floor Area calculation. Scott Spencer responded that the City staff told him that anything of slope greater than 5% under a structure is not counted as GFA. He will go back and get a clarification.

Other architectural changes were made. An Italian Villa façade has been added in the front and Villa details added to various point of the structure. The height of the façade is 13’ 4” in the front. The house is 15’ at the ridgeline.

The corner that was previously cut at 45 deg. as a compromise to increase the neighbors’ views has been put back and master bedroom restored to previous plans. The house at the master bedroom area has been extended 3’. The deck is out an additional 2’. The neighbor opposition seemed to be increased after the previous compromises so the owner decided to revert back to the original design. A chimney that had been removed is now back and another has been moved and is 2’ above the ridgeline.

Existing ridge is 604 ft above sea level and the property baseline is at 590 ft. This makes the original house ridge 14 ft high. Under the new design the ridge has been increased 1ft on SE side.

Average setbacks in neighborhood:

- Front: 15 – 16’, but in cul-de-sac the average is closer to 11. This project is at 11’.
- Side: 9.5’, project: 10 ft,
- Rear: 45’, project: 23 ft

Public comment:

Carrie & Bill Luetzow (neighbors to the south).

Carrie: They have received emails from Dr. Hooshmand's attorney and were prevented from further dialog with Dr. Hooshmand. The public library was closed on Monday so they couldn't see the plans until now. They are basing their objections on the original design which is similar to this one. Pictures were presented of the views from the Luetzow's property that showed the northern view being significantly blocked due to the house projecting over the hillside. They realize that private views are not protected in the Municipal Code; however, they are entitled to protect their property values, privacy, and usage. The LJSPDO is concerned about preserving the community character and having house fit the neighborhoods. This project has bulk and scale issues. The house will extend out over the ridge and stand out, and will be totally different from the rest of this neighborhood. This project shows no consideration for the neighborhood and neighbors.

Bill: All progress that was previously made has now been reversed.

Ione Stiegler, architect for Luetzows:

This third set of plans is disappointing in that it went back to original design that was voted down by committee. This new project is even 3 feet extended from the original design! We were close to a compromise, within 80 sq. ft. of a good compromise. With this new design there is a fully perceived bulk and scale issue and it is encroaching on privacy and use. The LJSPDO was designed to control development and preserve the natural terrain, ocean setting... This house on stilts does not conform to the natural terrain. Google aerial photos show that neighbors have been working together on remodels to preserve each other's views. This new design is just the opposite and sticks out over the canyon blocking views of several houses.

Joyce Cutler Shaw:

Her family has been here over 40 years with a nice view and a good relationship with neighbors. They have removed trees and replanted due to 15' high limits and the desire to preserve neighbors' views. The chimney that was removed in previous plan is now back and there is an additional chimney to block views.

Jerome Shaw:

They overlook the house. This is a much bigger house, bigger in sq footage and a wider area than any other house in their immediate neighborhood. It will extend past the existing lot as it now stands, and completely block out beach views. Points of the roof line block the views.

James Alcorn (architect): The City is not concerned with private views, only public views. Whether the area underneath counts or not towards gross floor area is not really interesting when viewed from down the hill. The front elevation shows the issue clearer. The roof is now a foot taller over a large portion of the house. The pitch could be lowered to reduce the effect. The basic problem is doubling the house size for a single story house, but this site is really for a 2 story house. The design is 10 lbs sugar in a 5 lb bag. The whole design doesn't work.

Dr. Hooshmand, owner:

They met with the neighbors before the closing of the property purchase. They told Carrie Luetzow before property was bought that they were going to extend out 15 feet and Carrie had no objections then. They cut the trees at request of neighbors. They did not get thanked, but were harassed. They tried to make compromises, but the Luetzows were not happy. The Luetzows built a fence, which did not follow the grade, without a permit. They were cited by city. They offered to drop their opposition for money. His attorney says not to talk with neighbors, that they are harassing you. The roof was changed to a hip roof at the request of the Shaws. This design has the basement removed due to committee concerns. The fireplace is existing. They are moving the location but not the height. The neighbors have other views, not just the ocean. This only cuts out 1 degree of view, like 269 deg vs. 270 degrees. Other houses on the slope are on caissons. The houses on Rue Denise are getting bigger. 231 homes sold since 2008. 40% are larger than 4,000 sq ft.

Ali Fahkimi:

He faced a similar situation when building their house. The neighbors objected; he compromised, but neighbors still complained. There is going to be change in La Jolla as houses get remodeled. The caissons help prevent sliding of the homes. They can be dressed up with stonework and landscaping. They keep the house stable. The Hooshmand ceiling height is only going up 1 ft, where it could go far higher. There are much larger houses in the neighborhood. Side setback on South side is 5 ft, which is consistent with other houses to South.

Carrie Luetzow response:

Fence was agreed to with prior owners.

The language barrier is causing problems. We were offering to pay Dr. Hooshmand for the design compromises to compensate for the changes and potential loss of space.

Committee comments:

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Naegle: Curb to front door approx 15 ft. This is a triangular lot. If house was moved back on right (east) property line it would improve parking, allow a greater main living room space and increase distance from neighbor to west. It wouldn't hurt neighbor to the right. Response: *They explored this with the neighbors and Jim Alcorn... The problem was this is a remodel with an existing floor level and this would be more expensive to demo and start from scratch... This project is processed as an addition and remodel, not a demo and build from scratch.*

Merten:

When the city adopted the LJSPDO, it also adopted architectural design standards. The design standards are in the LJS Design Manual. There are sections that have guidelines. The idea presented is to create the best design to fit the topography (fit the house to the land). This is a flat house on stilts, where it should be 2-story. In the Design Manual, with respect to placement on curves: Houses that relate to the street create awkward transitions – houses should be related to each other. Roof forms in any locale should be consistent and compatible. On this low-pitched low-gabled house design, the façade masks the roof pitch. It is a ranch house in one part with then Italian style mask on the front. This doesn't exist elsewhere in the neighborhood. From the street the roof is not visible, but looking down there are different styles. The LJSPDO states that building structure and setbacks should be in general conformance with neighborhood. The south side conforms but the north side does not. On the cul-de-sac, extending the house and wall does not meet the setback requirements. "No structure will be approved that is so different on an adjacent property that" This project disrupts the architectural unity of the neighborhood.

Scott Spencer response: This is a difficult part of the project. He met with Glen Gargas and Stenko and solicited advice. The City staff opinion is that the Design Manual guidelines can be used to mean anything. The DM shows a house with a deck on stilts. LJS DM: "there should be neighborhood diversity." What is neighborhood conformity: immediate versus 300 ft range? The City staff is supporting the project.

Morton: Is this a remodel? Yes. Does this project conform to the 50ft façade rule? Yes. Are there any planes longer than 50 ft? No.

Naegle: The remodeling plan is hurting itself by trying to conform to the existing structure. You can cherry pick the guidelines, but overall there is not enough to have this project conform. The problem is the city unfortunately does not support the guidelines. The design guidelines add value to every residence. Are we not supposed apply the guidelines to remodels?

Schenck: Not satisfied with the rear yard setback. Thinks it is too small with respect to the existing neighborhood.

Lucas: The building appearance is not just at street level. On a hillside, the neighbors above constantly look down on houses below. They need to fit in not only from street appearance but from the above perspective. The Google Earth photos show that the houses in this immediate neighborhood were developed at around the same time and were places in such a way as to preserve the views and privacy of the neighbors. This proposed design clearly breaks the neighborhood unity and character.

Morton: This house is a remodel not a new structure. As such they are building off of what was done in the 70s. In adding to an existing house, you have to look at it in a slightly different way. I have concerns about the setbacks and would have liked more photos of the neighborhood to show how this proposed design fits in. It does meet the landscape and coverage requirements. It appears to meet the height requirements. The setback information is not decisive.

This review is based on undated plan revisions and information received as of June 14, 2010. Confirmation of submittal to the City has not been received.

Motion: Naegle Second: Merten

This project does not conform to the design guidelines in the La Jolla Shores Design Manual. It is non-compliant with the expansion of a flat lot design, inappropriately placed on a sloping hillside. There is non-compliance with the north side setback, non-compliance with the front (east) side setback, and non-compliance with the western extent of the house in relationship to the immediate neighbors, and non-compliance with the proposed façade and its relationship to the sloping roofs as they are incompatible with those of the immediate neighbors.

Motion is approved: 4-0-1

Approve: Lucas, Merten, Naegle, Schenck

Deny: None

Abstain: Morton