

## **La Jolla Shores Permit Review Committee B Minutes**

Special Meeting 4:00 p.m.-5:45 p.m. Monday, January 23, 2012

Committee members in attendance: Helen Boyden (chair), Dolores Donovan, Janie Emerson, Tim Lucas, Phil Merten, Michael Morton, Myrna Naegle, John Schenck

### **1. Non-Agenda Public Comment – 2 minutes each**

**Angelina Reinecke**, resident on La Jolla Shores Scenic Drive North: There is an appeal to City Planning Commission regarding the Chao project on 8289 La Jolla Scenic Drive North. The hearing date is March 1 – contact the city project manager Jeffrey Peterson (619-446-5237) for time and location. She encourages the committee and concerned citizens to attend. The basis for the appeal is:

- ⤴ The 300' range of side setback averages supplied by the developers are significantly different than the actual averages. 5' 2" was provided as the average, but 9' 6" is the actual figure.
- ⤴ The rear setback is smaller than any house in the neighborhood.
- ⤴ The proposed roofline height at 26' 6" is 4' higher than the neighborhood average.
- ⤴ The development of an underground garage within 10' of the bluff may cause instability in an area with a history of landslides.
- ⤴ There are privacy issues and view blockage issues.

**Phil Merten:** The 8490 Whale Watch Project will be heard by the City Council tomorrow at the 2:00 pm session. The project has a FAR larger than allowed anywhere else in the city and is an indication of how large the project is. If approved, it will set a precedent which will blow the lid off house sizes in the La Jolla Shores PDO area. He encourages all LJ Shores residents to attend.

**Michael Morton:** Building issues heard at City Council are very important. Be aware that in the La Jolla Shores Planned District Ordinance, the metric of Floor Area Ratio (FAR) is not recognized. The issue in the PDO is bulk and scale. Be careful with using numbers such as the FAR that aren't recognized - address the bulk and scale of the project.

### **2. Chair Comments**

- The regular Tuesday, January 24, 2012 La Jolla Shores Permit Review Committee meeting has been cancelled and rescheduled to this meeting Monday, January 23, due to lack of a quorum. We have very limited time due to the Recreation Center building closing at 5:45 pm.
- The Torrey Pines Road Slope Repair between Little and Roseland, southeast side of road has been consolidated for construction with the Torrey Pines Road Project and community review will occur at a future date.
- Caminito Bello has deferred until February.
- An AT&T Mobile installation at 7990 Via Capri will be heard in February
- Gaxiola has resubmitted – no contact
- LJCPA appeal of 8490 Whale Watch to the City Council is noticed for a Jan. 24, 2012, 2 PM hearing
- The T-Mobile North Torrey Pines Road (La Jolla Village Drive) CUP #236634 has been scheduled for a Hearing Officer Public Hearing on Wednesday, January 25.
- LJCPA Ad Hoc Committee on Bylaws Revisions met on Wednesday, December 14 at 4 PM to identify and discuss potential modifications and additions to current bylaws, including

incorporation of current association policies, including appeals and other procedures.  
Additional meetings in January are expected

- The LJCPA approved the Avenida de la Playa/Beach Storm drain project at its January 5 meeting.
- The LJCPA approved the 8440/8450 Whale Watch project on consent at its January 5 meeting.
- La Jolla Shores PDO Advisory Board met Tuesday, December 20 at 9:15 AM and made no recommendations for varying reasons.

The Sinclair Residence – 2075 Soledad Road will be rescheduled by agreement with the applicant to the next meeting, Tuesday, February 28 at 4 PM due to shortage of time today.

### 3A. UCSD Hillel Center for Jewish Life -2<sup>nd</sup> hearing

- Project No. 212995
- Type of Structure: Phased Project for Religious Student Center and Offices
- Locations:
  - Phase 1 (and if Phase 2 not approved)-- 8976 Cliffridge Avenue
  - Phase II; Bounded by LJ Village Dr., LJ Scenic Way, LJ Scenic Drive, Cliffridge Avenue, Torrey Pines Road
- Project Manager: John S. Fisher; 619-446-5231; [jsfisher@sandiego.gov](mailto:jsfisher@sandiego.gov)
- Owner's rep: Robert Lapidus: [rlapidus@sherlap.com](mailto:rlapidus@sherlap.com)

**Project Description:** Phased project for a 6,600 square foot Jewish student center on a vacant 0.76-acre site. Phase I would use an existing residence at 8976 Cliffridge Avenue as a temporary student center until the main center is built in Phase II. The property is located on the south side of La Jolla Village Drive, between Torrey Pines Road and La Jolla Scenic Way in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Height Limit. [City] Campus Impact Parking Zone. Process Five.

Following info is taken from Page A0.00 except for setbacks and height—those from site plan and elevation pages:

**Phase 1.** Occupancy of Hillel of San Diego in the SF home at 8976 Cliffridge Avenue. Two parking alternatives: Preferred alternative is the temporary parking alternative during the construction of Phase 2. Should Phase 2 not be approved, the project consists of converting the SF home into the permanent office for Hillel of San Diego.

**Deviations:** 12' driveway curb cut instead of 24' for preferred alternative; 20' driveway curb cut instead of 24' if Phase 2 not approved. Only 4 surface parking spaces allowed in Campus Impact Parking Zone, but six spaces needed. [Need for deviations has been modified.]

**Dimensions:** First number is for preferred plan, *second is if Phase 2 not approved:*

- Lot size: 9,166 sf; 8,358 sf
- Gross House Area: 1792 sf (needed to calculate allowable occupancy (18 occupants))
- Gross Building Area: 2288 sf
- Percent of lot covered: 25%; 27%
- Percent of green softscape--not given 30% required

- Off street parking: 5 car and one van spaces; *two motorcycles spaces if Phase 2 not approved*; 4 bicycle spaces

**Phase 2:** Construction of 3 buildings, totaling approx. 6,600 sf to be occupied as a new student center for Jewish students at UCSD. A 27-space surface parking lot is located along the east portion of the site. Construction of a parklike amenity near the corner of LJ Village Dr. and Torrey Pines Rd.

**Deviations:** Lacks shower facilities and bicycle lockers required, wants to substitute 2 extra bicycle spaces. [Need for deviations has been modified.]

**Seeking:**

- Site Development Permit (SDP) for Sustainable Building Development
- Street Vacation
- Right of Way Dedication
- Change of Occupancy Permit
- Deviations from Development Regulations- [Need for deviations has been modified]

**Previous LJSPRC Action:** November 22, 2011. Please see minutes for additional details and comments.

**Motion:** Emerson; **Second:** Donovan

**Continue item. Item to next be heard no sooner than the scheduled January PRC meeting. The applicant is advised to provide the following information:**

- Visibility triangle shown on plans
- Neighborhood setback study
- Materials board
- The design and operation of the lighting for the parking lot and buildings.

**Motion carries: 4-0-1**

Approve: Donovan, Emerson, Lucas, Schenck; Oppose: None; Abstain: Boyden (chair)

**Presented by: Robert Lapidus**

Handouts, including elevations of the buildings, aerial photos, selected plans, Chapter 14 “Access and On-Site Circulation Discussion” from a review by the engineering firm Lanscott, Law & Greenspan that covers traffic flow issues, and a survey of other “Off Campus Hillel Facilities Completed Since 1993” were provided to the committee.

Points addressing issues previously raised by the committee:

- The transformer located next to the driveway has been moved back to address the visibility triangle issue.
- A 300' setback study was not required by city. Setbacks of residences immediately across the street are shown on a diagram provided to the committee. Front setbacks are shown measured from the property line.
- Materials samples were shown. Mostly earth tones for the wood lattice, and siding of Jerusalem stone. The concrete paving sample was shown. The roof will be copper.
- There is no exterior lighting design finalized at this time. The project will conform to city codes for spillover lighting for the adjoining properties.

Points addressing issues from Taxpayers for Responsible Land Use (TRLU)

- Showers are added to accommodate bicycle transportation. No deviations are now requested or required for a permanent shower facility.
- There is a deviation requested for the driveway being used for the temporary office use of Phase 1. They are requesting a 12' width driveway versus 22 ft in code.
- If no Phase 2 then the proposal is for Phase 1 office to be permanent and they will need 6 spaces to conform to parking requirement for an office use.
- TRLU says that this is not a conforming use. The contention is that the LJ Shores PDO states the use should only be for local residents is false. There is no requirement in the PDO that churches, synagogues, and permanent religious buildings serve only residents of the immediate neighborhood.
- Many of their students live in the surrounding area.
- Hillel is not affiliated with UCSD. It can not be on campus due to the religious nature of their mission and the constitutional requirements of separation of church and state.
- Hillel of San Diego is incorporated as a non-profit religious corporation, just like a church or synagogue.
- The community includes the neighboring campus, as well as the single family zone. This project will meet the needs of the students in the area.
- There are other student centers within the churches/synagogues in surrounding area.
- In 2006 the City sold the land with the proposed vacated right of way. The proposed development complies with all regulations.
- This project will not be detrimental to the neighborhood.
- The parking code allows for a parking study to address impacts, especially when the code does not specifically address a facility such as this.
- The parking provided is 4 spaces per 1,000 sq ft., which will provide more parking than any other Hillel Center.
- Opponents say project access from LJ Scenic Way is impractical. The opponents refer to a 1977 opinion from a city engineer which is not applicable to the present plan. No restrictions on access were shown in the title papers from the city.
- City Council in 2006 concluded that there is no use for the existing city right of way easement.
- City Council found in 2006 that street vacation met all the requirements when property was sold. .
- Project is conditioned on a public access easement for pedestrian and bicycle access.
- The proposed development will not adversely affect the adopted General Plan and Land Use, the La Jolla Shores Planned District Ordinance, or the La Jolla Community Plan.
- The Environmental Impact Review (EIR) is going through a screen check process now. The second screen check is expected to be completed by 2nd week of February. Public review most likely about March 1. Either 30 or 45 day review period.

**Response in opposition to the project presented by Julie Hamilton, representing Taxpayers for Responsible Land Use (TRLU):**

- Findings for a street vacation by the previous City Council have been set aside by the courts. The proposed street vacation must go through the review process again.
- TRLU does not believe that this is appropriate use for a SF zone. This is a student center not a permanent religious center.
- This project will set a bad precedent for development in the zone.

- The comparison chart of parking at various Hillel Centers is not applicable as many of the student centers are in areas where there is no campus parking and students using those centers reported many issues with access.
- Parking studies are commissioned by the applicant. Hillel's traffic engineer did the study, but the TRLU engineer has serious concerns about the methodology.
- The parking requirement for religious facilities in the City of San Diego is 1 space per 3 permanent seats.
- The proposed facility has a capacity for 158 people, but only 27 parking spaces proposed. By code there should be 53 parking spaces. This is not enough and will impact the neighborhood.
- The TRLU traffic engineer has concerns with the 2 left lanes turning from La Jolla Village Drive onto La Jolla Scenic Way which then funnel into one just beyond the proposed driveway. The proposed driveway feeds from the right most lane and will create a traffic obstruction as cars are turning into the facility.
- The setbacks on the LJ Scenic Drive North side will only be 10' if there is a street vacation.
- Without the vacation, there is no setback – does not conform to neighborhood averages.
- The City was incorrect with their previous finding. The cul de sac can't be vacated because the finding for no existing use can't be met. It is currently used for vehicles and parking.
- The 1977 city engineer opinion is relevant. The PDO was implemented in 1976, so the opinion is still valid. Mike Stepner, long time city planner, opined that site was not developable.
- The project is completely incompatible with the bulk and scale of the neighborhood.
- The proposed use is not compatible with this site.
- Without street vacation this project can't be built.
- Phase 1 is not an allowed use and the current office use should never have been allowed in a single family neighborhood.
- This is a large student center being sited in a single family neighborhood.
- The TRLU urges denial.

**Merten:** Can you comment on the proposed street vacation? **Julie Hamilton:** *30' along street and then the entire cul-de-sac. Pedestrian use and parking can be considered a use for public access, so the street vacation wouldn't meet one of the four criteria necessary to grant a vacation.*

**Morton:** Is there a sidewalk on that side of street? **JH:** *No.* **Robert Lapidus:** *There will be if the project is approved.* **JH:** *Findings can't be made to vacate current 2' of street.*

**Morton:** Will new street meet all codes? **JH:** *No* **RL:** *according to city engineers the 34' wide street after the vacation would meet the codes for street width.*

**Morton:** Is a street vacation is part of the current application? **Robert Lapidus:** *Yes. The project is dependent on the street vacation.*

**Lucas:** Was this property originally sold with the street vacation? **Robert Lapidus:** *The City sold and titled the property based on this street vacation. A lot line adjustment will need to be made with the house being used for offices after the vacation.*

**Donovan:** Thinks that the street vacation issue needs to be cleared up before the committee takes action?

**Boyden:** The City Council will make the final decision on this. The committee should not hold up input on this project.

**Julie Hamilton:** *The property was sold based on street vacation, but that has been set aside by the courts. The city will have to buy back the entire property including that for the right of way vacation if the project is not built.*

**Morton:** Do adjacent residences have property line rights to center of the street? **Robert Lapidus:** *does not believe so, but is not sure.*

**Morton:** For the proposed Hillel Center, what is their association with other temples and synagogues in the neighborhood? **RL:** *This is a USCD student center. There is no formal affiliation. There may be Torah, Talmud or other scripture study classes held in conjunction with neighboring temples. Other than that the activities are separate and there are no affiliations. Hillel is a separate non-profit organization.*

At this point, Robert Lapidus read a letter regarding how important the Hillel centers were to a student who has since passed away.

**Morton:** Will other temples' youth organizations have access to this center? **Robert Lapidus:** *No, there is a condition on this project to not lease out facilities to any outside groups.*

**Morton:** Is there any other fencing or enclosure of this facility? **RL:** *Park areas will be a public easement area for public use with no fences around them. There may be gates at the buildings.*

**Boyden:** Has a question on the status of the draft conditions that were incorporated into the most recent cycles. Are they fixed or subject to negotiations? **RL:** *These were draft conditions and may still be tweaked.*

**Boyden to the committee:** The environmental documents are not completed/available yet. Per the City Attorney's office, community planning groups such as this are not required to review environmental documents before providing input.

**Tony Crisafi, President of the La Jolla Community Planning Association,** when asked, stated that he wanted the Traffic and Transportation subcommittee of the LJCPA to hear this project before it came to the LJCPA trustees. Mr. Lapidus stated that the project had not yet been scheduled for T&T.

**Public Comment:**

No further public comment.

**Motion:** Merten; **second:** Donovan

Findings for a Site Development Permit for Phase 2 cannot be made because the project does not conform to the design criteria set forth in the La Jolla Shores Design Manual and therefore does not comply with the La Jolla Shores Planned District Ordinance:

1. The size and bulk of the project is two to three times that of other structures in the vicinity and therefore not in conformance with the La Jolla Shores Design Manual.
2. The project will be disruptive of the architectural unity of the area.
3. The proposed structure setbacks are not in general conformance with the setbacks of other structures in the vicinity.

Discussion on the motion:

**Merten:** The existing office use is not compatible with the LJSPDO. The setbacks along the extent of the building are not in conformity with residential buildings in the area. The facade lengths are 120' to 140', again inconsistent with the neighborhood. Specifically, the LJS Design Manual lays out criteria: The bulk and scale of this project is twice that of nearby buildings. New structures should not stand out in excess of their importance. The roof lines are interesting, but overall they are significantly different from the architecture of the existing homes in the neighborhood and are somewhat disruptive. The arrangement of the buildings here do not allow view throughs as the neighboring houses do.

**Morton:** Will not support motion, the Design Manual encourages “unity with variety”.

**Motion carries: 5-2-1**

Approve: Donovan, Emerson, Merten, Lucas, M. Naegle

Oppose: Morton, Schenck

Abstain: Boyden (chair)

**Motion:** Merten; **second:** Emerson

The findings for a Site Development Permit for the continued office use of the existing single family dwelling (Phase 1) at the present time and also if Phase 2 is not approved is inconsistent with the La Jolla Shores Planned District Ordinance

**Discussion on Motion:**

**Morton:** The fact that the offices are in a detached building should not be an issue. Most religious facilities have offices.

**Motion carries: 6-1-1**

Approve: Donovan, Emerson, Lucas, Merten, M. Naegle, Schenck

Oppose: Morton

Abstain: Boyden (chair)

**Motion:** Schenck; **second:** Donovan

That the Permit Review Committee not make a recommendation as to whether the findings can be made for a street vacation.

**Motion fails: 3-4-1**

Approve: Donovan, Lucas, Schenck

Oppose: Emerson, Merten, Morton, M. Naegle

Abstain: Boyden (chair)

**Motion:** Emerson; **second:** Morton

To continue the street vacation issue to a future meeting.

**Motion carries: 5-0-3**

Approve: Lucas, Merten, Morton, Naegle, Emerson.

Oppose:

Abstain: Boyden (chair), Donovan, Schenck

### **3B. Salami Residence - 2712 Costebelle – 2<sup>nd</sup> hearing**

- Project No. 255583
- Type of Structure: Single Family Residence
- Location: 2712 Costebelle Drive
- Project Manager: John S. Fisher; 619-446-5231; [jsfisher@san Diego.gov](mailto:jsfisher@san Diego.gov)
- Owner's rep: Pablo Paredes; [Pablo@paredes.com](mailto:Pablo@paredes.com)

**Project Description:** 3925[ 3,984 prior] square foot addition to an existing single family residence on a 0.49 acre site located at 2712 Costebelle Dr in the Single Family Zone of La Jolla Shores Planned District [City]

**Additional applicant provided text:** Neighborhood containing several single family residences range from 3,000 sf to 8,000 sf. Lot sizes range from 20,000 sf to 40,000 sf. Views to the ocean are possible from most locations. See San Diego City comments for full set of issues. Major issues include possible impacts to sensitive vegetation and steep hillsides with existing rear yard improvements that may not have been properly permitted.

**Seeking: Site Development Permit (SDP), possibly for Environmentally Sensitive Lands (ESL)**

**Previous Action: December 19, 2011-** please see minutes for other comments and details.

**Motion: Lucas Second: Donovan**

To continue the project and return with responses to these issues the committee would like addressed:

- Landscaping and vista issue – landscape plan
- 300' neighborhood setback survey
- Plan showing the adjacent neighboring properties to show context of house and setbacks
- Show view triangle on plans for new garage
- Determine actual number of rooms that qualify as bedrooms
- Prop D line indicated on elevations
- Do the two driveways meet the city codes?. Are they spaced far enough apart?
- Provide street elevations
- Provide a materials board
- Provide an artist's rendering
- Address concerns on the setback on northeast property line and closeness to neighbors. What is the neighbor's setback on that side?
- How does this project comply with the community plan with regards to transitions between new construction and existing construction.
- Address concerns about parking in neighborhood, especially with so many bedrooms. Show parking spaces on plans.

**Motion carries: 6-0-1.** Approve: Donovan, Emerson, Lucas, Merten, Morton, Schenck; oppose: none; abstain: Boyden (chair)

**Committee discussion:** There is limited time available to hear this project due to the length of the first project review and the early closing of the Recreation Center tonight. After a brief discussion, it was decided to hear as much of the project as time permits.



**Presented by: Tony Crisafi, Pablo Paredes**

- There are many neighbors present in the audience that approve of the proposed project.
- The outlines of adjacent houses are shown on plans per committee request.
- They are proposing to convert the existing garage to a kitchen. A section will be added to the southeast wing of the house for the garage. The two existing driveways will remain unchanged. Applicant states that City has agreed.
- Site setback survey presented.
- Northeast neighbor setback is 5'. The setback is 4' 2" on project side. There is an existing retaining wall at that point which seemed a good place to push out the side of the house to in order to add articulation to that side of the house. [Phil Merten later stated that he opposed this.]
- The project conforms to the prop D height limit.
- Roof height 24' at maximum.
- 26' 11" under prop D methodology.
- 28' 11" setbacks from second story to street.
- House on northeast is a rental, so there has been no contact with the owner.
- The view from street has been improved slightly due to a 6" lower parapet height.
- Under the landscape plan, they will trim and lace trees. New plantings will significantly enhance street vistas.
- The City engineers have agreed to allow the two existing driveways. The trash storage must be (and has been) relocated due to view triangle issues.
- Most eucalyptus trees at the front will come out which will enhance the street vistas.
- The City cycles issues have all been cleared with staff verbally, but it will take some time for the written cycles to be updated.

**Motion:** Schenck **Second:** Donovan

Continue the project review to a future meeting. A full presentation will not be necessary.

**Discussion on motion:**

**Lucas:** Would like to hear public comment from the neighbors in attendance.

**Boyden:** Neighbors in attendance have indicated support of the project. The Rec Center is closing. They can write letters and submit them if they can't attend the next meeting.

**Carried:** 5-0-1

**Approve:** Donovan, Emerson, Merten, M. Naegle, Schenck

**Oppose:** Lucas, Morton

**Abstain:** Boyden (chair)

Meeting adjourned due to Rec Center closing.