

La Jolla Shores Permit Review Committee Minutes

Tuesday October 23, 2012

Committee members in attendance: Helen Boyden (chair), Janie Emerson, Tim Lucas, Phil Merten, Myrna Naegle, John Schenck. **Members absent:** Dede Donovan, Laura DuCharme Conboy.

1. **Non-Agenda Public Comment -- None**

2. **Chair Comments**

- The Vallecitos project was approved by the LJS AB 4-0 and by the LJCPA at its October meeting 8-5. See minutes when available.
- The Planning Commission voted unanimously that several of the findings for an SDP for the year -round seal rope could not be met.
- The LJS AB voted to recommend approval of the Abelkop residence on Rue Denise.
- LJS AB agendas have an official posting URL of:
<http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- The Viterbi project will not be heard until a future meeting: soil reports and cycle not done
- Sierra Mar project may be coming to committee for review
- December meeting would fall on December 25, so committee will have to select another date for the meeting. Two possibilities are Dec 17 or Dec 19. Dec 17 the meeting would have to end by 5:45pm due to room scheduling. After some committee discussion, December 19 looks like the better date. Boyden will check with the absent committee members and see if the date works for them.
- The November meeting falls on Nov 27, the Tuesday after Thanksgiving.

3. **Project Review**

A. McIlvaine (Landa) Residence – 8415 Ave. de las Ondas

B. Gaxiola Residence –2414 Calle del Oro

C. Lambert Felice Residence --2382 Via Capri Court

A. McIlvaine (Landa) Residence

- PROJECT NUMBER: 282104
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 8415 Avenida de las Ondas
- PROJECT MANAGER: Paul Godwin; 619-446-5190; pgodwin@sandiego.gov
- OWNER'S REP: William S. Hayer; 858-792-2800; bhayer@hayerarchitecture.com

Project Description: CDP and SDP to demolish an existing 2,484 sf SFR, garage and pool. Construct new 2- story 7830 sf 4 bedroom SFR (incl. 113 sf from 3242 sf partial basement) on a 25,757 sf lot. Includes garage, new pool with wine grotto & exercise pavilion, new site retaining walls and associated landscape features [applicant] Coastal Overlay (non-appealable), Coastal Height Limit and Campus Parking Impact Zones.

Previous LJSPRC Action; see August 28th PRC minutes for full comments and details

Motion: Schenck; second: Naegle

Continue this item to a future meeting. The committee would like to see the proposed parking plan after review by the city.

Motion carries: 3-1-2; approve: Lucas, Naegle, Schenck; oppose: Emerson; abstain: Boyden (chair), Conboy (did initial consulting on project)

Presented by: William Hayer

The City did not accept the back & fill parking scheme in the garage, so they would be 1 short of the 5 required in the Campus Parking Impact Zone. In response they have eliminated 1 bedroom and now have 4 total, so the parking requirement drops to 2, which they meet. They converted the guest suite bedroom to a media room and expanded the game room and opened up access to what was an en-suite bathroom. Neither of these qualify as a bedroom as they have a “non-conventional opening” to the rooms, and the city has reviewed the change and agreed. The street right of way easement at

the east of the property has been vacated, so there are no issues with locating the proposed house to the back of the lot as shown in the plans.

Emerson disclosure: At the last meeting there were some drainage concerns for this street that impact houses (including hers) on La Jolla Shores Drive. She discussed the impacts with the architects and the current plan lessens the runoff being discharged. She no longer has concerns with this aspect of the project.

Hayer: There are two drainage issues: the drainage from houses above that collects into a swale and drainage from the site itself. Analysis by their hydrologist shows that the drainage plan for the site itself will discharge less water onto Ave de las Ondas than is presently being discharged. They will collect the water at the west portion of the lot and it will be drained onto the cul-de-sac via a through curb drainage system. Due to water percolating down into the large grassy areas on the lot they will reduce the amount of drainage being discharged.

For the drainage from uphill, there is a concrete swale that goes across several properties upslope, including this property, and feeds into a storm drain on Calle del Oro. There is a pipe from the upslope properties that drains into the swale at the north east side of the property. There is no easement or agreement for this, but they will continue to accept the drainage. The swale will be eliminated on their property and a drainage pipe that connects with the upslope drain pipe will be utilized to move the water across the property underground, to the swale at the west side of the property. There is a french drain at the retaining wall at the back of the lot that will collect water overflow water from above and feed into the site drainage scheme.

Merten: It is legal and normal for water to drain downslope onto other properties. However it is not usual for this water to be collected and discharged onto another property without an agreement. **Jennifer McIlvaine (owner):** We decided to not go through legal proceedings on this issue and just to handle it with the proposed design. The system was put in illegally years ago by previous owners.

Lucas: So for clarification, you are going to handle this discharge in an underground pipe and then bring it back to the surface and feed it to the swale at the south end of the property. **Hayer:** Yes the adjoining property will daylight the water into the swale at the property line.

Public Comment

Gail Forbes: There is a storm drain, down the street that they might be able to tie into. On the west side of property there is an SDGE easement. Do they know about the plans for undergrounding of the cables? **Response:** Don't know; that is up to SDGE.

Motion: Merten Second: Schenck

The findings can be made for a Site Development Permit and Coastal Development Permit based on plans dated 5-10-2012 but presented today October 23, 2012 with bedrooms reduced from five to four with no change in footprint.

Motion carries 5-0-1

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

B. Gaxiola Residence

- PROJECT NUMBER: 207195
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 2414 Calle Del Oro
- Project Manager: Morris Dye: mdye@sandiego.gov
- OWNERS REP: Gricel Cedillo ; gricelcedillo@yahoo.com; Victor Gutierrez; victor.guti2@gmail.com

Project Description—SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2-story 11,696 sf residence (of which 4,744 is phantom floor) with 4 bedrooms, 7 bathrooms and 2 car garage plus 3 in driveway, attached guest quarters, swimming pool and retaining walls on a 29,120 sf lot.

Previous PRC action: August 2010-please see minutes on line at http://www.lajollacpa.org/minutes/prc10_0824min.pdf

Motion: Morton; second: Lucas

To continue item to a future meeting

The committee would like to see **the following items presented:**

- A drainage plan showing the swale **and the drainage pattern proposed**
- Bring a **site plan** drawing that shows the outlines of building on adjacent properties
- Show additional on site **parking spaces and guest parking spaces on the site plan**
- Bring the 300' **neighborhood** setback survey that is required by the City
- Re-label the cross sections **of the building** to match with plan
- Show a grading plan with the existing and proposed **site contours and drainage pattern**
- Provide a **site grading** plan that would adequately address offsite drainage from upslope properties and to the downslope neighbors below
- **Show drainage devices to channel and control the flow and route it to the curb or storm drain system**
- Show the existing house outline overlaid with the current proposed project. **on the site plan**
- **Request that the applicant provide a title report with a schedule B attachment - which will show all easements on the property**

Motion carries: 5-0-1; approve: Furtek, Lucas, Merten, Morton, D. Naegle; Abstain: Boyden (chair)

Previous PRC Action, September 25, 2012. See PRC minutes for full details.

Motion: Emerson; **second:** Conboy

To continue item to a future meeting. Provide full presentation of the project and a materials board. Provide 300' setback survey.

Motion carries: 6-0-1; approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; **Abstain:** Boyden (chair). (Donovan left during discussion)

Chair report:

A letter was presented to the committee from the Boyntons, neighbors that could not be present at this review. They and other neighbors met with the Gaxiola representatives. They were happy with the house being placed more towards the rear of the lot and the pool is moved back enough so there should not be any privacy issues with their bedrooms and guest rooms. The drainage concerns appear to have been addressed. Letter is included as part of public record.

Presented by: Gricel Cedillo & Luis Gutierrez

The two-story house will be built on the same level pad as the existing home, (The present house sits 1-story on the pad.) There are 4 bedrooms on the main level (second floor) plus guest quarters with only outside entrance on the first floor. The garage and equipment room is also on the first floor. Because there is no direct access from the main house to the lower guest room, it is considered as a separate space for the parking requirements. They are required to have 2 spaces from the main house, plus 1 for the guest room (instead of 5 that would be required in Campus Parking Impact Zone if guest room was part of main house). Parking spaces provided are 2 in garage (plus 1 tandem not part of the count) and 3 spaces in the driveway. There is a significant amount of phantom space under the main house (second story), that is being counted in the FAR calculations, which if included would be around 0.4, without it counting the living space is 0.28. They will be retaining the drainage swale at the back of the property (east) that drains to a storm drain on Calle del Oro. In addition, there will be a second drainage system installed at the downslope (west) edge of the property that will drain into a different storm drain on Calle del Oro. This should address the drainage and flooding problems that the downslope neighbors have reported over the years.

Lucas: Unsure of the comment about the pad being the same? **Gutierrez:** The lot will be excavated to the east towards the slope at the same level as the current house pad, and the house will be built on that. **Merten:** Essentially what they are doing is putting up retaining walls at the first-floor level and filling most of that in except for the pool and guest room, and then building the house on the second level.

Boyden: How do you get to the guest quarters? **Gutierrez:** Access is around the east of the house. The easiest way is from the patio at the back of the main house and you walk around and down to the lower level.

Naegle: Do you have pictures or a street scene of the adjacent houses? It would be really helpful to see the compatibility of the proposed structure with the neighborhood. **Gutierrez:** No, I don't have that.

Merten: It would be helpful to have an elevation with the swimming pool wall shown, so we could see what this will look like from below. The wall is 8' high. On the plans you show 4,744 sq ft of phantom space, but on the main level you are showing habitable space of 4,900'. **Gutierrez:** They have included the terrace and the patios in the phantom space calculation, which brings the calculation up. **Merten:** The retaining walls at the front are 8' high, plus another 4 feet to the lowest part of the lot, so it makes the wall effectively look 12' high. On other projects in the neighborhood the retaining walls were broken into 2 parts to minimize the effect of the mass of the wall. Initially he was concerned, but since they are finishing this retaining wall with the same materials as the other walls of the project, it becomes more of an architectural element of the house. The setback to the property line with the downslope neighbor is much greater than the setback from the neighbor to the property line. **Gutierrez:** They had a discussion with that neighbor who was more concerned with the noise of the pool than the height of the retaining wall. Since they have increased the setback to the pool, the neighbors were OK with the project. **Merten:** Even counting the phantom area behind the retaining walls, the FAR is only around 0.4, which is compatible with the neighborhood.

A committee discussion ensued regarding the many styles of houses in the neighborhood, to the conclusion that it was a very eclectic neighborhood.

Materials samples were presented to the committee: Earth toned slate, white/gray gravel asphalt tile roof, off-white stucco, earthy tile for pavement, travertine tile for interior. The physical materials presented were less stark than the white and gray in the rendering—being gray-brown variegated slate and a creamy color stucco.

Prop D/ 30' height measurements: The maximum is 29' 6" for chimney (sticks up 4' from house). Wood-burning fireplace. Most of house is 22'.

Boyden: Have you considered undergrounding the power lines at the front of the house as mentioned in 2010? **Gutierrez:** That is a possibility, they will have to talk with the neighbors and see how much it would cost and would be willing to share costs.

Public Comment:

Jennifer McIlvaine: Owns the house directly to the north. Is interested in how the house is oriented towards the back of the lot. Would like to see an elevation of what she will see? **Gutierrez:** An elevation was shown. Basically, the wall is stucco and the guest suite will be hidden due to the greenery. The existing trees will remain.

William Hayer (McIlvaine architect): Finished floor elevation on the upper level? **Gutierrez:** 99.5 fsl. (3' lower than McIlvaine first floor). Parapet at that end is 111 fsl, which is 9' above McIlvaine first floor. **Hayer:** Is concerned that the roof tiles look a little white and reflective from the houses above. Could like this be toned down? **Gutierrez:** They can use different colors of sand to tone down the roof, which will be hot mopped with gravel on top.

Gail Forbes: Lists houses and types for the neighborhood in response to Naegle question about neighborhood character.

Landscape plan shown: 5 western redbud trees will be planted in the front which will reach a maximum of 10' high. Most existing trees will be kept.

Schenck: This house will read a lot bigger than shown on the elevations, when compared from the neighborhood ranch style houses. Would have liked to have seen a street scene to show how this project fits into the neighborhood.

Gail Forbes: Is concerned with the height of the house. The chimney is at 29', so the house must be 25', which is a big tall building. There are other 2-story houses in the neighborhood, so it would be hard to argue that this is not in keeping with the neighborhood. However, this is in a prominent location, visible from 3 directions, and will be a statement house. She hopes that it will be a good statement architecturally.

Motion: Emerson; second: Naegle

Findings can not be made for a Site Development Permit and Coastal Development Permit. The house is so different from those in the neighborhood it is not compatible and destroys the architectural unity of the area.

Discussion on motion:

Lucas: This house does sit back 51' from the street at the closest point, which is the pool.

Schenck: This is a bulky house, but the colors chosen make it blend in so it will work in this neighborhood.

Emerson: Feels it is not about the colors, but that this house is so different from the adjacent properties, that it is not compatible with the neighborhood.

Merten: Can't support the motion. The white stucco material on the house is similar to the house above it, and there is another house nearby that has a light stucco material. From a materials standpoint it is similar to the neighbors. The difference is that the proposed house has a flat roof on it, but it is broken up into several pieces, so the scale of the elements is not different from the houses in the area. It does read as two stories from the street. This is a sloping lot and there is a large differential from the lower to upper part of the lot. The project is different from the neighborhood, but not so different as to be incompatible.

Motion fails: 2-3-1

Approve: Emerson, Naegle; oppose: Lucas, Merten, Schenck; abstain: Boyden (chair)

Schenck: Could the house be located lower into the lot? **Gutierrez:** They are below the coastal height limit. The present house chimney is at 23', and they are proposing 29.6'. Does not see any need to change the design.

Motion: Merten; second: Schenck

The findings can be made for a Site Development Permit and a Coastal Development Permit based on plans dated July 22, 2012 and presented today with square footage corrected to 11,696 including 4,744 sf phantom floor.

Discussion on the motion

Lucas: The McIlvaine house that we just approved is next door to this and is a 2-story house; it's just not a modern style. It would be hard not to approve this project.

Emerson: Yes, but the McIlvaine house backs further into the hill and doesn't stick out as much.

Boyden: We also approved the 2-story Casa Belmonte project which is 2-doors north of McIlvaine.

Emerson: But all those on Ave de las Ondas back into the hill and are not on a well traveled street.

Motion carries: 3-2-1

Approve: Lucas, Merten, Schenck; oppose: Emerson, Naegle; abstain: Boyden

C. Lambert Felice Residence –

- PROJECT NUMBER: 288444
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 2382 Via Capri Court
- Project Manager: Paul Godwin; 619- 446-5190; pgodwin@sandiego.gov
- OWNERS REP: Scott Spencer; scottspencerarchitect@yahoo.com

Project Description: SDP and CDP for a 702 sf first-floor addition and a 580 sf garage addition to an existing 4,204 sf SFR on a 13,250 sf site. Coastal (non-appealable), Coastal Height Limit, 300 foot Brush Management Buffer Zones.

Previous PRC Action, September 25, 2012. See PRC minutes for full details.

Motion: Naegle; **second:** Merten

Continue the item to a future meeting. Bring updated plans with the correct visibility triangles for both driveways and detail for the driveway gate on Via Capri shown. Overlay proposed Via Capri wall on elevations.

Motion carries: 6-0-1; approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; **abstain:** Boyden (chair)

Presented by Scott Spencer:

The plans have been changed but not submitted to the city. The changes are minor, dealing mainly with the visibility triangles and the walls in front. The modified plans with the visibility triangles were shown. There will be nothing higher than 30" in the visibility zones. The visibility triangle areas impact the project in several ways: the walls along Via Capri have to be pushed back along driveway for visibility triangle requirements. The wall at the corner of the property at Via Capri and Via Capri Court has to be pushed back to provide visibility per City requirements. The gate for the existing garage access is pushed back 20' from property line and 10' from the street, so there is room for a car to pull into while the gate is opening. They have not decided on the actual gate design yet, as they have to work out the best design for the

sloping lot and limited space. It will probably be a gate that opens in the middle and moves parallel to the wall, rather than a swinging-style gate.

With regards to the geotechnical and soils issues, they contacted the city planner Paul Godwin and he said that the city missed this issue and that a geotechnical report is required. Jim Quinn at the City reviewed their geo report and made comments on issues. They (Spencer) then contacted their experts at Geotechnical Exploration, Inc. for a response. This report, dated today will be submitted to the city after this meeting. The City identified two areas of concern as this is in a geological hazard area. Part of this area is fill, and the house footings will need to be inspected and deepened/reinforced if necessary. The city engineers will inspect and review the footings from a structural and geological standpoint and make changes if needed. These will be shown on the construction drawings and as a condition of their permit. The geological report also shows that there is an existing fault on the east of the property away from house that doesn't impact their project. GEI states that in their opinion "no geotechnical or geologic conditions exist on the subject property that would preclude the approval of the project and construction of the proposed additions, provided the recommendations in our report are followed." Their soils engineer did say that the City may ask them to sign a liability waiver which is a standard practice these days. Report is included as part of public record.

Emerson: There are 3 houses on Via Rialto that have issues with stability and faulting.

Lucas: You have plans that need to be re-submitted to the city and a soils report that needs to be re-submitted to the city, is that correct? **Spencer:** Yes.

Emerson: Do we need to wait for these to be re-submitted? **Merten:** Doesn't think so. A geotechnical analysis is outside of our purview. **Spencer:** The view triangle annotations are minor as was the change in the gate. These were made at the request of this committee and the city engineers, so everyone is on the same page.

Merten: With the changes made to the visibility triangles and the visibility at the corner, the wall in front is now very prominent from the street. The sloping wall with cornice decor is at an angle that is different from the cornices on the roof. Have they considered breaking up the wall into smaller horizontal sections that will mimic the house cornices? **Spencer:** They can look at this. It may be possible to do, but there is a significant slope to the wall. A committee discussion arose at this point on various ways to make this work and blend in better with the neighborhood.

Public comment:

Gail Forbes: There will be a lot of headlight traffic flashing onto this structure at night. **Spencer:** That was the idea of having a 6' wall similar to other walls in the neighborhood. The idea was to increase security, privacy and cut down on noise and light.

Motion: Naegle; second: Emerson

The findings can be made for a Site Development Permit and Coastal Development Permit for the project as presented with plans dated October 23, 2012 and a letter from Geotechnical Exploration, Inc. dated 10-23-2012.

Motion carries: 5-0-1

Approve: Emerson, Lucas, Merten, Naegle, Schenck; Oppose; Abstain: Boyden (chair)