

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday July 23, 2013

La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members in attendance: Laura DuCharme Conboy (acting chair), Janie Emerson, Tim Lucas, Myrna Naegle, Bob Steck. Absent: Dolores Donovan, Phil Merten, John Schenck

1. **Non-Agenda Public Comment** : None
2. **Chair Comments:** None
3. **Election of PRC officers for July 2013 to May 2014:** Tabled until next month
4. **Project review**
 - A. **Sudberry Residence**, 8039 and 8053 Calle Del Cielo
 - B. **Cohen Residence EOT**, 8130 La Jolla Shores Drive

4A. Sudberry Residence

- Project No. 304002
- Type of Structure: Single Family Residence
- Location: 8039/8053 Calle Del Cielo
- Project Manager: Paul Godwin; 619-446-5190; pgodwin@sandiego.gov
- Owner's rep: Haley Bareisa, Island Architects; 858-459-9291; hbareisa@islandarch.com

Project Description: Demolition of existing SFR located at 8053 Calle del Cielo plus a portion of existing SFR located at 8039 Calle del Cielo. Construct a single SFR over walk-in basement and related site improvements over both lots (total lot size, 44,140 sf; GFA=18,836 sf). An amendment to CDP No. 388708 and SDP No. 388170 (PTS 1152239). Coastal Overlay and Coastal Height Limit Zones. [City]

- Lot size: 44,140 sf (total both lots)
- Existing Sq/Ft: 8,255 sf (total both homes)
- Proposed 1st story: 7,424 sf (1st floor habitable)
- Proposed 2nd story: none
- Subterranean: 3,393 sf garage +6,109 sf lower level habitable = 9,502 sf
- Total Sq/ft (excluding subterranean if applicable): 16,926 (includes subterranean garage)
- GFA (if different from above) 18,836 sf (includes portion of covered terrace per 113.0234)
- Percent of lot covered: 24% (calc'd by lower level footprint-includes countable terraces 10,676 sf)
- Floor area ratio: 43%
- Height: Structure height 27'-8"/Plumb Line Height 29'-8"
- Front yard setback: 20'-0"
- Side yard setback: 5'-1" (existing lower level to remain) and 19'-10" (main level closest)
- Rear Yard setback: 103'-10"
- Percent of green softscape: 61%
- Off street parking: 6 spaces

Seeking: Amended Coastal Development Permit (CDP) and Site Development Permit (SDP) for La Jolla Shores

Previous PRC Action March 26, 2012 (Please see minutes for additional notes.)

Motion: Emerson **Second:** Lucas

Continue the item. Would like to have further information regarding:

- Second floor side yard step-back issue the city reviewer cited
- Massing study/streetscape. Include outline of existing north structure in addition to the proposed structure. Include McMurray house in this.
- Historical review results
- More description of the driveway and its slope, including elevations.
- Sections through house showing Prop D and plumb line. Confirm with city that the methodology is correct.
- Information on construction process, grading and excavation. Including how much fill will be moved.
- Address concerns and proposed mitigation about potential damage to the neighbors structures due to earth moving equipment.

Motion passes 4-0-1: Approve: Conboy, Emerson, Lucas, Schenck; Abstain: Boyden (chair)
(Naegle left midway and Donovan left at end of the item review)

7-23-2013

Presented by Tony Crisafi & Haley Bariesa

A brief overview of the project was given. There have been a few changes since the previous presentation. The site consists of two properties with houses on a hill side. They are combining the lots and will have one house that will consist of a new portion with garage and a basement on the northern property that will extend over the existing first floor of the house on the southern property. The northern property (8053 Calle del Cielo) had a CDP and SDP issued in 2008 for a new 2-story structure, underground 6-car garage and a pool in front. The southern property (8039 Calle del Cielo) came on the market after the permit was issued for the northern property. It was re-modeled extensively in 2009. Since they are combining the two properties and there is an existing CDP and SDP on the one site, they are seeking amended permits for the new project.

The difference between pads is 3.5'. They will lower north pad so that they can build a structure that will span both properties. The new structure will extend over the existing first floor of the southern house. The total square footage has decreased slightly due to pulling in the second floor on the south side and the elimination of an office area on the north. The new square footage is 17629 sq ft. which includes the interior area and also the covered terraces and the eaves extending over patios. The setback of the second floor on the south property line has been increased from 7' to 13' to allow more privacy and softens the building envelope.

The West elevation (from the street) was shown. The house is stepped back and the basement area is buried behind the planters in the center area of the house. There is a pool and terraces in the front. Most of the terraces and landscaping were established during the 2009 remodel and will remain. A rendering based on a photo taken from a public viewpoint on Little Street was presented, showing how the proposed project fits in with other houses in the area.

Address the points in the motion made by the committee at the first review:

- **Second floor side yard step-back issue the city reviewer cited:** They have pulled the second floor back on the south property line from 7' to 13' at the side for the second level. First level is existing and remains at 5' from the property line. In addition, they will be landscaping and planting trees on that side. The second floor steps back on the front well as the side property line, so there is not a straight up 2-story mass anywhere. This cycle issue has cleared.

• **Massing study/streetscape. Include outline of existing north structure in addition to the proposed structure. Include McMurray house in this:** A streetscape was shown of the properties along the street. The building envelope specified by the CCR's was overlaid on this streetscape, and the proposed project conforms to them. The covered drive-through area has been removed and a terrace pulled back. There is just a simple gate for the driveway, resulting in an increase of the setback on the north to 22'.

• **Historical review results:** They will be meeting with Kelly Santos in the next 10 days to determine if full historical report is needed. Both houses have been modified under permits over the years. The rear of the north house had 400' removed with demo permit in 2010. This house had been extensively remodeled, with windows changed, pre-2003. The south house was extensively remodeled under permits issued 2009. Their historic consultant does not believe architect was significant or a master architect for modern design.

• **More description of the driveway and its slope, including elevations:** North elevation was shown. The driveway grade has been lowered so there is a less steep approach from the street. It makes a smooth transition into the underground garage entrance at the north side of the house. Driveway is now slightly curved and has been pulled back around 3' from dividing wall on the property line for 2 driveways. The driveway extends to the rear of the house for overflow and guest parking. The dividing wall is a retaining wall, so there should be no issues with height differences between 2 driveways. There will be trees planted along the side of the house further increasing privacy with the neighbor.

• **Sections through house showing Prop D and plumb line. Confirm with city that the methodology is correct:** They did change the methodology and used the existing grade, rather than the lowest point in the basement which was presented last time. The previous method resulted in a more restrictive building envelope. Using the new method, which the city has signed off on, gives more clearance and would allow for a taller building. They have not changed the design or increased any heights for the project. The plate height at the center portion is 13'. The living space on main level is around 7,000, less than the previously approved structure. Most of the new living area is in the basement and hidden by the planters.

• **Information on construction process, grading and excavation. Including how much fill will be moved:** They are not excavating garage as much as previous proposal. An estimated 400 cubic yards will be excavated and shifted on site. They will be cutting 1' to 3' for the basement area at the north end. They will be filling the rear for the motor court and the front for the terrace. The soils report show the on site soil is good. They don't yet have a grading contractor, so do not know yet if fill will need to be transported off site, but if so, it will be a small amount.

• **Address concerns and proposed mitigation about potential damage to the neighbors structures due to earth moving equipment:** They have the soils and geology report and it shows there is no problem. They have met with representatives of neighbor on the north, McMurray and will continue to do so. Today they received a list of 17 items that the neighbor is concerned with. Many of these are construction mitigation issues, such as access to driveway during construction, construction parking, hours of construction...etc. Concerns about air quality and dust control. Others have to do with CCR's, and the design. They want to see surveys and are concerned about the location of the deck on the north side of the house.

Island Architects have shared plans and will continue to work with McMurray and her representatives to address the issues.

Public Comment

Anu Delouri, UCSD Physical and Community planning: This house has been deeded to UCSD. They do have concerns about the size of the house adjacent to the McMurray property. With no CEQA document it is hard to study the proposed project and its impact on the adjacent property. The geotechnical document that has been provided states that the grading as proposed won't measurably destabilize the adjacent property. Not sure about the term "measurably", it doesn't mean that there won't be effects. They would like some language added from the applicant to safeguard the McMurray property, should some damage or destabilization occur. They would like a conditional approval pending the CEQA document, however they know that this committee does not do conditional approvals. The architect has been helpful with information and plans, and has offered to meet with UCSD engineers and staff. Unfortunately, without a CEQA document, they do not have the information that they need. They don't know if the environmental document to be prepared will be a MND (Mitigated Negative Declaration), or other declaration. **Conboy:** Is the geotechnical issue the biggest concern? **Delouri:** It is one of the important issues. The size of the adjacent house, the affect on property values, etc. They have provided a list of 17 items to the architect. Without the CEQA document they don't know all the important issues. **Conboy:** The CEQA document comes later in the process. There will still be an opportunity to review the document and comment on it when it is released. CEQA documents are appeal-able, separate from the community review process going on now. The CPA does have the opportunity to review the CEQA document later if they choose, and take action. **Crisafi:** The community review process gives early feedback to the planning department on the design of the project. Without this feedback, the planning department has no good input on the acceptability of the design. **Matt Peterson** (land use attorney for applicant): There will be a new MND required. There is new grading into the soil, there are paleological and archeological concerns. UCSD and other concerned parties that have contacted the city project manager will be on the list to receive it, as well as the CPA and this committee.

Delouri: Mrs. McMurray still has concerns about the location and size of driveway and the amount of traffic. **Crisafi:** The location of the existing driveway is consistent with other driveways in the neighborhood, most of which were sited on the high side of the pads. This driveway is unique in that there are two driveways next to each other with a shared curb cut. This is the way the neighborhood was laid out. There is a block divider wall and the steepness of the driveway has been lowered, so there should be less noise than previously. They may add sound mitigation material on the wall.

McMurray (neighbor on north): Her living room faces this area. This is the noisy side of the house, she doesn't understand why it has to be located next to her house. Where will the pool equipment be located? **Crisafi:** They have removed the terrace at the front side of the house, so that noise is eliminated. The covered terrace is 22' from the property line and the windows for the kitchen are setback 28' from the property line. There will be landscaping and trees which will help with noise. The pool equipment will be located in the garage in a room so there will be no noise from it.

McMurray: During last remodel, her water pipes broke, and the house was shaking. **Crisafi:** This was during the construction of the dividing wall of the driveways and compacting the ground in that area to make it a solid retaining structure. They will be using a different contractor this time, and the wall area needs no further work. The excavation will be farther away from her house.

Committee discussion

Steck: Good job with answering the questions and addressing previous committee concerns.

Conboy: Looking at the front elevation: they have done a good job with mitigating and setting back the structure so there is a lower impact on street view. Could you lower the middle portion with the high ceiling from 13' to 12'? **Crisafi:** The owner would like to have the high interior ceiling. They spent a lot of time on the design. They have a transparent wall below it and the idea is to make this an indoor -outdoor space, and the high ceiling adds to the effect. They could lower the height to 10', but it would be a different design and change the indoor-outdoor affect. **Conboy:** Could you lower those roof areas (the middle roof and those adjacent) by a foot to 12' and still retain the design? **Crisafi:** He will discuss it with the owners. On one project he lowered the height to 12' and had a substantial savings. It may be possible to do here.

Emerson: Biggest concern is coming up the hill from Dorado – the south end of the current building stands out. Adding a second story at this end will stand out even more. **Crisafi:** The slope of the street makes it stand out. They have landscaped this area and will be adding more. Some magnolia trees have been added which grow up and shield the building. **Emerson:** This neighborhood has a single story feel, and as you come up the hill and make the curve, the mass of the structure hits you. Adding a second story on this part will make this appear as the biggest thing in the neighborhood, which is her biggest concern. Maybe bringing down the roofs one foot would make a difference? **Crisafi:** He could do a rendering and ask the owners.

Lucas: Clarify the center portion with the 13' high ceiling structure. Is that going to be glazing or a roll-up door? **Crisafi:** There are sliding glass doors set back from the eaves, with columns in front defining an open space. There will be trees planted on each side near the columns. **Lucas:** You won't see much when you are walking, possibly some while driving. **Crisafi:** You will see some of it while driving. **Lucas:** On the south side elevation you have stepped the second floor back 13', how far is it stepped back on the street side. **Bariesi:** 26'. **Crisafi:** The planting will grow up at this south corner step back for more privacy and to soften the second floor. **Lucas:** At the north end, there is a porch area that you step out onto. On the north side of will there be plantings or trees for privacy for the McMurray patio? **Crisafi:** There will be planting on both sides of the driveway. There will also be louvers for privacy on the north side, as shown on the drawing.

Motion: Steck Second: Naegle

The findings can be made for an amendment to Coastal Development Permit and a Site Development Permit based on plans presented, dated 7-23-2013.

Motion carries: 4-1-0; approve: Conboy, Lucas, Naegle, Steck; **Oppose:** Emerson

Discussion on the motion:

Lucas: This is a big house sited on a combined two lots. Efforts have been made with articulation and landscaping to soften the finished house. While he personally favors smaller projects, feels this proposed design but this meets all the codes and will support the motion.

Conboy: Agrees with comments by Lucas. In addition, setting the house back and having covered terraces softens the massing. Lowering the roof structures one foot would help the massing even more.

4B. Cohen Residence EOT

Project Description: Extension of Time for Coastal Development Permit 556216 and Site Development Permit 556217 to demolish an existing 1,690 square foot residence and construct a new 3,842 square foot single family residence with a 753 square foot garage on a 0.13 acre property. The project site is located at 8130 La Jolla Shores Drive in the SF Zone of the La Jolla Shores Planned District within the

La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limitation, Residential Tandem Parking, Parking Impact Overlay Zones

- Project No. 325192
- Type of Structure: Single Family Residence
- Location: 8130 La Jolla Shores Drive
- Project Manager: Glenn Gargas; 619-446-5142; ggargas@san Diego.gov
- Owner's rep: Bejan Arfaa Architect; 619-293-3118

Presented by Bejan Arfaa

This project is a two-story residence with an underground garage. The driveway slopes down into the garage. This project was approved 6-16-10 and issued a CDP & SDP. The entrance to the house is on the south side. There is a stairway from the garage. The second floor has 2 bedrooms.

Committee questions

Conboy: What is the slope of the driveway? **Arfaa:** Believes average is around 14%. It is 19% at the bottom and transitions to 10% at the top. **Conboy:** will backing out be a problem with La Jolla Shores Drive?. **Arfaa:** There is an area between the sidewalk and the street. The driveway is 60' from LJ Shores Drive. **Conboy:** There is still a problem with backing out, up the slope onto the driveway? **Arfaa:** The driveway is 18' wide at this point and they could turn around in it. **Conboy:** Doesn't think that they can, it is still too narrow.

Conboy: This project was passed before, and this is an EOT, so it is not here for complete review. Still there are findings that must be met for public safety. **Arfaa:** This project was approved before and there have been no changes. There are view triangles shown at the corners of the driveway.

Lucas: Doesn't believe any there have been any significant state law changes that would affect this request for and EOT.

Conboy: The driveway has a 10% transitional slope at the top, which is still a significant slope, and there would be problems with visibility when backing out. With backing out, the drivers head is down slope in the driveway. **Emerson:** And the rear of the car obscures the view. **Conboy:** Designed a house with a similar driveway, and was very concerned with exiting the garage. That design had a turn-around in the garage, but even heading face out up the slope there were visibility issues.

Emerson: Has safety concerns with the driveway and backing out onto the sidewalk. This is a busy sidewalk at this area, with lots of people walking by including mothers with strollers.

Naegle: How big are the visibility triangles? **Conboy:** They are shown as 10' on either side of the driveway, per code.

Lucas: This project was reviewed before, and the driveway slope was part of that review. I do not have the minutes from the original review by the committee in mid 2009, but do recall that this was discussed extensively. The city signed off on the driveway design.

Lucas, Conboy: The findings for Approval for Extension of Time for a Coastal Development Permit are:

126.0111 G: *An extension of time for a Coastal Development Permit may be*

approved only if the decision maker makes all of the following findings:

- (1) The project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety;*
- (2) There are no changed circumstances which would affect the project's consistency with the Local Coastal Program; and*
- (3) No new condition is required to comply with state or federal law.*

Motion: Emerson Second: Naegle

Findings can not be made for an Extension Of Time due to public safety concerns relative to the steepness of the driveway and its impact on the adjacent sidewalk, per 126.0111 paragraph 2.G.1.

Motion carries: 3-1-1; Approve: Emerson, Naegle, Steck; Oppose: Lucas; Abstain: Conboy

Meeting Adjourned, unanimous consent.