

**LA JOLLA SHORES PERMIT REVIEW COMMITTEE  
DECEMBER 2015 MINUTES**

Wednesday, December 23 @ 4:00 p.m., La Jolla Recreation Center, ROOM 2

**Committee members present:** Tony Crisafi (chair), Laura DuCharme-Conboy (not present for items 8b and 8d), Janie Emerson, Dave Gordon, Tim Lucas, Bob Steck. **Absent:** Dede Donovan (secretary), Joe Walkush. Minutes taken by Lucas

1. **4:05 pm Welcome and Call to Order:** Tony Crisafi, Chair
2. **Adopt the Agenda.** Motion to adopt the agenda (after correction of next meeting date to reflect 4<sup>th</sup> Tuesday of January 2016). Motion: Emerson, Steck Motion carries: 6-0-0
3. **Adopt November Minutes:** Minutes not distributed to all committee members. Table to January.
4. **Non-Agenda Public Comment:** (2 minutes each for items not on the agenda)

**Phil Merten:** Feels that the public notice for this meeting was insufficient. The La Jolla Community Planning Association website says that this meeting meets on the 4<sup>th</sup> Tuesday of the monthly. This meeting was changed to a different day, making this a special meeting. The CPA bylaws say a special meeting requires a 2 week notice. The PRC bylaws require a 72 hour notice provided to the public and the CPA. The CPA did not send out the email notification or post it on their website until yesterday (Dec 22). Merten therefore feels that the notice to the public was insufficient.

**Crisafi:** This committee has been in contact with the CPA and considered the issue. We believe that we are following all the regulations in the guidelines for joint-committees. We are continuing on with this meeting. **Lucas:** Spoke with Crisafi's assistant Andy, who confirmed that the notice was posted at the Rec Center bulletin board on Dec 16 and forwarded to the CPA at that time, thus meeting the committee's 72 hour notice requirement in the PRC bylaws.

**5. Non-Agenda Committee Member Comments**

**Lucas –** Rather than holding a PRC meeting two or three days before the Christmas/winter holiday time, the meeting should be re-scheduled earlier in the month. If a suitable time or meeting room are not available, the committee should go dark in December. Neighbors and interested parties need to be able to attend these meetings and provide input, however, many people are traveling at this time and can not attend. Community input is extremely important.

**Emerson -** Agrees with Lucas. The Carmel Valley planning board goes dark in December for the same reasons.

**6. Discussion of Committee By-Laws**

**Crisafi:** There have been some concerns expressed about not having the City Cycles available for project review. Several emails concerning this and changing our bylaws to require them were received. This item is meant as the first discussion by the committee as to whether we should make changes in our bylaws to require the City Cycles. The City does not require Planning groups to use them. Some committees require them such as the DPR. Under council policy 600-24 which applies to community land use groups, only the submittal package is required for review. The other items are listed after “such as a cover letter, cycle issues report, a site plan...” Requiring cycles would push back projects back time-wise, and is a concern with Development Services being so far behind in performing Cycle reviews. Since the LJS PDO has some subjective parts, such as size and setbacks, having a late review by the committee could make it difficult for applicants. **Emerson:** Ideally this should be a two part process. First would

be a preliminary review early in the process to identify issues, then an approval meeting after cycles.

**Crisafi:** There are a lot of things that go into bylaws reviews, including being approved by the CPA at the annual member meeting in March, and a review by Development Services and the City Attorney's office. The timing for this is rushed at this point. **Emerson:** The City Cycles are suggested in CP 600-24, so we can still require them of applicants. She does not feel that the bylaws need to be modified at this time. The applicants should be given a form as to what information would be helpful to the committee for project review. **Conboy:** The City Cycles are helpful. It is important to see the City responses in the cycles. As a committee we are pretty knowledgeable about the LJS PDO, the LJS Design Manual, etc., but there may be things that the city is picking up on that we might have missed, and vice-versa. In a sense, we act as a safety net for the city, and they act as one for us. **Lucas:** Cycle Issues are critical to have. Although 600-24 says "such as..." the words right before that say "a comprehensive set of information". To me that means we need the cycles. Of greater concern is that we received the Cycles for the projects we are reviewing today, and they are all basically blank forms, with almost none of the issues cleared and no reviewer comments. These are useless for project review. **Conboy:** The onus is on Development Services to provide the "comprehensive set of information" not the applicant. The city is doing a disservice to the applicant by not providing this.

End of discussion – no action taken.

#### 7. Chair Comments

**Crisafi:** Whale Watch Way project retaining wall issue: The project is in landscape review. There are built retaining walls 10' higher and 7' closer than what was approved, which is being reviewed for compliance. The approved landscape plans with trees between the walls can not be implemented due to the closeness of the retaining walls. Two sets of changes were approved, then a final planning change. These were over the counter approvals. There were engineering changes made, that were approved without checking on substantial conformance to the approved plans. He is not sure the city knows how this happened. The City has not provided the requested documents regarding these approvals to the public or neighbors. **Emerson:** This happens a lot, over the counter piecemeal approvals, and is an ongoing problem. We could talk with other planning groups about this problem and get together... **Crisafi:** We could try to request that subsequent changes move up another level in the planning review. **Conboy:** A city planner says that the retaining wall section is silent in the PDO, so therefore the underlying municipal code doesn't apply. **Crisafi:** In the PDO: 15-10-0107, the city retaining wall regulations are not called out specifically as applying.

#### 8. Project Review:

##### a. KLEIN RESIDENCE CDP/SDP – 3<sup>RD</sup> REVIEW

- Project #: 441535
- Type of Structure: Single Family Residence
- Location: 2585 Calle Del Oro
- Applicant: Nathalie Aragno 323-931-1365, nathalie@williamhefner.com
- Project Manager: Morris Dye 619-446-5201, MDye@sandiego.gov
- Project Description: LA JOLLA

**Presented by:** Paul Benton, William Hefner architect

An overview was given of the project for committee members that missed previous meeting, and information requested by the committee was provided.

- The retaining wall plans were provided. The highest portion of the retaining wall is 11' 5" on NW corner and is not in the setback. Could be stepped back if required.
- The hydrology study has been distributed. Do not need flow through planters. The reserve is on the North side. There are two ejection pumps on the north side that pump to the street.
- Draft Cycle issues were distributed.
- Building is stepped back from the street. In beach impact zone, but want to retain circular driveway with two entrances for safety as it is a very fast street.
- Hill slope does exceed 25% at points.
- Basement is mechanical room and storage.
- North setback is 9', South setback 9'4". Landscape is 32%
- Previously approved project for this site, the Tassuiri residence, was larger and taller. It had a maximum height of 25'6"
- Lowered project height to 21'6" north side, 22' on south side. 16' high relative to street level.
- Garage level was sunk down so that house appears as a similar height to other single-story ones in the neighborhood.
- This project only 2.5' higher than existing house roofline for most of it, and 3' 4" higher at the parapit. Proposed southern wing extends 12' more to west than existing. On north wing, it extends about 3' further to west. North wing moved back 4' (towards the street) and removed trellis, to give Northern neighbor view to the Cove. This is a net gain of 9' of view from last months presentation.
- The house height was lowered slightly from last months presentation after consulting with neighbors.
- Much of the slope is being removed for the lower level and the pool. Pools is below existing hillside grade for most of it except for North corner, which is 5' above grade.
- Rendering with the house photo-shopped in were shown to the committee to illustrate the views from various public locations downslope. Neighborhood context pictures were also shown.

#### **Committee questions:**

**Emerson:** City probably won't allow circular driveway, what will be the arrangement if only allowed a single curb cut? **Heffner:** They would keep the north curb cut and have a turn around area. Both garages would still be accessible. **Emerson:** Why is the retaining wall 11' high? **Benton:** The hill slope is such that this works. They will back-fill retaining wall to create a play area. **Emerson:** the height is a problem. **Benton:** They could split it up into two walls.

**Conboy:** What is the width of curb cuts? **Benton:** currently 16' and 18'. Will eliminate south and make north 12' if city requires. **Conboy:** Corner of pool is 5' above existing grade. Double stair step vanishing edge and retaining wall possible? **Benton/Heffner:** Need to have basing below infinity edge to collect water. It is possible. Want to be able to provide a rolling pool cover. **Conboy:** Pool safety fence?

**Benton:** yes, chain link within retaining wall.

**Crisafi:** Length of south building wall: **Benton:** 64' wall has a recess in middle.

#### **Public Comment**

**Merten:** Comments mostly his. But may reflect Donovan concerns as well.

- Existing houses next door do not extend west. The existing house is also along the same plane.
- Does not believe that the rear building setback (west setback) is in conformity with those in the area.
- No topographic survey with houses north and south. City submittal guidelines say survey should extend 50' off the site showing adjacent properties on all sides. This is important because the LJS

PDO says that a projects relationship to those in the vicinity should not disrupt the architectural unity of the area. You can not make an informed decision without this information.

- Question from **Gordon**: what is the impact to the neighborhood with this project projecting west. The section of LJS PDO you referred to seems to be about not affecting neighbors? **Merten**: The houses in this section all maintain the same rear setback. If you were to use a stringline at the west edge of the buildings, you would see that the existing houses are all in the same line. When a house projects to the west it interferes with privacy of neighbors adjacent and below.
- The Building massing and rear setback extending to the west are out of character with the neighborhood.
- From the street this will look like a 2-story facade.
- The La Jolla Community plan says that when a two story building is introduced to a single story neighborhood, the second floor should be stepped back.
- The purpose of the LJS PDO is to preserve the value of real property in the Ls Jolla Shores.

**Michelle Winter Nolte** (neighbor on south side): Ocean views contribute significantly to value of property. This will partially block view and affect property values.

**Myrna Naegle**: There are homes in the area that should never have been approved. These were mistakes that are destroying the character and architectural unity of the area. These projects are destroying our community and lowering our values.

**Peggy Davis**: How many cubic yards are being excavated from the hill? Matt foundation being used? Will this affect soil and hill stability? A house in the area had to go down 70 feet to reach bedrock. Since the 1980's there have been problems in the area with hill stability and this information has been provided to the committee. There are serious geological concerns. **Benton**: They are working on the engineering now. The civil engineer has not completed the design. They have the hydrology report. Estimates they will remove 2000 to 3000 cubic yards. This will balance with the weight of the building. This is not the largest home in the area. There is another that is similar design two doors down. Will probably use a Matt foundation.

**Bernie Segal**: The LJS PDO says that no home should be substantially different from those in the neighborhood. They are putting in a two-story structure where there are single stories, so by definition this is substantially different and doesn't comply with the LJS PDO.. Nibbling away at the PDO.

Elevations, excavations and driveways, don't alter that. **Gordon**: aren't there are 2-story houses in the area? **Benton**: Showed the street scape with the other houses. This project is lower above street level than other projects. **Segal**: The LJS PDO is concerned about adjacent properties.

**Myla Vujovich-La Barre**: Calle del Oro is the entry way into the LJ Shores. This project is massive. Once you allow adjacent views to be impacted this will establish a pattern of development. The plans say 30% in ground planting, but doesn't seem like it. The second story is not stepped back.

#### **Committee comments:**

**Gordon**: Is concerned about the project massing, but also think it is not fair to disregard the 2-story houses in the neighborhood just because they are not adjacent.

**Crisafi**: He is presenting a prepared motion. He did inform that the project attorney Matt Petterson that he had prepared a motion, but did not discuss the contents. The idea is to help the project to move forward. It had been requested that this item be placed on the full agenda of the LJ CPA January meeting. The motion is that findings can not be made based on certain issues. It is hoped that this will help the applicant know what to do to meet the findings for a SDP and CDP. Does not have an issue with the building height, and feels that it is consistent with the heights of existing projects in the neighborhood. The motion was read to the committee.

**Lucas**: Needed to have a North-South site section which included parts of the adjacent houses to determine how project will affect the privacy issues. The Community Plan says that 2-story houses should be stepped back in single story neighborhoods. With the slope of the street it is difficult to tell if

this is an issue. He thought that the committee requested this information last time. A biggest concern is the encroachment of this project down the slope and affecting the neighbor's privacy and also creating noise concerns. Having lived in the area for many years, he is well aware of how far noise carries down the hills.

**Conboy:** Questions about the basement level. The grass play area is 8' below the pool level. From the street she does not see big differences in the form of this project and other houses in the area. Its a little different, but still good from the street. North South section would have been helpful in determining the monolithic character of the north and south building sides per the Crisafi motion. Can not make determination on this and the impact to the adjacent houses without this information. First time she had heard of a "stringline" concept as presented by Merten. Thinks that rear setback numbers are more conventional to use.

**Gordon:** Street view is good. Concerned with boxiness from north and south. Maybe noise, but downslope neighbors will not be able to see this project looking up.

**Motion:** Crisafi **Second:** Emerson

**Findings cannot be made for a CDP and SDP for project #441535 for the following reasons:**

- 1 The proposed main (upper) level massing creates a monolithic appearance on the south elevation, which as a design principal is in opposition to the La Jolla Shores Design Manual and the La Jolla Shores PDO regulations.**
- 2 The proposed extension of the house westward beyond the existing conforming western building line increases possibility of a cumulative impact of more and future development extending beyond the edge of the top of the "Calle del Oro" slope. The current public view toward this slope is one of low slung, one and two story homes setting on pads or set into the slope, evident on some of the redeveloped properties. The massing effect of the proposed west elevation appears to be in conflict with the community regulation and guidelines, due to the effect on public views. In this case, the committee again finds that the proposed massing of 3 stories projecting up to and possibly over the current top of slope will produce an effect that is adverse to community policy and guidelines. Public views from La Jolla Shores beach, Torrey Pines Road, and identified public viewpoints in the community should be considered important to determining findings for the proposed development. (NOTE: While private views were part of the public concern and testimony, private view consideration is specifically omitted by regulation from this committee's determinations.)**
- 3 The proposed dual curb cuts do not comply with the Coastal Parking Impact Overlay zone, regulations since the existing garage is proposed to be demolished. The removal and reduction of the curb cuts are necessary to improve the visual unity of greenway and front yard landscape street scene along Calle del Oro.**
- 4 A proposed development more in keeping with the footprint forms of the adjacent homes may achieve a compatible option.**

NOTE: In keeping with the LJCPA bylaws, the committee would like to assist the applicant toward a modified design that meets their program requirements and the objective of the community plan, the La Jolla Shores Design Manual, and the La Jolla Shores Planned District Ordinance.)

**Motion carries: 5-0-1. Approve:** Crisafi, Emerson, Gordon, Lucas, Steck, **Abstain:** Conboy (didn't have enough information as noted in her earlier comments, and doesn't agree with every point in the motion)

**b. COPPEL PRESTWICK CDP SDP - 2<sup>ND</sup> REVIEW**

- Project #: 449597
- Type of Structure: Single Family Residence
- Location: 8194 Prestwick Dr.
- Applicant: Cori del Castillo 858-869-2852, ccastillo@islandarch.com
- Project Manager: Tirandazi Firouzeh 619 446-5325 FTirandazi@sandiego.gov
- **Project Description:** LA JOLLA (Process 3) Site Development Permit and Coastal Demolish of an existing 465 sq. ft. garage and 2593 sq. ft. single family residence in order to develop a new 4220 sq.ft. one story single family residence consisting of a 1790 sq.ft. walk-out basement and a 899 sq.ft 3 car garage and 925 sq.ft. underground mechanical and storage room.

(Crisafi is recusing in order to present the project. Bob Steck is acting chair.)

**Presented by:** Tony Crisafi

**Information only.** Waiting for first round of Cycles from the city. Seeking comments from the committee.

- met with neighbors and made changes/improvements based on comments
- garage pad height remaining the same
- elevator added
- 6' setback per review panel
- excavating original poor fill. Will eliminate some caissons, but may need others.

**Public Comment:** None

**Committee Comment:** **Lucas:** Very concerned with side setbacks. Only 1 houses on west side of street has similar side setbacks and another has one setback similar, so only 1.5 houses out of about 20 on that side of the street are similar. This will set a bad precedent and is out of character. **Crisafi:** will talk with client. Could increase south setback from 5' to 6'. **Lucas:** Larger than 6' is needed to be compatible.

**No Action taken**

**c. HUNNEKENS CDP SDP – 2nd REVIEW**

- Project #: 443644
- Type of Structure: Single Family Residence
- Location: 8476 Westway Drive
- Applicant: Michelle Meade 858-869-2852, mmeade@islandarch.com
- Project Manager: Gaetano Martedi 619-446-5329, gmartedi@sandiego.gov
- **Project Description:** LA JOLLA (Process 3) Site Development Permit and Coastal Development Permit for a 1,692 square-foot addition and associated interior remodel to an existing single family dwelling unit. The 0.50-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 8476 Westway Drive in the LJSPD-SF zone(s) of the La Jolla Shores Planned District within the La Jolla Community Plan area, Council District 1.

(Crisafi is recusing in order to present the project. Bob Steck is acting chair)

**Presented by:** Tony Crisafi and Michelle Meade

Presentation focused on changes to project and information requested by the committee,

- Cleaned up the roof lines
- The garage is relocating to north end of property
- Removing pool. Installing a small spa

- Removing existing 6' high retaining wall and replacing with 2 lower retaining walls, 3.5' and 2.5' in same location.
- The swale easement on property below is being kept. The swale is part concrete and part permeable swale. The roadway easement below was abandoned by the City but the drainage easement remains. (When the PRC and CPA approved the project below, the swale was to be retained).
- Not modifying the slope. Improving drainage and runoff by having more permeable area on the west side.
- Complies with 30' height limit. The covered outdoor terrace is only part of structure close to 30'. The rest of the house is well lower including the existing ridgeline.
- They have talked and shown plans to the neighbors.
- Elevations shown looking up the hill. Large trees downslope will hide a lot of the house.
- Side setbacks: North setback: 6', South setback 6'2"
- This house set back further from street than existing. Front setback: 12', rear setback 37'10"
- FAR: .33. Landscape: .59. Lot coverage: .23
- Neighborhood house compatibility photos were presented.

**Committee questions:**

**Lucas:** City Cycles had concerns that exercise and office space could be considered bedrooms, thus creating parking issues in the coastal impact parking zones? **Crisafi:** They are removing the doors from both rooms. The exercise room can only be accessed from inside through the master bedroom and bathroom, so would never be converted. There will be four bedrooms total. They do have 3 garage and 3 driveway parking spaces so would comply with parking regulations either way. **Lucas:** Can you increase the side setback? **Crisafi:** They are trying to allow room for a side door opening and also to landscape certain areas in the front, and can not increase the setbacks further.

**Public comment:**

**Peggy Davis:** Rear setback? **Crisafi:** 37'10". **Davis:** Concerned about water running down hill. She has seen water run down across the Gaxiola property. **Crisafi:** They are redoing the irrigation and have increased the permeable area which will decrease runoff. They notified the neighbors and none expressed any drainage concerns. The swale should handle runoff.

**Committee Discussion:** Further discussion about drainage.

**Motion:** Conboy **Second:** Gordon

**Findings can be made for project 443644 for a Site Development Permit and a Coastal Development Permit.**

**Motion carries 5-0-0** Approve: Conboy, Emerson, Gordon, Lucas, Steck. Recuse: Crisafi

**d. VELTMEYER ADDITION SDP- 1st REVIEW**

- Project #: 437378
- Type of Structure: Single Family Residence
- Location: 7632 Via Capri
- Applicant's Rep: Tim P Jones, TPJ Arch 619-259-2150, [TpjArchitect@cox.net](mailto:TpjArchitect@cox.net)
- Project Manager: Derrick Johnson 619-446-5477 [DNJohnson@sandiego.gov](mailto:DNJohnson@sandiego.gov)
- **Project Description:** LA JOLLA (Process 3) Site Development Permit for an addition to existing residence at 7632 Via Capri. The existing residence is currently 1,362 SF Main Level and 1,140 SF Lower Level. The proposed addition is 780 SF at the Main Level (Family Room) with new 324 SF deck extension and 1,312 SF Upper Level (bedrooms & bathrooms) with 517 deck area. Total finished residence living area will be 4,594 SF. The 0.51 acre site is in the Single Family (SF) zone of

the La Jolla Shores Planned District, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan Area. Council District 1.

**Presented by Tim Jones, architect**

- Uses similar footprint to existing house. Setbacks very similar.
- Lower level remaining the same, except for removal of a sliding door that leads to a steep drop and is unsafe.
- Extending main level balcony/deck from 3' to 10'
- second story addition over front entrance to east. Still within same footprint of the house.
- Front entrance will have a height of 12' over existing, as second floor will have a flat roof.
- They had been showing the plans to Development Services and until recently thought that it would be approved as a simple remodel. They did not know a SDP was required until recently. They will have a more complete presentation next meeting.

**Committee questions:**

**Crisafi:** They should redo the diagram showing the Prop D height limit, as it is confusing.

**Emerson:** Balcony 10' is a wraparound. What is there setback relative to this in regards to privacy. 7 bedrooms. Biggest concerns are on the massing of it, since the lot slopes quickly. Balcony with large pillars makes it look like a 3-story house. Around the corner. No articulation and straight walls. **Steck:** Disagrees, Not really going to see the house due to topography. **Gordon:** Lots of property and open space. Setbacks large. 80' low to high grade differential.

**Lucas:** If removing sliding door to nowhere, will the lower level have a fire exit? **Jones:** Yes. Lucas: is concerned about 7 total bedrooms and meeting the parking requirements. Looks like only 2 to 4 parking spaces (assuming Via Capri driveway conforms to parking codes). **Jones:** They can convert the bedrooms in the lower level to be office, family rooms. They are not trying to create a dormitory.

**Public Comment:** None

**Committee Comments:** Need better presentation materials. Need site sections. Articulation. Show grade at the street on the elevation.

**No action taken. Meeting adjourned at 7:27pm**