



May 16, 2020

Mr. Andy Fotsch, Chairman
La Jolla Shores Permit Review Committee
La Jolla, CA

TRANSMITTED VIA EMAIL: andy@willandfotsch.com

Re: K-4 Residence
7595 Hillside Drive
Project No. 522708

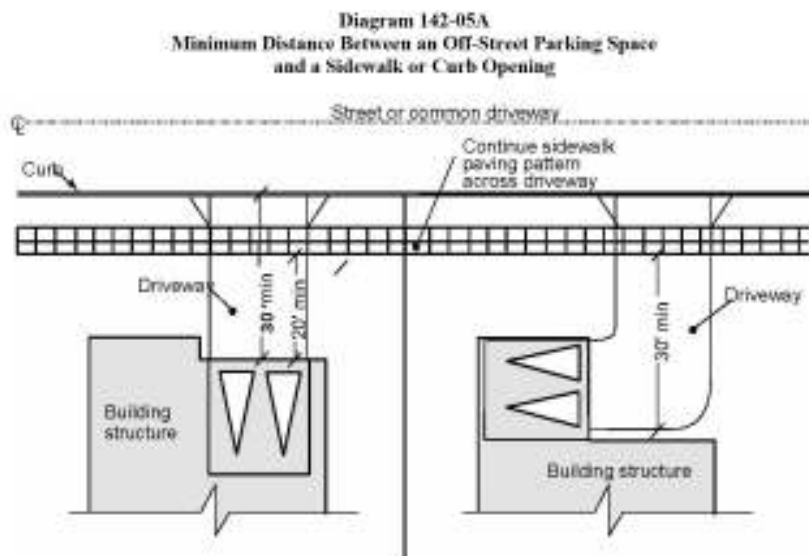
Ladies and Gentlemen of the La Jolla Shores Permit Review Committee,

I represent Mr. and Mrs. John Gilchrist who reside directly across the street from the above reference project. The existing dwelling on the property has been vacant for years. The Gilchrists would like to see the project site properly developed in accordance with the La Jolla Community Plan and all applicable rules and regulations.

The applicant and project architect recently submitted to you revised drawings dated 5-1-2020. The applicant also submitted digital copies of six drawings (Sht. Nos. A.01, A-02, A-03, A-04, A-06 and A-06.1) from those drawings, to the La Jolla Community Planning Association (LJCPA) for it's review of the project. The following comments pertain to the six drawings dated 5-1-2020 submitted to the LJCPA.

INADEQUATE DRIVEWAY LENGTH and NO ADDITIONAL ON-SITE PARKING

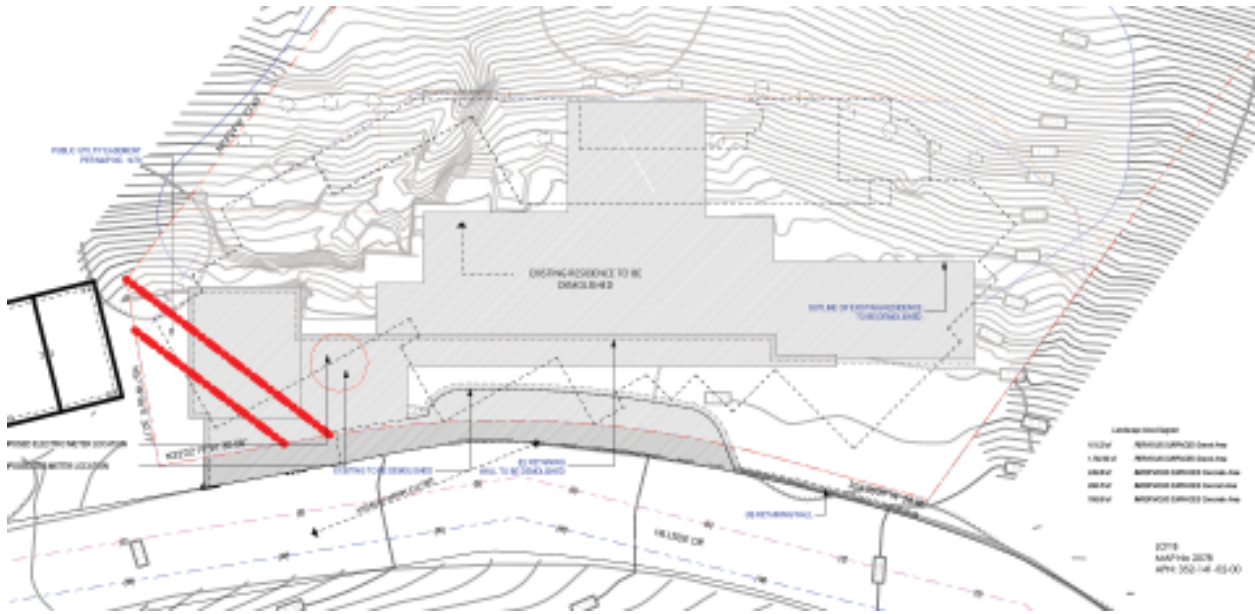
The La Jolla Shores Planned District Ordinance specifically incorporates SDMC Chapter 14, Article 2, Division 5 Parking Regulations. SDMC Sec. 142.0521(f) requires a minimum 30 foot long (curb to garage door) driveway in accordance with Diagram 142-05A:



¹ *Single dwelling units* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to section 142.0525(c)(4).

INADEQUATE DRIVEWAY LENGTH and NO ADDITIONAL ON-SITE PARKING (continued)

Contrary to the Parking Regulations SDMC Sec. 142.0521(f) the applicant still proposes a substandard driveway which fails to provide the required 30 foot minimum driveway length to accommodate off-street guest parking out of the public right-of-way, in addition to the elimination of two existing badly needed parallel out-of-the-roadway parking spaces on the narrow 19'-9" wide roadway, shown on the exhibit and aerial photo below:

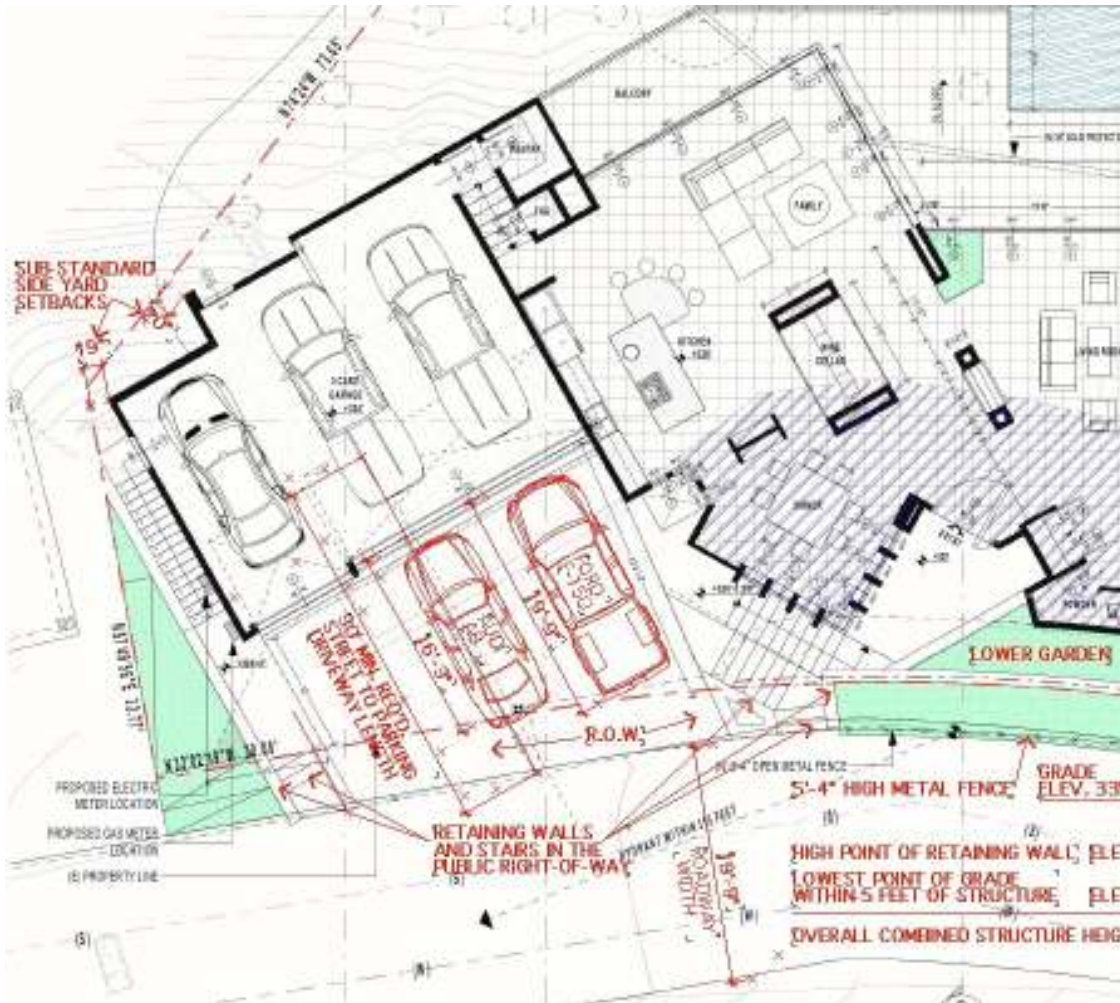


Aerial view of the existing red brick paving out-of-the-roadway parallel parking spaces to be eliminated by the proposed design.



INADEQUATE DRIVEWAY LENGTH and NO ADDITIONAL ON-SITE PARKING (continued)

The following exhibit superimposes (in red) the revised location of the proposed garage door in relation to the street. The revised length of the proposed driveway is still well short of the minimum required 30 foot curb to garage door driveway length required by SDMC Sec. 142.0521(f). Portions of vehicles parked in the short sub-standard driveway will extend across the front property line into the street right-of-way.



A dimension line shows the 30 foot minimum street to garage door driveway length needed to comply with SDMC Sec. 142.0521(f) diagram 142-05A when no additional on-site parking is provided.

According to the applicant's drawings the roadway in front of the project is less than 20 feet in width, barely enough for oncoming cars to safely pass each other. Because of the narrow street width drivers on Hillside Drive regularly allow their right wheels to drive off the paved roadway in order to safely pass an oncoming vehicle. When wide vehicles or trucks are on Hillside Drive there is insufficient roadway width to allow emergency vehicles, like fire trucks and fire ambulances, to pass.

Vehicles parked in the proposed sub-standard driveway will extend across the front property line into the street right-of-way and constitute an undue safety hazard now.

Because retaining walls and entry steps within the public right-of-way constitute a public tripping hazard and a vehicle safety hazard, the LDR-Engineering Review Section directed the applicant to remove the retaining walls and entry steps from the right of way in the DSD's Project Assessment Letter dated December 9, 2019. Contrary to the DSD's direction, the prohibited structures still remain in the public right-of-way.

Looking West (downhill) on Hillside Drive. The temporary construction fence obscures the two existing and required out-of-the-roadway parallel parking spaces.

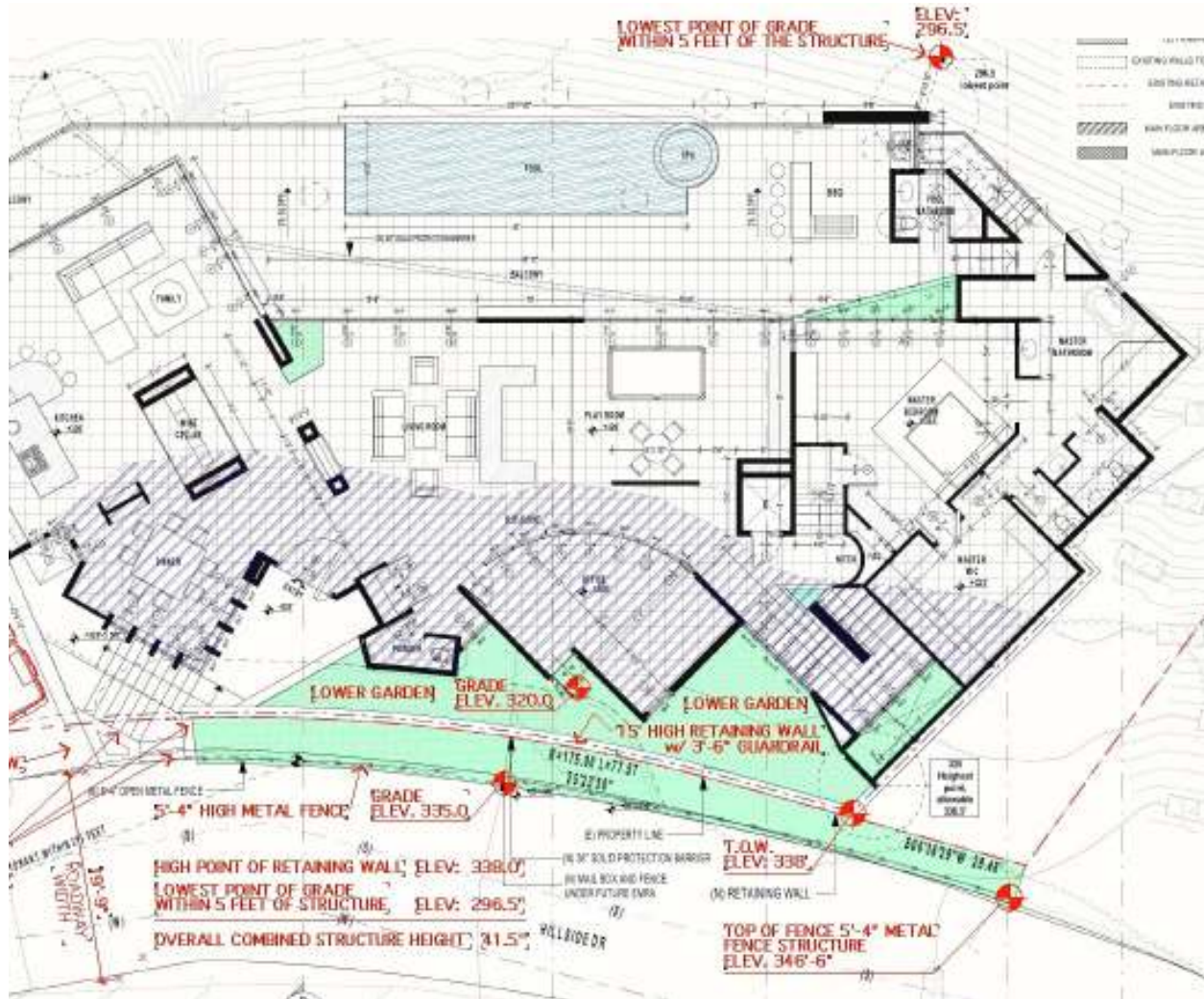


Looking East (uphill) on Hillside Drive toward the proposed project. The existing out-of-the-roadway parallel parking spaces in the foreground are in front of the adjacent property at 7605 Hillside Drive. The subject property is in the distance behind the green construction fence.



TRANSVERSE CROSS SECTION DRAWING OMITTED FROM APPLICANT’S POSTED PRESENTATION

The applicant’s Site Plan and Floor Plan drawings reference Building/Site Sections Nos. A/A-05, B/A-05, C/A-5.1, and D/A-5.1. Unfortunately, those very important Building / Site Section drawings were omitted from the drawings submitted to the LJCPA. Those drawings would have clearly depicted the 15 foot (+/-) high retaining wall topped with a 3’-6” guardrail adjacent the curved front property line. The high retaining wall supports the street right-of way and allows for a sunken front yard garden 15 feet below street level.



OVERALL STRUCTURE HEIGHT EXCEEDS THE MAXIMUM OVERALL STRUCTURE HEIGHT ALLOWED

Overall Structure height is measured from the lowest point of grade within 5 feet of the structure to the highest point of the structure. The SDMC states:

- (3) *Structure height* is measured separately for each structure that is separated from another structure on the premises by 6 feet or more. Separation between structures shall be measured in plan view to account for the structural envelope of each structure.

Because the front yard retaining wall mentioned above is connected to the dwelling, the Overall Structure Height of the combined structures is taken together and is at **least 41.5'** where the maximum allowed Overall Structure Height on this steeply sloping site in the Coastal Zone is $30' + 10' = 40'$. Because the proposed 5'-4" high metal fence structure is connected to the front yard retaining walls, the combined Overall Structure Height for all connected structures may actually be on the order of $50'$ ($346.5' - 296.5' = 50'$)

STREET ELEVATION DRAWING OMITTED FROM APPLICANT'S DRAWINGS

Omitted from the applicant's digital drawings submitted to the LJCPA is an Elevation from the street showing the proposed 5'-4" high open metal fence entirely within the public right-of way and immediately adjacent the paved roadway. Because the roof levels of the eastern half of the dwelling are well below street level as illustrated by the dashed blue line on the South Elevation below, the proposed 5'-4" open metal fence will constitute most what will be seen from the street.



An elevation drawing from the street looking at the project would show the proposed design of the 5'-4" high open metal fence. Without a design for the open metal fence, one might assume the proposed fence may look like the open metal fences at K-4 RESIDENCE property owner Mark Kooklani's three previous projects at 7447, 7451 and 7455 Hillside Drive.



ENVIRONMENTAL IMPACT OF THE PROPOSED DEVELOPMENT ON THE SEASONAL WETLAND NOT YET CONSIDERED

A lower portion of the project site lies within a sizable seasonal wetland. Unfortunately, the environmental impact of the proposed site development on the sensitive wetland environment has yet to be considered by the LDR - Environmental Review Section of the Development Services Department.



CONCLUSION

Because:

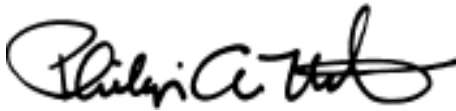
1. The narrowness of Hillside Drive precludes any on-street parking. In order to comply with Parking Regulations SDMC Sec. 142.0521(f), the proposed K-4 Residence must either provide the minimum driveway lengths depicted in SDMC Diagram 142-05A, or provide two additional on-site parking spaces as required by Footnote 1 of Diagram 142-05A, and;
2. The project as currently designed exceeds the maximum allowed Overall Structure Height by at least 1'-6" and possibly 10', and;
3. In light of exhibits not yet submitted to the LJCPA, the proposed appearance of the project, including the 15' high front yard retaining walls with pedestrian guardrails, and the 5'-4" metal fence, as viewed from Hillside Drive cannot be determined, and;
4. Contrary to LDR-Engineering direction the project proposes a 5'-4" metal fence of unknown design to be constructed entirely within the public right-of way and immediately adjacent the roadway paving;
5. The impact of the proposed project on the seasonal wetland has not yet been evaluated by the LDR - Environmental Review Section of the Development Services Department.

The proposed project as currently designed is not in accordance with the San Diego Municipal Code. Therefore: the required Findings for both Coastal Development and Site Development Permits **cannot** be made.

Please don't hesitate to contact me if you have any questions or comments about anything contained herein.

Thank you for your consideration of these important Municipal Code and Coastal Develop Permit issues.

Sincerely,



Philip A. Merten AIA

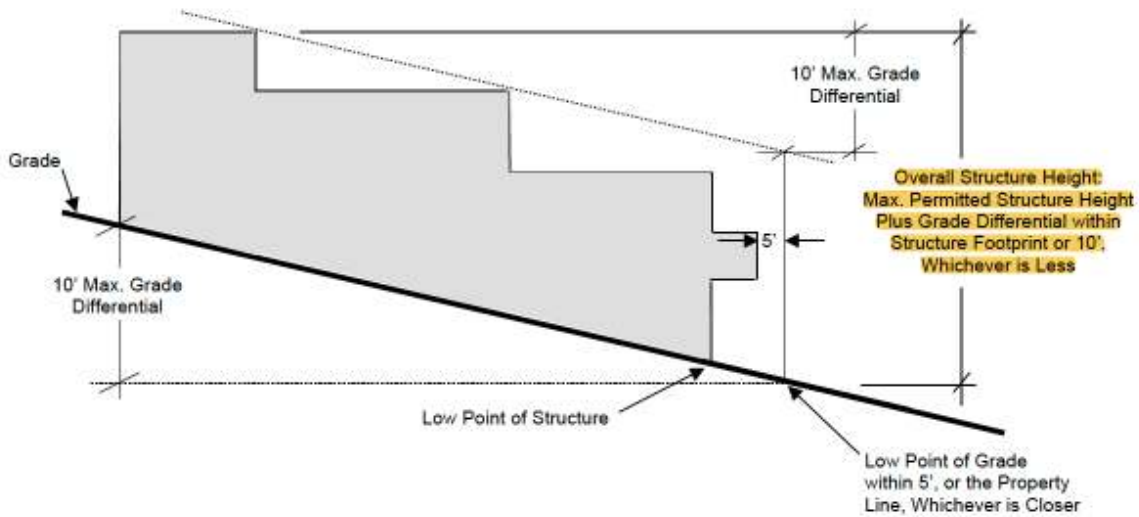
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See **ATTACHMENT**

- (B) Overall Height Measurement. The overall structure height is measured from the lowest point of existing grade or proposed grade within 5 feet of the structure's perimeter (building wall, balcony, bay window, or similar architectural projection) or at the property line, whichever is closer, to the highest point of the structure, projected horizontally to directly above this lowest point of grade. The overall structure height shall not exceed the maximum permitted structure height of the applicable zone plus an amount equal to either the maximum grade differential within the structure's footprint or 10 feet, whichever is less. The structure height shall not exceed the maximum allowed by the applicable zone at any one point. This is illustrated in Diagram 113-02LL.

Diagram 113-02LL

Overall Structure Height



- (3) Structure height is measured separately for each structure that is separated from another structure on the premises by 6 feet or more. Separation between structures shall be measured in plan view to account for the structural envelope of each structure.

Structure means an edifice or building of any kind or any construction built up or composed of parts joined together in some definite manner including a wall, fence, pier, post, sign, or shelter.