

HEARING OFFICER
RESOLUTION NO. (DRAFT)
COASTAL DEVELOPMENT PERMIT NO. _____
7342 REMLEY PLACE PINTAR HOME PROJECT NO. 649756

WHEREAS, Theodore J. Pintar and Maryanne Pintar, Trustees of the Pintar Revocable Declaration of Trust dated April 9, 2001 and amended and restated on February 19, 2014, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing 3,196 sq. ft. residence and the construction of a replacement approximately 4,923 sq. ft. two-story single family residence swimming pool and detached accessory garage on a 0.21 acre property including landscaping (planting irrigation and landscape related improvements) with a total of 5 off-street parking spaces (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. _____); and

WHEREAS, the site is located at 7342 Remley Place in the RS-1-4 Zone, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, within the La Jolla Community Plan area and City Council District 1; and

WHEREAS, the Project site is legally described as the project site is legally described as: portion of Lot 4 in Block "D" of La Jolla Country Club Heights, 1975; and

WHEREAS, on September ____, 2020, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. _____ pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated September ____, 2020:

FINDINGS:

A. Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The proposed development is located at 7342 Remley Place within the La Jolla Community Plan Area and within the very Low Density (0-5 DU/Acre) and the RS-1-4 Zone approximately 1 mile from the ocean/beach. The site is not located between the shoreline and the first public roadway. The existing house will be removed and replaced with a new home that will not encroach into any existing or proposed physical access way that are legally utilized by the public. All of the proposed development will be contained within the existing disturbed and previously graded and developed site.

There is no existing physical access that is used, legally (or otherwise), by the public, nor is there any public access identified in the Local Coastal Program on or thru the site.

Per Visual Resource Recommendation 2(a) of the La Jolla Community Plan, and in accordance with Section 132.0403(a) of Municipal Code – Supplemental Regulations of the Coastal Overlay Zone, the proposed development has been designed and sited in such a manner so as to not adversely affect any scenic coastal area designated public view, partially obstructed or otherwise.

The subject site is located on Remley Place in an urbanized area of La Jolla. Due to its location, the subject site and proposed development will not affect any existing coastal scenic resources or any other identified public view to or along the coast.

There are no designated public views within, though, or across the site. Additionally, there are no designated public views, adjacent to the subject site.

The Project proposes the demolition of the existing residence and the construction of a replacement new, two-story home, swimming pool and detached accessory garage. The ridge height of the new home will range from 13 ft. to 17 ft. above Remley Place and will be below the maximum permitted height of 30ft. As such, the building conforms to the maximum 30 ft. Coastal Proposition “D” Height Limit.

In addition to the regulations of the applicable Municipal Code and Land Use Plan, the proposed development incorporates and, setback, step backs, with articulating roof lines. The house has been oriented to relate to adjacent homes, while enhancing community character with visually compatible architecture, form, style, and scale.

The project proposes a north street yard setback of 15 ft. to the main house from Remley Place where only 6 ft. is required. The detached accessory garage will respect a 6 ft. setback from Romero Street in compliance with the RS-1-4 zone.

Regarding side yard setbacks the project will incorporate 4 ft to 10 ft setbacks respectively in compliance with the required setbacks. The proposed home will have a lot coverage of 48% where 50% is allowed, and the Floor Area Ratio will be 0.54, below the maximum allowed.

Therefore, the proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program Land Use Plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan (also see CDP findings 2-4).

2. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.

The Project proposes the demolition of an existing home and the construction of a replacement two-story home, a swimming pool, and detached accessory garage.

The proposed development is located on a previously developed and graded urbanized lot. Drainage from the developed portion of the site will be directed toward the Romero Street public storm drain system. This development does not propose to encroach into any undisturbed natural areas.

Extensive geologic testing was performed to determine the suitability of the site and to assure that Remley Place and the adjacent homes would not be adversely affected (see Accutech Engineering Report October 4th 2019, Response to Cycle issues dated May 4th 2020, and Stability of the site letter dated August 14th 2020). While the site will be re-graded and there will be export of soils, these extensive studies and reports conclude that;

- 1) "the site is suitable for the intended use" (construction of a replacement home),
- 2) "the proposed development will not destabilize or result in settlement of adjacent property or the right of way",
- 3) The site will be adequately stable following project completion, and

- 4) "Not only is the project not aggravating any existing stability concerns, it is in fact creating a more stable hillside due to the method of building and foundation design".

The site is not located within or on Environmentally Sensitive Lands, a coastal bluff, beach, or special flood areas. The project site is located in urbanized and built out area of the La Jolla Community. The developed site does not contain any sensitive biological resources or other environmentally sensitive lands. The site is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA)

The existing structure to be demolished was originally built in 1960. Because of its age, the Municipal Code required that Historic Review be conducted to determine whether the structure and/or site are eligible for historic designation or listing either the state, local, or national historical registers.

After historical research, analysis, and evaluation, City Staff concluded that the Structure/Property was not historically and/or architecturally significant. As a result, the site is not eligible for designation/listing on either the local, state, or national historic registers. As a result of this determination, the structure on the site may be demolished with the issuance of a Coastal Development Permit and a Demolition Permit.

The Project site is located within an existing urbanized Single Family neighborhood and is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City's

Multiple Species Conservation Program. The proposed Project was found to not have a significant adverse effect on the environment.

The replacement residence will conform with all applicable provisions of the Municipal Code and the Certified LCP, and no deviations or variances are requested.

The Project proposes the demolition of an existing home and the construction of a replacement two-story home, a swimming pool, and detached accessory garage. The City of San Diego conducted a complete environmental review of this site and determined that the project is categorically exempt from CEQA pursuant to CEQA State Guidelines Section 15301 (Existing Facilities), Reconstruction), Section 15303 (New Construction). The proposed project also qualifies for CEQA Exemption Section 15302 (Replacement).

Therefore, the proposed development will not adversely affect identified marine resources, environmentally sensitive areas, historic, archaeological or paleontological resources (also see CDP finding 1 above, 3 and 4 below).

3. The proposed coastal development is in conformity with the Certified Local Coastal Program Land Use Plan and complies with all regulations of the Certified Implementation Program.

The proposed development includes the demolition of a single family home and the subsequent construction of a new two story single family home, swimming pool, and detached accessory garage for a total of five off-street parking spaces. The proposed development is approximately 1 mile away from the beach and is not located between the shoreline and the first public roadway. The Project meets all of the Guidelines for the Coastal Overlay and Coastal Height Limitation Overlay Zones. The proposed development will be consistent with the recommended residential density prescribed by the La Jolla Community Plan. The proposed development will also be consistent with all of the applicable development regulations of the La Jolla Community Plan and Land Development Code thru this discretionary entitlement process.

The height, scale, design, and proposed building materials are all consistent with the varied architecture, design and character of existing single family development in the surrounding area.

Per Figure 1 of the La Jolla Community Plan Land Use Map, the site is designated for Very Low Density Residential (0-5 du/acre). Proposed project is only a replacement single dwelling unit and therefore does not change density of the site.

Residential Policy #1: Maintain the existing residential character of La Jolla's neighborhoods by encouraging buildout of residential areas at the plan density. Proposed project does not change the residential density and meets this policy.

Residential Recommendation 2b: In order to regulate the scale of new development, apply development regulations to all residential properties in La Jolla that proportionally relate the building envelope to the existing lot dimensions. Apply minimum side and rear yard setback requirements that separate structures from adjacent properties in order to prevent a wall effect along the street face as viewed from the public right-of-way. Side yard setbacks should be incrementally increased for wider lots. Proposed project will acknowledge this recommendation by adhering to all development regulations applicable to the construction of a single dwelling unit.

Residential Recommendation 2e: In order to address transitions between the bulk and scale of new and older development in residential areas, maintain the existing 30-foot height limit of the single dwelling unit zones and Proposition D. Structures with front and side yard facades that exceed one story should slope or step back additional stories, up to the 30-foot height limit, in order to allow flexibility while maintaining the integrity of the streetscape and providing adequate amounts of light and air.

Exterior finishes incorporate materials and colors consistent with recently built and remodeled homes in the vicinity and therefore would be visually compatible with the varied design themes, setbacks, parking layout and character of the existing one, two,

and three story single family homes of the surrounding area. This Project will enhance the visual quality of the surrounding area.

Based on a submitted neighborhood survey of the existing development pattern and bulk and scale comparisons, the proposed residence was determined to be in general conformity with setbacks, bulk and scale, and character of the surrounding neighborhood and vicinity, consistent with the La Jolla Community Plan Residential Design Guidelines. The proposed project meets all of the development standards, such as building setbacks, building height, and bulk and scale required by the underlying zone.

In addition to the regulations of the applicable Municipal Code and Land Use Plan, the proposed development incorporates and, setback, step backs, with articulated rooflines. The house has been oriented to relate to adjacent homes, while enhancing community character with visually compatible architecture, form, style, and scale.

The project proposes a north street yard setback of 15 ft to the main house from Remley Place where only 6 ft is required. The detached accessory garage will also respect a 6 ft setback from Romero Street in compliance with the RS-1-4 zone standards.

Regarding side yard setbacks, the project will incorporate 4 ft. and 10 ft. setbacks respectively in compliance with the required setbacks. The proposed home will have a

lot coverage of 48% where 50% is allowed, and the Floor Area Ratio will be 0.54, below the maximum allowed.

Proposed building elements have been sensitively distributed, with the proposed setbacks and step backs along the front building façade, providing an appropriate and visually compatible transition to existing development in the general vicinity. The architectural form and proposed massing will not be disruptive to the architectural character of the neighborhood particularly when compared to recent remodels and redevelopment on Remley Place, Romero Street, and Country Club Drive.

The building design conforms with the general design recommendations of the Community Character policies of the La Jolla Community Plan.

The Plan states on page 82, in Community Character

“single dwelling unit residential development in La Jolla covers a “spectrum of densities” and architectural styles and expressions. One of the more critical issues associated with the single dwelling unit is the relationship between the bulk and scale of infill development to existing single family dwelling units.”

Community Character is defined on page 84 of the Plan,

"...to promote good design and harmony with the visual relationships and transitions between new and older structures..."

"Community Character" is defined within the Community Plan on pages 81 (4th bullet point "harmonious visual relationship"), page 84 which states in part "...to promote good design and harmony with the visual relationships and transitions between new and older structures...", and on page 90 a),

"in order to maintain and enhance the existing neighborhood character ambience promote good design and visual harmony in the transitions between new and existing structures and preserve the following elements: (1) bulk and scale with regard to surrounding structure or land form conditions as viewed from the public right of way and from parks and open spaces."

As viewed from Romero Street and from Remley Place, the proposed home addresses each of the design guidelines and policies as contained within the LCP including retention of community character, dealing with the avoidance of extreme and intrusive changes to residential scale, bulk, the design and harmony of the visual relationship in transitions between newer and older structures, landscape, and streetscape, and sensitive design. Consistent with the LCP recommendations and the community character standards as contained within pages 89 and 90, the proposed home satisfies the recommendations addressing issues such as bulk and scale, height, transitions,

street landscape, stair step design, articulation and offsetting planes, and the treatment and variation with the street front, and side yard setback.

The applicants submitted to the City a FAR Study as well as a surrounding neighborhood photos, which compares the proposed Home with the surrounding neighborhood. The Compatibility Study and the submitted Photo Survey and architectural renderings/simulations demonstrate that the proposed home is sensitive in design and scale and will result in an aesthetic and appropriate transition, between existing development and the proposed replacement home.

While some homes within the neighborhood are smaller, by a review of photographs presented, as well as the FAR Study, many of the homes in the vicinity including those within a 30 second walk are two and three story in height with similar, and in some cases, larger square footage and/or FARs. There are many large two and three story tall homes within a two to three block radius of the site. The proposed home will be consistent with the Community Character and below the maximum 30 foot height limit.

The proposed home meets all of the criteria and designs standards as set forth in the La Jolla Community Plan "Community Character" recommendations as set forth on page 89 through 91. Further, the project meets the design and Community Character recommendations as set forth on page 82 of the Community Plan.

The entire neighborhood is comprised of an eclectic mix of 1, 2, and 3 story homes within a large range of sizes and styles. The proposed replacement home will fit nicely into the neighborhood as the project is consistent with the neighborhood scale and character.

The proposed project is consistent with the La Jolla Community Plan, reflecting an American style of architecture incorporating contemporary influences consistent with the area. The decks & courtyard facilitate "indoor-outdoor" living. Appropriate use of natural building materials including stone and wood to reinforce an original design that reflects the existing character of the surrounding community.

The proposed development conforms to the applicable regulations for building height, density, lot coverage, off-street parking, and landscaping of the RS-1-4 zone.

The proposed project complies with all applicable provisions of the Land Development Code and no deviations or variances are required or requested.

Therefore, the proposed development would be in conformity to the Certified Local Coastal Program Land Use Plan and comply with all regulations of the Certified Implementation Program (also see CDP findings 1 and 2 above, 4 below.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal

development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The proposed development is located at 7342 Remley Place within the La Jolla Community Plan Area Zone, but is approximately 1 mile from the shoreline and is not between the First Public Roadway and the sea. The proposed development includes the demolition of a single family home and the subsequent replacement with a new two-story single family home, and with ample off-street parking.

Due to its distance from the ocean, the proposed project will not adversely affect existing public access to the shoreline.

Therefore, the Coastal Development Permit issued for this Project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act (also see CDP findings 1, 2 and 3 above).

BE IT FURTHER RESOLVED that, the Hearing Officer hereby acknowledges the CEQA Categorical Exemptions and based on the testimony at the hearing and the various reports, studies and correspondence in the public record, the findings hereinbefore are hereby adopted by the Hearing Officer and Coastal Development Permit No. _____ is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the

form, exhibits, terms and conditions as set forth in Coastal Development Permit No. _____, copies of which is attached hereto and made a part hereof.

Development Project Manager
Development Services

Adopted on: _____
Job Order No. _____

cc: Legislative Recorder, Planning Department