

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
Feb. 14, 2011
DRAFT

2/14/2012 Present: Benton (Chairman), Ducharme-Conboy, Costello,
Gaenzle, Hayes, Kane, Liera, Merten, Thorsen

1. 4:04 PM Call to Order

2. NON-AGENDA PUBLIC COMMENT

Costello: The appeal for the Hennessey Sidewalk Café is the Thursday at the Planning Commission.

Merten: There is a meeting concerning Whale Watch Way this Wednesday.

3. FINAL REVIEW (Previously reviewed 11/8/11 & 11/15/11) recorder setting: 30:00:02:40

Project Name: **ENCORE TRUST RESIDENCE**

9872 La Jolla Farms Road

Permits: CDP & SDP

Project #: PO#237107

DPM: Glenn Gargas 619-446-5142

ggargas@sandiego.gov

Zone: RS-1-2

Applicant: Julia Metcalf 858-945-8486

Scope of Work:

(Process 3) Coastal Development Permit and Site Development Permit to construct a 21,592 SF single family residence and 2,149 SF guest quarters on a vacant 1.52 acre site at 9872 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem Parking.

Presenters: Joe LaCava, Civil Engineer
Paul Metcalf
Teresa Clark, Landscape Arch.
Dave Russell, Geologist
Martin Weinberg
Michelle Weinberg

APPLICANT PRESENTATION: FAR reduced 25%. Removed guest house, smaller main house (now 17,900 sq ft). Reduced frontyard, South sideyard setbacks, Prefer Zillow method for lot, FAR comparisons. Summed both sides for a super VC ~75 ft. Changes; Public Views, Public Trails. Reduction in size from 23, 200 sq ft to 17,900 sq ft. FAR reduced 0.35 to 0.27. Second floor pushed back. Neighborhood Character, pushed back and smaller. Landscape more, foot print less & hardscape less. recorder setting: 30 00 21 59

Com. Plan. has two designations: Different objectives / purposes. (LJ CP fig A, ref. added by DPR)

1) Scenic Overlook: View over private properties from a public ROW (*ie mid-block area of Black Gold Rd*) and
2) Scenic Roadway: Partially obstructed views over private property and down public ROWs.

House is set down and to side to provide Scenic Overlook, but there are many existing trees in VC.

Will provide Scenic Roadway view corridor at sideyard combined with neighbor's to 70 -75 ft.

PublicTrail recorder setting: 30 00 28 13 **Easement actually on neighbor's property, but Weinbergs will preserve currently in situ trail. Two issues: 1) some people say guest house crowds trail - will remove guest house from plans. 2) City wants "Irrevocable Offer of Dedication" easement for public access.**

DISCUSSION:

Gaenzle: Show landscaping, wall, property line, trail. *Done.*

Angeles: Where is trail property line and Environmentally Sensitive Land, fence? *Shown, chain link fence. Wall will be on the inside of the chain link.*

Costello: Legal mechanisms for keeping trail open? Now, Emergency Access only, explain emergency easement / public trail access? *The City wants an Irrevocable Offer of Dedication. When, get final permit, get a grading permit, that's when recorded. Offer to dedicate will be to the City and Calif Coastal Commission. Easement for Emergency Access, will record easement for beach access when plan approved.*

Thorsen: Researched the Records and found Offer to Dedicate. Read the Offer aloud. Trail is well protected.

Kane: Your project and neighbors make a potentially spectacular VC, what will happen in that space? *There are 3 things; scenic preservation easement (ours), 10 ft existing scenic preservation easement (neighbors), height restriction easement (neighbors).*

Landscape recorder setting: 30 00 45 57 **Teresa Clark** presented landscape plan

DuCharme: Do you have a section showing property line, fences, public trail, VC? **Clark:** *provided section.*

Costello: Given that the applicant has considerable FAR still able, at a time after an occupancy permit is given, can the applicant simply apply for a Substantial Conformance Review for a permit to build a guest house?

Absolutely not! Would need to return here (DPR). They are sincere about no guest house.

Evelyn Heidelberg: recorder setting 30 00 58 10 Thanked Applicants for their changes. Come along way. We would like to point out two things: 1) the 25% reduction in FAR is almost all the guest quarters. The space is to be a sports court which could be converted to a guest quarters at a future date. It would be incrementalism and not allowed under CEQA. This is still 33% larger than existing entitlements for this lot and 59% larger than the prior approval. Remain convinced project does not comply with the use protection policy of the Coastal Plan or the Muni Codes Land Dev. Code 132.0403A . Which says that "If there is an existing or potential view and the site is designated in the applicable land use plan as a public view to be protected, the applicant shall design and site the coastal development in such a manner as to preserve, enhance or restore the designated public view, and the decision maker shall condition the project to ensure that critical public views to the ocean and shoreline are maintained or enhanced." We have no issue with protection of views along the scenic road way (LJ Farms Rd). There is a distinction between scenic roadways and scenic overlooks. They rely on the 15 ft VC created when property was subdivided (1989) as satisfying the requirement for the scenic overlook. This is not what the CP or Muni Code calls for. No one has the right to maximize the development of their property.

Heidelberg: **Nissan Building** at UCSD SIO was redesigned. Required footprint be modified, shift position of building on site, reduce interior ceiling height to absolute minimum, sink building into soil to lower building height (removing 4,200 cu yd of soil).

Tony Crisafi: Problem is scenic overlook. 30 ft high building is too much degradation of public view. Submitted view analysis of four properties, recent projects, where development "actually improved and enhanced public views of coastal waters, rather than impede them." City imposed view analysis. Houses lowered out of view or mostly so. City did not allow them to go to 30 ft.

Benson Residence: (Exhibit D) removed mature vegetation blocking view, lowered house below view.

7210 Country Club Dr (Exhibit E) house lowered

8440& 8450 Whale Watch Way (Exhibit F) house lowered

1828 Spindrift Dr (Exhibit G) 1998 City Staff couldn't support because of impact on public view. Staff, no impact beyond what was existing. VC is 10% lot width.

Crisafi: 12 years experience working on this issue. Emphasized needed to preserve views. Asked DPR not make findings. Glenn Gargas was the Planner when this lot was split. He agreed North VC was silly. Asked how difficult would it be to move North VC to the South, he thought not too difficult at all.

Crisafi: recorder setting 001 13 26 Best view is down canyon to white water view. Alternative site plan 1) could move house North toward sport court, move the VC from North to add to the one at the South of property, added to neighbor's VC to make one very wide VC. 2) Or locate house down slope more, out of view.

Merten: What would you do to preserve views? **Crisafi:** It would not be simply cut trees to 30 ft, the City could never regulate that. Push structure down hill, there is a lower level pad on this site. Or push it North, without guest house it could work. If there is no height restriction because of public view, the house, property to the South could be built much higher and block public views. **Merten:** Anything you build will take public view? City Council and CCC reviewed this and said public views would be from the sideyards and not over the house. Otherwise

many lots would be unbuildable. **Crisafi:** If you take that position then you don't need the policy in the Com. Plan and we don't need to review this. **Liera:** There could be some balance here by taking what is lost from one view and adding to the other. This could be done from a view analysis.

Kane: Is it your position public view is across the entire lot? No, if you are at the arrow Is there a conflict between the CP about this being a buildable lot.

Hayes: It is difficult to see that as a scenic overlook since it goes over two properties that don't maintain it (trees).

Jim Morris: Issue is can you block a public view? Asked Weinbergs to push house down below view. Katz house on this property did not block view because it was down hill.

Susan Morris: Mrs. Bruser circulated petition.

Michelle Weinberg: objected to petition.

Jim Morris: Issue is not petition but loss of public view. Katz did not block public view.

Clark: Two of Mr. Crisafi's examples above lowered at request of applicant. Horizon line was continuous.

Kane: What findings are we making for the scenic overlook, we need to cover all aspects. A fair point has been raised as to what is a scenic overlook. Where is scenic overlook and what are our findings? We need a statement for the record because this will come up again.

DuCharme: See photo, what you have, Code says preserve what you have, enhanced opens up more view. Horizon line to curb opened up a little. Have preserved enough view and enhanced over present situation. So findings could be made.

Costello: Regrettable that we are losing our ocean views one lot at a time, this is a chance to preserve one if this project is built downhill or Northward.

Kane: What about the Geological implications of moving house downhill to a lower pad?

Dave Russell: Not much. Could be done. Not a gross detriment to dropping downhill. Sometimes you do that to help stabilize a hill by taking weight off top. But not much benefit slope stabilization here.

SUBCOMMITTEE MOTION: To approve project as presented. Findings can be made for a Coastal Development Permit and Site Development Permit to construct a 17,949 SF single family residence (without guest quarters) on a vacant 1.52 acre site at 9872 La Jolla Farms Road.

(Thorsen/Hayes 5-3-1)

In Favor: Ducharme, Hayes, Kane, Merten, Thorsen

Oppose: Costello, Gaenzle, Liera

Abstain: Benton

Motion Passes

4. FINAL REVIEW (Previously reviewed 12/13/11 & 12/20/11) recorder setting: 30:02:05:40

Project Name: **MILLER RESIDENCE**

440 Belvedere Street

Permits: CDP

Project #: PO#253451

DPM: Jeanette Temple

Zone: RS-1-7

Applicant: Bill Metz 619-276-1885

Scope of Work:

(Process 2) Coastal Development Permit to demolish existing residence and construct a 4,093 SF single family residence on a 0.16 acre site at 440 Belvedere Street in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area.

Presenter: Bill Metz, AIA

APPLICANT PRESENTATION: LJCPA objected to the basement. House redesigned without a basement and the roof is steeper. FAR is 0.57. 52% landscaping, 42% required. Front street view is a little different.

DISCUSSION:

DuCharme: Do you have elevations? *Yes More setback too.*

Liera: What about height limit? *6 inches under 30 ft*

Costello: What street is driveway? *Fern Glen*

Merten: Elevations on both sides is same

Benton, DuCharme: OK to continue to evolve the arches.

Thorsen, DuCharme: Previously neighbors were concerned about the basement and drainage from the basement to the street. All concerns are solved / removed.

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit to demolish Street, existing residence and construct a 4,093 SF single family residence on a 0.16 acre site at 440 Belvedere

(Hayes/Thorsen 7-0-1)

In Favor: Ducharme, Costello, Gaenzle, Hayes, Liera, Merten, Thorsen

Oppose: 0

Abstain: Benton

Motion Passes

5. PRELIMINARY REVIEW

recorder setting: 30:02:25:51

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: **KEATING RESIDENCE**

9633 La Jolla Farms Road

Permits: CDP

Project #: PO#266405

DPM: Glenn Gargas

Zone: RS-1-2

Applicant: Garrett Vanleewam 760-580-8608

Scope of Work:

Scott Maas 619-297-6153

(Process 3) Coastal Development Permit to demolish existing residence and construct a 10,834 SF single-family residence on a 1.07 acre site at 9633 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, First Public Roadway

Presenters: Taal Safdie, AIA

Scott Maas, AIA

Garrett Vanleewam, AIA

APPLICANT PRESENTATION:

Client wants to enlarge the garden. Two curb cuts. Guest quarters. 10 on site parking spaces.

Allowed 20,000 sq ft, using half of that. Shown elevations. Observatory, library on second floor with glass along East wall.

DuCharme: Setback 14 ft. Solid fence? *Yes* Have neighbors seen plans? *Don't know.* Max height? *30 ft at observatory .*

Merten: What is height of observatory to lowest point on site, SW corner? *40 ft, 10 foot differential.*

DuCharme: Make sure neighbor is OK with project

Costello: Typically we would ask for a few things. We need to compare with the houses on both sides of this project. What are the elevation differences, and Bulk & Scale? Topographic survey of the three houses too.

Committee: Much discussion about need for angled plane or not.

Merten: Your two setbacks total 20% of lot? *Yes*

Merten: Check setback, building height envelope, need for angled plane.

SUBCOMMITTEE MOTION: to Merge Preliminary and Final Reviews.

(Thorsen/Ducharme 7-1-0)

In Favor: Benton, Ducharme, Gaenzle, Hayes, Liera, Merten, Thorsen

Oppose: Costello (to afford neighbors another opportunity to attend a Review)

Abstain: 0

Motion Fails

recorder setting: 30:02:41:10

Please Provide for FINAL REVIEW:

- a. Please provide a photosimulation of the street scape showing the proposed Keating Residence with the existing houses on each side. This to be used to allow comparison of Bulk & Scale, as well as structure height with changing topography.**
- b. Please check building envelope sloping height limit setback on East side.**

6. Adjourn: 6:53 PM