LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT FOR August 2012

August 14 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Merten, Welsh

August 21 Present:Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Welsh
Benton recused during projects Camaisa & The Reserve. Collins was
elected Chair Pro Tem.

1. FINAL REVIEW 8/14/12 (previously reviewed 7/10/12)

The applicant's client has chosen not to revise the drawings per the committee. The DPR committee has been asked to proceed with a vote without further discussions with the applicant.

Project Name: TONG RESIDENCE EOT

-	961 La Jolla Rancho Road	Permits:	EOT for CDP 139245 + SDP 141335
Project #:	PO# 280468	DPM:	Mike Westlake 619-446-5220
			mwestlake@sandiego.gov
Zone:	RS-1-4	Applicant:	Albert Morone 760-294-7122
C CIII 1			

Scope of Work:

(Process 3) Extensions of Time for Coastal Development Permit 139245 and Site Development Permit 1413335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage on a 18,100 SF lot located in the RS-1-4 zone, at 961 La Jolla Rancho Road in the Coastal Zone (non-appealable), within the La Jolla Community Plan.

DISCUSSION:

Merten: Provided handouts: 8 drawings illustrating issues, 7 pages of excerpts / references from the SD Muni Code, LJ Com Plan, Local Coastal Program Land Use Plan.

In 2008 this was reviewed as Kelly residence, LJ CPA voted not to approve the project 15:0:1 on 3 April 2008. None the less, SD Plan .Com. approved plan in 2008 (City Planners failed to understand the Com Plan and Muni Code). Issues include:

1. The proposed development does not comply with the La Jolla Community Plan,

2. including VC obstructions.

3. This development is contrary to the Open Space Preservation and Natural Resource Protection standard, for Environmentally Sensitive Lands and Steep Hillsides.

4. The proposed development does not conform to the Steep Hillside Design Guidelines, as follows:

a. The proposed development extends farther into a steep hillside than is permitted:

- b. For development of a swimming pool in a steep hillside area
- c. For development of over-height, 21 ft, retaining walls without adequate separation of the walls.
- **d.** The measurement of the height of the retaining wall is in error: this refers to what appears to be a simulated boulder field that extends across several retaining walls.
- e. The measurement of the overall height of the structure by Proposition D is in error

Merten: A finding for an EOT "no new condition is required to comply with State Law". This never did comply with the State Law. To comply with Law the above issues need to be corrected.

Costello: The Muni Code says that an EOT must go thru the same, ie complete, review process as the initial application.

PUBLIC COMMENT:

Michael Flood: urges us to go to the Plan Com, ask them to get it right this time, not extend their error. **Bob Burkett:** This is a toxic project. There are prime views here, but this will seriously impact the views. **Costello:** The Applicant has presented his project and we have given him our comments, the minutes too. He has twice declined to return, and asked us to vote without him. This is a *nolo contendere* situation.

SUBCOMMITTEE MOTION: to deny the EOT. Findings can not be made for Extensions of Time for Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage at 961 La Jolla Rancho Road.

(Costello/Collins 7-0-1)

In Favor: Collins, Costello, Grunow, Kane, Liera, Merten, Welsh Oppose: 0 Abstain: Benton MOTION PASSES

As the Tong Project was to be heard at the Hearing Officer at 8:30 AM the next day, Mr. Merten was asked to telephone Glenn Gargas to ask for a Continuance at the HOH to allow the LJCPA to vote on the Project. Mr. Gargas advised to send an email asking such to HO Chris Larson, Glenn Gargas, Mike Westlake. Email was sent by DPR Chairman. (Note: Continuance was granted by email, until 10 Oct. 2012)

2. FINAL REVIEW 8/14/12 (previously reviewed 7/17/12) recorder setting 07/07 00 19 36

Project Name:	EC ENGLISH SCHOOL		
	1010 Prospect Street	Permits:	SDP & Conditional Use Permit
Project #:	PO# 280323	DPM:	Patrick Hooper 619-557-7992
			phooper@sandiego.gov
Zone:	PDO Zone 1A	Applicant:	CA Marengo 858-459-3769
Scope of Work:			Brandon Smith 760-805-1730

(Process 3) Site Development Permit and Conditional Use Permit to amend 93-0685 to increase the number of students from 65 to 312 and number of employees from 10 to 36 for an English language vocational school in an existing building at 1010 Prospect Street in Zone 1A of the La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Transit Area.

APPLICANT PRESENTATION: (CA Marengo)

300 English language vocational students, 25 teachers and employees. LJ PDO approved 5:0:0. We checked and acted upon Mr. Collins information about elevator disrepair and flooding. I asked about the elevator/parking lockout, because of liability issues floors are locked out. They will be opened for high parking demands. To have elevators and parking available will be part of lease agreement.

Provided for FINAL REVIEW:

- 1. Demographics of student population. International, mostly 17 to 27 years old, some 30 to 40 year olds.
- 2. Can you create attractive areas that will attract students to congregate? *Three student break areas created on upper floor patios, and "speak easys"*.
- 3. What are the hours of operations of school? 8:15 AM to 6 PM Mon to Fri, lunch staggered 11:15 to 1.
- 4. Status of elevator, its function, flooding in parking structure? One elevator functioning, one being repaired. Parking / elevators must be available before permit issued.
- 5. Will the parking be valet parking? Yes, to operate the automobile elevators.

DISCUSSION:

Applicant response in italics

Collins: Parking issues. Property management is aware of parking requirements, lease contingent upon spaces.

Grunow: What about the flooding? None now, floors and walls are stained though

Costello: Are there smoking areas? There are the 3 outside congregation areas. Living Room will likely come forward to sell refreshments. Trying to keep congregation on site.

Grunow: Are you counting on some students not using parking spaces? *Even if all students have cars*, there will be enough spaces.

Collins: Parking valet will be available during school hours, if there are extra spaces? *They must accept* tenets, students, first, then spaces will be available for the public.

SUBCOMMITTEE MOTION: Findings can be made a for Site Development Permit and Conditional Use Permit to increase the number of students to 300 and number of employees to 25 for an English language vocational school in an existing building at 1010 Prospect Street.

(Collins /Kane 6-0-2)

In Favor: Collins, Costello, Grunow, Kane, Merten, Welsh **Oppose:** 0 Abstain: Benton, Liera **MOTION PASSES**

3. FINAL REVIEW 8/14/12 & 8/21/12 (previously reviewed 7/17) D ' / NT

Project Name:	WU/ISAI KESIDENCE		
-	9882 La Jolla Farms Road	Permits:	CDP
Project #:	PO# 260171	DPM:	Tim Daly 619-446-5356
7		A 1° (tdaly@sandiego.gov
Zone:	RS-1-2	Applicant:	Janay Kruger 858-454-4326
Scope of Work			

Scope of Work:

(Process 3) Coastal Development Permit to demolish existing 10,383 sq ft residence and construct a 9,708 sq ft single family residence and a 951 sq ft companion unit on a 2.37 acre site at 9882 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.

APPLICANT PRESENTATION 8/14/12: (Matt Peterson, Mark Singer, Janay Kruger) **Provided for Review 8/14/12:** Applicant response in italics

- 1. Surfer trail easement, move the fence back to give the same width as Encore. About 95% on Wu Will enhance the trail, path is 8 ft. Can't make wider. property.
- 2. Surfer trail easement, landscape treatment and treatment of fence. *Nice landscaping with open see thru* vertical fence, enhance views. Has their own landscaping plan.
- 3. Illustrate neighborhood context, simulation of street scene, showing both sides of property. *Photos* shown, with VC
- 4. Report that the neighbors have been contacted (Encore and Wheelers).
 - A. Wheelers, provided letter favoring project
 - B. Brusers, provided letter favoring project
 - C. Morris, email OK with Wu project

D. Weinbergs want a letter to favor their project, Wu's want to stay neutral because of other neighbors.

E. Kruger is attempting to get all 65 neighbors to approve Wu house. No opposition yet, except, potentially the Weinbergs.

DISCUSSION 8/14/12:

Kruger: We are contacting all 65 neighbors asking for their approval. the trail expands from 8 ft to 15 ft down the trail.

Kane: 1. Actually, last time I didn't ask for the whole neighborhood to be contacted, just the immediate ones. **2.** Can we get a unified landscaping experience on the trail for the public? Can't you and Encore use the same plant palette? **Peterson:** *Yes* Asks Paul Metcalf if Encore can share their landscaping plan with Wu/Tsai to have a uniform plan?

Liera: Can you ask the City for a unified plan? Peterson: will do

Welsh: Is the VC blocked by the Wheeler trees? Peterson: *only up the street at the beginning of Black Gold Rd*

Welsh: Could you look into moving the guest house back? Yes

Paul Metcalf: There has been communication between neighbors. Weinberg doesn't plan a guest house. Neighborhood politics not working for his client. He is OK with the Wu plan. Can easily work on the same landscaping plan for the trail. Encore removed the their guest house for two reasons: 1. project was too big, (removed 25%, the guest house was 40% of that), 2. Wu didn't want it, removed to help her. The Weinbergs have not seen plans yet, pool and guest house too close to their play area. Would like to meet for changes.

Kruger: Wu guest house is 18.9 ft from PL.

Welsh: Where is the Salk Institution historic VC ? it is too far back and East to see.

Merten: Is the trail fence transparent? *Yes* Can you move the guest house and pool away from the PL? (Note: Generally DPR Members were concerned about the relationship of the pool, guest house to their neighbors and the lack of an elevation section illustrating the relationship to the proposed Encore project.) **Project Continued** until 21 Aug 2012. (Client does not really want to have to return another time.)

Provided for FINAL REVIEW 8/21/12:

- A cross-section thru the middle of the Wu guest house, thru the surfer trail, to the nearest Encore structure(s). Site cross-section provided showing Wu Companion Unit / pool house (12 ft tall), trail easement, nearest Encore structure: total separation 67 ft 8 in, distance Wu Companion Unit to PL (includes trail) 20 ft; PL to Encore has 9 ft 9 in planter by trail, and auto courtyard, then the main house. An over view of the property plan also provided. A color photo simulation of the trail improvements showing Wu and Encore fences and landscaping was provided.
- 2. Explore moving, backing, the guest house and pool away from Encore. Not going to move it

DISCUSSION 8/21/12:

Liera: what is the difference in elevations Encore / Wu? ~ 9.5 ft, sports court 12 ft

Kane: Commends your team all for their efforts, answered many of our questions.

Collins: Is the Companion Unit for the pool or guests? *Both, pool cabana mostly, but a guest house as needed, no kitchen.*

Paul Metcalf: Thanks Matt for sharing plans, his client is traveling, still has not seen them. The Encore guest house "was" the same distance (10ft) from the trail as the Wu guest house. Wants the same treatment for his client (a GH).

Collins: Applicant has done an excellent job on this project, and providing answers

SUBCOMMITTEE MOTION: Findings can be made a for a Coastal Development Permit to demolish existing 10,383 SF residence and construct a 10,759 SF single family residence and a 951 SF companion unit on a 2.37 acre site at 9882 La Jolla Farms.

(Collins / Grunow 6-0-1)

In Favor: Collins, Costello, Grunow, Kane, Liera, Welsh Oppose: 0 Abstain: Benton MOTION PASSES

recorder setting 08/08 00 19 51

Applicant response in italics

4. PRELIMINARY / FINAL REVIEW 8/14/12. Project Name: HERRINGBONE SIDEWALK CAFE

PDO Zone 1

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-	7837 Herschel Avenue	Permits:	NUP	
Project #:	PO# 285134	DPM:	Miche	
-			msoko	

DPM: Michelle Sokolowski 619-446-5278 msokolowski@sandiego.gov Applicant: CA Marengo 858-459-3769

Scope of Work:

Zone[.]

(Process 2) Neighborhood Use Permit for a 151 SF sidewalk café for a restaurant at 7837 Herschel Avenue in Zone 1 of La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Transit Area.

APPLICANT PRESENTATION 8/14/12: (CA Marengo)

This is for a sidewalk café. The building is 50 ft wide. Corral is wrought iron 3 ft high, 22 ft long by 6 ft 8 in, with 4 tables and 16 chairs. Magnolias planted, 3 each 24 inch boxes. Sidewalk clearance 8 ft or 9 ft. Patio inside. Historic Resources Board will not allow the three windows to be used as doorways. Parking lots on each side, public on one side leased monthly, restaurant parking on the other side.

SUBCOMMITTEE MOTION: to Combine Preliminary and Final Reviews.

(Collins/Kane 8:0:0)
In Favor: Benton, Collins, Costello, Grunow, Kane, Liera, Merten, Welsh
Oppose: 0
Abstain: 0
MOTION PASSES

SUBCOMMITTEE MOTION: findings can be made for a Neighborhood Use Permit for a 151 SF sidewalk café for a restaurant at 7837 Herschel Avenue.

(Collins/Kane 7:0:1)

In Favor: Collins, Costello, Grunow, Kane, Liera, Merten, Welsh Oppose: 0 Abstain: Benton MOTION PASSES

recorder setting 07/07 01 47 15

 5. SUBCOMMITTEE MOTION 8/21/12: To appoint Mr. Collins Chair Pro Tem. (Costello / Grunow 5-0-1) In Favor: Costello, Grunow, Kane, Liera, Welsh Oppose: 0 Abstain: Collins MOTION PASSES

858-456-8555 x109

6. PRELIMINARY REVIEW 8/21/12

Project Name: CAMAISA RESIDENCE

-	9450 La Jolla Farms Road	Permits:	CDP
Project #:	PO# 260171	DPM:	Patrick Hooper 619-446-5001
Zone:	RS-1-2		phooper@sandiego.gov
		Applicant:	Sandra Escobedo

Scope of Work:

(Process 3) An 1,835 SF addition to an existing single family residence on a 0.74 acre site located at 6450 La Jolla Farms Rd in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway and Parking Impact Overlay Zone.

APPLICANT PRESENTATION (Joseph Reid, Sandra Escobedo):

Remodeling existing residence. Built 1989. (DPR Members asked Presenter to speak loader, clearer. Many times it was not possible to hear or understand the Presenter.) Adding 1,835 sq ft, part is second level. Required to have 9 parking spaces.

Costello: What about the VC discussed by the Calif Coastal Com in the City Cycles Issues Letters? *LJ Com Plan, LJ Farms – Visual Access shows VC is not over Camaisa property.*

Collins: what part is second level? *Answer inaudible*

Reid: *FAR is 0.44, allowed 0.445*

Tennis court will not have a fence.

Tennis court will also serve as six parking spaces, to sum to needed number of spaces, nine. Over the max allowed for hardscape, 60% max, have 69-70%.

Kane: is there a fence round the pool? *Answer inaudible*

Liera: Do you have a "Constraints and Opportunities Plan" ie, take the lot, outline where slopes are, views, setbacks and show adjacent property. Helps place items in context. I would be interested in the relationship of this elevations and this volume to the neighbors next door and across the street. Relative elevations are very important. You are squeezed so much.

Kane: I'm concerned about privacy issues and the bulking up of the neighborhood. How does this project relate to the neighbors.

Costello: What is the side yard setback on the south? 7.8 ft 0.74 acre x 43,500 ft $^{2}/acre = 31,755$ ft 2 $\sqrt{31,755} = 179$ ft x .08 = <u>14 ft 5 in setback</u>. Very narrow for such a large lot. City says we can use the previously existing setback of 7.8 ft. (if calculated City says 15.4 ft)

Collins: Did you say you are not putting up the typical tennis court fence? *Yes, 3 ft tall stucco, ... the rest inaudible.* There should be a deed restriction for the tennis court fence.

Liera: what are the details of the tennis court off of LJF Rd? Is it higher, lower, how will it look from the road? What will the feel be from the road?

Kane: we need a more detailed and developed landscape plan, particularly along the edges, adjacent to neighbors, how are the walls treated, too much hardscape.

Collins: will the tennis court be clay, or hard surface, or grass? You are going to park on it? *Engineer looking at problem of too much hardscape, hydrology*

Kane and Liera: What does the Muni Code say about tennis courts in the front yard?

Jim Alcorn: representing neighbors to the South with the 7 ft setback. Can't understand from the drawing what is existing and proposed. Can you shade or color? Wants to get together before next DPR meeting. You are going to have demolition on the North side of your property and transfer that mass to the South in the form of a second story. This will overlook the neighbor's property.

Kane: That is a major issue we are seeing in La Jolla as people want more space. They are pushing up houses removes your neighbor's privacy, especially with little setback like this, and is harmful for both parties. No one can use their yard any more for lack of privacy. As well as loosing their yard because it is built over for house.

Jim Alcorn: It looks like you are removing however many sq ft of the house to make room for a tennis court. Then adding sq ft on a second level to the South side of the house. This is too close to the PL, and overlooks his clients property. Having difficulty reading drawings, can you shade or color your drawings? **Kane:** Can you differentially color new and existing? Same with 1st and 2nd levels? We can't see the third dimensionality.

Welsh: The house facing the neighbors to the South is a big blank wall. Too plane. Doesn't have enough treatment, motif.

Liera: How about more landscaping to mitigate the overwhelming power /nature of the south part of structure?

Welsh: Can we get a cross-section between the two properties?

Liera: We need a cross-section of the tennis court and the properties next door. TC is pretty close to the PL what does that do to the property next door ...

Costello: We need to get updated City Cycles Issues Letters. Also documentation that the City will allow a front yard tennis court and that tennis court can be used for the required parking. Also can a soft court be used for parking?

Kane: If you need to go to a soft court, because of excessive hardscape, will you still be able to park on it? **Collins:** Next time, we need a parking layout plan for nine spaces. Is parking allowed in the front yard setback?

Please provide For FINAL REVIEW:

a. Please meet with neighbor's representatives, Architects.

- **b.** Exactly, what will you use for a tennis court fence? If no or limited fence, will you place that in a deed restriction?
- **c.** What will the tennis court surface be?
- **d.** Provide documentation that the City Staff will allow parking in the front yard, and tennis court for the required parking. What is the Muni Code reference?
- e. Provide updated CILs.
- **f.** Provide parking layout plan.
- g. Provide clearer drawings, differentially color existing and new/proposed. As well as 1st and 2nd level color drawings. Shade or color.
- **h.** Provide more treatment, motif, of the South facing structure.
- i. Please show a cross-section of proposed 2^{nd} level structure and neighbors to the South.
- j. Please provide a street scene showing proposed structures including the current property's structures to the North and South.
- k. Please have a compliant landscape plan and with compliant hardscape. recorder setting 08/08 00 54 11

7. COURTESY REVIEW / INFORMATION ONLY 8/21/12 THE DECED

Project Name:	THE RESERVE		
-	6850 Country Club Drive	Permits:	CDP & SDP
Project #:	PO# 292065	DPM:	
Zone:	RS-1-4	Applicant:	Greg Shannon 858-414-6777
Saana of Work:			

Scope of Work:

The Reserve project proposes to develop a very high quality and environmentally sensitive four lot subdivision comprised of three estate home lots and an open space lot that will be sold to an adjacent property owner. The proposed entitlements for The Reserve include a Vested Tentative Map and individual Coastal Development Permits (CDP), Site Development Permits (SDP) and Design Guidelines that will regulate the development of future homes and improvements. The proposed siting of homes and driveways is intended to nestle development into the land with minimum disruption and preserving significant topographic and biological features. These features, which include the canyon, knolls and Nuttall's scrub oak communities, will be preserved and thereby showcase the natural environment of the site. Development has also been sited, to the extent practicable, on previously disturbed areas and new development has been clustered to preserve contiguous open space based on comments we received from City staff. A conservation easement will be placed on 75% of the total site to ensure its preservation.

APPLICANT PRESENTATION (Greg Shannon, Jim Alcorn):

The Applicants presented a PowerPoint presentation showing the site, surrounding neighborhoods, topography, the four lots, photosimulations of proposed development, previous road cuts, trails and steep slopes, earthquake faults and landslide. The Reserve project is involving 25 acres of vacant land near LJ country Club near LJ summit. Need separate CDPs and SDPs of each of four lots. 1 to 21 acre lots, largest "possible" house is 25,000 sq ft. will be four homes. RS-1-4 plus Open Space Overlay from LJ Com Plan. Only 25% of land in the overlay can be developed. There are some non-permitted encroachments that will need permits. There is a earthquake fault line and an ancient landslide (not located by geo coring, 6 each 80 ft deep holes, 30 inch diameter). Many different VCs to ocean, very important to us as all of La Jolla. Alcorn: The topography – the site designs its self.

Each lot has a considerable conservation easement, making most of the lot non-buildable. Fire breaks included, all the way around the perimeter. Home owner must preserve conservation easement (to City). Predetermined Development Guidelines will set potential buyers restrictions, but also help new buyer, have pre-approved permits. Keeping houses low where possible. recorder setting 08/08 01 13 57 Four lots

Lot #1 1.4 acres	all developable,	existing building
Lot # 2 1.63 acres	¹ / ₂ developable,	7.500 sq ft max
Lot #3 21 acres	4.3 acres developable,	60,000 sq ft but will only use 25,00 sq ft max
Lot #4 1.0 acre	0 developable	

Presented many possible fence types, open types, split rail, etc. City wants a fence around perimeter. Will interweave native vegetation in with the ornamental planting. Twice been to Summit home owners. Summit home owners asked that there be significant landscape controls similar to Prop D height limitations, ie landscaping will not be allowed in certain areas higher than roof heights.

Romero Road has a 1920s road cut, very deep. It will have a porous concrete road surface.

Kane: Likes what you are doing, looking at topography and working with it. Not bulking up and maxing out, you are very sensitive to the surroundings and neighborhood.

In LJ Summit area:

- 1. VC very important
- 2. edge conditions, interface with Summit neighbors, many want open fencing.
- 3. City wants area fenced

The Applicant doesn't want the home owners to be required to fence their homes since they are required to maintain the conservation area.

The City wants to control (perimeter) access by fencing.

The perimeter is ice plant, must remove it, re-vegetate with native and maintain for 5 yr.

Kane: Isn't there an opportunity for walking access? what if the LJ Community asks the City to open the area for walking? *Don't know if the City will change its mind, liability, maintenance issues.*

Shannon: Will schedule tours site for LJ DPR Members. The process is started, plan submitted to City, geo bio reports done, start EIR, CILs started.

Ethna Piazza: A walking trail already exists.

Carolyn and John Detwiler: would like open type fences so as not to look "prison-like". Would like wildlife to be able to move thru fences.

Dr. Gaston Molina: LJ summit has 150 areas that are not fenced. 1) thinks an environmental report is needed, 2) fencing is an issue for wildlife, 3) Monarch butterfly habitat, 4) wants houses lower for views, 5) how will development be in the future as it undergoes gradual changes/improvements over time. One of these houses will be in his view.

Shannon: home owners can be compelled to maintain the easement, but what about encroachments by neighbors if there is not a fence.

Ethna Piazza: Concerned about fence, we were told this space was permanent open space. These houses will be massive, wants houses moved down hill more thereby less blockage of ocean view. Previously, SD FD asked that ice plant not be removed without a road, fire break in place.

Shannon: We can work out a lot of things and already have. Has taken photos from the houses of all that allowed and shown no one's ocean view will be anywhere near 50% blocked. A search for records can not find a promise from Ms. Copley saying this would be open space forever.

Kane: Is there a connection between the open spaces / habitat for wildlife transit? *No, there is no corridor.*

8. COMMITTEE ANNOUNCEMENT

Kane: University students will do an analysis of the Neighborhood Character of the Barber Tract. More information to come in the future.