

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. – Tuesday March 23, 2010
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

1. Non-Agenda Public Comment - None
2. The Chair announced that the Marcus residence was heard and approved by the LJCPA and the McClelland residence was denied. See March 4 LJCPA minutes. The Palazzo condo project will be heard in April. Mr. Morton has announced that he will abstain. The Fakhimi residence is scheduled for a hearing at DSD on March 26. Joe LaCava has reported that Kelly Broughton of DSD has agreed that a Neighborhood Use Permit is required by the LJSPDO for home office use and that DSD staff will be so instructed.
3. Project Review (see A to C below): The items were heard in a different order: Ninkovic, Hooshmand, 8490 Whale Watch.

Committee members present: Boyden, Furtek (left during third item), Lucas, Merten, Morton (arrived after first item) Morrison, Naegle, Schenck

A. NINKOVIC Residence 2nd hearing

- PROJECT NUMBER: 195466
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8902 Nottingham Place
- PLANNER: Tim Daly Ph: 619-446-5356 Email: tdaly@san Diego.gov
& Polonia Majas: 619-446-5394; pmajas@san Diego.gov
- OWNERS REP: Bart M. Smith AIA LEEDap 760-753-2464; b.smith@dznpartners.com

PROJECT DESCRIPTION: A 1,494 square feet second story addition and remodel to an existing single family residence on a 0.18 acre site at 8902 Nottingham Place in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan, Campus Parking Impact (City)

Note: Unchanged from previous presentation

Seeking: Site Development Permit

Previous action: February 17; see February 17 minutes for additional notes

Motion: Morton, Second: Merten

Item to be continued: Additional information is requested. Show outline and appropriate dimensions of adjacent houses on the site plan. Show the heights of the adjacent homes on the elevations, in relationship to height of the proposed project. Consider altering the north elevation of the home.

Motion approved: 5-0-1: Approve: Lucas, Merten, Morton, Morrison, Schenck; Oppose: none; Abstain: Boyden

Presentation by owners representative Bart Smith

The north elevation was presented showing the placement of the neighbor's house to the north superimposed on the proposed structure. 9.3 feet higher than neighboring house. The southern elevation shows the garage not changing, so there is a nice transition and no privacy issues. The house is obscured by landscaping and the neighboring house when approaching from the north.

Photos taken from the present Ninkovic rooftop were shown. They showed that trees and bushes obscure the rear neighbors' yards and houses. Most of these trees are on the Ninkovic property, with some on the neighboring properties. Privacy shouldn't be an issue based on these photos.

In response to the LJSPRC's previous meeting comments: many houses have planar second story walls. A map of all 2 story houses in the general area was shown. [there are approximately 24 houses on it].

Public input

Steve and Gay Grossman: Neighbors to the north. Concerned with the mass of the north side and the closeness of the second story to their house. The second floor master bedroom would look into their back yard. Palm tree at fence line helps with privacy.

Jessica Attiyeh All houses in the neighborhood were one story originally. Now there are a handful of houses that are 2-story. There are lots of issues of nice open space that will be continued to be developed. Could this house be

modified to lessen the effect of a block style? She echoes the privacy concerns of the bedroom looking in on neighbors' house.

Board questions and comments

Helen Boyden (chair) provided background on the neighborhood: All of the 105 or so homes in the La Jolla Highlands subdivision from Glenbrook and north to La Jolla Village Drive were originally one story when developed in the period of approximately 1956 to 1960. By now 15 of them are two story homes. Many of these second story additions were created by building over the garage. It is believed that perhaps none of the two story homes in La Jolla Highlands went through community review. To the south of Glenbrook the La Jolla Shores Heights subdivisions had a mix of 1 and 2 story houses when developed in 1968 to around 1972.

Naegle: question about the trees on the north property boundary. Some of these are on Grossman side, some aren't.

Merten: I can't support the project for these reasons: The LJSPDO states that within residential zones, buildings and structures should be in general conformance with the neighborhood. The south side has an even setback from either property. On the north side, the setback is much closer on the Ninkovic side. The second floor on the north side is incompatible with the setbacks in the neighborhood. I can't approve it from a setback standpoint. Side yard setbacks for new development exceeding one story should be stepped back. I also have issues with the north side of the building which is a massive wall. The roof height in any other part of the city would be subject to design restrictions at the 24 ft. high mark. Typically there would be a hip wall at the 24' level. The La Jolla Shores PDO has no specific restrictions, but talks about general conformance with the neighborhood. From the roofline standpoint the LJ Shores Design Manual allows shed roofs, but this roof is different having a step down at the peak. Roof forms should be more consistent house to house.

Representatives response: The plane on the north face and roof forms are similar to other houses in the neighborhood.

Naegle: The design looks "noisy", and is not "sympathetic" to the neighborhood. He believes that this design can be simplified. The house now is charming, the new design is not. Overdone and "noisy".

Motion: Merten Second: Naegle

Move to recommend denial because the north exterior wall and its proximity to the side yard is not in accordance with the La Jolla community character recommendation in the LJ Community Plan and not in accordance with the building and structure setbacks as required by the LJSPDO (1510.034 section B4, Single family zone development regulations). The roof forms are not consistent with the design guidelines of the LJ Shores Design Manual.

Motion approved: 6-0-1

Approve: Furtek, Lucas, Merten, Morrison, Naegle, Schenck

Oppose: None

Abstain: Boyden (chair)

B. 8490 Whale Watch – First Review

- PROJECT NUMBER: 164545
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8490 Whale Watch
- PLANNER: Conan Murphy; Ph: 619-446-5319; cmurphy@sandiego.gov
- PROJECT MANAGER: William Zounes; wzounes@sandiego.gov
- OWNERS REP: Steve Hoard, Public; 619-682-4083; sh@public-digital.com

PROJECT DESCRIPTION: Demolish the existing single family residence and construct a new 4 bedroom, 6 bathroom residence with an indoor pool. The new house will integrate solar panels on the roof along with many other "green" building technologies. (Applicant)

Note: the NOA dated October 13, 2008, called for a CDP (Process 3) for constructing a 7559 square-foot single family residence in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit.

The project has been altered to new specifications and new plans have been submitted to the City and is now called out by the Project Manager as requiring a CDP and an SDP for a 9856 sq. ft residence in the above zones.

Information was provided for the revised plan and did not include GFA and FAR and off street parking information.

Presented by: James Brown & Michael Paluso of the local architectural firm, Public, representing Zaha Hadid Architects based in London.

Plans, elevations and a model of the project were presented. The basic statistics of the project as it now stands are:

First level: 6754 sq feet (3361 + 3393 + void area counted)

Second level: 6497 sf

FAR .66, lot coverage .54

Plot level lowered by 3 feet.

Public comment: None

Board questions & comment

Merten: There are problems with east wall having too small a setback. It's right in the face of the neighbor to the east. It would be tough to see that everyday as the neighbor.

Furtek: This is significantly different from other neighborhood homes.

Morton: Need to bring average neighborhood setback of homes within 300 feet next time. It would be helpful to show the existing and proposed grades. There are requirements in LJSPDO regarding long flat surfaces. Height and length of blank walls facing the neighbors is subject to this requirement. Would like to see a landscape plan. It would be helpful to insert the new design into an aerial photo of the neighborhood for context.

Naegle: If we approve this we might as well as abandon our La Shores Planned District Ordinance. It is on the wrong piece of property. It is so different from the existing neighborhood. It is a beautiful house, but doesn't fit.

Merten: Quoting from the ordinances: No structure shall be approved that is similar... conversely no structure shall be approved that is significantly different.

Motion: Morton Second: Merten

Continue item to future meeting. Bring setbacks & FAR tabulation for homes within 300 ft. Suggest bringing all drawings and a topographic survey, the design superimposed onto aerial photo for next time. Suggest exhibits that show how this could conform to the LJS PDO. The board strongly suggests design changes that could better conform.

Motion approved: 5-1-1

Approve: Lucas, Merten, Morrison, Morton, Schenck

Oppose: Naegle

Abstain: Boyden (chair)

C. Hooshmand Residence – First Review

- PROJECT NUMBER: 198459
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 2480 Rue Denise
- PLANNER: Glenn Gargas; Ph: 619-446-5142; ggargas@san-diego.gov
- OWNERS REP: Scott Spencer; 858-8898; scottspencerarchitect@yahoo.com

PROJECT DESCRIPTION: An addition and remodel to an existing residence (Applicant)

Note: The NOA dated December 28, 2009 cites a (PROCESS 3) Coastal Development Permit and Site Development Permit for a 4,463 sq. ft. addition to an existing single family residence on a 0.29 acre site at 2480 Rue Denise in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone. However, the applicant states that a revised plan reducing the additional square footage by 1500 sq. ft and including additional changes was planned to be submitted to the City soon as of March 9. This is reflected in the dimensions provided. The revised plans may be found at the La Jolla Public Library. The revised plans were used at the meeting and a copy provided to the chair.

SEEKING: Site Development Permit (SDP) and Coastal Development Permit (CDP)

Boyden: Presented letters and information from neighbors. Joan and Andrew Rice of 7226 Rude de Roark expressing concerns over design. Carol Van Horst of 2499 Rue Denise requesting story poles, but thanking applicant for increasing setback on their side to 10'. Letters from the Luetzows and Cutler-Shaw, who were present.

Boyden: This area of Rue Denise and Rue de Roark is designated as a view area under the LJCP. The landscaping is supposed to be controlled to preserve the view over private property. The current tall hedges at the front of the subject property appear to violate this provision. In Rue de Roark only the ocean horizon is viewable from the street/sidewalk.

Presented by: Scott Spencer

Changes to the plan are presented. The front setback in the first design was only 5'. The lower level was shown as an enclosed room. This is now an open porch area under the upper level. The architectural committee (Chateau Ville) says that the setback should be 7' in front and 10' side. City staff in the cycle review said the setbacks needed to be changed to conform to current Right of Way designations. The city staff commented on bulk and scale issues. Based on this feedback, the design was changed and stepped back on the east side creating a 10 foot setback. The lower floor was opened up as a patio area. The exterior was articulated. Terry Baumgartner at City staff said that these changes were fine. (no cycle info on this) The development will not disturb the native plants on the lower slope. There is a tall hedge in the cul-de-sac area on the east side. City staff has asked for the hedges to be chopped down or removed to open up the protected view corridors. They will cut the hedges as they block more view than the original house or proposed changes. This will open up a view corridor.

The existing roof ridgeline is an 8' plate line with 4 in 12 pitch. They are proposing a 9' ridgeline with 2 in 12 pitch. New parapet corresponds to existing roof height. The rear elevation was presented showing the lower terrace. There is a 24' setback in the rear.

This new design addresses the setback, articulation, and view corridor issues that the city staff requested.

Dick Sutton of the architectural committee (Chateau Ville) had approved the plans. (The neighbors present were not aware of this meeting with the architectural committee.)

Board questions

Boyden: Asks whether the patio area was included in the FAR calculations. *The presenter did not know if it is required to be and has the figures both ways: 36.9% without patio, 47.4% if included.* This house is already distinctly visible from Rue Michael, overhanging the hillside.

Morton: Following up on the FAR calculation for the patio. Does city consider this steep hillside? *Yes*. What portion lot coverage: *36%*, *does not know what percentage is steep*. Is lower perimeter open more than 70%. *Doesn't know*.

Responses to questions:

- 4208 total sq feet (counting patio) + 472' garage
- Existing coverage is 19.2%, proposed lot coverage is 36.9%
- Retaining wall is 10' high with back fill.
- GFA not including lower patio. 47.4% if you include the open area.
- House is 4 bedroom. Decks are included in lot coverage.

House is 30-36 feet longer on east side, 16 feet + 10' deck on the other.

Community input

Several letters were received from neighbors in addition to the people present at the meeting: Joan and Andrew Rice, Carol Van Horst; Jim Heaton (received after PRC meeting)

Carrie Luetzow: Presented 6 pages of talking points to the committee. She had also emailed a letter to the committee. Main issues are:

- Bulk and scale. House is large and projects over the canyon. It will be highly visible from the lower neighbors and the traffic coming up the hill, as well as to the neighbors above. She quoted from the LJS PDO and the LJS Design Manual: "good scale depends on a bulk that is not overwhelming". There should be transitions. New designs should provide harmony.
- This design significantly blocks views of several neighbors, including her house.
- It does not preserve the "seascape orientation of the community" as given in the LJS PDO.
- Privacy concerns – the proposed deck area looks directly into her bedroom
- Applicant has not contacted the neighbors or tried to work with them.
- There could be landslide issues with a project this large.

She requests that:

- Story poles be put up.
- Applicant should consider a re-orientation of the project to better fit in with the neighborhood.
- Requests that the architect meet with the neighbors before a re-design is presented to the board.
- Impact study on sunlight and privacy be performed.
- Soils and safety issues be addressed.

Joyce Cutler-Shaw & Jerome Shaw: They had also emailed a letter to the committee:

Their house at the corner of Rue Denise and Rue de Roark is one of the houses above the project. They have lived at their house for 44 years. When they built their house years ago, they had to raise it 5' due to the siting of the existing Hooshmand house (despite 17' height limitation from the street level imposed by the CC&Rs). The neighborhood was designed with a height limitation and for houses to be sunken in to preserve everyone's views. They moved to neighborhood because of the feel of the neighborhood. They feel that a flat roof would significantly cut out their view. They are concerned with sensitive land areas, especially slides. There have been issues with slides in the past. A slide could affect other houses in the neighborhood. They have a comprehensive geologic study for their house that points out many issues with the area.

Board comments

Merten: Next time bring an exhibit that shows how the building projects over the hill and how close it is to the rear property line. Show foot print of this building and the two adjacent parcels. There are issues with the harmony of the building itself. The front is a totally different style and character than the rear. The rear better fits the neighborhood. Put a flat roof on it and tie it to the front of the house.

Naegle: Geology is a work in progress. Studies are not conclusive.

There was a discussion with the owner's representative Scott Spencer regarding whether he is planning on making design changes to address issues presented or whether the board should vote on this now. He will look at these issues and try to make changes. He will look at the front vs. rear of the building mismatch. He will address roof

pitch issues, but it would still block view regardless of changes. This is the first time he has heard from the neighbors. He will put up story poles out at the edge of the proposed building and deck and work with neighbors and owner and look at how views are impacted. The neighbor Mr. Luetzow preferred an up or down vote now. Mr. Spencer expressed a willingness to consult with his client and make design changes to try to address the neighbor's concerns.

Schenck: Applicant is willing to work with the neighbors. We should let the architect address the issues and come back.

Motion: Schenck Second Morton

To continue this item to a future meeting. The applicant should consider design issues raised by the Luetzow letter. We recommend meeting with neighbors and putting up story poles.

The applicant should bring next time:

- **Neighborhood FAR and setback calculations for properties within 300 ft.**
- **Percentage of property on a 25% or greater slope and a percentage of coverage over that area.**
- **Elevations of the front of the house.**

The motion is approved: 6-1-1

Approve: Lucas, Morrison, Merten, Morton, Schenck, Naegle

Oppose: Furtek

Abstain: Boyden (chair)