

La Jolla Shores Permit Review Committee– Minutes
Tuesday November 23, 2010
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

1. Non-Agenda Public Comment – None
2. Chair Comments –
 - From the November CPA meeting:
 - a. 1900 Spindrift passed on consent
 - b. Whitworth pulled for further consideration of sightlines to ocean
 - c. Cave/Ardath full hearing. CPA denied findings to replace buildings on Cave with a parking lot and said the buildings should not be moved from Cave (further clarification when the CPA minutes appear)
 - Whitney Environmental Hearing ; City Council [5-3], set aside the environmental determination and remanded the Project back to Planning Commission to reconsider various aspects of the MND after reanalysis by City Staff
 - No word from Hooshmand, Gaxiola (Tim Lucas reports story poles up)
 - New projects coming: Via Rialto drain repair, Rosen residence on Robinhood
 - A walk-by of “First Public Roadway” properties on Spindrift and El Paseo Grande shows no ocean views from the Marine Room to intersection with Princess with hedges and fences 8’ and higher. On El Paseo Grande from the Park to Collado only about 3 fully qualifying properties.
 - At present only four are assured: Boyden, Furtek, Morton, Schenck. Follow up with Dale Naegle needed.
 - October minutes correction: add Merten to absent category
3. Project Review –A-E

Committee members present: Boyden, (Chair), Furtek, Lucas, Merten, Morrison, Morton (recused for A), Schenck.
Absent: Naegle

A. Whitworth Residence

- PROJECT NUMBER: 215918
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8462 El Paseo Grande
- Project Manager Renee Meza: Ph: 619-446-5001; rmeza@san-diego.gov
- OWNERS REP: Claude Anthony Marengo; 858-459-3767; cmarengo@san-rr.com

Project Description: In [. . .] an existing single-family residence on a 0.27 acre site in the SF Zone of the La Jolla Shores Planned District, the Sensitive Coastal Overlay (Zone B), Coastal Overlay Zone (Appealable), Coastal Height Limitation, First Public Roadway, Beach Parking Impact Zone, Residential Tandem Parking Overlay. (City NOA)Addition of second story with three bedrooms, 3 baths and two balconies over portion of existing structure. Addition of interior stairs for access to second floor. Modification to exterior finishes and roof of existing structure underneath proposed second story. [Applicant]

On November 4, this item was pulled from the LJCPA consent calendar because of concerns that the plans did not provide details on the Visual Corridor required by SDMC 132.0403. The project will be reheard for evaluation of this issue only.

For this hearing, applicant has provided a revised sheet “A.1.1” dated November 16, 2010.

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

Previous Action: (Consult October PRC Minutes for discussion)

Motion: John Schenck Second: Ed Furtek

Findings can be made for project, plans as submitted to city dated 10/25/2010.

Motion carries: 4-0-1 Approve: Schenck, Furtek, Naegle, Lucas; Oppose: None; Abstain: Boyden (chair);
Recuse: Morton

Presented by C.A. Marengo

Per the requirements, annotations have been added to the plans to show the current visual corridor within the side yard setbacks, and the fences and landscaping. The proposed project does not demolish the first floor walls, so there are no changes to the current setbacks and visual corridors. Anything over 3' tall in side yard setback must be noted and requirements and regulations must be met for these areas.

Furtek: When we reviewed the project the first time, the issues of view corridors were not brought up nor noted in the cycle issues. Do we know why the CPA pulled this and sent it back, rather than having the annotations made to the plans and having the city review them? Does not know why this was sent back for review.

Lucas: Will the changes and second floor addition change the view corridors at all? *No.*

Public:

Rob Whittemore: This is grandfathered in. But if you were making changes, what would happen? *Discussion followed about heights and items allowed within the visual corridors.*

Merten: You have shown the fences and shown the details required on the plan. Note on fences says 75% open to light? *That is copied out of the code [for fences].* The issue before us is the preservation of the side yards, for views and for light.

Furtek: Requested change to proposed motion, agreed to regarding straight through public view substituted for 75%

Motion: Schenck; Second: Furtek

The findings can be made for the project, plans dated 10/25/2010, and submitted to the City as amended on replacement sheet A-1.1 dated 11/16/2010, with the annotation made on plan for 75% open for light and a straight through public view.

Motion carried: 5-0-1; Approve: Furtek, Lucas, Morrison, Merten, Schenck; Oppose: 0; Abstain: Boyden (chair); Recuse: Morton.

B. Galicot Residence Extension of Time

- PROJECT NUMBER: 220963
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8320 Calle del Cielo
- Project Manager: Jeanette Temple; 619-557-7908; jtemple@sandiego.gov
- OWNERS REP: Jeff Elden; 858-677-9092; Jeff@DesignBuildInc.com –did not wish to attend hearing

Project Description: Extension of Time for CDP 212253 and SDP 216293 to demolish existing residence and construct an approximately 9,000 sq. ft. single family residence with garage, guest quarters, pool and cabana.

This project was permitted by the City on May 26, 2010 after a Substantial Conformance Review of a previous permit. Subsequent events include a CEQA and Public Records Act-based lawsuit filed by a neighbor against the City, naming the Galicots as a real party in interest.

The EOT is scheduled for a City hearing on December 15, 2010

Seeking: EOT as described above

No representative of the project present.

No neighbors present.

No public comment against project.

Committee has received the extension of time request and information via email.

Lucas: Has concerns about the process and what criteria we are supposed to use regarding this request for time extension. Does not feel there is enough information to make an informed decision.

Boyden: Long time acquaintance with Mr. Elden's business partner.

Motion: Furtek Second: Merten

Findings can be made to grant the extension of time.

Carried 5-0-2; Approve: Furtek, Merten, Morrison, Morton, Schenck; Oppose: 0; Abstain: Boyden, (Chair), Lucas

C. Trunkey Residence

- PROJECT NUMBER: 216283
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 7595 Hillside Drive
- Project Manager Glenn Gargas: Ph: 619-446-5142; ggargas@sandiego.gov
- OWNERS REP: Dwight Weevie; 619-852-7150; dwight@solengineering.com

Project Description: Slope repair on environmentally sensitive lands. Site is currently outfitted with tarps for temporary erosion control. Structure modification is not currently planned. Project will include biological evaluation, protection of existing structure with micropiles prior to grading, grading, installation of shear pins, geogrid and riprap energy dissipater. There will be a comprehensive Revegetation/Restoration Planting plan featuring native plants.

Seeking: CDP and SDP for Environmentally Sensitive Lands

Committee comments:

Boyden:

Gave some background on the site and the City's "Notice of Violation".

Presenter: Dwight Weevie, of Sol Engineering

A broken water main caused the problem originally. The house is red-tagged and can not be occupied due to safety issues. The City has concerns about the biological/ecological aspects of the natural slope that will be affected by the repairs. A biologist will be used during the process to monitor the activities and recommend actions and mitigation. They had applied for an emergency permit to install the shear pins and micropiles, but the City did not grant this. The project has been slowed by the process of going through the normal permit procedures despite the potential for further damage to the area.

Morton: Will any of the City rights of way be affected? *No. The project will change the slope of the off-street parking spot so water will flow back to street. Rain gutters will drain to street. Channel drains will be installed.*

Schenck: Where will the dissipater drain? *Dissipater will direct to the two canyons below. They are still working on the issues and whether pumps are necessary, during the grading review cycle. The water that caused the original problem was due to the water main, not to any drainage issues from storm runoff.*

Furtek: Impact on street traffic? *Repairs will take most of the summer. The heavy equipment will be working from below, down slope, and should not affect the roads. There should be minimal impact on the street. The two on-street parking spots will probably be used during the construction process by contractors.*

Boyden: Environmental concerns? *A biologist has been hired. Tarps were in place earlier, and will need to be installed again during the rainy season to prevent further subsidence and slope damage.*

Public comment:

Richard Brehm (president of Colony Hills homeowners association): How extensive will the shear pins be? Response: *The presenter showed the plans and responded. Why are the scraps of tarp there? Someone came and cut out and vandalized/stole part of the tarp. He will talk with the owner to repair the tarp and remove the scraps.* Rebuttal: The tarp has been in tatters for years and the owner was contacted and did not care about replacing it or how it looks. Response: *The owner will need to replace the tattered tarp with a new one to protect from further damage to hillside and structure.*

Chuck Castle: This is ruination for the canyon. It looks bad and the hillside is suffering more erosion. He has contacted code compliance and the city and they have not done anything due to ongoing litigation. The owner will not remove the plastic. Response: *The tarp needs to be on during rainy season. It can be removed after April to allow vegetation to grow back.*

Committee discussion:

Morton: Has visited the site previously. He agrees that the tarps don't look good.

Boyden: City has an application for a similar repair behind Caminito Rialto. Richard Brehm responded that City did the repair, but did that repair under an emergency permit and is now coming for approval after the repair.

Furtek: Aren't there other properties that are tarped in the area? *Yes, 2 other houses have issues.*

Merten: The city will not issue emergency permit. If they did, how soon would you start work? Response: *The micro piles and shear pins immediately.* Merten: There are no bio reports available. I don't think we can make findings for CDP to do the whole project. On the other hand the grading and engineering work needs to be done now. An emergency permit to cover the main engineering solutions should be issued now.

Morton: We only have the grading plans to review. But it is important that the project goes forward to get the repairs planned. We could make a partial motion, saying that "findings can be made solely by the grading plans presented to us".

More committee discussion followed, and the board had the concerns that the critical engineering repairs should be made, issuing an emergency permit or concurrent process immediately, to protect from further hillside damage. Since our committee purview is to make recommendations on projects presented, it was decided that this could not be done, so a motion to approve findings based on what was presented was made.

Lucas: Thought that we can't make the findings as much of the materials the committee needs are not available yet as this project is early in the process. He would prefer to have the CPA write a letter to the City urging an emergency permit for the essential work, and have the project come back for further review.

Motion: Morton; Second: Furtek

Findings can be made based solely by the grading plans presented to the committee.

Carried: 5-1-1; Approve: Furtek, Merten, Morrison, Morton, Schenck; Oppose: Lucas; Abstain: Boyden.

Motion: Merten; Second: Morton

Noting to the CPA that the motion was based only on the grading plans due to the urgency of the situation and ask the CPA to write a letter urging that work on the shear pins and micropiles begin immediately to protect the slope over the winter.

Carried 6-0-1; Approve: Furtek, Lucas, Merten, Morrison, Morton, Schenck; Oppose: 0; Abstain: Boyden (Chair)

D. 1912 Spindrift

- PROJECT NUMBER: 214654
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 1912 Spindrift
- Project Manager Glenn Gargas; Ph: 619-446-5142; ggargas@sandiego.gov
- OWNERS REP: Lisa Kriedeman; 858-459-9291; lkriedeman@islandarch.com

Project Description: Demolish existing residence and construct a 4699 sq. ft, two-story single family residence. City Coastal (appealable); Coastal Height Limit, Sensitive Coastal, Flood Plain, First Public Roadway, Parking Impact, Residential Tandem Parking, Transit Area Overlay Zones. [City] Construction of new two level single family residence with loggia, balconies, hardscape, landscape, retaining walls, masonry, fences and pool. [Applicant]

Note: Project reduced in size to 3687 from original submittal to City. [Applicant]

Seeking: Site Development Permit: Environmentally Sensitive Lands and LJSPDO (SDP) and Coastal Development Permit (CDP)

Presented by Lisa Kriedeman of Island Architects, with participation by Matt Peterson, land use attorney:

The footprint changed due to city requirements that the building and pool be moved 40' back from edge of seawall/cliff-face. The square footage on this revision has been reduced by 946', lot coverage 17.4% to 13.3%, FAR, .34 to .27 the chimney lowered, and the ridge lowered by 1.5'

A setback study and overview of the project was presented.

Committee:

Merten: What are the specifics of the retaining wall? Response: *Retaining wall varies 6' to 5' high it is 2' 10" in from the property line. Any excavated soil needs to be retained onsite due to Native American heritage issues.*

Morton: Is there any CDP on the existing house? *No, house was built long before those were put into use.* Morton is concerned about the 1.5' side setback. Response: *The lot is 57.5' wide at that portion of the site. View corridor on the 6' setback side, the planting will be kept low... Corresponding setback of south side neighbors is 2.5'. There are two off-street parking spaces.*

Public Comment:

Brian Malk (has properties on 1905 Spindrift and St. Louis Terrace, and is representing Mr. Joshi on 1919 Spindrift): . Why 40' foot setback? *Required for any new structure over 3' tall due to existing seawall on the site. Had they remodeled the existing structure, they could not go 10% higher or 10% larger on the existing footprint. Existing Sq. Footage: 3172. Proposed: 3687. This is a new structure, not a remodel.* Malk: The setback from the street is very modest; the size of the pool drives the design of the house. The owner owns the adjacent property to South, so that is the reason for pushing the house back to preserve the view from that site. The pool could be swapped with the house location. His main objection is the mass of the house is too close to the street. Response: *Most of the Native American material would likely be at the street side of the property, therefore this is not possible.*

Suzanne Weissman (lives on Spindrift across street): Is concerned with views from the roads that will be lost due to the mass of the house having so little setback from the road. Response: *There is currently very little view due to the overgrown plantings and trees all along the street. They do not think any views will be lost from the public rights of way.*

Todd Barbey (adjacent neighbor on north): Setback of current house? Response: *The set back is currently 33'. This project is proposing 10' back.* Barbey: How low is the current ridge of house? Response: *Currently 14' will change to 24'.*

Barbey: This is quite a change in perspective from the street.

Rob Whittemore (Shores resident): Questions regarding the 40' setback and sensitive bluff area. What is the height of bluff? Response: *24' on north, 33' on south.*

Board Discussion:

Boyden: We have heard the concerns of the neighbors with the general appearance of the house, the small setback, the second story, view corridors.

Morton: Size of pool? Response: *Pool is 41' x 29'.* Morton: What are the slopes of the areas? Response: *From house to pool is 1 foot. From pool to first terrace is 18 inches.*

Presenter: Due to archeology reasons, they can only affect area 25% of surface area. All disturbed soil will be sifted for archeological items and all soil will be preserved on-site.

Committee had questions about straight-sided 2-story areas with no articulation. Response: *Due to narrowness of lot , they don't have room to add any significant articulation.*

Merten: Building and structure setbacks should be similar to those in the vicinity. In the LJS Design Manual: The houses should relate to each other. This house feels closer to the street than the immediate neighbors, and the second story is not similar to the neighborhood. Response: *Other houses within 300' are bigger and have second stories.* Merten: Requests to come back next time with a site plan that shows the exterior walls on properties in the neighborhood.

Motion: Merten; Second: Morton

Continue item. Request that project come back with neighborhood site plan that shows this building in relationship to neighbors', show the elevation of this house in relationship to neighbors. Provide details on parking spaces and access.

Carried: Approve: Furtek, Lucas, Morton, Merten, Morrison, Schenck; Oppose: 0; Abstain: Boyden (Chair)

E. Aron Residence

- PROJECT NUMBER: 215861
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8435 La Jolla Scenic Drive North
- Project Manager: Patrick Hooper; 619-557-7992; phooper@sandiego.gov
- OWNERS REP: Colin Hernstad; 619-921-0114; colinhernstad@gmail.com

Project description: Demolish existing residence and construct a 2-story 8364 SF residence on a 0.49 acre site in the SF zone of LJS PDO within the LJ Community Plan, Coastal Height Limit, Airport Influence Area, [Campus] Parking Impact [City] To build a new SF residence to accommodate a young, very active family of 6 (expecting to increase) in an environmentally friendly home that will enhance the neighborhood and community. [Applicant]

Seeking: Site Development Permit (SDP)

Boyden: She lives near this house (within 600' as the crow flies) and has met Mr. Hernstad, but has no conflicts of interest. She described the neighborhood structures.

Presented by: Colin Hernstad

Try to build over the existing house footprint. Presented elevations showing the new and existing profile as well as areas where the setback has been increased. Presented comparison photos of other houses in the area (some beyond the 300' distance).

Furtek: The adjoining houses? *The North side is single-story, South side is two-story.*

Morton: Setbacks on garages? 5' & 8'. *Setbacks on house are 14' & 9' from sides. Height of garages: 16'.*

Merten: Do you have a neighborhood site plan of the adjacent buildings? A partial plan was showed. The covered lattices may be too close to property line for city codes.

Boyden: This is a campus parking impact zone. How many bedrooms are there and how many parking spaces? Phantom floors? Response: *There are 5 bedrooms + guest bedroom and closet + game room (no door). Six bedrooms means that six parking spaces are required. Four cars fit in the garage. Parking scheme will be supplied that shows the outside parking. Phantom floor in center of house has been included in FAR calculations. Covered patios are lattice work are subject to modifications.* Is there a geotechnical study? *That is in progress.* This home is considerably larger than any within 300' radius [N.B. applicant provided survey shows that largest home within 300' is 4470 sq. ft.; a group of 4 houses one block to the south range from 4259 to 5052 sq. ft.; four houses four blocks away, south of Pottery Canyon range from 6120 to 6827; other homes listed within 300' range from 1676 sq. ft. to 4301 sq. ft.] Also questions 2nd story setbacks. Response: *There are some second story overhangs.*

Lucas: Parking clarification? *4 spaces in garage, plus at least 3 in driveway area.* Materials: Still in progress, but stucco, with some natural stone elements and concrete Spanish style roof tiles.

Public comment:

Herbert Lazerow: Questions about the slope of the lot and concerns about creating issues with hillside movement.

Response: *The lot has a slight slope from front to back. The real drop-off occurs beyond the property line on the neighbor's property (Moffette home)* Lazerow: Concerned with how the sides of the house will look from the adjacent properties due to the length of the building. Response: *The second floor does overhang but is still set back 9' on one side and 14' on the other.* Is there an issue with shadows? *No response.*

Tom Moffette (neighbor on the rear property line): Questions on setbacks and lot: Response: *There is an 88' setback in the rear, lot is 254' long.* Moffette: Drainage? Response: *There is a swale to adjoining properties.* Rain gutters? *Not designed yet; that is in progress, but they will carry runoff water from house to street.* Boyden: Drainage on east side of median is an issue that the city hasn't corrected.

Susan O'Neill (Sugarman Drive): Many neighbors have slope issues with both drainage and settling. She is concerned about the size of the house. It is out of character and is larger than most houses in the neighborhood. This is a monster house and is just too large for the neighborhood.

Boyden: The city has not finished the geology report. There are still open issues in process.

Motion: Morton Second: Merten

Continue item and return with:

- Parking spaces noted on site plan.
- Setbacks shown on site plan to second story.
- Finished landscape plan and drainage plan.
- Patio structure modifications and how they comply with city codes.
- Show how drainage from roof and hardscape will be handled.
- Distances of hardscape from property lines.
- Completed geology study.
- Updated landscape plan.
- Calculate setback averages.
- Extend site sections to neighboring structures on both side to show mass and bulk of these structures.

Carried: 6-0-1; Approve: Furtek, Lucas, Morrison, Merten, Morton, Schenck; Oppose: 0; Abstain: Boyden (Chair)

Meeting adjourned. Date of next meeting is uncertain at present.