

La Jolla Shores Permit Review Committee– Minutes Tuesday April 26, 2011

1. Non-Agenda Public Comment - none
2. Chair Comments
 - a. To date we have no information on: 2414 Calle del Oro, Caminito Bello and City Rialto Drain and LJS electric undergrounding district as to when they want to schedule. Trunkey slope repair has resubmitted to DSD and will be heard at the LJSPRC May 24 meeting.
 - b. At LJCPA of April 7, Casa Belmonte passed on consent. Aron residence was pulled by a trustee. Spindrift 1912 was denied by a substantial margin. Whitney appeal at the City Council is scheduled for May 3. The appeal of the Palazzo project at the City Council is expected to be heard in May, not yet noticed.
 - c. The April 19th LJSPDOAB did not have quorum and will likely be rescheduled for its next regular meeting. 2414 Calle del Oro had been pulled from that agenda.
 - d. No further word on Whale Watch Way Hearing.
 - e. PRC members will be renewed or appointed at the May meetings of the LJSA and LJCPA to the extent available
3. Consideration of possible revision of the SDMC 151.0401 and 1510.0107 as proposed by 7th Update to the Land Development Code - Joe LaCava – **This item was moved to the end of meeting. See below.**
4. Project Review A- D

Board members in attendance: Boyden (chair), Lucas, Morton (left after before vote on item D), Merten, Naegle, Schenck. Absent: Morrison. Resigned: Furtek, Quorum needed is Four.

A. Sewer and Water Group: First Review

- PROJECT NUMBER: 230429
- PROJECT TYPE: Public Utility Replacement
- LOCATION: Avenida De La Playa; Paseo Del Ocaso; El Paseo Grande; Vallecitos; Calle Frescota; Camino Del Sol; Camino Del Oro; Paseo Dorado and Avenida De La Ribera.
- PROJECT MANAGER: Patricia Grabski; 619-446-5277; pgrabski@sandiego.gov
- PROJECT REP: Akram Bassyouni; abassyouni@sandiego.gov

Project Description: Public utility project for the replacement and installation of sewer and water mains along some portions of the above streets. Map provided also indicates Hypatia Way, La Jota Way and St. Louis Terrace. Includes Paseo del Ocaso and El Paseo Grande north from alley S. of Ave. de la Playa to juncture of these two streets. In SF, MF2, V, and CC zones of the LJSPDO. The proposed scope of work is located within the La Jolla Community Plan area within the Single Family (SF); Multi-Family (MF2); Visitor (V) and Commercial Center (CC) Zones of the La Jolla Shores Planned District Ordinance. Coastal Overlay Zone (Appealable and Non-Appealable Areas); First Public Roadway and Parking Impact Overlay (Beach Impact Area).

Seeking: Site Development Permit. While the project is located within the Coastal Overlay Zone, public utility projects are exempt from a Coastal Development Permit pursuant to the San Diego Municipal Code (SDMC) Section 126.0704(e)

Project presented by the Sewer and Water Group 809.

This project is to replace 7640 linear feet of sewer line and 8035 linear feet of water line. The project will start in March 2012 and will complete January 2013. There will be a break for the summer moratorium from Memorial Day to Labor Day when the tourist season is at its peak. This is estimated to cost 7 million dollars and is part of Capital Improvement Projects for the city. More information can be found at www.sandiego.gov/engineering-cip. Maps of the project area were provided for all present.

Committee comment:

Naegle: Ave de la Playa has been dug up so much. Didn't they already replace pipes during the pump repairs? *Response: Raquel Vasquez, senior public relations rep for city water and sewer. These sewer pipes have in for many years and are well past their service life. Both the sewer and the water lines need replacing. The pipes replaced during the pump repairs were the high pressure sewer lines that take carry the waste from the pumps to the Point Loma treatment facility.*

Boyden: There is another project for the storm drain and low flow diversion system going on at the Shores. Will the storm drain system be serviced at the same time as these repairs so that the street will need to be closed only once? *R: They are coordinating with the other project to limit the extent of the road closures at one time. This project and the storm drain project are different sets of pipes so can't be done at the same time. Also, there is not that much overlap of area for the two projects.*

Merten: What will the affects of trenching in new areas affect the native American artifacts and remains? *Response: Ave de Ribera is the street with the new trenching, but the trenching on other streets will be deeper than existing. They will be working a mitigation plan that includes archeological monitoring and will have a recovery program for artifacts found. Q: What techniques can be used to recover artifacts and remains after a back hoe has crushed them? R: Upfront testing will me made to*

determine statistically whether an area has a high number of artifacts, which will determine the excavation methods used. They will be careful in the known sensitive areas, based on past studies and discoveries. The Spindrift archeological area has been studied extensively and the sensitive areas have been identified.

Boyden: How will the work be performed? Will the street closures be staged? *R: The contractor will determine the schedule. They will work on 70 – 80' of street at a time. Typically, each section is a two day process. Day 1: dig and install pipe. Day 2: make connections to houses .Q. Will they be doing the electrical undergrounding at the same time: That is a separate project. That involves trenching that can not be made at the same time as the sewer work. The electrical lines have a different placement in the street.*

Morton: Will there be High Lines for the water? *Yes. High lines will be installed for a month or more in an area where work is being performed.*

Lucas: Will there be any more digging involved with the completion of the pump station project? *R: The pump station will not involve any further digging up of streets. The infrastructure has already been upgraded. The pumps are the only thing left to be installed. Those will be lowered by crane into place.*

Public Comment:

Cynthia Bond: You will work for 3 months then quit for the moratorium? Is there a way to do more at once and get this quicker? *Response: They can't close too much of the streets at one time without creating more problems for the businesses in the area.*

Motion: Schenck **Second:** Merten
Findings can be made for a Site Development Permit.

Motion carries: 4-0-1

Approve: Lucas, Merten, Morton, Schenck; Abstain: Naegle, Boyden (chair)

B. Nooren Residence: Second review

- PROJECT NUMBER: 226965
- TYPE OF STRUCTURE: Existing Single family residential in Multi Family One (MF1) zone
- PLANNER: Jeffrey A. Peterson; 619-446-5237; JAPeterson@sandiego.gov
- OWNERS REP: Michael Rollins; Cell 619-993-6003; Michael@rollinscc.com, Matt Peterson: MAP@petersonprice.com

Project description: Demolish an existing single family residence and construct a 3,700 square foot, two-story single family residence over a 635 square foot garage on a 0.10 acre site. The proposed project will conform to the Council Policy 900-14 criteria by generating 50% or more of the projected total energy consumption on site through renewable energy resources (i.e. photovoltaic). Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Coastal and Beach Impact Areas of the Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone.

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

Previous action, March 22, 2011- See those minutes for additional comments

Motion: Merten; Second: Schenck

Continue item to a future meeting. The Applicant is requested to return with:

- Side elevations that show the proposed development in relationship to the adjacent neighbors (a massing study)
- The structure should be located on the site so that the major axis of the structure will generally be at right angle to the shore line. The secondary or minor axis of the structure shall not exceed 60 percent of the width of the parcel, and no building facade should be a continuous plane over 50 feet in length. [SDMC1510.0306 (b) (3)]
- Exterior walls of the existing structures on adjacent properties should be shown on site plan drawing.
- Address second floor walls adjacent to neighbors – step back the second story or create off-setting planes to provide visual relief according to the Community Character Plan Recommendations of the Residential Element of the LJCP.

Motion carries: 5-0-1

Presented by: Matt Peterson & Mike Rollins

The Chair stated that she had had a casual encounter at the LJSA meeting in which she was told that someone was interested in appealing the historical designation, but told them she could not be involved. She also had said that she and Joe LaCava had

communicated with the City about the application of SDMC 1510.0306(b)(3) to this MF1 project. She read the reply which indicated that DSD did not believe this applied.

Charts & renderings were presented. Changes include: Support columns modified to open up the view triangle. Additional landscaping in the courtyard to meet the greenscape requirement. Neighborhood photos were presented (minus pictures of houses on the other 3 corners).

Streetscape presented: El Paseo Grande on the north side showing the block with the house, and Calle de la Plata looking north. Areas to the south and west were not presented.

Rollins: The column has been moved out to open up visibility triangle and the structure coming down has been modified slightly with poles at the bottom to allow better visibility.

Peterson: This lot is a hybrid in that it is zoned for 2 units, but not really big enough for two structures. The owner wants a single house on the lot. To address concerns by the board at the previous review:

- With regards to the interpretation of the LJS PDO regarding the orientation of houses in the MF1 zone, the City staff has concluded that there is no view through to the ocean from the pedestrian level, so the requirement to orient the long axis of the house parallel to the ocean doesn't apply.
- There is no wall greater than 50' in length.
- With regards to stepping back of the upper floors, the LJCP is a broad measure. Other multi-story houses are being built in the area that don't step back.
- Site coverage: 0.5 is max this project is 0.4
- Landscape: Pavers can be counted towards the greenscape requirement since these are placed on dirt and are not part of the structure. The breakdown: planted areas = 22%, hardscape = 24%. This give 46% total, well above the 30% requirement.

Committee comments:

Morton: According to the LJS PDO in the multi-family zone: greenscape needs to be growing *Response: The Municipal Code on hardscape: 142.0403. Hardscape can be considered landscaping.* Mr. Morton disagreed.

Merten: Rebuttal to the city planning dismissal of the siting requirements: Showed aerial photo of houses, most of which were built before 1975. Much of LJ Shores was walled off by these Multi-Family development zones with tall buildings going from property line to property line. The wording in the LJS PDO is to "provide see-throughs to the ocean" not "views of the ocean". He was amazed by the city planners' lack of understanding of the reasons behind this regulation in the LJS PDO.

The LJCP says that buildings should step back at the second floors. The northern and eastern facades of this building are basically 2 dimensional with no articulation. These should have some articulations similar to the other two sides. The LJ Shores Design Manual in residential development shows a 3-story block building next to a single story building with the word NO! This design doesn't meet the intent of the LJS Design Manual, nor does it meet the LJSPDO orientation requirements for new buildings in the Multi-Family Zone, nor the Community Character Plan Recommendations of the LJ Community Plan regarding transitions between bulk and scale of new and older development.

Boyden: Our committee follows the MF1 zone requirements in the LJS PDO. Read the following: The LJCP: Community Character on page 82 states : In La Jolla Shores, bulk and scale for single dwelling unit and multiple dwelling unit redevelopment has been subject to the La Jolla Shores Planned District Ordinance which was adopted by City Council in 1974. The La Jolla Shores Planned District Ordinance addresses the use, and density of structures that are located within the boundary of the La Jolla Shores Planned District Area." . In addition, on page 20, the LJCP refers extensively to the La Jolla Shores Precise Plan and its relation to the LJSPDO. *R: The lots are odd shaped and not uniform. This design makes sense.*

Naegle: You don't see the ocean, but you can see the Beach & Tennis Club which is part of the view.
R: Changing the set back and orientation of the house would not add to the public view of the LJBT and golf course.

Morton: Does the 2nd floor deck affect the visibility triangle (zone)? *R: Yes, but according to the city, the view triangle only applies to the ground floor for traffic. At what height the view triangle ends is a bit fuzzy in the code, probably around 11 – 12 feet (a second story).* Q: 300' setback average: why does rear 3' setback comply where the average rear is 16'? This 16' was computed incorrectly and includes many large houses out of this zone. Within the block, the average is 4' side and 4' rear.

Boyden: Described the houses on the other 3 houses on the corners; they should be part of the neighborhood photo survey and streetscapes.

Public comment:

John Armstrong + son John: Would like to see the outline of old building foot print overlaid with the proposed structure footprint. It is interesting, by not stepping back the second floor for the neighboring properties, they are getting LEED certifications, but they are taking away the light from the neighbors, preventing them from achieving any LEED certified improvements on their side. The four corners at this location define the Shores as you are heading past the LJBTC and into the business district. This is one of the first homes built in the LJ Shores defining the whole Spanish style architecture. Any home built at that time had to pass a review board that met these standards. The City Historical Review Board gave poor or no public notice and none of the residents in the neighborhood were noticed on the historical review or contacted. He would like to see the redesign at least try to adopt a style representative of the LJ Shores. The comparison photos of houses they presented point to the worst design examples in LJ Shores.

At this time an enlarged photograph was presented that showed the area in the late 1920's with the 4 original Spanish style houses that defined the style for the Shores. This house was one of those 4 original houses.

Sheila Palmer: Why is it so important to destroy the character of the LJ Shores? *R: The owner wants to build a house for his family. This is his dream house. He held a local meeting of neighbors and did not receive any objections.* (The neighbors present (including adjacent homeowner and one catty corner across intersection) strongly disagree and say that they weren't noticed or included at this meeting)

Peggy Davis: If the building is to be demolished, the replacement should have a similarity of design in the spirit of the rest of the neighborhood.

Myrna Naegle: We are destroying our heritage one house at a time.

Cynthia Bond: When looked from above this appears to be much larger of 0.4 of lot coverage.

Committee:

Morton: What was the result of the Historical Review Board. *Response: The board deadlocked 4-4.*
There was some discussion by neighbors and applicant as to whether the Historical Review Board decision could be appealed.

Lucas: Setbacks in side and rear? *R: 4' and 4'.* The stairway at the rear comes into setback, so the setback is only 3' at that point.

Motion: Morton to continue the project; died for lack of a second.
Then the applicant requested a continuance on this project.

Motion: Morton; Second: Merten

To continue the project and provide documentation to show:

- How landscaping conforms to 30% greenscape rule
- How front conforms to the visibility triangle requirement
- How high the city engineering considers the visibility triangle goes.
- How does this project conform to the LJS PDO section 1510.0306 (b) (3)
- Materials board
- Transitions and step backs
- Style issue with the rest of the neighborhood.
- Streetscape to the west and south across both streets
- 300' photo survey

Discussion on motion:

Naegle: This house is beautiful, but does not belong in the neighborhood.

Motion carries: 5-0-1

Approve: Lucas, Merten, Morton, Naegle, Schenck; Abstain: Boyden (chair)

C. AT&T Gilman Court: Return review

- PROJECT NUMBER: 194955
- TYPE OF STRUCTURE: Cell site – Existing post-mounted antennas and equipment enclosure
- LOCATION: 7660 Gilman Court (adjacent to freeway onramp)
- PLANNER: Alex Hempton: 619-446-5349; Ahempton@sandiego.gov
- OWNERS REP: James Kennedy, TAIC; 619-993-1057, james.kennedy@taic.net

Project Description: Wireless Communication Facility (WCF) designed to resemble a faux shrub. Equipment associated with the antennas is located in an enclosure, built into the hillside, and painted to blend in with the surroundings. Returned for community review because of an increase in scope.

Seeking: Neighborhood Use Permit for an existing wireless communication facility

Neighborhood Description: Telecom. Co-location site. Non-residential land use on a residentially-zoned parcel. No residences in proximity. Close to I-5. Adjacent to SDG&E substation.

Previous Action Minutes of January 2010 and see minutes for comments.

Motion: Merten, Second: Lucas

To recommend re-approval of the CUP based on the amended application (paint structure & antenna devices olive drab to blend in with the hillside) dated today January 26, 2010. Motion approved: 6-0-1

Presented by James Kennedy & Courtney Hall

They were here before the committee last year for a re-permitting of the site. The project being presented is proposing to upgrade the ATT equipment and antennas to 4G. There are 4 antennas presently. They will be bringing the total to 8 antennas. The 4 antennas will be added on a second pole. The second pole must be camouflaged according to the new regulations. ATT is proposing a faux shrub to hide these antennas. A sample of surrounding foliage was shown along with a plastic version of similar foliage.

Morton: Can the brown building shown in the photo be painted from brown to camouflage/green? *Response: Yes.* Q: Will what is on the ground now change? R: *Existing is dirt. No plans to change that or do any surfacing.* Q: Is this area open or fenced? *Fenced, not open to the public.*

Lucas: Pole height? R: *Will be similar to existing pole.* Camouflaging of existing pole? R: *Yes. And 8 real shrubs will be planted in the area also. Toyon suggested.*

Schenck: Permit length? R: *10 years.* Q: Plastic plants lifespan? R: *More than 10 years*

Merten: Will antennas be painted to match the faux shrubbery? R: *yes. Camouflaged “socks” will also be placed over each antenna transceiver as well.*

No public comment or questions were made.

Motion: Merten; Second: Morton

Findings can be made for a Neighborhood Use Permit as proposed.

Motion carries: 5-0-1

Approve: Lucas, Merten, Morton, Naegle, Schenck Abstain: Boyden (chair)

D. Wells/Tyler Residence: First review

- PROJECT NUMBER: 233074
- TYPE OF STRUCTURE: Single family residence
- LOCATION: 8217 Paseo del Ocaso
- PLANNER: Glenn Gargas; 619-446-5142; ggargas@sandiego.gov
- OWNERS REP: Jackson Design and Remodeling; john@jacksondesignandremodeling.com
- Project description: Demolish an existing SFR and construct 2532sf one-story home plus garage. Coastal Overlay (Non-Appealable), Coastal Height, Parking Impact, Residential Tandem Parking Zones.

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

Presented by: Jim Groen, Jackson Design & Remodeling

The chair had distributed City cycles to the committee, but announced she had just received the Letter of Assessment in paper form. She listed among City concerns as grading, driveway length and rear yard setback not in conformity.

They are proposing a single-story residence and did not want to build a “McMansion”.

The new design extends to the rear of the lot and the rear setback is 6’ 4”. The neighbor on north has 5’ 4”, another one further up has 7’ 4”. Landscape coverage: 30% (after conversion of courtyard to grass). Lot coverage: 55%

Morton: Do they have a 300’ survey? *Response: They presented one to coastal, but did not bring it to this meeting.* **Q:** Fence in front does not comply – above 3’ needs to be 50% translucent. *R: They can modify it to conform to the codes.*

Lucas: Length of driveway? *R: 17’ 11” to property line.* **Q:** *The 2-story house to the south has a short driveway and that was just completed.* Have they asked the city why they want 20’ when other houses, including recently built ones have been permitted with shorter driveways? *R: Not yet.* **Q:** Does the greenscape calculation include hardscape? *R: No, it is actual planting area. They are changing the patio from slab to planting to meet the 30% requirement.* **Q:** I would encourage more greenery be added if possible, for quality of living, as you are just meeting the 30% requirement.

Merten:

From the LJ Design Manual: Roof forms should be compatible with other houses in the neighborhood. We will have to consider whether this design is compatible with the neighborhood.

Boyden/Lucas: There are 3 houses with flat roofs similar, 2 across street, one adjacent the rear of the house.

Public comment:

Janie Emerson: It appears that the bedrooms are at the rear and that they wouldn’t be using the area in the rear for living. *R: That is correct, but there is access to a utility closet from the outside.*

Motion: Lucas; Second: Merten

To continue to next time.

Provide materials to address:

- 300’ neighborhood survey
- Address front fence 50% above 3’ visibility issue
- Landscaping plan
- Driveway 20’ requirement from the city
- Benefits of single story and 6’ setback vs. larger setback and possible 2-story development.
- Photos of houses with similar roof styles in the immediate neighborhood.
- Opaque glass for the garage door – how translucent and will it be and will garage lights at night be an issue for the neighbors.

Motion carries: 4-0-1 Approve: Lucas, Merten, Naegle, Schenck; Abstain: Boyden (chair)
(Morton had to leave midway through presentation and was not present for motion)

Item 3. Consideration of possible revision of the MC 151.0401 and 1510.0107 as proposed by 7th Update to the Land Development Code

Various concerns were expressed about possible dilution of LJS PDO by opening up the LJS PDO to all current and potential Chapter 14 article 1 uses

Motion: Merten Second: Naegle

Request that CPA address Item 33 of draft of the Seventh Update to the Land Development Code and put it the agenda for the next meeting. Should be reviewed by the CPA.

Motion carries: 4-0-1 Approve: Lucas, Merten, Naegle, Schenck; Abstain: Boyden (chair)