

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday July 24, 2012

Committee attendance: Helen Boyden (chair), Laura DuCharme Conboy, Janie Emerson, Tim Lucas (arrived during Mazon EOT), Phil Merten, Myrna Naegle, John Schenck

Absent: Dolores Donovan

1. Non-Agenda Public Comment – None Given

2. Chair Comments

- The LJCPA did not get a majority on any of three different motions on the Zegarra Wall NDP, See minutes posted at lajollacpa.org
- Gaxiola has resubmitted-the PM has advised that he will communicate again when the current cycles have been finalized
- It has been learned that the easement paralleling Avenida des las Ondas and Westway, emptying into Calle del Oro on the Gaxiola property has been vacated
- Applications have been received for SDPs and CDPs for properties at 8415 Avenida de Las Ondas and 2351 Vallecitos. They will likely be heard in August.
- At its July 17th meeting the LJS AB approved all items on a 4-0 vote. A Process One (LJ Scenic) and a Concept design (Cliffridge Avenue) in the Campus Impact Overlay Zone were sent to the City with a note that they were in that zone and that the Concept Design was 5 bedrooms. A Process One (Revelle) that featured a 2,000 sf addition to a 2,800 sq ft house was approved. See next item for agenda posting location.
- LJS AB agendas have an official posting URL of: <http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- Plans have been received for an SDP for ‘Environmentally Sensitive Lands and CDP for previously done grading/slope repair at 2712 Glenwick Place.

3A. Mazon EOT -7921 El Paseo Grande

- Project No. 283102
- Type of Structure: Single Family Residence
- Location: 7921 El Paseo Grande
- Project Manager: John Fisher; 619-446-5231; jfisher@sandiego.gov
- Owner’s Rep: Ricardo Torres; 619-231-9905; RTorres@golba.com

Project Description: New SF residence to replace an existing SFR Extension of Time for Coastal Development Permit No. 569852 and Site Development Permit No. 569853 to demolish an existing residence and construct a 4,461 square-foot single-family residence on a 0.14 acre site at 7921 El Paseo Grande in the SF Zone of La Jolla Shores Planned District, and the Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, Transit Area, Parking Impact Zones. No change from Approved Exhibit “A.”

Seeking: Extension of Time only to approved CDP/SDP project

Previous PRC/CPA action: Approved with conditions by PRC 4-0-0 on 10-28-2008 and by the CPA on consent on 11-06-2008.

Presented by: Ricardo Torres and Sasha Varone

This is a single-family residence and there have been no changes to the plans. They are seeking an Extension of Time on a Coastal Development Permit issued in 2009.

Boyden: This may or may not be germane to the EOT discussion, but would like to know whether the conditions specified in the original LJS PRC motion and approved on consent by the LJ CPA in 2008 were applied to the plans. The original LJS PRC motion was: "Findings can be made to approve the project subject to the following conditions and changes: The north side span in excess of 50' must be articulated with a minimum of 18" offset. The owner's rep must meet with neighbors on Paseo del Ocaso to review the plan and possible redesign to address sun exposure." Do you know anything about that? It is not germane here. **Torres:** Since the Exhibit "A" approval, there have not been any changes. What the city reviewed and approved and what the board reviewed 3 or 4 years ago is all the same. He does not know if the specific conditions in the motion were met or if there was follow through.

There was some discussion by the board on how the conditions of the original motion would have been tracked during the building process and how follow-through should have been made. This was an informational inquiry and not part of the EOT consideration.

Boyden: Are there any hydrology issues or regulation changes that affect the project? **Varone:** No. There are changes to the hydrology requirements for the city, but they don't apply to this type of project.

Public Comment: None given.

Motion: Conboy; **second:** Merten

The findings can be made for an Extension of Time for the CDP No. 569852 and SDP No. 569853.

Motion carries: 5-0-2

Approve: Conboy, Emerson, Merten, Naegle, Schenck; abstain: Boyden (chair), Lucas (not present for first part of presentation)

3B. Palazzo SCR

Project No. 280783

- Type of Structure: Multi-building residential condos
- Location: 2402 Torrey Pines Road
- Project Manager: John Fisher; 619-446-5231; jfisher@sandiego.gov
- Owner's Rep: Claude-Anthony Marengo; 858-459-3769; camarengo@marengomortonarchitects.com

Project Description: Process 2 Substantial Conformance Review against PTS#19379; Coastal Development Permit No. 46240, Site Development Permit No. 46241, Planned Development

Number No. 207962 & Map Waiver No. 219822. The original approval allows 30 dwelling units and Substantial Conformance Review proposes 27 dwelling units at 2402 Torrey Pines Road in the LJSPD-V, Coastal Height Limit Coastal Overlay Zone (non-appeal area)

Seeking: Substantial Conformance Review

Previous LJCPA/PRC Action: On October 14, 2004, the La Jolla Community Planning Association voted 10-0-2 to recommend approval of the project with conditions [on consent from the LJSPRC] Planning Commission report 05-204.

Boyden: The permit for the original 30-unit project was issued in 2005. Last year the PRC heard a proposal for a 50-unit project on this property, but this never progressed to the permitting stage .That 50-unit proposal is not under consideration here. The only thing under consideration is a Substantial Conformance Review (SCR) on a 27-unit proposal versus the original 30-unit design. he forwarded project materials and new cycle letters to the board. She has materials for the original approved project and the current project being proposed. Mr. Marengo followed up with the city and received an email yesterday from Farah Mahzari, Transportation Reviewer. The email states: “The site plan dated 7/20/2012 [sic] reflects all the revisions the transportation department has requested and substantially conforms to the originally approved CDP/SDP, PTS #19379. We have no additional comments.”

M. Naegle: Discloses that she was opposed to the 50-unit proposal last year and had talked with residents of Del Charro Woods at the time of that proposal. She does not have any conflicts of interest regarding the proposal being presented today.

Presented by C.A. Marengo

The site is presently owned by Intergulf Development Corporation. During the review process for the 50-unit proposal, they heard from Del Charro Woods and Sandpiper residents and were aware of issues that they had with that project. They have made adjustments to the SCR proposal after input from the neighbors, increasing setbacks for some of the buildings, separating some of the buildings, and angling the buildings to break up the linear look of the original design and provide more relief to the outline. The project has an internal access road with a cul-de-sac, similar to the original design.

A plan of the proposed 27-unit design and the 30-unit design with the building outlines superimposed was shown to the committee. Balconies and overhangs were not shown on this view, only the footprint of the building. Only the buildings fronting Torrey Pines Road have any balconies that project out at the front. The presentation showed how the buildings were now angled and the differences in setbacks.

The buildings closer to the Sandpiper development are now 4' lower in height (26' overall). The other buildings remain at 30' height, and have parapet walls to hide heating and cooling ducts and solar panels.

Parking is located under each 3-story unit at the street level. Guest, motorcycle and bicycle parking is situated at various points between the buildings. This is similar to the original 30-unit design. Deliveries will take place on the private street, turnarounds at the cul-de-sac and not on the street in front (Torrey Pines Road) which was one of the big issues of the 50-unit design.

The landscaping meets the 30% requirement.

Committee:

Schenck: What are the differences between the iterations of this project? How is this project different from the one seen last year by the committee? **Marengo:** The original project was for 30 units with a garage, and the proposal last year was for 50 units with a full underground garage across the property. The 30- unit proposal was approved and has been vested. Due to the economic downturn the 50-unit proposal was developed and a new application process was started, but it was never completed and no permits were issued. This new proposal is for 27 units with an access road and parking below each unit.

Merten: Are the visibility triangles shown at the driveway entrance? **Marengo:** yes

Conboy: Did you ever do a street elevation showing the transition from Del Charro Woods up to Sandpiper? **Marengo:** We did one for the Planning Commission on the original 30-unit design that went from the gas station all the way to the curve in Torrey Pines Road. The project is in keeping with the whole flow of buildings. **Conboy:** The Sandpiper is taller and boxier. **Marengo:** It is on a higher level lot and has a driveway adjacent to our property which gives the perception of bulk. **Conboy:** Would you consider lowering or articulating the front archway to break it up a bit while still gaining a noise barrier? **Marengo:** We can look into it.

Emerson: This appears bulkier than the Del Charro Woods, mainly because of the peristyle arch over the entrance. The Del Charro Woods are individual buildings. **Marengo:** This arch was designed as a noise barrier from the street traffic on Torrey Pines Road and was part of the original design.

Emerson: Could you use the transparent panels on part of the arch or some other material to make it appear less massive. **Marengo:** It would be better to lower the arch a little and keep the materials the same rather than try to use a transparent material. This is designed to be a portico style entrance with lighting for the driveway placed above in the ceiling.

Naegle: The transportation department had issues with structures within 40' of the entrance driveway. **Marengo:** This was an issue of clarification in the plans. The reviewer did not realize that the front entrance design was the same as the original permitted design. The reviewer has cleared this issue.

Boyden: Looking at previous permit and substantial conformance review. In the SCR guidelines there is a paragraph that begins "The wholesale substitution of one type of housing product for another (e.g., going from an approved multi-family apartment building to an attached town-house design) is not generally in substantial conformance." Also, the guidelines state that conditions within the original permit can not be changed. On the original design the trash containers were sited in the garages and a private trash pickup service will be used. **Marengo:** That is still the same. There will be individual containers for each unit sited in the garage and a private pick up will be used. **Boyden:** Looking at diagram for the garage the parking spaces look tight – does it meet code? **Marengo:** Yes. 8' x 9' spaces. **Conboy:** It is tight, but it works. I have seen similar designs. **Boyden:** Is there still a path along the driveway? **Marengo:** Yes. Also path along the entrance archway area. **Boyden:** Is there still a roofdeck recreation area to provide a barbecue and picnic table with umbrella? **Marengo:** No. This was originally planned to be on the roof of the front units and over the archway. We do not want access to the roof areas. Any recreation areas will be sited on the ground level of the property.

Boyden: Can you show the landscape plan? **Marengo:** Ground level planting is 14,467.5 sq ft, which is about 675 sf less than the 30% requirement They will be using second and third story balcony planters to provide the remaining 675 sq ft. The 30% requirement is for 15, 555.5 sq ft. and with the balcony planters they have 15,563 sq ft. There will be a requirement in the HOA or ownership agreement to maintain these plantings. Balcony plantings were also used in the original 30- unit approved design. There curb areas are in grasscrete and account for 420.8 sq ft. in this total. The street itself has interlocking pavers 24' wide which are not counted.

Public Comment

Representative from Del Charro Woods: Nick Sauer

They had had concerns with the 50-unit project proposal. They met with Paul Lamme, Del Charro Woods, Sandpiper, and the Shore Tower residents. They also had a general membership meeting with the Del Charro Woods residents on the 25th of June. There are 53 units in the Del Charro Woods. Most of the residents were in favor, some opposed. They feel the project is much better with the 27 units than the 50-unit design. **Conboy:** Did they compare this to the original 30-unit design? **Sauer:** That wasn't part of the general discussion; some of the original members might have objected. At the meeting with Lamme, the Sandpiper residents had no major objections and were satisfied that there were no privacy issues from the units along that side of the property. Sauer has looked at the numbers from the original 30-unit design and the 27-unit proposal and in his opinion it appears to be in substantial conformance as far as the building sizes are concerned. They are going to work with Paul Lamme on issues of traffic and landscaping. Traffic is generally bad in the area, so maybe by working together they can make some improvements.

Boyden: City objected to some of the parking spaces being smaller? **Marengo:** They are all 18' x 9', which meets the code. Only one space is partially obstructed. **Boyden:** Townhomes don't have to have elevators or meet ADA requirements. **Marengo:** Correct. This meets all the requirements for a townhome. **Boyden:** How does the entrance tie in with the traffic light in front? **Marengo:** There will be a leg added to the traffic light so it will now be a 4-way light. The Del Charro Woods residents will be made aware that there is now a fourth leg to the light and will wait in the clear zone until it is safe.

Merten: Feels that from a community review standpoint, this project meets the requirements under a SCR.

Lucas: Has concerns with reduced parking, even though there are fewer units. More parking is always better. **Marengo:** We are following the city parking requirements for resident and visitor parking which are based on a percentage of the bedrooms. There are fewer spaces because there are fewer bedrooms now. **Lucas:** I understand, but you still have 11 fewer spaces than on the original approved design. The city code doesn't really specify under substantial conformance whether that is based on percentages or on actual number of spaces. **Marengo:** It would make sense that it is based on percentages. **Lucas:** Did the original 30 unit project meet the 30% requirement on the ground floor? **Marengo:** No, balcony plantings were used. This was the project that started the discussion on whether grasscrete could be counted as greenspace. **Lucas:** Was the original project a Process 3 or Process 4? **Marengo:** Process 4. **Lucas:** You have fewer units and 11 less parking but still can't provide all of the landscaping on the ground level? **Marengo:** Green space has increased on the ground level from original 30-unit design. The original design had 12,318 sq ft. on the ground level and this 27 unit design has 14,467.5, so ground level planting has increased and there is less planting on the balconies. **Lucas:** Thank you for clarifying.

Motion: Conboy Second: Emerson

The Findings can be made for Substantial Conformance of plans dated July 2, 2012 and submitted to the City against vested CDP No. 46240, SDP No. 4624, PDP No. 207962 and Map Waiver No. 219822.

Motion carries: 6-0-1. Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; Abstain: Boyden (chair)

3C. Lai Residence EOT 2037 Torrey Pines Road

- Project No. 278685
- Type of Structure: Single Family Residence
- Location: 2037 Torrey Pines Road
- Project Manager: Glenn Gargas ; 619-446-5142; ggargas@san Diego.gov
- Owner's Rep: Gary Cohn/Mike Goetz; 858-755-7308; gary@cohn-arch.com

Project Description:

Extension of Time for Coastal Development Permit 51302 and 40871, Site Development Permit 51303 and 40872 and Lot Line Adjustment 165689 to construct a 6,700 square foot residence on a 0.23 acre vacant site behind 2037 Torrey Pines Road and demolish an existing two car garage and add a 677 square foot three car garage and add a 1,196 square foot guest quarters to an existing 1,787 square foot residence located at 2037 Torrey Pines Road on a 0.22 acre site Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact Overlay Zones.

Seeking: Extension of Time to SDP/CDP

Previous CPA/PRC Action: Subcommittee . . . approved this project by a 3-0 vote on October 26, 2004. The LJCPA heard this item on November 3, 2004 and approved on consent. No vote given. [Planning Commission Report 01-2006]

June 26, 2012: To continue the item to the next meeting. : Motion: Emerson; second: Naegle Motion carries 6-0-1: Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; abstain: Boyden See full LJSPRC minutes online for all comments.

Boyden: The committee has not heard from any neighbors on the drainage issue, other than the one letter received last meeting. On the cycles from the city the main remaining issue is water quality.

Presented by: Gary Cohn and Justin Suter (civil engineer on drainage issues).

There have been drainage issues through the years. The drainage from other properties tends to collect on the Lai property due to the lower elevations. The proposal is to collect it and discharge this onto Torrey Pines Road. Drainage will be handled by an underground pipe from neighboring properties (especially from the Gammage property). The current drainage ditch where the underground pipe will go will be filled in to match the original topography. They will have a rock-lined ditch to pull particulates out of the water per 2001 clean water requirements.

Lucas: How big is the drainage pipe? **Suter:** Believes it is 8” Lucas: What is the capacity? **Suter:** Doesn't know. Thinks that it was designed to handle a 100-year storm.

Merten: Are the water quality requirements at the state level or local? **Suter:** These are the state Water Quality Board requirements they are conforming to. They have been advised by Thomas Bui at the city that the plans do not need to be changed to address any possible new state water quality requirements. The project only needs to provide a checklist on the new requirements that would affect the project and update the Water Quality Technical Report. Any changes to the drainage to meet new requirements will be addressed at the construction phase. Based on the design in the original CDP that was issued, **Bui** does not think that changes need to be made to the design at this time.

Schenck: How many time extensions can they have? **Boyden:** This is it. Three years. This was due to issues at Planning Commission and the law suit.

Motion: Merten Second: Emerson

Motion: The findings can be made for an Extension of Time for CDPs 51302 and 40871, SDP 51303 and 40872 and Lot Line Adjustment 165689.

Motion carries: 6-0-1

Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; abstain: Boyden (chair)

4. PRC Hearing Practices – if time permits --for discussion and possible action

Continue discussing current practice of requiring first city cycles prior to hearing and disposition of change/conditions placed on approval –analogous and complementary to LJCPA current procedures. Possibly suggesting modifications/additions

The committee had a general discussion of the proposed practices.

The discussion turned to the merits of approving projects with conditions and how to track projects if there were conditions in the motion. Some felt that conditions could be useful, while others felt it was better to have the applicant come back with changed plans instead of conditions.

For smaller changes the committee would allow the applicant to annotate and sign the plans reflecting those changes and the motion by the committee would reflect the annotations. There are still issues with tracking the changes to make sure that the final plans and construction reflect what the applicant agreed to. These annotations are for smaller changes only. For larger changes the applicant would need to come back with revised changes.

Specific comments

Emerson: Thinks that the second paragraph should be changed from “The La Jolla Shores Permit Review Committee will not approve a project with conditions” to “is not allowed to approve conditions per LJ CPA policy”. We are not allowed to approve a project with conditions per the CPA. Thinks that we should be able to approve projects with conditions.

Conboy: Suggests that we should contact the hearing officer or Planning Commission and advise them that there is a set of plans with changes that the applicant has agreed to.

Lucas: We are careful to put into our motions that were changes agreed to by the applicant and noted on the plan. Our motions typically are passed on consent and get forwarded to the city.

Boyden: Does not believe we should approve projects with conditions. We are also careful to put in our motions specific reasons why a project may or may not comply with the PDO or SDMC in addition to any minor changes agreed to.

Merten: There is a potential problem of these changes getting lost in the system. So the alternative is for the applicant to make changes to the plans and re-submit them to the city before coming back to the committee for approval. If we do accept notations on the plans, then he agrees with Conboy that there should be some sort of follow up from the committee.

Boyden: Any follow up would have to be made after the CPA has voted on the project either through consent or a full hearing. Our committee's findings are not forwarded, only the CPA's actions are sent to the city. We do receive a notice of hearing, and we could contact the Hearing Officer or Planning Commission at that point.

Conboy: Presented the procedures the city has for sending out notices. When an applicant submits a project for discretionary permits, the city has 30 days to do a completeness check of the package to make sure all the materials, forms, drawings, plans, etc., that are required are there. If they deem that the project package is complete, they take it in with two sets of mailing labels for all neighbors within 300' of the project. At that time the city project manager prepares the first notification using one set of mailing labels. It is given to the mailing department for sending out at this time. Sometimes the mailing department runs behind and the first mailing gets delayed. At the time the city project manager distributes the plan packets (submittal packages) to the various departments and planning groups for review. It is not uncommon for the plan packets to be received by a planning group before the first public notice is received. The second set of labels is used for the public hearing, sent out at least ten business days ahead of the hearing.

No vote was taken on the proposed practices.

Meeting adjourned.