

La Jolla Shores Permit Review Committee Minutes

Tuesday, November 27, 2012

Members in attendance: Boyden, Donovan, Ducharme Conboy, Emerson, Lucas, Merten, Naegle, Schenck

1. Non-Agenda Public Comment - None

2. Chair Comments

- The LJCPA voted to recommend approval of the McIlvaine and Lambert/Felice residences on consent
- The Gaxiola residence was pulled from the consent calendar of the LJCPA for a full hearing at the December meeting.
- LJS AB agendas have an official posting URL of:
<http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- The Viterbi project will not be heard until some issues are resolved with the City.

3A: Rickards Residence

- PROJECT NUMBER: 296189
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 8469 Paseo del Ocaso
- PROJECT MANAGER: Laura Black; 619-236-6327; lblack@sandiego.gov
- OWNER'S REP: Sasha Varone; 619-231-9905; svarone@golba.com

Project Description: Demolish existing 2-story 3,761 sf SFR, garage and pool. Construct new two story 4416 sf SFR with roof deck and attached garage on a 5,500 sf lot in the Coastal (non-appealable), Coastal Height Limit, Beach Parking Impact and Residential Tandem Overlay Zones.

Seeking: SDP and CDP, Process Three

Presented by Sasha Varone

The house is similar to houses on either side. It is almost a mirror image with the neighboring house on the north side. It is currently a two-story 6 bedroom house with a detached garage in the rear. They are proposing a 5 bedroom house with the garage attached to the house and in front. They currently have 2 curb cuts, with 3 parking spaces in the front yard area. They will eliminate the parking and 1 curb cut and have a single driveway for the garage. The house underwent a historical review. The second floor was an addition and the first floor was determined to not be historical. The landscaping plan and elevations were shown to the committee. First floor has living room, guest room, kitchen and garage. Upstairs is stepped back. There are 4 bedrooms upstairs. There is a roof deck in the center of the building.

Conboy: There is a red curb and fire hydrant in front. By switching the driveway to the south side, will the whole curb along the front of the house be red curbed? **Varone:** Not sure. There is a fire hydrant to the immediate north of the northern driveway. After the curb cut for that driveway is eliminated, it will depend on the fire hydrant regulations for red-curbs. The new driveway has room for 2 cars and will have a 12' curb cut [not on plans provided to PRC, but requirement cited in City cycles]. Board discussion followed regarding the front curb area and whether there is room for 1 or 2 cars. Is there enough room for guest parking? **Varone:** They meet the parking requirements with 2 spaces in the garage

Boyden: The city had three issues: visibility triangle not being drawn on the plans, archaeological issues, and encroaching on a utility corridor. **Varone:** They will add the visibility triangles to the plans. They meet the visibility requirements. For the archaeological issues they hired Laguna environmental research the site. They will have paleontological monitoring during construction.

Boyden: Setbacks? **Varone:** They provided a 300' setback study to the committee. The average side setback for the neighborhood is 4' 6", they are proposing 5' 1" at the closest points on either side. The front and rear setbacks line up with the houses on either side, so they are in conformance with the neighborhood.

Donovan: In general in this neighborhood, the beach bungalow styles are being replaced by two-story larger houses. This proposed two-story house does seem to fit in with the neighbors. As this trend continues, the character of the Shores will be changing. It does raise the question of where and when the line should be drawn for the larger replacement projects.

Emerson: What is the square footage difference between the old and new houses? **Conboy:** The current house is 3,761, the proposed (with garage) is 4,416 They are tearing down one of the larger houses in the neighborhood. Not sure if the 3,761' figure includes the small garage in the rear. **Emerson:** Do you have a plan that shows the existing footprint of the house and the proposed footprint overlaid on it? **Varone:** No.

Merten: Driveway length from garage door to sidewalk? **Varone:** 20' to property line, probably another 2' in the parkway to sidewalk. Setback is similar to other setbacks in the vicinity. **Merten:** (Pointing to drawing) how high are the elements shown in the visibility triangle area? **Varone:** Less than 3' high. **Merten:** Anything taller would be an issue in the visibility triangle, but since they are less there are no issues. Prop D height limit? **Varone:** Max building height is 25.4'. The height of the eaves is 22'. **Merten:** He is comfortable with the setbacks being similar to others in the vicinity and the way the house sits in the neighborhood. He feels that the project conforms to the codes.

Schenck: Have they talked with neighbors? **Varone:** Believes that owner has talked with 2 immediate neighbors, but doesn't know for sure.

Lucas: There is no street parking in front presently, and this proposal eliminates one curb cut, so presumably there will be at least one parking space, perhaps two, depending on how it is red-curbed next to the fire hydrant. Can you address the encroachment of the utility easement? **Varone:** They had proposed putting in decorative paving at the rear of the house, but there is a 6' wide utility easement located there. They will work with city on this and eliminate the pavement if the city requests it.

Conboy: Is this a sustainable expedite project? **Varone:** Yes. They are installing solar panels. The system is not fully designed yet. The plans show 7 panels on the roof and 4 on the eaves on the south side of the house. The panels will be integrated into the roof and are not visible from the street.

Public comment: None. No neighbors were present.

Note: Varone annotated the plans to reflect the 12' wide curb cut for the driveway.

Motion: Donovan; second: Conboy

The findings can be made for a Site Development Permit and Coastal Development Permit based on plans dated October 8, 2012 and modified at November 27 PRC meeting to reduce curb cut to 12 feet.

Motion Carries: 6-1-1

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

Discussion on the motion:

Donovan: Feels that the house fits in with the immediate neighbors, but has concerns with the overall LJ Shores development trend.

3B Costebelle Residence

- PROJECT NUMBER: 295796
- TYPE OF STRUCTURE: Single Family residence
- LOCATION: 7940 Costebelle Way
- PROJECT MANAGER: Paul Godwin; 619-446-5190; pgodwin@sandiego.gov
- OWNER'S REP: CA Marengo; 858-459-3769; camarengo@san.rr.com

Project Description: Amend the previously approved Site Development Permit #4522, two-building Single Family Residence, partially built, abandoned and recently re-permitted with modifications (10-2225), currently under construction on this 26,994 sf lot. Modifications requested here to Building "A" include adding a third floor consisting of an art studio (now two stories above street level) and modifications to the lowest floor and mezzanine, (entertainment room), with a net enlargement of GFA from 1,266 to 2,040 for Building "A" with no changes to any previously permitted 5,118 sf lower Building "B." Additions to deck and patio area, raising that square footage from 1126 sf by 1,622 sf of new disturbance to 2,748 sf. Environmentally Sensitive Lands, Brush Management Zone, Coastal Height Limit and Geologic Hazard zones. Additional Info below taken from Sheet T-1.1

Seeking: Amendment to SDP for Environmentally Sensitive Lands. Process Three

Boyden disclosure: She lives in the neighborhood and walks by this area frequently. Saw the sign from Torrey Pines Road and noticed the construction underway from Pottery Canyon. She got a copy of the permit from the City. Went down to the City and looked at the plans. The project had been abandoned for a long period so a new permit was required. The current permit did have modifications approved for changing the orientation of the building, adding 250 living space to the lower level, adding 1000' garage space. There are steel I-beams that protrude up (these are shoring to hold up the street during construction).

Presented by C.A. Marengo

This project has a complicated history. There are two houses that were halfway through construction when they were abandoned due to monetary issues. The project being presented is for 7940 Costebelle Way only which was subsequently purchased by the present owner. The adjacent property at 7930 Costebelle is under foreclosure and there is currently no construction underway on it.

A hearing officer approved the project in 2004 and a Site Development Permit was issued in 2006 or 2008. The grading permits for the entire site were issued for 7930 Costebelle before the property was split. The underlying grading permits for 7940 are based on the 7930 permits issued before the split. The structure was partially built, enough so that the city had to reissue the permits to allow the project to be completed. They have to be in compliance with any new building codes. There are two structures on the lot: building "B" which was partially built and is now in the process of being completed, and building "A" which doesn't exist yet. The original permit went through a substantial conformance process to re-orient the second structure and increase the square footage by around 300 sq ft. The site is on a steep slope greater than 25%. Environmentally sensitive lands surround the site, so they have to install a fire sprinkler system.

All of the proposed changes would qualify under substantial conformance, but due to the way the SDP was worded with respect to the height of building "A", they are here today regarding the third floor addition on this building.

The city had some questions about hydrology issues, but Mr. Marengo said the building was already established and vested. The water discharge with a third story is the same as what has already been approved. The original project had a water quality technical report with a MND. He is working with Paul Godwin at the city to resolve the City issues on this.

The city had a second issue with regards to the height limit on building "B" which has already been built. The diary notes from the building inspection years ago show that the heights are in conformance, but Peter Chou of city planning thinks that the building is over-height in two places. The structure has a radiused front. To address the concerns, they did an additional section showing the height based on the ground slope and the building is not over-height.

Building "A" is setback 5' from the street, and the garage is on the second floor at street level. Since this is a steep slope and on a cul-du-sac, they only need a 5' setback. There is an elevator in each building to transition from the street level to the lower levels.

Committee discussion:

There was discussion focused on how the project and permits changed through the years and the committee was trying to understand all the aspects of this complicated project. Elevations and plans were studied.

Naegle: Height of the third story addition? **Marengo:** The room is 9' high, and it sits at 19' from street level.

Merten: What are your parking requirements with regards to the bedrooms and guest house? **Marengo:** 2 spaces for main house plus 1 for the guest house. They have 3 enclosed, plus lots of parking on the cul-du-sac. **Merten:** According to the city codes, a house is supposed to have a 20' driveway to allow 2 spots for guest parking. If there is no 20' driveway, the codes specify that you can meet the requirement through street parking in front. Although there is lots of street parking here, it doesn't qualify because the street parking is supposed to be abut the property. This property doesn't have enough frontage with the driveway in front to allow a parking spot directly in front. The city codes don't differentiate between a normal street and a cul-du-sac. It seems to me that since there is sufficient street parking in the general area, you could ask for a variance. **Marengo:** Even though the project has previously been approved, you are saying that amending the permit to allow a third story will bring in to question the previous approvals? **Merten:** When you apply for an amendment, you have to bring everything else into compliance. **Marengo:** Doesn't agree.

Merten: Is concerned about the suspended stairs leading from the street and curving between the two structures. Under the current city codes, this is considered a structure, and the stairs come within 6' of each structure, from a plan view, so

therefore the two buildings are considered a single structure. If this is a single structure, then the building will now be over the prop-D height measuring from the lowest point to the highest on the structures. **Marengo:** If this is the case then they will remove the stairs and shorten the lap pool so that the stairs are more than 6' away.

Boyden: Do you conform to the 25% rule? **Marengo:** Yes.

Lucas: Are there any vistas or view corridors specified for this area in the community plan or PDO? **Marengo:** No.

Emerson: It would be nicer without the proposed third story. **Conboy:** Thinks that the third story is not an issue. From the street you will only see the garage level and a smaller addition on top, so it won't be imposing. **Boyden:** Has issue with how the project looks from below. People driving on Torrey Pines will be seeing it. **Answer:** Building "B" has already been built, so there is no design change that can be made to address that.

Public comment: None. No public present.

Motion: Naegle; second: Merten

Continue item for purposes of revising the plan to comply with the city's rules for maximum overall structure height.

Motion carries: 5-2-1

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