

La Jolla Shores Permit Review Committee Meeting Minutes

Tuesday February 26, 2013

Committee members present: Helen Boyden (chair), Laura DuCharme-Conboy, Dede Donovan, Janie Emerson, Tim Lucas, Phil Merten, Myrna Naegle, John Schenck.

1. Non-Agenda Public Comment – 2 minutes each for items not on the agenda

Phil Merten: Tomorrow afternoon at 6:00 PM at the LJ Rec Center is the CPA Ad Hoc Committee meeting that will draft a response to the Hillel Project Draft EIR. This meeting is open to the public and for all who wish to attend and contribute.

2. Chair Comments

- 7940 Costebelle was recommended for denial at the February 7, LJCPA meeting. A Hearing Officer public hearing was to be held February 20. The meeting was not held as scheduled due to serious discrepancies in the project information as posted online on the City website. Discrepancies included reporting that the La Jolla Shores Planned District Advisory Board had reviewed the item (it hadn't), but will hear the item March 19, 2013. It included an incorrect LJCPA denial vote count, but the motion was not included. The item has been rescheduled to be heard before the Hearing Officer on March 20, 2013.
- The Gaxiola residence has been postponed to the March 7 LJCPA meeting
- The LJSAB was not scheduled to meet in February.
- 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.
- Sudberry residence at 8039/8053 Calle del Cielo is expected for the March 26 PRC meeting
- There is a T-Mobile project at 7995 La Jolla Shores Drive (Hotel La Jolla) in the pipeline

3. Project review

Trogen Enterprises -7949 Lowry Terrace Demolition CDP – 2nd hearing

- Project No. 302415
- Type of Structure: existing Single Family Residence
- Location: 7949 Lowry Terrace
- Project Manager: Morris Dye; 619-446-5201; mdye@sandiego.gov
- Owner's rep: Golba Architecture-Cathy Coleman; 619-231-9905;ccoleman@golba.com

Project Description: Demolition of a 3,912 sf existing single family residence and two car garage on a 14,217 sf lot. Future redevelopment not decided as yet.

Seeking: Coastal Development Permit (non-appealable)

Previous PRC Action: January 22, 2013 Motion: Donovan **Second:** Conboy
To continue the project until the historical review has been completed by the City.

Carried: 4-1-1; Approve: Conboy, Donovan, Emerson, Schenck; Oppose: Lucas; Abstain: Boyden

Boyden: I forwarded an email to the committee between Jeffrey E. Oakley, Associate Planner Historical Resources, Development Services Department, and Scott Moomjian, the attorney representing Trogen Enterprises. The conclusion from DSD is “Based on the information you provided, we determined the property to Not be Historic and I cleared the project. This determination is good for 5 years.”

Presented by: Sasha Varone

The details of the project were presented last month to this committee. The house is in very bad shape. The owners want to get the house torn down as soon as possible because it is a nuisance to the neighborhood, due to debris, bees, termites, and other issues that were pointed out by the neighbors at the previous meeting. The owners do plan to build a new house at some point, but there are currently no plans under development. The only issue remaining with the City was the historic review. The determination has been made by the city that it is not historic. They plan to demolish the house and garage down to the slab. They will leave the surrounding ground intact so as to not cause any archaeological issues. They are also leaving the Torrey Pine trees intact so as to not have any environmental or biological issues.

Conboy: Back in the day, this was a quintessential La Jolla Shores house. This house really typifies the PDO and design manual guidelines. It has a low pitched roof and the structure is horizontally laid out. The structure is positioned on the site in a pleasant enough way so that it leaves an openness around the corner. It is a shame that it has gone to ruin. I am not opposed to tearing it down based on what has been presented and what the neighbors have said. Once upon a time this house had a lot of promise and charm and spoke to the neighborhood.

Boyden: There was a house in my neighborhood on a bend similar to this. The owners didn't keep it maintained and it went into decay. It was eventually remodeled into something else. It now sticks out as you round the bend and doesn't fit in very well with other houses in the neighborhood.

Schenck: These are good points. When the new house is designed, it would be good if they could keep some of these qualities that will fit on this corner.

Emerson: The Oriental flair of the house and it being oriented on a diagonal, really fit the neighborhood well.

Conboy: Will the gazebo stay? **Varone:** No it will be torn down also.

Merten: There is a construction fence around the property. Is it open link or does it have panels? **Varone:** It has green screening. **Merten:** Was the fence permitted? **Eric Dye** (neighbor): Yes. The County of SD Probate department installed the fence (after evicting the previous owners) and has transferred the contract to the new owners that bought the property. **Merten:** Since there are no plans or schedule to rebuild the property in the near future, from a community character standpoint, it would probably be better to take the fence down after the demolition. **Varone:** They hope to do that, but there have been problems with the previous owner trespassing and squatting. The fence is not related to the CDP we are seeking. Any issues with the fence can be addressed by Code Compliance after the demolition if necessary. **Merten:** The fence

does violate the city codes in that it is not transparent from 3' up. **Conboy:** The fence is something we can not condition in a motion. We are deciding on a CDP for the demolition of a house. The fence needs to stay until the house is demo-ed, because this is a health and safety issue and you want to keep people out.

Public Comment

Bill Kellogg (7950 Lowry Terrace): I am a neighbor and live directly across the street. I want to point out that the concern about the evicted previous owner is still ongoing. I received a message yesterday from that person who believes he still owns the house. They are driving down the street frequently and removing the posted notices on the fence. Before the fence they were trying to occupy the property and had people living in the bushes. There are pine needles all over the property, it would only take one flame and the whole neighborhood would be in danger. I think that the fence should remain up as long as the former owner is a threat to move back in there.

Eric Dye (neighbor): I made my comments at the previous meeting regarding the health and safety issues, and those issues still remain.

Committee discussion

Emerson: I think that the purview of this committee is regarding the house, and the issues with the previous owner and the fence should be left to other agencies of the City. The fence may not look nice, but this is a matter of neighborhood security, which is more important.

Conboy: What do the plans say about the Torrey Pine trees? **Varone:** We don't really address the foliage in the demolition plans. Our goal is to disturb as little as possible. **Conboy:** The motion should state as presented as the plans don't specify the removal of the gazebo or the pond. **Varone:** the pond has the same archaeological concerns as the slab and will stay as is.

Merten: There is no authorization to remove a gazebo. **Boyden:** Would you need that? **Merten:** Yes, it's a structure. **Kellogg** (neighbor): It's rotten and full of termites; it should come down. **Conboy:** We are not trying to preserve the gazebo, rather we are trying to dot some Is and cross some Ts. If this ever became controversial because they didn't have a permit to demolish the gazebo and someone later determined it was historic it could be an issue. When they removed the rafter tails on the Windemere property, the house suddenly became non-historic.

Merten: It is interesting that professionals are preparing documents for permits, and these documents clearly indicate that the gazebo will remain. The documents say that only the house and garage structure will be removed. The gazebo is a structure and therefore requires a CDP for removal. How the project is presented is not the issue, the issue is what the documents say. If they plan to remove other structures on the property, then the exhibits need to be accurate and correspond to the permit request.

Motion: Naegle; **second:** Schenck

The findings can be made for a Coastal Development Permit (CDP) to demolish the current structure down to the slab, leaving the Torrey Pine trees intact, as presented..

Motion carries: 6-0-1

Approve: Conboy, Donovan, Lucas, Merten, Naegle, Schenck; Abstain: Boyden (chair).

Note: Emerson left room before the vote was taken.