

La Jolla Shores Permit Review Committee Minutes

Tuesday March 26, 2013

Committee members in attendance: Helen Boyden (chair), Laura DuCharme-Conboy (joined for item 3B), Dede Donovan, Janie Emerson, Tim Lucas (joined for item 3B), Myrna Naegle (left midway through item 3B), John Schenck. Absent: Phil Merten

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

David Little – CPA Trustee: Handed out a diagram illustrating the difference between existing grade and finished grade and made presentation regarding the calculation of the 30' height limit using Prop D methodology and the city code methodology. He has issues with the way it is being calculated and presented many times. Prop D says to measure the 30 feet height from the finished grade. This is a problem because builder can raise the existing grade and measure from there. The city realized that there were problems with this and adopted a change to the Municipal Code in 2003 that dictates that the 30' limit is calculated from the existing grade or finished grade, whichever is lower. Many times projects will come in that meet the Prop D height limit but not the Municipal Code height limit, and they want to get an exemption or variance for this. This defeats the purpose of the Municipal Code amendment. These committees are the front line for monitoring these standards. Be aware that when a project comes in and only meets the Prop D height, that means that they are measuring from the finished grade.

Helen Boyden (chair): Thank you for your information. We do always consider the height of the buildings in our review.

2. Chair Comments

- A revised Gaxiola residence was given a full presentation and was recommended for approval at the March 7, LJCPA meeting. Michael Morton is now the architect of record for the project. The applicant plans to bring the Draft MND to the PRC for review.
- On March 19 the La Jolla Shores Advisory Board (LJSAB) approved the 7940 Costebelle project, 4-0-1, the roof having been changed again to a 3' in 12' pitch with no parapet. At the March 20 Hearing Officer Public Hearing with revised Report to the Hearing Officer, this project was approved as presented at the Advisory Board hearing.
- At the LJSAB March 19 meeting the Sudberry property was continued due to not having been heard by the LJS PRC/LJCPA.
- LJSAB 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.
- Drove by the Zegarra project that the board previously reviewed. They have been working on removing the berm per city requirements. Does not know whether the existing wall issue has been resolved and permitted. [As of 3-27, 5 PM, large quantities, perhaps 40 cu. yds., had been excavated and were awaiting removal.]
- I am resigning as chair and as a member of this committee effective the end of this term, which is through May 2013.

3A. T-Mobile - Hotel La Jolla SCR

- Project No. 287313
- Type of Structure: Wireless Communication Facility
- Location: 7955 La Jolla Shores Drive
- Project Manager: Karen Lynch-Ashcraft; 619-446-5351 KLynchAsh@sandiego.gov
- Owner's rep: Lynnea Barrett for Rocki Lam; 858 -650 3130; lynnea.barrett@mitchellj.com

Project Description: Replacement of all six panel antennas with new 4G antennas for an existing wireless communication facility. No modifications are proposed to the existing equipment located at 7955 La Jolla Shores Drive on Hotel La Jolla formerly Summer House Inn in the LJSPD-V, Coastal Overlay (Non-Appealable) and Coastal Height Limit Zones. Previously approved under Permit No. 452123 on May 21, 2007 with an expiration of May 21, 2017.

Seeking: Substantial Conformance Review (SCR)

Rocki Lam of Mitchell J Architecture representing T-Mobile:

T-Mobile would like to upgrade their antennas and they currently have a permit with the city which expires in 2017. They are proposing to swap out the existing antennas with new antennas capable of bringing in 4G, permitting use of I-pads, smart phones, emergency equipment. There are 6 antennas currently in use. They would swap out 4 of the 6. The antenna dimensions are slightly different. The new ones are slightly shorter, a bit wider, and heavier than the current antennas. They will architecturally integrate them into the building through paint and texture matching. To the naked eye there should not be any significant difference. No change will be made to the existing equipment cabinets.

Boyden: This is a substantial conformance review and we need to make a decision today so it can go to the CPA right away.

Schenck: What is the layout of the antennas? **Lam:** There are 3 sectors, 2 antennas per sector. The sectors were pointed out on the diagram. There are also Nextel, Sprint, AT&T and GTE antennas on the building.

Public Comment: None

Motion: Emerson **Second:** Naegle.

This project meets the criteria for a Substantial Conformance Review.

Motion passes 4-0-1

Approve: Donovan, Emerson, Naegle, Schenck; Oppose: None; Abstain: Boyden (chair)
(Conboy and Lucas not present for the item review)

Boyden: This will appear on the consent calendar of the CPA on April 4.

3B. Sudberry Residence

- Project No. 304002
- Type of Structure: Single Family Residence
- Location: 8039/8053 Calle Del Cielo
- Project Manager: Paul Godwin; 619-446-5190; pgodwin@sanidiego.gov
- Owner's rep: Haley Bareisa, Island Architects; 858-459-9291; hbareisa@islandarch.com

Project Description: Demolition of existing SFR located at 8053 Calle del Cielo plus a portion of existing SFR located at 8039 Calle del Cielo (total demo 8255 sf). Construct a single story SFR over walk-in basement and related site improvements over both lots (total lot size, 44,140 sf; GFA=18,836 sf). An amendment to CDP No. 388708 and SDP No. 388170 (PTS 1152239) affecting only the 8053 lot. Coastal Overlay and Coastal Height Limit Zones. [City] Applicant states that this is being processed as a new project.

Seeking: Coastal Development Permit (CDP) and Site Development Permit (SDP) for La Jolla Shores

Boyden: LJSAB continued item waiting for review by LJSRPC & CPA. She had attended the meeting.

Presented by: Tony Crisafi, Haley Bareisa, Ben Willis of Island Architects

Background information: The first form of the project was started in 2003. The owners acquired the north house (8053 Calle del Cielo). They designed a new 10,000 sq ft 2-story house with an underground parking level on the north pad. The plans went through the community review process and gained approval from the city, but the building permits were never pulled. The south house (8039 Calle del Cielo) came on the market and was purchased by these owners. They remodeled the south house and have been living in that. Both of these existing houses are single story.

The project being presented today is an entirely new one and they are seeking a new CDP and SDP. They are proposing to demolish the north house and build a house that joins with the south house. The pads are at different levels, with the south house being lower. The north pad will be lowered 3 feet and a new building will go from the north pad and over the existing remodeled section of the south house, creating a main level that extends through both pads and a lower existing

level at the south pad. There will be underground parking and a basement under the north house. The lots will be tied together, and this is currently in process.

The west facade is on the main level and is covered terraces and verandas. There is a pool and garden area, along with trees. The plantings that are currently in place will be augmented with some taller plants.

Total Gross Floor Area, which includes some of the covered terraces, is 18,836. First floor habitable space is 7,424 sf. The lower level living area is 6,109 sq ft and the garage is 3,393 sq ft. The FAR which was calculated using the GFA is 43%.

Diagrams were presented showing the existing two houses and the proposed structure, and also the previously approved project. The setback from the north house is 19'10" to main level building, but only 8' to the patio structure. The drawings compared the previously approved project for the north lot with this new one. By spreading the structure between the two lots and utilizing the existing lower level south house, the main level habitable space is actually less than the previously approved project and has more of a rambling single-story profile feel.

A 300' setback survey was presented. The city had concerns about some of the setbacks, which have been addressed by this survey with the inclusion of the street frontage data. This will be re-submitted to the city. The board did have some concerns about the accuracy of the frontage data based on a diagram of the properties in the survey, and these will need to be addressed.

They will use the existing shared curb cut between the neighbor to the north (8067 Calle del Cielo) and the north end of the property. The driveway is divided down the middle with a wall. There is an underground garage with a single garage door access on the north side of the house. The driveway will be lowered 3' at this point to enter into the garage. The driveway has been pulled back 8' from the property line (dividing wall) at this point. This area will have landscaping and will serve as a buffer area to help with privacy and noise issues of cars entering and exiting the garage. The driveway continues on to the rear of the house and opens into a large motor court, which is where the front door of the house is. There is room for at least 6 cars in this motor court. The underground garage has room for 6 cars, as well as storage space, a pool equipment room, a recreation room and a guest room. There are stairs and an elevator up to the main level.

There is a mandatory 20' front setback for this property that dates back to when this area was first developed. There is a pool in front that will be at this 20' line. It is a long narrow lap pool, with a jacuzzi. The pool equipment will be located in the underground garage so there will be no noise issues.

There are 4 bedrooms on the main level at the south side of the house. There is a living room, study, entry in the middle, and a family room, dining room, kitchen on the north side. There are covered verandas on the front. The roof structure has a pop-up in the middle over the living room.

They have met with some of the neighbors at properties above on Calle del Oro, and also with the neighbor to the north Sally McMurray, and several neighbors to the south. They have a record of all the neighbors that have been contacted.

Donovan: Are there limitations on the number of lots that can be combined? **Crisafi:** You can combine a number of lots together, but the limiting factor here is the sloping topography and the 30' prop D height limit. **Donovan:** What do the neighbors above on Calle del Oro say about looking down on this project. **Crisafi:** There is a slope, then a flat area, and then a steep slope at the rear (east) of the property. One of neighbors came to the meeting they had and reviewed the plans and had no issues. Another neighbor above called to discuss and had no issues. **Boyden:** What is the height differential between Calle del Oro and the house? **Bareisa:** The houses above are at about 252' and this north property is at 174', so quite a lot of height differential.

Elevations and drawings showing the proposed structure were presented. The proposed project has a maximum ridge line of 199.9'. The Prop D and the stricter 30' Municipal Code plumb line were shown on the drawings. These plumb line was calculated based on the lower level finished floor at its lowest point and extending that through out the structure. They feel that this is a more conservative calculation than doing the extrapolations, as some areas are covered and some are not. The maximum height is 29.8' to the chimney and 27.8' to the ridge line of the house.

Lucas: The cycle reviews presented to the committee were based on plans submitted to the city in December 2012 and there were 50 plus open issues. Is there a more recent version? **Bareisa:** These were submitted December 21 and the city completed the cycle February 1. These are the most recent. They have discussed many of these issues with the city planner. They will be responding to the issues and re-submitting them to the city.

Public Comment

Sally McMurray (neighbor on north side): Has concerns about the garage entrance on the north side. With six garage spaces there will be cars entering and exiting frequently, creating noise and pollution. Her living room is on the south side and she would like the entrance changed to the street side. They have an acre of property and she doesn't see why the garage entrance has to be located there. She also has concerns with the excavations and the lower pad height. Her property and the north house both share the same pad level. With all the proposed excavation, she is worried about geological issues. She is also worried about the construction process damaging her house.. She has underground gas lines and water. During the construction that they did there were heavy equipment and trucks going up the driveway and excavating for the new driveway wall and she could feel her house shaking. She had a water pipe break between the walls of her house right after construction. She thinks having the garage entrance located at the side will lower the property value of her house. **Crisafi:** They tried to balance the height differential of the two pads. They will be lowering the height of the north pad by 3'. With respect to the driveway, when this development was first opened the houses shared a driveway. When they did the recent remodel, they put in a block wall that was deeper than what was needed, and the digging process did cause some shaking... **McMurray:** The damage to her pipes occurred before the wall was excavated. It was during the construction process when they were doing grading with the heavy equipment... **Crisafi:** That's right; that did occur before the wall... **Boyden:** Can we move on to what you propose for this project? **Crisafi:** The current driveway is up against the property line and the block wall that was installed. The driveway has been this way since the development was open. They will be pulling the driveway 8' south creating a buffer area with large trees. The beginning of the driveway will be 3' lower in order to be able to transition into the garage. **McMurray:** All the earthmoving machinery used to lower the driveway will be creating shaking. Also, having the garage facing her house will not be good. **Crisafi:** The pattern for garages in the neighborhood is to face the side yard. **McMurray:** Hers doesn't. **Crisafi:** Both the north and south houses had side entrance garages originally. This orientation works with how the neighborhood was set up. They are trying to be considerate of Ms. McMurray. They met yesterday with Sally McMurray and representatives from UCSD including Anu Delouri, Cathy North from Facilities Management, and the soil engineer for this project. There were four things that were talked about. Some of these were of a good neighbor nature not directly related to this development, but one was regarding the buffer area. They will try to keep the buffer area intact and at the same level while grading the driveway alongside it down 3', and they will try to get the landscaping for this area in before any grading begins to help mitigate disturbance from the construction process. **McMurray:** Still concerned about the location for the garage entrance. **Emerson:** Need a clarification on the grading of the driveway. This was always an up slope? **Crisafi:** Yes. The driveway goes from street level, which is lower, to the rear of the property, which is higher than street level. They will be adjusting the level of the driveway down 3' so that it is a smoother transition from the street to the garage entrance. **Conboy:** Can you provide the elevations from the street to the garage and the rear? **Crisafi/Bareisa:** The current house is 162' at the street to 174' at the side of the house. They are proposing 162' to 179.5' at the rear, the garage entry is at 171'.

CA Marengo: I am a bit confused with how you calculated the coastal zone height limits. You are showing height levels that are never traditionally shown in the coastal zone by choosing to go to the lowest finished floor and run a line across regardless of what the outside levels are. **Bareisa:** We are looking at it from the standpoint that the lowest finished floor is our proposed lower level. **Marengo:** Why would you deviate from the methods on the city code? **Bareisa:** This was done after my meeting with Polonia Majas at the city. She said that it will be more straightforward if they present it this way. **Crisafi:** Because the existing grade is higher than the floor they are using this number. **Marengo:** You are not showing in your cross section how the structure changes. You will end up higher in some areas. You are not showing the changes in topography in your cross sections. It would be nice to see these changes in the cross sections calculated as specified in the code. This way may make your case better. **Crisafi:** It doesn't make our case better. This is how the city wants it depicted and it follows the coastal ordinance. **Marengo:** The standard way also helps to show the bulk and scale.

Boyden: Sally McMurray has left the property in her estate to UCSD, which is why they are involved here. UCSD representatives did attend the LJ Shores Advisory Board meeting.

Anu Delouri, UCSD: She is here today representing the University. Sally McMurray has deeded the property to UCSD. They have attended the meetings with the architects and at the LJSAB as Helen mentioned. Sally, as the neighbor, is very concerned about this two story house being built next door. It is a two level home and in many ways appears as a two story home. She is worried about the impact that demolition and construction will have on her 1960's home, based on past experiences. One of the prime concerns is having a 6 or 7 car garage entrance right next to her house and the noise created by that. In addition there are concerns about noise and dust and construction impacts including cracking and damage to her house. From the University's perspective, we would like an opportunity to review further the plans and drawings and look

for any impacts to the property. They did look at some of this yesterday at their meeting, but they would like to do further review before any final decisions are made. **Boyden:** There is the initial city review, which we can send you or the architects can. **Bareisa:** They have an updated letter regarding geological issues that they will be providing. They have already provided the soils report to UCSD. **Boyden:** Would you be able to review the materials in time for our next meeting? **Delouri:** I think so.

Matt Edwards, La Jolla Shores resident: Is not clear on the issues that Mr. Marengo raised regarding bulk and scale and elevations. **Bareisa:** What they presented was a conservative approach to meeting the height requirements. There are some exceptions in the city code that allow you to extrapolate existing grades through the house and use that line. We were taking a conservative and simplified approach, and Mr. Marengo was wondering why we were doing it that way instead of taking advantage of these exceptions. **Edwards:** The plumb line is to an existing grade or is there fill that is going to go in there? **Bareisa:** The plumb line is to the lower grade. **Crisafi:** (Showed the plumb line on the elevations.) If you were to calculate the plumb line for the higher pad using the existing grade, the plumb line would move up 3' higher than what is being shown. This would give us three more feet of building envelope. **Marengo:** The reason I brought this concern up is that the finished floor is not the extent of the overall height. You have structures that go into the basement and pool and everything that goes to the property line and steps up. These are all considered part of the structure that get measured and that relate. I don't think that you can just use one point on the finished floor. **Crisafi:** The building envelope is on the pad. A front setback line of 20' was established when this neighborhood was developed. So even though the 30' height limit may step down, the building envelope stops at the 20' setback line. **Conboy:** Are the pieces Mr. Marengo mentioned connected to the house? If they are, then they need to be counted in the calculation. **Bareisa:** The planters are all separated from the house by more than 6'. There is a 6' separation from the existing terrace, There is no concrete connection anywhere. **Edwards:** You are basing your elevations off of the 163' point and the chimney at 200' 9", which is close to a 40' difference. **Bareisa:** Yes, there is a 30' height limit plus 10' for a sloped lot.

Kim Whitney, La Jolla Shores resident: How tall is the McMurray house? **Crisafi:** I don't have that information, but can find out.

Board Discussion

Boyden: The city planner had a comment about stepping back the sides of the upper level. They also raised the issue of walls in the public right of way. **Bareisa:** They are seeking a permit for this with city engineering. Due to a construction mistake, the walls were built a few inches into the city right of way rather than on the property line.

Boyden: Gave a review of the information in the side setback survey which lists properties as well as the street frontage. **Conboy:** Has a question regarding two of the properties shown in the survey and the accompanying map. It appears that the street frontage for 8052 Calle del Cielo is the same size on the map as this projects combined lot, but the street frontage is only listed as 127 whereas the combined lot has 181 feet listed. **Crisafi:** We took those numbers from coastal permits and surveys. We can go back to the aerial surveys and check the numbers.

Boyden: The existing houses are over 45 years old, so there is still a historical review that needs to be made. We need to have those results before we can make a decision.

Schenck: Has issues with how open the cycles issues are. Very few have been checked off. Can we really make a decision on such and incomplete cycles? Discussion ensued regarding all the open issues and if a new set of cycles could be received in time for the next committee review. It will take the city at least several weeks to complete a second cycle after they have been re-submitted, so they would not be available in time for the next meeting. There was a question as to whether the committee should postpone further review until the next round of cycles. Many community planning boards do reviews very early in the process without full cycles. **CA Marengo** commented that it is better to have community input early in the process, so that changes can be made. After the city has cleared issues, there is no real reason for an applicant to make changes even if the review committee still has concerns.

Crisafi: For the committee's information, the CC&Rs for this neighborhood were renewed. Originally this neighborhood did not permit 2-story development, but this was changed and 2-story houses are now permitted. There is a map and a set of guidelines that restricts those second stories. So this neighborhood is transitioning to 2-story houses as redevelopment occurs. They are also willing to work with Sally McMurray and UCSD in mitigation efforts for this project.

Motion: Emerson **Second:** Lucas

Continue the item. Would like to have further information regarding:

- Second floor side yard step-back issue the city reviewer cited

- Massing study/streetscape. Include outline of existing north structure in addition to the proposed structure. Include McMurray house in this.
- Historical review results
- More description of the driveway and its slope, including elevations.
- Sections through house showing Prop D and plumb line. Confirm with city that the methodology is correct.
- Information on construction process, grading and excavation. Including how much fill will be moved.
- Address concerns and proposed mitigation about potential damage to the neighbors structures due to earth moving equipment.

Motion passes 4-0-1

Approve: Conboy, Emerson, Lucas Schenck

Abstain: Boyden (chair)

(Naegle left midway and Donovan left at end of the item review)