

La Jolla Shores Permit Review Committee Minutes

Tuesday May 28, 2013

Members in attendance: Helen Boyden (chair), Dolores Donovan, Janie Emerson, Tim Lucas (secretary), Phil Merten, Myrna Naegle, John Schenck. Absent: Laura DuCharme-Conboy

Boyden was held up in traffic and arrived 15 minutes into the meeting. Lucas called the meeting to order and started with the agenda until Boyden arrived.

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

Janie Emerson: There is a house at 8305 Camino del Oro at the south end of Kellogg Park. A large permanent contractor sign has been in front for 2 years. There is no construction activity currently and there has been none for at least a year. It should be removed as it violates the sign ordinances.

Phil Merten: The Costebelle residence went before the Planning Commission on appeal. The La Jolla CPA was unanimous in its appeal but the Planning Commission rejected the appeal unanimously. The design of the roof structure had changed from what was presented to the LJ CPA but there were still issues with the second floor setback from the street. The Planning Commission Chair Eric Naslund stated that the LJSPDO is a unique set of regulations that has characteristics the Planning Commission is not used to dealing with, and he believes the LJSPDO is not serving the neighborhood well and suggested the LJSPDO be changed to a more ministerial set of regulations.

Donovan: Emerson and Donovan attended the COW (Community Orientation Workshop) training session last Saturday. The session lasted 4 hours and they found it excellent and far superior to the online version. Useful information on municipal codes and project evaluation was given. The breakout sessions were very informative. They highly recommend it for all people serving on community input boards.

2. Chair Comments

- On May 16, the Planning Commission rejected the LJCPA appeal of the 7940 Costebelle project.
- A Draft Negative Declaration was issued for the Zegarra Walls project. Comments are due by June 3.
- The Comments deadline on the Children's Pool Draft Negative Declaration has been extended fourteen days until June 3.
- On May 21, the LJSAB considered the McIlvaine Project and a concept proposal.
- 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.
- The Sudberry residence has deferred until the June PRC meeting. The applicant has submitted new plans to the city which the PRC has received along with applicant's responses to the previous cycles.
- Whitney project: New plans have been received. Project has not been noticed as yet.
- Dolores Donovan, Janie Emerson, Tim Lucas, Myrna Naegle, John Schenck have been appointed by the La Jolla Shores Association to the LJSPRC. They will be on the LJCPA agenda for ratification on June 6. The LJCPA has already reappointed Phil Merten and Laura DuCharme Conboy. A third appointment is expected at the LJCPA meeting.

3. Project Review

- Dimenstein Residence - 8445 La Jolla Scenic Drive
- Project No. 313406
- Type of Structure: Single Family Residence
- Location: 8445 La Jolla Scenic Drive
- Project Manager: Glenn Gargas; 619-446-5245; ggargas@sandiego.gov
- Owner's rep: Scott Spencer; 858-459-8898; scottspencerarchitect@gmail.com
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Project Description: Remodel and construct a 6,000 sf two-story addition to a 3,775 sf SFR to total 8,733 sf SFR on a 21,665 sf site at 8445 La Jolla Scenic Drive. Coastal Height Limit and Campus Impact Parking Zones.

Previous PRC Action: April 23, 2013 (Please see minutes for additional notes.)

Motion: Lucas **Second:** Conboy

Continue the item to a future meeting. Would like the following information from the applicant:

- Setback survey with street addresses added and averages provided to committee
- Provide a streetscape showing proposed structure and photos of the other houses. Make a reasonably accurate presentation, and include the 2 houses to the north and the 3 to the south – six in all
- Parking plan with parking spaces identified and measured
- Single curb cut and north driveway issue resolved with the city
- Update on seismic information if available
- Pool equipment location and sound mitigation
- Pool drainage plan
- Will they be adding solar voltaic panels? If so, how will they be situated?
- Landscape plan. What trees will be retained?

Motion carries: 6-0-1

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

5-28-2013 PRC Meeting

Presented by Scott Spencer:

He will address the bullet points in the PRC board motion from the previous meeting:

- **Setback survey with street addresses added and averages provided to committee:** That survey including 54 properties was emailed to Boyden last week and distributed to committee members. Today the applicant has provided a summary of individual properties as well as averages for the properties listed. The key statistics are: FAR for project = 0.40; neighborhood avg. FAR = 0.328; Front yard setback= 28'; neighborhood avg. =23.9'; Rear setback project= 84', neighborhood avg. = 57.5'. The combined side setback is 17' (4' + 13'), neighborhood avg. of combined setbacks= 19.4'.
- **Provide a streetscape showing proposed structure and photos of the other houses. Make a reasonably accurate presentation, and include the 2 houses to the north and the 3 to the south – six in all:** The streetscape presented had two parts. One part was with photographs and the second part was with drawn elevations. The photograph of the existing structure had the proposed structure drawn in. Roofpeaks are to 28' for this proposal and for the Aron residence under construction to the south. There are lower ranch style houses to the north of them and to the south of the Aron residence.
- **Parking plan with parking spaces identified and measured:** The planning department said that due to being in the Campus Parking Impact Zone, they can only have one driveway. They will remove the two existing driveways, adding a 12' driveway between the two oriented in front of the existing garage. They will re-configure the garage so that all 3 spaces will face the street (west) and be accessible from the single driveway. There are turnaround spaces at either end of the garage. There are 7 spaces total which are indicated on the site plan. Three spaces are garage parking, and four spaces are identified in what was a courtyard. These four are accessed via a north facing gate at the south of the garage. The garage footprint will remain the same, but will be styled to match the proposed architecture.
- **Single curb cut and north driveway issue resolved with the city:** There will only be a single 12' driveway as described in the item above. They are removing an existing low front wall that was encroaching in the setback between the current driveways.
- **Update on seismic information if available:** The city had identified a potential fault at the rear of the property near the pool area. The question is whether it is an active fault. The criterion for a fault to be considered active is to have had movement within 11,000 years. A summary letter from Geotechnical Exploration was read and a copy was left with the committee. Geotechnical Exploration is of the opinion that there is no active fault passing through the site. It was last active around 700,000 years ago.
- **Pool equipment location and sound mitigation:** To be located at the south east corner of the pool set back 5' from the south property line. It will have sound attenuation material lining the wall surrounding the enclosure. The Aron residence to the south would be most affected by the equipment and the enclosure should eliminate any sound issues.
- **Pool drainage plan:** The pool will seldom have to be drained. The pool pump is reversible. There will be a 200' hose to route the water to the curb on LJ Scenic at the front of the house.

- **Will they be adding solar voltaic panels? If so, how will they be situated?** This hasn't been decided. There is only one possible location for solar panels which is on the south side of the second story roof toward the rear of the building. They would not be visible from the street.
- **Landscape plan. What trees will be retained?** There are currently 4 trees in front. One tree is in front of the garage so it will be removed and another needs to be removed as well. That will leave 2 mature trees in the front. The 4 trees along the north side property line will be removed.

Boyden: The setback survey has one typo: the house listed as 8975 is actually 8425 LJ Scenic. There are 14 contiguous lots in the area that are 250' deep, including this project. 13 have houses on them. She presented photographs of these houses. 8 of these houses are single story (or have a small 2-story element at the rear). The houses grouped here vary from 44' to 60' front setback, except for one at each end. This project has a 28' front setback. The 2-story element for this proposal is farther forward than others in the area and is even with the Aron garage which will cause the house to appear large. She is concerned about the impact the front of the house will have. This will be the largest house in the neighborhood. The Arons have now planted two very large trees (6" to 10" trunk diameter) in their front yard. **Spencer:** The second story element is 60' back from the property line, and the front entry element is 85' from the property line. Add 10' to those numbers for the distance from the curb. The existing garage is 28' from the property line and is not changing in dimensions. The garage structure will be re-skinned and beefed up to support the roof tiles to match the proposed architecture.

Merten: Thinks that the second floor setbacks on the north side are important. However, the street scene shows that the second floor setbacks are not set back from the property line as far as other second floor structures in the neighborhood. The Aron house to the south has a larger second floor setback from the property line. The second floor setback on the north is too close to the property line. One of the findings for a SDP is that the development comply with the regulations of the Land Development Code. The Land Development Code states that the building and structure setbacks shall be in general conformity with those in the vicinity. The two adjacent houses can be considered as those in the vicinity. Comparing with these structures, it is apparent that this proposed setback is not in general conformity, and with houses further away with 2-story elements, those have a much larger setback. He has a problem with the second floor setback on the north and can't make the findings. **Spencer:** They are removing a 1-story element that currently exists and was built to the property line; the proposed structure will be further back, so this will be an improvement over what is existing. The closest points are 6' first floor, 8' second floor. Upper floor element is 78' in length total, but articulated into planes with 28' largest section. The city planner Joe Stanko found the articulation acceptable. The setback surveys only address the ground floor. It is difficult to get second floor setback numbers for other houses in the neighborhood. **Merten:** It is one thing to have an element that comes close to the property line at one point, but this proposed structure will have the entire north element close to the property line significantly increasing the massing of the house. **Spencer:** The second story varies from 8' to 10' to 11' to 14' back to 8' etc. There is articulation and movement in the design.

Emerson: The setbacks are somewhat symmetrical with the house to the north in that its setback is smaller on the north and larger on the south. The south setback for that house is about the same as this house. But the north setback proposed here is the smallest in the neighborhood.

Donovan: Is concerned about neighborhood creep. The next houses built or remodeled will be as large or larger as this, and the setbacks will continue to get smaller. Based on her experience in her neighborhood, even the newer houses get remodeled, not just the older ones. All the houses in this vicinity have the potential to be remodeled and made larger, which will affect the setbacks. It is important to be careful with conformance.

Schenck: Would be concerned if these setbacks are approved and the neighbor to the north goes even smaller.

Boyden: The neighborhood consists of the houses on LJ Scenic North. The Cliffridge Way, Lane and Court houses don't really count as reflecting the neighborhood character. **Spencer:** the 300' radius map was made per Development Services requirements. You don't count the width of the streets in the survey, so that brings in a lot of other properties into the 300' radius. There are basically 3 different environments within this radius and he agrees with Boyden that these houses along LJ Scenic have their own environment. **Boyden:** All these houses are in the Campus Parking Impact Zone. These 14 lots are unique in that they can have large houses with many bedrooms and many parking spaces. **Spencer:** The 300' radius only reaches 6 of these 14 lots.

Boyden: Concerned with the street setback being closer than others. **Schenck:** What are the setbacks from the street vs the Aron property? **Spencer:** 28' to the garage vs. approximately 45' for Aron (8435 new construction) garage. **Dimenstein** (owner): The Aron garage is much taller than the one that they have. The Aron garage extends across the property, whereas

theirs is lower and is only on half of the frontage. The Aron structure will appear larger in the neighborhood than this proposal. **Spencer:** The garage has 8' tall walls and 4' high roof for 12' total roof height. The Aron garage is 16' high. Aron side setbacks are 6' and 8' and the proposed for this project are 6' & 14'. **Schenck:** Calculating from the Aron drawings reviewed by this committee, the setback to the Aron garage is 45' and to the house 90'. It is 28' to the garage and 78' to second floor for Dimenstein (this project). **Spencer:** But once again the Aron garages are 16' high and are symmetrical across the front, creating more mass.

Lucas: Can the second floor be pulled back a bit more? **Dimenstein:** To pull it back would cause the hallways to be too narrow. They have to work within the limitation of the existing structure outline on the south. **Lucas:** with the proposed smaller north setbacks, this will set a precedent for the development houses in the vicinity. The house to the north could potentially be replaced or remodeled with a second story 6' from the property line. This would impact your privacy and quality of living. One needs to be careful with precedents.

Boyden: Front encroaching wall? **Spencer:** They are removing it completely. They will be adding a 6' high wall along the property line to south of the proposed driveway. **Donovan:** Has concerns with a wall so tall along the property line. Thinks it needs to be pulled back and lowered. **Merten:** The fence ordinance for San Diego states that fences along the property line should have the portion above 3' be 50% open. There are other front walls in the neighborhood that are solid 6' high, but these may have been built before the current ordinances. **Spencer:** They could look at pulling the wall back 3' from the property line and installing planting in front to soften the effect.

Public Comment

Bob Whitney: Thinks it is a good design and will improve the neighborhood.

Motion: Merten Second: Schenck

Findings for a SDP can not be made because the setback at the upper level along the northern property line is not in conformity with other second level side yard setbacks in the vicinity.

Motion carries: 4-1-1

Approve: Donovan, Merten, Naegle, Schenck, **Oppose:** Lucas, **Abstain:** Boyden
(Emerson had to leave before motion was made)

Note: The applicant may choose to revise the project and come back through the committee.

4. Possible Action Item. Election of new PRC officers for June 2013 till May 2014 –
No action taken