

La Jolla Shores Permit Review Committee Meeting Minutes

4:00 p.m. Tuesday September 24, 2013

La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members in attendance: Dolorers Donovan, Janie Emerson, Tim Lucas, Phil Merten, John Schenck, Bob Steck. **Absent:** Laura DuCharme Conboy, Myrna Naegle

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

None

2. **Chair Comments:**

- A brief explanation of the committee's duties and community review procedures was given for members of the public in attendance.
- There are an handful of new projects in the pipeline. The two projects likely to come to the committee in the near future are the Whitney mixed- use project on Avenida de la Playa, and a redesign of the Whale Watch Way residential project.

3. **Election of PRC officers for October 2013 to May 2014**

There were no volunteers for chair of the committee, although Emerson did volunteer to be the vice-chair if needed. Merten has agreed to continue on as chair until the next committee term begins in March or April. Lucas will continue on as secretary.

4. **Project review**

4A. **Gaxiola Residence DRAFT Mitigated Negative Declaration**

Project previously heard in August 2010 and September 2012.

- PROJECT NUMBER: 207195
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 2414 Calle Del Oro
- Project Manager: Morris Dye: mdye@saniego.gov
- OWNERS REP: Grisel Cedillo ; gricelcedillo@yahoo.com; Victor Gutierrez; victor.guti2@gmail.com

Project Description: Demolish existing 1-story residence and construct a new 2-story residence with 5 bedrooms, 7 bathrooms and 3 car garage. Coastal Overlay (non-appealable); Coastal Height Limit.

- Lot size: 29,120 Sq Ft
- Existing Sq/ft: Demolition 3,496 sq. ft.
- Proposed Sq/ft 5,230.85 Sq. Ft. Main Level + garage 1,051 sq. ft.
- Proposed Sq.ft. 4,457 Basement Level
- Percent of lot covered: 29%
- Floor area ratio: 40%
- Landscape: 55%
- Hardscape: 11%
- Height: 20'-3 3/4" Chimney/Pillar
- Front yard setback: 51'-8"

- Side yard setback: (taken from plans 15'-0" and 26'-3.5") applicant provides 15'
- Rear setback: 20'-0" (taken from plans)
- Off street parking: 3 car garage + driveway space (6 guest parking spaces)

Seeking: Site Development Permit and Coastal Development Permit, Process Three

Previous PRC actions

- August 2010, continue item. Provide more project information on drainage, parking, cross sections, site plan with neighboring buildings and other information.
- September 2012, continue item. Provide complete project presentation including 300' survey and materials board.

PRC action October 23, 2012. See PRC minutes for full details.

Motion: Merten; second: Schenck

The findings can be made for a Site Development Permit and a Coastal Development Permit based on plans dated July 22, 2012 and presented today with square footage corrected to 11,696 including 4,744 sf phantom floor.

Motion carries: 3-2-1

In Favor: Lucas, Merten, Schenck; Opposed: Emerson, Naegle; Abstain: Boyden

Previous CPA Action (March 7, 2013). See LJCPA minutes for full details

Motion: (Fitzgerald/LaCava). To approve the project and to recommend SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2-story 11,696 sf residence at 2414 Calle del Oro as presented; landscaping as shown on sheet A9.1 dated 7 March 2013.

Motion carries: 9-6-1

In favor: Brady, Collins, Conboy, Fitzgerald, LaCava, Manno, Merten, Thorsen.

Opposed: Bond, Burstein, Costello, Courtney, Little, Lucas, Zimmerman.

Abstain: Crisafi.

PRC Meeting 9-24-2013

Presented by Michael Morton:

They wanted to bring the draft Mitigated Negative Declaration back to the subcommittee for full review. Note that this Draft MND from city has a few incorrect project statistics that were based on the original project submission, not on the most recent one. The city will correct these in the final version. There have been no substantial changes to the project that was reviewed and approved by the committee and the La Jolla Community Planning Association. City Staff reviewed the changes and considered them minor and not requiring any further community review. The draft MND is to be reviewed today. The changes are provided for the committee's information.

These are the minor changes:

- The outside stairs leading from the terrace outside the master bedroom to the level below have been shifted from one side of the terrace to the other for more convenient access. This is a small terrace and the shift is minor. The neighbors below looked at this change and had no objections.

- The pool equipment has been moved to the south end of the pool and is still in a block enclosure, which will dampen the sound. The neighbor below reviewed this change and had no objections.
- There was initially a small picket fence at the front west of the property. There will now be a 6' high picket fence that extends around the whole property in the front that joins an entry arbor.
- A rolling driveway gate has been added in front, framed by an entry arbor, 10' tall.
- The one change internal to the house is that the elevator has been moved closer to garage for better access. This shift caused one internal office to be reconfigured, increasing the room size by 70 sq ft.
- A sidewalk in front has been added at city request. This is the only sidewalk on this side of the street in this area.
- The elevations and roof plan, and the rest of the internal layout have not changed.

Emerson: The driveway was moved east slightly? **Morton:** Yes.

Donovan: The fence and driveway gate distance from the street? **Morton:** The closest point to the street is 18', so a car could safely pull in and not be blocking traffic while the gate opens. **Lucas:** A car pulling in would straddle the new sidewalk while the gate was opening? **Morton:** Yes. The car would be safely out of the street but would be on the sidewalk for a minute or two while the gate opened.

Merten: There is a section in the municipal code saying that "Structures shall be in general conformance with those in the area..." There is now a 10' high entry arbor. Does this conform?

Morten: The city code for entry arbors states that they can be 10' high for flat structures, and less than 6' wide. This structure is 10' tall and less than 6' wide, so it complies with the code.

Morton: The draft MND comment period ends sept 24 (today's meeting). The only issues raised by the city were dealing with cultural resources, early Indian settlement artifacts. Part of the La Jolla Shores is known to have had native American activity. The city has extended the area of concern from the known Spindrift sites to other lower lying land in the area. The site was graded in the early 1960's, so it is doubtful that any artifacts will be found during grading for this project. They will have a paleontologist and a archaeologist at the site monitoring the excavation.

Merten: The committee was emailed the draft MND as found on the City website and advised of the comment deadline.

Public comment: None

Motion: Emerson Second: Steck

The committee takes no exception to the draft Mitigated Negative Declaration as prepared by the City Staff for the Gaxiola Residence, 2414 Calle Del Oro, PROJECT NUMBER: 207195.

Motion passes: 6-0-0

Approve: Donovan, Emerson, Lucas, Merten, Schenck, Steck; **Oppose:** ; **Abstain:** ;

Merten: I would like to thank the applicant for appearing before the committee and presenting this draft MND. Due to the environmental documents being produced late in the process, it is not often that the community gets a chance to do a review. **Morton:** We felt that since this project started 4 years ago, and the process has taken a long time, that it was important that the community get a chance to review the document.

4B. Viterbi Residence

Project Description: PROCESS 3 - CDP, and SDP for Environmentally Sensitive Lands for previous grading / slope repair on an approximately 0.14 acre portion of a site containing an existing single family residence to remain, at 2712 Glenwick Place in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone.

- Project. No. 273802
- Type of Structure: Grading / hillside slope repair
- Location: 2712 Glenwick Place
- Project Manager: Glenn Gargas; 619-446-5142; ggargas@san Diego.gov
- Owner's Rep: Michael Smith 858-259-8212 ex 110; msmith@plsaengineering.com

Presented by Michael Smith - Pasco Laret Suiter & Associates:

A notice of violation has been served by the City for illegal repairs and retaining walls installed after a landslide occurred in 2011. This was the third landslide that happened at this location. The applicant is seeking a CDP and SDP to bring the previous work into compliance, and for the work that still needs to be done to stabilize and re-vegetate the slope. The destruction of the vegetation in the environmentally sensitive area was caused by the landslides. They are only trying to make repairs and stabilize the slope, and to restore the land and vegetation to the original as much as possible before the landslides occurred. The repairs they are proposing will not increase the build-able area of the lot. They are trying to repair and restore to the original slope as much as is possible.

Project history: The lot was purchased in 1973 by the current owner, Dr. Viterbi. The lot was graded for a house and the dirt became fill on the side of the hill. A house built in 1973 and occupied in 1974. The northern portion of house settled in 1975 and repairs were made that involved installing caissons to stabilize the house. In 1976 the first landslide occurred and repairs were made using steel posts and the area was backfilled. A second slide occurred in 2010, the area was backfilled and repaired using a crib style earth retention system. A third slide occurred in 2011, during a very rainy season. Before the rainy season, brush had been removed from the upper area of the hillside per city code for fire reasons. This may have contributed to the landslide, as the ground became saturated when the rains came and then the landslide occurred. To make the repairs, more crib style retaining walls were added to the ones from the second repair. All work was done by hand, as the area is inaccessible to heavy equipment. All of the repairs made without permits.

A recent Geological survey shows crib style retaining walls from the second and third repairs are still moving. The soil on surface is slippery. They propose to drill 15' into side of the hill just below the crib retaining walls and tie into the bedrock (scripps formation). They will install an anchor/cable system that will attach to grade beams that will be poured on-site below each retaining wall. The idea is to stabilize the retaining walls. The grade beams are concrete and 5' tall and 1' thick. The length varies with the width of the slide area. Only the slide area will be repaired, they will not go out into the untouched areas of the hillside with any work. There will be a tie-back system in the grade beams on 10' centers, that will attach to the anchor/cable system, and stabilize the slide area. Their geotechnical engineers and engineers at the city have agreed that the proposed fix is sufficient. To determine the global stability of the hill, a 36" diameter exploration hole large enough to lower a person into was drilled at the top of the site. The test hole went 90' deep, essentially to the level of the lower portion of the slide, and a geologist was able to measure and map the layers and determine that the hill itself was stable.

Having good drainage during rainstorms is an important factor, they will install a brow-ditch on the south side of the slide area. The areas between the retaining walls will be graded to feed into the brow-ditch. There will also be three underground drainage systems added between some of the longer retaining walls and three feet deep that will feed to the brow-ditch. The brow-ditch is designed to handle a large storm such as a “hundred year” storm.

The City has concerns regarding the landscaping, the environmentally sensitive land, and brush management. They feel that the native brush was destroyed by the previous repairs. Based on pictures taken through the years before and after the slides, the applicant feels that it was the actual landslides themselves that destroyed the native plants. To address the city concerns, the lower zone will be planted with southern mixed chaparral to match the rest of this canyon area. The upper zone is in the brush management area and will be ornamental fire resistant plants per city code. They will irrigate the lower area using a temporary drip irrigation system to help re-establish the chaparral. The drip system is part of a monitoring program and will be removed after 5 years. There will be a visual impact from across the way, which will lessen as landscape grows. They are limited in restoration options as site is inaccessible to construction equipment. All work will be done hand with minimal equipment.

Merten: How much of the propose beam walls will be exposed? **Smith:** the beam wall will have a half-foot buried in the ground and 4.5 feet will be above the ground. They did look at removing all of the existing repairs and and starting over using a retaining system that would be less visible, but it would require extending the repair area to the property lines and would require bringing heaving equipment in or using helicopters or large cranes. This would be cost prohibitive and would affect more of the environmentally sensitive lands. The best approach was to stabilize the existing retaining walls. **Merten:** Will they come up with a plan to blend the walls in with the canyon? **Smith:** Yes, they are still working on that. They will have a landscape plan utilizing plants that will grow over and hide the concrete forms. **Emerson:** They can also paint the structures to match the hillside and blend in. **Smith:** yes

Merten: Will the grade beams follow the natural contours of the hill? **Smith:** No. They will be reinforcing the existing retaining walls which are straight. They don't want to remove any of the existing repairs. **Merten:** Have they surveyed geophysically the area outside of the slide? **Smith:** That is all sensitive habitat and there is no way to make a survey without disturbing it. However, they believe that the conditions are the same as those in the slide area. **Merten:** The reason I am asking is that the steep hillside regulations apply to natural slopes. If fill from the grading of the lots above has been pushed over, then this is no longer considered a natural slope, and those regulations don't apply. **Smith:** Part of the slide area is not natural slope, but the slide did spill onto the natural slope below and the environmentally sensitive area.

Emerson: It appears that the northern portion of the lot could slide also? **Smith:** Given the right conditions, other slides could occur. However, based on the results 90' exploration hole survey, they feel that the house location will remain stable.

Schenck: Why aren't you addressing the upper areas that haven't failed yet? **Smith:** They don't know where the next slide will be. There is only a history of slides in this particular spot. If they start chasing fixes, the cost and impacts can be great and the “fixes” could also destabilize the area. This most important thing is to get the subsurface water out, which they are doing at three locations in the repair area. By draining water from this area it may help to dry the surrounding area, as water travels the path of least resistance.

Lucas: It looks like the neighboring properties are also on steep hillside areas. Have any other slides occurred in this area? **Smith:** The topography on the other lots is generally not as steep. **Dr. Viterbi:** He is not aware of any slides that have occurred in the 35 plus years he has lived here. **Schenck:** I recently worked on the house to the north, and it is stable.

Merten: Success of projects like this depend on the landscape plan and choice of materials, which you have not yet completed. These are important for the committee to have before making any decisions. You also have outstanding cycle issues, so waiting for the landscape plan will not affect their time line or safety concerns. **Smith:** We wanted to come before the committee early in the process and hear your concerns and possibly issues that they hadn't anticipated. We want the community to be very clear on what this project is about early in the process. When we come back, we will have a landscape plan and materials selection for review. **Lucas:** Is it possible to move this project forward quickly and get this area stabilized before the rainy season? **Smith:** He doesn't think that the process can move that quickly. They will cover the slide area with tarps before the rainy season to protect from further damage.

Merten: I would request that you give some thought to how the concrete itself will be treated. Whether it will be shot-crete, or sculpted similar to the San Diego Zoo exhibits to blend in. How the whole project including the landscaping and walls will blend in. **Smith:** He anticipates coming back to the committee with a landscape plan and renderings to show how the entire project will blend in.

Public Comment: None

Motion: Donovan Second: Emerson

Continue item to future meeting.

The committee requests that they bring the landscape plan, along with a proposal as to how the concrete beams and retaining structures will be colored or disguised to blend in with the canyon.

Motion Passes: 6-0-0

Approve: Donovan, Emerson, Lucas, Merten, Schenck, Steck; Oppose: ; Abstain: ;