

La Jolla Shores Permit Review Committee Minutes
Special Meeting 4:00 p.m. Wednesday, December 18, 2013
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members in attendance: Laura DuCharme Conboy, Dolores Donovan, Janie Emerson, Tim Lucas (secretary), Phil Merten (chair), Myrna Naegle, John Schenck, Bob Steck

A brief overview of the development permit and community review process was provided to the audience by the Committee Chair Merten.

1. **Non-Agenda Public Comment – for items not on the agenda:** None given.
2. **Chair Comments. Merten:** When the city grants a discretionary permit, they also simultaneously certify the environmental document for the project. For projects that require a Coastal Development Permit (CDP) and are in the non-appealable area, (those projects that do not involve environmentally sensitive lands) the decision is made at the Process 3 level by a Hearing Officer. The Hearing Officer's decision regarding the project design and the certification of the environmental document, can be appealed to Planning Commission. The Planning Commission is the final arbiter of the design of the project. If citizens or a planning association, or other body, takes exception to the Planning Commission's decision to approve a project and to certify the environmental document, the municipal code allows an appeal of only the environmental document, not the project design. As such, the environmental document becomes an important issue and should be thoroughly reviewed and commented on, because the comments become the basis of an Appeal to the City Council. The information contained in the final environmental document which includes public comments is what the City Council uses to make its decision as to whether or not to certify the Final document. Attorney Julie Hamilton commented at the recent CPA meeting, that under the California Environmental Quality Act (CEQA), committees such as ours, and the CPA, are considered as experts in the field concerning our own community plan and experts in the evaluation of projects that come before us. Because of that, we have an obligation to be critical of environmental impact reports, in the same way we are critical in analyzing drawings and design submissions that are presented before us. When we review EIR's, if our comments are very general regarding our community and its environment, then we are going to get very general answers back. If we can be specific in our critique of an environmental report by highlighting code sections, community plan sections, and other relevant documents, then the environmental planner has to respond to those specific considerations in a specific manner, which the Planning Commission and the City Council will use when making their decisions on whether to certify the environmental document.

With that being the background, at the December CPA meeting the Whitney project was the last item on the agenda. Due to the meeting running late, time was short, and the trustees did not have time to work through all the recommendations of this committee, and came up with a general motion that the Draft EIR for the Whitney project is inadequate, and disagrees with its conclusion that the project is in conformance with the La Jolla Shores PDO, LJ Shores Design Manual, and the Municipal code. He (Merten) realized afterwards that in the late hour of the meeting, the maker of the motion did not reference the comments on the DRAFT EIR generated by the PRC committee. He apologizes to the committee for not catching this omission. The recommendations from this committee were not really considered, and a Motion to use a letter that Merten had written and presented earlier to the committee referencing specific code sections failed. **Emerson:** Merten does not owe an apology to the committee. These recommendations were part of the trustee's packet handed out at the CPA meeting. Emerson did suggest that the committee's recommendations be part of the motion, but some of the trustees objected as they had not had time to fully read the recommendations, and there was not time to review them at the CPA meeting. That is the problem with getting the packets at the meeting, rather than before the meeting. **Helen Boyden:** As secretary for the CPA, she agrees with the events described by Emerson, and the recommendations are part of the record, along with public comment. **Merten:** Although these recommendations are part of the CPA minutes, they are not sent on to the environmental planner, only the motion that was passed will be. He has made a request to the President of the CPA to put these recommendations on the agenda for approval, but doesn't know if this will happen. **Conboy:** Important issues like this with hard calendar deadlines should not be the last item on the CPA agenda.

La Jolla CPA meeting date is tentatively scheduled for January 8.

3. Project Review

3A. Calle De La Garza

- Project No. 333421
- Type of Structure: Single Family Residence
- Location: 8347 La Jolla Shores Drive (address will change to Calle de la Garza)
- Applicant: Rebecca Marquez Golba Architect Inc
- Project Manager: Laura Black; 619-236-6327; LBlack@sandiego.gov

Project Description: ‘SUSTAINABLE EXPEDITE PROGRAM’, PROCESS 3 CDP and SDP to demolish a single family residence and construct a new 2-story, 5,990 square foot, single family residence on a 0.22 acre lot located at 8347 La Jolla Shores Drive, in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal Overlay (non-appealable), Coastal Height Limit and Parking Impact Overlay Zones within the La Jolla Community Plan area.

Committee Comments from PRC Meeting of November 20, 2013:

- Confirm sustainability. Show letter to city regarding sustainability. Show solar panel area calculation for roof and a roof plan showing the solar panel layout.
- Confirm with city if grasscrete can be counted to meet 30% greenscape requirement. If grasscrete is used for the landscape calculation, what percentage is grass and what percentage is concrete?
- Produce a lot coverage calculation. Confirm project meets 60% requirement.

Presented by: Sasha Varone, Jim Neri

Addressing the concerns and questions of the committee from the last meeting:

- Lot coverage is 37% (includes house and garage)
- They are proposing a new street address of 2310 Calle de la Garza
- Sustainability Expedite requirements: Mission solar electric analyzed the proposed structure and determined 14 panels would be needed to provide 50% of the current needed for the house. These were shown on a diagram presented to the committee.
- The LJ Shores PDO is a bit ambiguous as to whether grasscrete could be counted as part of the 30% green space requirement. To avoid any future debates they have changed the landscaping plan. They will install a green area around the pool area instead of concrete. There will be unattached pavers or flagstones in this green space around the pool, and according to city planner Jeff Golbus, these count as green space. This new design meets the 30% green space requirement.
- They like the idea of having green in the driveway, and will use strips of concrete that will be used to traverse from the street to the paved area in front of the garage, with grass planted in between these strips. This is called a “Hollywood Driveway”. This area of grass is not being counted in the 30% landscape calculation.

Public Comment

Marilyn Olson: Concerns that the Calle de la Garza side is currently very green, but the proposed house will face, and driveway will access, Calle de la Garza. The new curb cut for the driveway will eliminate a parking space. **Neri:** There will still be setbacks and the hedges will remain. The pool is setback 4' from the property line on Calle de la Garza, and new trees will be planted behind the hedge. The city is no longer requiring the removal of the large trees at the corner of LJ Shores Drive and Calle de la Garza. The existing curb cut on Calle de la Garza will be filled in when the new driveway is installed, so the street parking will remain the same.

Tom Olson: Doesn't understand changing the house access to Calle de la Garza? **Emerson:** The city believes the safer access is from Calle de la Garza, and the city owns the property fronting LJ Shores Drive. They are changing the street address to Calle de la Garza to reflect this change and so that Police, Fire Trucks, and other emergency services can find the house. **Tom Olson:** The green space area is shoehorned in and barely meets the requirements. What is to prevent a future owner from pouring concrete and removing the green space?

Merten: Typically, concerned neighbors would contact code enforcement. Code enforcement would then review the approved plans for the project and if there was a variation, the owner would have to undo the change or go through the Coastal Development Permit process.

Michael Whitney: He represents the neighbor to the north. They are working with the architects and neighbor on some of the final layout and cosmetic issues. The north neighbor has no objections.

Committee discussion

Donovan: What is separating the pool from the street, it seems close to the property line? **Neri:** The pool is setback 4' from the property line. Beyond that there is a 10' right-of-way. There is a sidewalk and an existing hedge in this right-of-way. The hedge will be irrigated along with their landscaping. There is a fence around the pool. **Lucas:** Pool equipment location? **Neri:** In a subterranean vault at the property line at the north west corner. The neighbor's driveway is along that property line.

Schenck: What is the drainage plan? **Neri:** The lot will drain as it presently does. They are not making any changes to the lot level.

Naegle: What is the square footage and height of the building and garage? **Varone:** House is 5250 sq ft, garage is 740 sq ft. max building height is 25' 2"

Discussion on the motion

Lucas: Feels that just barely meeting the 30% green space requirement for this property is a shame, especially considering the surrounding properties have much more green space.

Conboy: The public wouldn't know if there was 60% or 30% green space due to the layout of the property. The city property to the west acts as a buffer from La Jolla Shores Drive, and there is a tall green hedge surrounding the property.

Donovan: Agrees with Lucas that the surrounding properties have more green space. Hopes that this doesn't become a precedent for future projects.

Naegle: Still concerned about the closeness of the swimming pool to the property line and hedge. The project should have more green space.

Motion: Conboy: **Second:** Emerson

Findings can be made for a Site Development Permit and a Coastal Development Permit for Project Number: 333421. 8-0-0

Approve: Conboy, Donovan, Emerson, Lucas, Merten, Naegle, Schenck, Steck

3B. Qin Addition

- Project No. 329727
- Type of Structure: Single Family Residence
- Location: 2604 Hidden Valley Road
- Applicant: Jun Martin
- Project Manager: Glenn Gargas, 619-446-5142 GGargas@sandiego.gov
- Owner's rep: Edward Estlund, Architect, 619-544-1192 , eggman2@cox.net

Project Description: PROCESS 3 - CDP and SDP to amend CDP/LJSPD Permit No. 99-1339 to remodel and add 3,124 sq. ft. to an existing 9,167 sq. ft. single family residence on a 0.62 acre lot located at 2604 Hidden Valley Road, in the Single family Residence Zone of the La Jolla Shores Planned District, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact Overlay Zone within the La Jolla Community Plan area.

Committee Comments from PRC Meeting of November 20, 2013

The committee is more interested in the form and relationship of proposed structure to those of the neighbors and less about the interior room layouts. There are concerns about overall massing and setbacks. There are concerns with the proposed structure being so close to the adjacent property. This and the adjacent lots are odd shaped and

there area lot of elevation changes. A topographic survey of the property extending 50' into adjacent properties would be helpful. Setback numbers for the adjacent properties would be useful. Possibly look at shifting the proposed building to increase setbacks from the neighboring buildings.

Presented by Edward Estlund Jun Martin, and Greg Romine

In response to previous comments from the committee about the mass and relation of the addition to the neighborhood, slides were shown of aerial photos that had property lines and setbacks superimposed. Since there are no specific setbacks in the La Jolla Shores area, the setbacks are based on neighborhood averages. The neighborhood average is 10' for side yard setbacks. They are proposing an 8' setback on the East property line, and the North setback is 6' on first floor and 10' on the second floor. There are lots of mature trees, some 40' tall, and landscaping in the neighborhood that increase privacy. Most of the tall trees and bushes are on the neighboring properties. This is an odd shaped lot, with a long driveway. The house is not visible from the street at the driveway entrance. The driveway gate is at a higher elevation than the house at the end of the driveway. This house is on a hillside, and the neighboring properties are approximately 20' lower.

East setback: first and second floor 8'. Neighbor setback is 25'

North setback: first floor 6', second floor 10'. Neighbor setback is 41' 6"

Public comment

Sue Geller: What is the distance of the patio slab near the north property line? **Martin:** That is an existing pool deck that is not part of the permit. It is 10' to 16' from the property line.

Helen Boyden: FAR of building, house size and lot size? **Estlund:** FAR is 53%, house is 13,956 sq ft, lot size is 27,700 sq ft. **Boyden:** What is the maximum FAR allowed elsewhere in the city for a lot of this size?

Merten: The maximum FAR on residences in lots greater than 19,000 sq ft is 45%.

Based on the house size and lot size just provided, the proposed FAR may actually be closer to 59.9. **Boyden:** This is an unusual shaped lot, but this is an example of the trend in the Shores of shrinking setbacks and increasing FAR's. The community plan it says that larger lots should have more setbacks, more landscaping, and houses be smaller relative to the lot size. This is an example of houses that are too large for their lots. The green landscape is only 32.2%. **Martin:** If you look at the lot in 3 dimensions, you will see that trees will block view of the neighbor houses. There is no fixed number for house size or FAR in this community. If there was a number they could have designed for that. **Estlund:** La Jolla Shores doesn't have fixed setbacks or use a FAR rule. This committee should not be considering the FAR. **Naegle:** FAR is a metric used to understand the bulk and scale of a building.

Committee Discussion

(Donovan leaves at this point.)

Conboy: It is important to consider how close a structure is to the property line and how it looks close to the property line. Is it tall, short, how is its massing? I agree that you can't really see it from the street, but when you look at the site plan, the house is pushed up on 3 sides and it is all 2-story massing. The proposed structure compliments the existing structure, but is still big and bulky. It wouldn't be so bad if it was 8' and single story, but it is two story here.

Emerson: It is also important to consider any precedents that a project sets for the neighborhood. The fact that it is down a driveway and can't be seen from the street doesn't mitigate the fact that the size of the house compared to the size of the lot sets a precedent. **Martin:** The neighbors can hardly see the house due to the size of the trees in the area. **Emerson:** That doesn't have anything to do with the precedent for the size of the house for the lot. **Naegle:** Anyone could take their trees down. The trees do not count on the lot coverage. **Romine:** What Martin tried to do after the previous review was to pull the second floor back on the North side of the structure and added some articulation, and moved the East setback from 6' to 8'. What would you suggest the setbacks should be? **Merten:** If you look at the articulation on the North side, the way the second floor steps back 4 or 5 feet, that something similar would help on the east side. **Emerson:** The east side of the building looks like a school dormitory the way it is vertical with no articulation.

Merten: In your presentation you said that the proposed setbacks were in general conformance with the neighborhood. But the La Jolla Shores PDO doesn't say that. It says that the building and structure setbacks shall be in general conformity with those in the vicinity. Your neighbor is most in the vicinity. So for example, if you neighbor has a 15' setback and you have a 15' setback, there would be no argument. If you neighbor is 40' from the North property line and you are 6', then there is a significant difference. There is a significant difference on the East property line with you at 8' and the neighbor at 25'. It's those significant differences that create problems the committee is concerned about. **Martin:** We have a long front setback (driveway), and some of the neighbor properties vary with their closeness.

Lucas: Is concerned with the setbacks on the East property line. The neighbor's setback is 25' and your proposed setback is 8', which is about 6' to 7' closer than the existing structure on your property. Right now you are relying on the landscaping of your neighbors to provide privacy, and not on your own landscaping. By putting this house 8' on the east side, your neighbor could choose to redevelop and move their house to within 8' of the property line and cut down their trees. They would essentially be looking into your windows, and there would be nothing our committee could do to prevent this, because your project has set the precedent. In the past this committee has had proposed projects come to us with buildings sited near the property line, and it was pointed out that the neighbor could now expand along the property line and take away their privacy. In most cases the projects chose to redesign with a better conforming setback. I can not approve this proposed project because the addition is too close to the East property line, and there is no landscape buffer there on your side. On the North I think that you are pushing it a bit too close. I realize that this is a sloping hillside and you won't be able to match the neighbor's 41' setback, but currently the closest point to the property line on your side is a concrete pad which is 10' from the property line. I also agree with some of the other committee members that this is too big of an addition for the size of the lot. **Martin:** All the houses in the area are getting bigger. The original house here was a single story, and most houses in the neighborhood are two story now. **Emerson:** That is why the committee is concerned about setbacks and precedents.

Motion: Lucas **Second:** Emerson

Findings can not be made to amend the existing Site Development Permit and Coastal Development Permit No. 99-1339, based on the insufficient setbacks on the East and North sides of the property, and the bulk of the project in relation to surrounding neighborhood. The proposed project, due to its form and relationship, will be disruptive of the architectural unity of the neighborhood. 7-0-0

Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck, Steck
(Donovan left before vote)

3C. Whale Watch Way Residence

- Project No. 328415
- Type of Structure: Single Family Residence
- Location: 8490 Whale Watch Way
- Applicant: James Gates, 619.682.4083, 619-823-4083 jg@publicdigital.com
- Project Manager: John Fisher, 619-446-5231 JSFisher@sandiego.gov

Project Description: PROCESS 3 - CDP, and SDP to demolish an existing single family residence and construct a 7,001 two-story, over basement single family residence on a 20,093 sq. ft. lot at 8490 Whale Watch Way. The site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking.

Merten: This is a new project number, and a different project than the one reviewed by the committee several years ago.

Presented by James Gates, architect

The previous project went through the permit process and was approved. A lawsuit was filed by citizens, and the

property owner decided to drop the project. This new project is a very conservative 7,001 sq ft house, smaller than the previous project. Hidden space (the basement) was counted in the calculation for FAR, which resulted in a 9,000 sq ft house and a .45 FAR, but the house is technically 7,001 sq ft.

James Gates is a local architect that is presenting the project to the committee. The actual architect for the project is Zaha Hadid, a Pritzker Architecture Prize winner. The house is designed to grow out of the landscape, with the geometry of a Torrey Pine seed. The landscaping has been designed by a renowned landscape architect from Scotland. The plans have been submitted to the city. Elevations and plans only, will be shown to the committee. No renderings of the house will be shown. They feel that for the last project the renderings and photo simulations were used improperly.

Project highlights:

- Existing house is two story (Single story plus loft), and will be demolished.
- Grading will be done and a grading plan was presented.
- A two car garage with a turntable is in the basement.
- A Private pool is on the ground floor (interior pool).
- Equipment and pool filter will be in a subterranean vault at north east corner of lot.
- The house is a single family house with 3 bedrooms
- patterned concrete walls on sides and rear, precast
- Garden area wall is 20' tall to 25' tall at the North end. 35' setback at the 25' high point. As wall gets taller, the rear (East) setback increases.
- Setbacks:
 - North side, ground floor (pool level): 14' 6" to 11' 6", upper level cantilevers to: 8'.
 - East side: 38' 6" to 14' 3", then down to 8' towards the street.
 - Front yard 35' 6"

Naegle: She is not an architect. She would like to see renderings of the building so that she can relate to what is being presented. **Gates:** They only brought the plans and elevations that they turned into the city. The client thought that the renderings that were presented for the first project were used inappropriately. **Naegle:** How can we understand an unusual structure such as this without the renderings? **Gates:** We will go through the plans and make our presentation.

Gates: There are three levels to the house. "This is a pretty complex house spatially". The driveway from sidewalk heads down hill from the curb cut into the basement level. There is a turntable inside the garage. The ground floor has an entryway, a small bedroom, and exercise room, a pool, and stairs leading down to the basement and up to the second level. There is a high-walled main courtyard with an artist studio, a barbecue, and a garden area. There is a subterranean equipment vault at the north east corner of the lot that contains the pool equipment and heating and air conditioning equipment. The second level has the main living area. There are voids down below over the entryway and the pool. This second level has a kitchen, living room, dining room, laundry room, master bedroom, guest room and office. The west facing is mostly glass, and the house has been designed to be as private as possible.

A roof plan was shown to the committee, along with other elevations and plan pages. The house itself is very sculptural. The upstairs portion is a pre-cast concrete with some type of very light patterning. The pre-cast forms allow the patterning to be very precise. As mentioned previously, the house is patterned after a Torrey Pine seed. The north side of the house is a pretty plain geometry.

Committee questions

Steck: How is this project different from the previous one? **Gates:** At the time of the first proposal, the owners wanted a large house. Since then they have decided that a smaller house fits their lifestyle. This proposal is approximately half the size of the previous project from a floor area point of view. The previous project was 13,000 sq ft of living space. This house has 7,001 sq ft of living space above ground, plus 2,400 sq ft of basement. Of the 7,001 sq ft, there is approximately 2,000 sq ft of hidden space being counted, so the actual living space is far less than 7,001.

Public Comment

Helen Boyden: The first time the original project was presented they had a model that wasn't in relation to the site. Based on the plans presented, Boyden thinks this project will look very similar to previous project. She believes this property in the campus parking impact zone. If so, they are limited to a 12' curb cut driveway.

Gates: The city said that 14' was the minimum they can use. **Boyden:** The city engineer is wrong, because this is in the parking impact zone. The curb cut should be only 12' wide. What are the elevations for the finished floor height? **Gates:** The finished floor elevation of the existing house is 345', this project will be 347'.

Maximum height of the house is 27'. **Boyden:** The East side wall 20' to 25' tall, varies in setback. To soften the effect, there is a pattern cast into it, but this is essentially a 20' plus concrete wall along the rear. **Gates:** There are also some facets along this portion. There is also an access gate and some palm trees and other plantings that will be made. **Boyden:** She is concerned about this design fitting in with the neighborhood. Another recent project on Whale watch is larger, with 12,000 sq ft, but was built on two combined lots. This is basically the same design as the previous project, which didn't fit well with the neighborhood. This house will stand out when viewed from below. **Gates:** The lot coverage of this project is 27%, which is less than the previous design. This house is similar to the previous project on the west side, with similar tall glass windows in front.

Gilda Caringi, neighbor (8545 Prestwick drive): These plans are similar to other one. That project was pulled due to litigation in November 2012. The design, shape and bulk of this project is a two-story 30' tall compound which surrounds the whole house. There is a 2-story interior courtyard which takes up about half the space, which is how the square footage was able to be changed from 13,000 sq ft of the first project to 7,000 here. The proposed house resembles a concrete wall 30' high, and as the neighbor on the east side, when they look out of their windows they will only see a 20' to 30' tall concrete wall. This house is 94' in length and will take up 75% of the 138' property line. Her view will be of this tall concrete wall, and this project will block her sunlight and airflow. That house is 8' from the property line and it doesn't matter how the concrete is textured, that is what she will see.

Marg Kalmanson, neighbor to north: This house has a basement, and is the equivalent of a 3-story house. Although the owners are private people, the house is close to the property line on the north side, and two stories, so they will be able to look down into their windows. Digging into the slope, which consists of soil and shale, could be an issue. There are several houses in the neighborhood that have settling issues. This project was supposed to be sited more forward on the lot, but that hasn't been discussed yet. More importantly, no renderings have been presented so that we can understand what the house will look like. I will be looking at a tall concrete wall, which doesn't give me pleasure. No one approached her for setback measurements, she would have allowed them access to the property to do this.

Marie Bauz, architectural committee, LJ Shores Heights Homeowner's Association: She understands that this committee does not consider CCR's, but she would like to provide some background for the committee. In March 2012, the CCR's were validated and enforced by the district court of appeals in San Diego. They do quite a bit of work as volunteers for their community. They are active and are on plan number 12 for their area. They have an open door policy, and are easy to contact, and know all the members in their association. There are 60 lots covered in this association. She is not here to comment on the actual project. She is here to say that they have an active process for the protection of the property owners, and the homeowners on each side. For the record they have not been approached by the applicant. They have sent their office information, which was signed for on delivery. They know the owner of the home well, and have made efforts to contact him. They don't know when the applicant intends to contact the homeowners association. It is not good to let it get too far along in the process, because if there are issues concerning CCR regulations, things would have to be changed, and the process started all over again. They thank the committee for this opportunity to speak.

Committee Discussion

Merten: This project we saw before is similar to this new one in many ways. That project was basically a container, covering roughly 13,000 gross floor area. What they have done with the new project is essentially to leave the container intact, but have removed the roof over the section towards the East, which has removed the

floor area on those two levels, and they have tucked some of the space into the basement level. The container has been tweaked a bit, and it has been pushed in on part of it to increase setbacks slightly. When looked at from the public perception on the outside, the container is similar to what was presented before. It just doesn't have the fully enclosed roof, therefore the gross floor area is smaller for this project. That garden area is done to grade, open to the sky, but surrounded by walls 25' high that are essentially an extension of the building, but not counted in the GFA under the municipal code.

Naegle: Can't approve this project because she needs a rendering to see what it will look like.

Lucas: This project has the same issue that the first design had. The neighbor on the East is going to be looking into a big concrete wall along most of the property line. That seems so unfair. Private views aren't protected, but on the other hand, a neighbor needs to have something nice to look at. This project is so far different from every other house in the neighborhood, and the view is going to be changed so drastically over what is currently there. The neighbor on the North has a similar issue. Although their view is mainly to the west, they will still look out their south facing windows and see this concrete structure, 8' from the property line on the second level. This project and structure will have significant impacts to the immediate neighbors. This project is a big disappointment, in that it hasn't changed significantly from the first proposal, and the neighbors and public will still see a big concrete wall and structure. Are there any windows off that northern side? **Gates:** Yes there are windows. He believes that there is a lot of articulation with this new project... **Lucas:** You can add all the articulation you want to a brick, but it is still a brick. What are the setbacks of the neighbor's house on the North and the East. **Gates:** They estimate between 8' 6" and 10' for the North neighbor, and 20' at the closest point for the East neighbor. The main view from the neighbor's house on the East has always been a diagonal one looking down Whale Watch Way. They can't see the ocean with the existing house on this property. They have deliberately pulled the proposed house back from the street to preserve this view corridor. **Schenck:** What are the lot height differences? **Gates:** Their lot is about 5' above this project, the floor level differences is less than that. **Lucas:** So they are going to see a 15' to 20' high portion of the wall sticking up for most of their eastern view.

Conboy: She likes modern architecture. Thinks design is inspirational, from the West. Similar to other west facing buildings in the area with lots of horizontal bands of glass. Based on the plans, the wall is 20' to 25' not the 30' that people have been saying. There is language in the La Jolla Design Manual that suggests the second floor should step back, but the North elevation is interesting because the second level portion that steps out, appears to float, which breaks the scale of the building. If all the projects had to step back, then that means that the zoning codes would be dictating design. She thinks that the La Jolla Shores PDO didn't have specific setbacks or a FAR to allow projects to be designed a bit differently. Modern houses don't have a standard formula. She thinks it would be an interesting house to see built. There are parts of the house that could be changed to better fit it. The front (South) and West sides look good, and don't need changing. Could the East side wall around the courtyard be lowered? **Gates:** The coastal height limit is 30', so if this is 20' to 25' then this is lower than limit. They don't want to lower the wall because if neighbor's develop higher then they would look over a lower wall. Their architectural team, including the landscape architect have looked at the design, and have chosen a scale to make the courtyard beautiful. They have lowered the height from the the original design, and tried to address the setback issues. This will be an amazing house. **Conboy:** She will support this house design.

Merten: Agrees with some of the things that Conboy said. The design is very interesting. The concern is that this building in this neighborhood would be disrupting the architectural unity of the area? One of the things that the exhibits presented today lack is some site sections that would show the relationship of this project to the neighbors houses. That way we could see the masses and how this proposal works on this neighborhood. These site sections would show the relationship of the wall and how they relate to what is going on next door. Those kind of exhibits would help to explain the design, and help the committee understand the project. The city does ask for site sections, and they have provided those right to the property lines. The city does not require more, and they are not obligated to provide more, but it would be extremely helpful to do so. **Gates:** It may be possible to provide this, but there is the problem of having the right information to make these exhibits. They

don't want to draw anything that is not incredibly accurate. They are very sensitive to this, because they have been down this road before and have provided materials that were based on information they had, that turned out not to be 100% accurate, and it was used against the project. They are trying to be careful. **Merten:** One of the things that was pulled off of Zaha's website previously, was a distorted wide angle view of the west windows. It unfortunately was the best thing available to show the architectural model for that project. One of the things that is commonly asked for in the other committees is a photo simulation of the area that shows how the project relates to its neighbors. On the outside he could jump to the conclusion that this is really different from its neighbors, but he is reluctant to make that decision without a real good exhibit that explains what is going on in the site sections. Would you be inclined to produce those exhibits? **Gates:** I understand what you are saying. I could certainly ask my client. We would like to keep moving with the project, so would not be inclined to come back to this committee. Perhaps at the next level they could have some more exhibits to present.

Steck: How was the litigation resolved for the previous project? **Gates:** They chose not to do the project and the suit was dropped.

Schenck: Does not think that the committee should take action without further information. **Naegle:** agrees. **Gates:** We would like you to make findings based on whatever information you have so we can move forward. **Merten:** If we were to continue this to next month, could they produce materials and exhibits that would help to understand the project? **Gates:** If the committee isn't going to approve the project anyway, then it doesn't really help the client to delay further. **Conboy:** It could be pulled from the CPA consent agenda, and you could make a full presentation to the trustees a month after that. There is a good chance it would be pulled by someone. **Boyden:** The CPA will not look at this without a vote from the committee. **Gates:** We would appreciate a vote today.

Lucas: Has problems with this presentations today. If a world renown architecture firm has concerns that they can't provide an accurate rendering of the project, then he doesn't trust anything that has been presented here. Without a rendering, it is difficult to know how a project fits into the community. He does not think that they have enough information to approve or not approve it. **Conboy:** It is common for this committee to ask for an elevation of the proposed house and the neighboring houses. You can't lie about those sections, and there is no artistic issues involved. The committee has to read these types of sections for every project. **Gates:** It is tricky, this is a sloping lot on a curving street. He does not think those sections would materially help the committee. **Lucas:** They are obviously not going to provide any further information to the CPA either, so this is all the community is going to get. This is a take it or leave it situation. **Gates:** Doesn't know that that is true. He can't say what they will provide later on in the review process. **Lucas:** Can't say that it isn't true based on what has been said today.

Some further discussion occurred with the committee. Most of the committee wanted the applicant to provide a photo simulation to show the project in context with the neighboring properties to determine if it would be disruptive of the architectural unity of the neighborhood. The applicant declined to provide this additional information.

Motion: Schenck **Second:** Naegle

Findings can not be made for a Coastal Development Permit and a Site Development Permit for Project Number: 328415, based on the limited information provided to the committee. 5-1-0

Approve: Lucas, Merten, Naegle, Schenck, Steck

Oppose: Conboy

(Emerson left before project review)

3D. AT&T Wireless Communications Facility, Cliffridge Park: Not heard due to applicant making changes to the project

Meeting Adjourned