

## La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday, January 28, 2014

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

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

**1. Non-Agenda Public Comment – for items not on the agenda:** None Given

### 2. Committee Member Comments

**Emerson:** A project on Calle del Oro that had been reviewed and approved by the committee has removed a tree that was supposed to be a prominent feature of the new project. The whole lot has been leveled and the tree that was supposed to remain is gone, even though it was part of the landscape plan considered by the committee.

**3. Chair Comments:** An overview to the community's review process was given to those in attendance.

### 4. Project Review

#### 4A. 2350 Calle De La Garza

- **Project No. 341630**
- **Type of Structure: Single Family Residence**
- **Location: 2350 Calle De La Garza**
- **Applicant: Mark D. Lyon 858-459-1171, Mark@mdla.net**
- **Project Manager: PJ FitzGerald 619-446-5107 pfitzgerald@sandiego.gov**

**Project Description:** PROCESS 3 -SDP to remodel and add 4,412 square feet to an existing 3,634 square foot, 2-story, single family residence on a 0.56 acre lot. The site is located at 2350 Calle De La Garza in the SF Zone of the La Jolla Shores Planned District, Coastal Overlay (non-appealable), Coastal Height Limit, and Parking Impact Overlay Zones in the La Jolla Community Plan area.

#### 1-28-14

**Lucas:** I drove past the house today looking for the public notice, and didn't see it initially. I had to look hard and found it in the second floor window above garage and you have to enter the driveway to see it, but even then it is not readable because it is so high. Are there any neighbors present? **Bob Whitney:** We live across the street from it. I have seen the notice. **Lyon:** I also have a notice on the gate to the left of the driveway, I have a photo of it. **Lucas:** My photograph doesn't show it today, and you would have to enter on to private property to read it. **Lyon:** It is no big deal, just walk up the driveway. **Merten:** There was a public notice for this project sent out two or three months ago. Since there is one person who is a neighbor, do they have an objection to the placement of the notice? **Bob Whitney:** Not at all. **Lucas:** Every project that comes through that doesn't have a notice, or has one hidden, or has had them washed away by the rain or stolen, I am concerned about. These notices have to be placed where the public can read them, and replaced periodically if they are damaged or missing. This is the only opportunity for residents that may be beyond the 300' notification limit to know about a project that may affect them, and have the opportunity to find out about it. **Merten:** We will go ahead and hear the project.

### Presented by Sarah Hofself & Mark Lyon

#### Highlights of the project:

- This is a single-story addition to an existing two-story house.
- The existing house is 3204 sq ft, the addition is 4496 sq ft, for a total GFA of 7700 sq. ft., of which 7088 sq ft. is used for the FAR calculation. Part of the difference is 440 sq. ft. of basement which isn't counted in the FAR.
- FAR= .29 based on 7088 sq. ft., the average FAR for homes in the area is .26
- The lot coverage is .26, landscaping is .36
- The existing tennis court is being removed, and the addition will be built over it.

- Building height is 27' 1.25" in the existing portion of the house, 17' tall chimney on the addition.
- The lot is level, so no earth grading or leveling during construction.
- There is a drainage easement on the south side of the property.
- 13' 11" north side setback (existing 9').
- 19' east (rear) setback (existing 80').
- 20' 3.5" front (west), which is existing.
- Driveway will be moved to the north property line and you will drive up the side of the property to access the garage, which has been relocated to the rear (east) of the house.
- The driveway starts level then slopes up slightly towards the rear. The slope is consistent on both sides of the property line. There is a low retaining wall 18" from the property line towards the rear where the slope is greater.
- Letters were sent out to neighbors informing them of the project in addition to the city required notices.

**Emerson:** The committee recently approved a project on Calle de la Garza. She has questions regarding the driveway and others in the neighborhood. (Aerial photos were shown to clear up the confusion).

#### **Public Comment**

**Bob Whitney:** With regards to Emerson's concerns, this driveway is similar to other driveways in the area.

**Emerson:** Just didn't want a driveway next to some one else's bedroom...

#### **Committee discussion**

**Lucas:** You sent out a letter in addition to the required city notice. Did you receive a response from the neighbor on the North? **Lyon:** No response. The only response was from Mrs. Navarro, the neighbor on the east.

**Merten:** Are there retaining walls planned for the north-east corner of lot? **Lyon/Hofselt:** Yes. 3' high.

**Emerson:** Will the drainage swale on east property line remain? **Lyon:** Not sure. The property above is under construction. Their drainage plan shows a swale on their property. If the city dictates that the swale remain it will. Would like to see the drainage routed to the drainage and sewer easement located on south property line and sent to the street instead of over this property, or alternately pumped to their street (Calle del Cielo). Presently, drainage from upstream neighbor drains on north side of the property, where the driveway will be located, which doesn't work. They are working with the neighbor and the city to resolve this.

**Merten:** This seems like a straightforward project, one story in height and setback from the street. He understands the concerns of Lucas regarding the posting, but this seems like a clean project. He feels that the committee should make a motion. **Lucas:** Since personal letters were sent out to the neighbors, in addition to the standard city notice, that indicates a good effort to inform people.

**Motion:** Schenck: **Second:** Emerson:

Findings can be made for a process 3 site development permit for Project No. 341630, with plans dated 1-28-2014

**Motion carries 5-0-0**

**Approve:** Merten, Emerson, Lucas, Naegle, Schenck

#### **4B. WWW 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.

### **Previous Committee Action on 12-18-2013**

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 the additional information.

**Motion:** (Schenck, 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

### **1-28-30**

#### **Presented by: James Gates**

This is a modern representation of a courtyard home as designed by Zaha Hadid of London. The landscaping is being done by Gross.Max, a well known landscaping architecture firm. The previous version of this project was approved a year ago by the planning commission and city council. The client decided to redo the design and have a smaller house. This committee and the CPA had voted against the original project. This project is around 50% of the GFA as the original project. The committee at the last meeting requested additional exhibits. He will present the requested cross-sections and elevations.

#### Project summary:

- Existing house is two story (Single story plus loft), and will be demolished.
- Grading will be done and a grading plan was presented.
- Lot size 20,093 sq ft.
- Landscaped area is 10,100 sq ft., which is just under 50% of the lot. This includes the interior courtyard.
- Hardscape= 4,590
- Lot coverage= 5330 sq ft, 26%
- Basement= 2480 sq ft. (excluded from FAR calculation)
- First floor= 2,728 sq ft. Second floor= 4273 sq ft.
- FAR .45, based on 7,001 sq ft bldg above grade + 2038 sq ft projections
- 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.
- In campus parking impact zone, so curb cut will be reduced to 12'
- 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.
- East property line setbacks at plan datum points: 38' 6", 12', 8' (from north to south)
- North property line setback at plan datum points: 8', 11' 10" (from west to east)

Two cross sections were presented showing the proposed structure in relation to the neighboring houses. The highest point on the house is 27', but varies from 20' to 24' above grade. **Emerson:** What is the height of the neighbors houses? **Gates:** House at east is 15' above grade. House at north 17'.

Renderings of portions of the house were presented. Part of the structure is limestone, and part is pre-cast architectural white concrete with patterns. The East side of the structure, the garden wall, has been changed. Originally it was a monochromatic surface (straight wall). Now there is a lot of variety of geometry in the wall, there is even a chunk that cuts into the garden from the side. The setbacks used to be at 6', now they go from 8' to 38' 6", so there is now more relief in the structure. The house on the east was never designed to have a view of the ocean directly to the west. The actual view for that house is to the side (south-west) down Whale Watch Way (WWW). By siting the proposed structure and driveway the way they have, and clearing out the overgrown plantings, the view down WWW has been enhanced, and will be significantly better than it is now. There is also a gate in the garden wall, so the structure is not such a fortress, which was a comment at the previous meeting.

**Naegle:** Do you have the rendering of the first proposal? **Gates:** No. But if you look at the renderings being presented today, you will see that the West side and the South side are close to the original proposal. The east and north sides, facing neighboring houses, is where they did substantial carving of the planes to make them better.

### **Public comment**

**Julie Hamilton** (attorney representing La Jolla Shores Tomorrow): Question about the east-west cross section, and the east wall: **Gates:** He explained the cross section. The east wall is a multi-faceted structure with texture. He also went over the setbacks: east property line = 8' to 12' to 38' 6", west property line: 8' to 11' 10"

**Hamilton:** The setbacks on this project are not consistent with those in the neighborhood. They are much smaller on some sides. "Unity with variety...", this adds a whole new level of variety. It really is inconsistent with anything else in the vicinity, so it isn't consistent with the Design Manual.

**Gilda Caringi (neighbor on east):** East wall is 106' in length. Doesn't care how it is faceted or textured, its still a long, tall wall. That will be her view 24 hours a day. **Gates:** We took care to open up a view down WWW that you don't presently have. We think you will be happy with the results. **Caringi:** I won't be happy with the results. Are there windows on the east? **Gates:** There are facets, and a gate leading into the garden. **Caringi:** Isn't this just a fancy way of putting a garden behind a 30' wall? A lot of the landscaping is behind this wall. There is not much room for landscaping in front of the wall. If this house is approved, would future homes in the neighborhood be built like this with 2-story high walls surrounding huge interior garden areas, with little or no outer landscaping? Are we setting the new architectural mode for the neighborhood?

**Marge Calmanson (neighbor on north):** Agrees with Carlingi's comments regarding setting a precedent for a house that doesn't look like anything else in the LJ Shores. She too will have a 30' tall cement wall on the north face of the structure. It doesn't fit into the area. The area is totally different from what this project is. She thinks that they should present an overall picture of the proposed house, not just sections.

**Merten:** How much are you raising the pad level? **Gates:** Three feet. **Lucas:** If you are raising the pad level, does this make the house and garden wall appear taller? **Gates:** All prop D measurements were based on the existing grade, 3' lower. **Merten:** Based on these plans, the garden wall is about 22' to 23' above the finished grade, and about 23.5' above the existing grade.

**Naegle:** Distance from the neighbor house on the east to this wall? **Gates:** about 35'. **Naegle:** So there could be some landscaping? **Gates:** There will be a naturalistic planting outside the garden wall. **Naegle:** She appreciates what they have done to mitigate the size of the home, but is concerned with neighborhood compatibility. She doesn't see how the committee can find this is compatible. **Gates:** La Jolla has a history of distinct architectural styles, some of which were groundbreaking. Some of the houses built in the 1940's, 1950's and 1960's probably opened some eyes at the time, and now they are some of our biggest jewels, things to be proud of. This house absolutely is on the cusp of innovation. **Naegle:** In the 1970's. LJSPDO was created to respond to this huge type of home. The LJSPDO is very definite about compatibility. Her greatest concern is that they can't make the argument that this home is compatible in any way with the neighborhood. **Gates:** The

LJSPDO also states that diversity is one of the major goals. **Naegle:** As long as it doesn't disrupt the architectural unity of the area. This project will disrupt the architectural unity of the area.

**Lucas:** My biggest concern is the neighbor to the east. Her view is going to be of a big large concrete wall. It may have some angles, some forms, and some dimples in it, but I don't know of any residential houses that are looking at something like this. Yes, the view to the ocean is already obstructed to the west, and they probably wouldn't have one even if the house wasn't there. However, the existing house is set back further and there is existing landscaping on both sides, which is more pleasant to look at than the big wall being proposed. I could understand if we were in the desert and big walls were common because of the sand storms, but we aren't. We are in La Jolla, and I can't think of one house in the neighborhood that has this type of big wall surrounding a structure.

**Schenck:** Has a compatibility issue also.

**Merten:** Thinks that the design of the building is a sculpture and something that would be very interesting and very fun to live in. Our concerns with the earlier design had to do with the size of the building. In order to bring down the GFA for this version, the perimeter walls were kept in place, but part of the building was hollowed out (the courtyard), so that the hollowed out portion was no longer counted as gross floor area under the municipal code. Viewed from Whale Watch Way the container of the building is very similar to the earlier proposed structure. Doing some quick eyeball calculations, if there was a floor in the garden at the ground level, it would be roughly 3500 sq ft. And if there was a second level it would be roughly 3500 sq ft. Added together this totals 7,000 sq ft if the garden areas was enclosed, and the FAR goes up from .45 to .80. In counting this "ghost" floor area (generic "ghost", not the city code definition), the perceived mass of this building is on a par with a building of .80 FAR. Under the municipal code, this open area isn't counted, because the municipal code didn't have this kind of building in mind when it was written. The code says, for example, if you have a roof deck, if the walls extend more than 48" around it, that deck has to be counted in the GFA. Likewise, an exterior balcony, if it is less than 40% open, that space has to be counted in the GFA. We have these building walls that for all intents and purposes, look like the building itself, but there is a hollow area behind them. The perceived mass with these 20' to 24' walls is quite large. LJS PDO says that we are supposed to look at the provisions in the LJS Design Manual, and see how a building relates to those provisions, and the surrounding neighborhood. We don't consider CCR's, but the CCR's limit development to a single story. This would be the first 2-story development within this neighborhood. Granted, it may have some similarities to modern developments to the north-west, but this is a different neighborhood. The LJS Design Manual says that building form should be made sympathetic to the scale, form, and proportion of the older development. It says that roofs are very important unifying elements in a neighborhood. It says that roof forms on any given street or cluster should be required to provide continuity of the roof forms on that street or cluster. What we have here is a really interesting building, and a nice piece of sculpture, but it is at odds with the LJ Shores Design manual. This proposed structure is really in the wrong neighborhood. It would be great on three acres in an area where we didn't have to meet the requirements of the LJS PDO and LJS Design Manual. Yes, unity with variety, and we don't want to see the same thing going on, but it is a matter of degree of how much variety we have.

**Lucas:** I appreciate these extra exhibits you have presented. I think that from two sides this is a reasonable structure. I have issues with how the east side relates to the neighbor structure and view. The north side has issues too, but at least that neighbor has an ocean view to the west. It is a nice sculpture, but not compatible with the neighborhood.

**Motion: Lucas Second: Naegle**

Findings can not be made for Site Development Permit or a Coastal Development Permit for Project No. 328415. It is not compatible with the neighborhood in form, bulk and scale. In particular, the east side of the building envelope is incompatible with the neighboring structures. The size, form, and relationship of the the proposed project will disrupt the architectural unity of the neighborhood.

**Motion carries: 5-0-0.** Approve: Emerson, Lucas, Merten, Naegle, Schenck

#### **4C. Hillel Center for Jewish Life – Draft Environmental Impact Report**

Project No. 212995 / SCH No. 2010101030

Applicant: Hillel of San Diego

**Project Description:** The proposed project is a SITE DEVELOPMENT PERMIT AND RIGHT-OF-WAY VACATION to develop a vacant site located at the southwest corner of the intersection of La Jolla Village Drive and La Jolla Scenic Way, just south of UCSD in two phases. Phase 1 would consist of the temporary use of the Cliffridge property until the new HCJL facilities (Phase 2) are occupied. Phase 2 would involve development of the 0.8-acre vacant parcel east of the Cliffridge property. The new facility would provide three new buildings of approximately 6,479 square feet of gross floor area (GFA) around a central outdoor courtyard. The project site is within a Single Family Zone of the La Jolla Shores Planned District, Coastal Height Limit Overlay Zone, Campus Parking Impact Overlay Zone, and the La Jolla Community Planning Area. (Legal Description: Lot 67 of La Jolla Highlands Unit No. 3, in the City of San Diego, County of San Diego, Parcel Map No. 3528 and Portion of Lot 1299, Miscellaneous Map 36, Pueblo Lands, in the City of San Diego, County of San Diego). The site is not included of any Government Code listing of hazardous waste sites. Comments due Feb. 11<sup>th</sup>.

**1-28-14**

**Presented by: Robin Madaffer, attorney for Hillel:**

- Project has underway for over 15 years.
- Draft EIR revised and recirculated for 2 main reasons:
  - Cliffridge house, phase 1 of the project, currently being used for a office is now more than 45 years old. Under the city codes it has to undergo a historical review. It has been found to not be historic. The DEIR was updated to reflect this.
  - To address any traffic and driveway issues that the recently completed Venter Institute on Torrey Pines Road might add to the area which would affect this proposal.

**Madaffer:** The copy of the DIER is available on the city's website is a strikeout version. Lucas: The version I downloaded last week was not. Merten: The version supplied to the LJCPA on CD was a clean version. We looked at a lot of sections trying to find what had changed. Madaffer: There were not a lot of changes. The version we submitted to the city was a strikeout-underline version. I recommend that you contact Liz Sherwin at the city for a strikeout version.

**Madaffer:** Emily Jennewein, president of the Hillel board, and Mark Steele, the architect, are also here. We were not going to make a presentation. We do have boards with plans and renderings of the project for reference, if the committee has questions. The design of the project has not changed since it was submitted and reviewed by the committee.

#### **Public Comment**

**Bob Whitney:** Has the committee read the EIR? **Lucas:** Not the whole package for this version. I concentrated on specific areas. Did not read the appendices. **Emerson:** Read a majority of it, the public comments, and the previous DEIR. **Naegle:** Yes. **Merten:** Read the DEIR, looked over some of the appendices. Did not go through all of the technical engineering details in the appendices.

**Julie Hamilton (attorney):** Emailed letter for distribution to the committee yesterday. **Merten:** It was distributed. **Hamilton:** Believes that there have been a lot more changes than just adding the Venter Institute traffic concerns and the historic analysis on the Cliffridge office. The DEIR has changed from being an

objective document supposed to represent the independent judgment of the city, to being a blatant advocacy document for the project. A great deal of the objectivity has been taken out of the DEIR. Keep in mind that the City owns this document -- it is a city document. The letter sent yesterday focused on the changes to the DEIR. We only obtained the redline version last week. The language has been changed to emphasize religious purpose of the project, probably for legal reasons.

**Hamilton:** One of the changes is that they are using 50 as the estimated use population, reduced from 100. Originally they said that they believe the most people that will ever use this structure at one time is 100, now they are saying 50. The traffic analysis was made using 100, but the noise analysis was made using 50 people. The maximum occupancy of this building greatly exceeds 50. The even logs for 2010 found in the traffic appendices show a monthly Wednesday night program that starts at 8:00pm and has participation of 130 to `150 people. Some of the neighbors across the street have young children. It will be difficult to get them to sleep with the noise from 150 people having a meeting across the street getting in their cars, or walking out of the buildings and talking at 9:00 or 10:00 at night. I have asked in my letter that the committee comment on the noise analysis. The noise analysis based on 50 people concluded a noise level of 43.6 decibels. The city maximum for determining a significant impact in the evening is 45. What happens when there are 100 people? When doing an EIR you have to consider the whole of the project. You can't set an artificial limit of who might be using it. You have to evaluate the total number of people that can use it.

**Hamilton:** This document now specifies that there will be 9 parking spaces lost on the street. Six will be lost on 6 on La Jolla Scenic Drive North, due to the easement. Three will be lost on La Jolla Scenic way around the driveway entrance. They say that this is not a significant impact due to the pedestrian bike facilities being provided. This is in the campus parking impact overlay zone. Providing one park bench on a walkway, and a bike path that connects this to the next street does not compensate for removing 9 spaces in a parking impact zone. The committee should address this also.

**Hamilton:** There are visual impacts to this project. The renderings do not show the carports with the solar panels on top. Without accurate renderings it is hard to evaluate the visual impacts for the project. This DEIR does not offer a no-project alternative. A no-project alternative leads you with a code enforcement action. Which means that some other action needs to be taken. A no-project alternative means that they would need to get a permit for the office use on Cliffridge, or remove it. That needs to be discussed in the alternatives section, but isn't.

**Hamilton:** I ask the committee to comment on the changes to the DEIR. As a committee you need to understand that you are the experts in visual effects and neighborhood character. You are the experts in land use. You have a degree of knowledge in traffic and parking.

**Jessie Attiyeh (neighbor):** I did not have a strike-out version, which made review difficult. The projections for the number of people and events don't include the courtyard space. This is usable space, as usable as the floor space, which can increase the number of people and event can hold. This is not addressed in the EIR. Another issue is how can the project presume to use the cliffridge house? The project is predicated on using this space which is not owned by Hillel, but is owned by a foundation, and is listed in public records to a person that she has never seen and apparently does not live there. She is also concerned by the long construction time of 12 to 18 months. This is a long time to have the effects of workers, work trucks, parking, and noise right across the street from a residential neighborhood. These things are not adequately addressed in the DEIR. On the east and west sides of the buildings, there are large and tall windows that will cast their light on the homes in the neighborhood. The projection of lights onto homes 40' away is a problem and not addressed in the DEIR. They say that this project is compatible because there are big buildings across the street on the UCSD campus, and at La Jolla Village shopping center. La Jolla Village is a mile and a half away, and the university buildings are set back across a busy road, whereas, this project is contained within a single-family neighborhood. It will not be a part of what is across the road or part of the shopping center. It is a part of the neighborhood. It is misleading to

say it fits because of other buildings elsewhere

**Oliver Jones (neighbor):** Went to Draper library, no redline available. Grateful to committee for reviewing this project. If you look at the Hillel mission statement and their goals, you see that they have remarkable opportunities for students. They offer many cultural and social activities. Regardless of this, this project remains a student center, nothing else.

**Ross Starr (neighbor):** Contrary to DEIR, this use by the Hillel Center for Jewish Life (HCJL) is not correctly included in churches, temples or buildings of a permanent nature, used primarily for religious purposes within the meaning of the LJ Shores Planned District Ordinance (LJSPDO). The ordinance is quite clear on what is a building of a permanent nature primarily for religious purposes; it is a place for the gathering of persons for religious ritual or worship. It is not a student center, not a drop-in center, not administrative offices for a religiously affiliated student group. Within the LJSPDO, this center is not an appropriate use. University facilities do not belong in the single family area. Attendance is an issue. The DEIR suggests a moderate peak usage of 50 persons. One of the principle public activities has been a weakly Shabbat dinner on Friday evenings. This center has the capacity to hold over a 100 diners, and has institutional sized kitchen and lavatory facilities suitable for over 100 persons. The DEIR does not restrict future use or capacity to 50 persons. The parking available on-site is completely inadequate to handle attendances of 100 persons. If the HCJL is considered in the DEIR as a religious institution, similar to a church, then the parking requirements under the San Diego Municipal Code is 1 parking space per 3 persons of capacity. Capacity for this facility is on the order of 200 persons. Only providing 27 spaces is inadequate by at least 50%. This project will be precedent setting. If this gets approved, any religiously affiliated group would have the right to seek its own student center within the residential single-family zone in the La Jolla Shores District. There are 50 plus recognized spiritual groups on the UCSD campus. The DEIR states that "in 2003 Hillel established its present location at 8976 Cliffridge Avenue, when the Cliffridge property was acquired by a non-profit foundation that supported Hillel. The property was renovated and provided to Hillel on a rent-free basis." What this shows is that all that is required for one of those 50 plus student organizations to establish a physical presence in the single-family neighborhood is that they have the money to buy or rent a house and declare that it is a religiously affiliated student center. The associated precedent with that is that once they have established that it is a religiously affiliated student center, they can then establish that this is not a place of assembly, and therefore doesn't need to meet the city's parking requirements for a church or temple. They themselves would be able to suggest the attendance levels and parking levels that they would be required to meet, rather than what the capacity of the building suggests. Omissions from the DEIR include traffic safety on 8900 block on LJ Scenic Drive North. The proposal is for a right of way vacation, narrows the street by two feet. The topography of the area includes two blind intersections. Narrowing the street implies that the possibility of collisions between east and west traffic in increased. Doesn't feel that any of the 4 standard requirements for a street vacation can be met. These are described in detail in his letter submitted yesterday to the committee. This revision considers the impacts of the Venter Institute on the Scripps Upper Mesa site, but does not offer projections on traffic for the three parcels on this site next to Venter that will be developed in the coming years. By 2030 those spaces will have been developed and need to be accounted for in the traffic study. The Hillel mission statements from both the local and national organizations, which is included in my letter, encourage fellowship, friendship, and collegiality among the participants in the Hillel programs, but they do not mention religious ritual or religious gatherings. On that basis one can say that the requirements under the LJSPDO have not been fulfilled to qualify this as a permanent structure primarily for religious purposes.

**Kim Whitney:** Urges the committee not to adopt the written letters of opposing groups. You are supposed to be the experts and supposed to be separate from the opposition groups. Urges the committee to make our own decisions.

#### **Committee discussion**

**Merten:** We could take various actions as a committee. Committee members can add their own comments. We

can adopt comments from the letters received, and from the public comment today. Keep in mind, that the letters received are most likely being submitted directly to the city.

**Emerson:** This DEIR doesn't address the major concerns about parking & traffic, many of which were commented on by the committee and the CPA during the previous DEIR review. Every time I have visited this location, including earlier this afternoon at 2:45, all of the parking has been utilized. We have heard presentations of the project saying that this parking isn't heavily utilized. I have been to this area five times this week and it is always fully utilized during the week. Weekends are different, and there may be spaces available then. This is a concern because it is in the parking impact overlay zone. My biggest concern, which hasn't been addressed adequately, is turning left onto La Jolla Scenic Way from LJ Village Drive. This area can be a huge mess and dangerous, particularly in the evening commute due to low sun angle. Where the driveway cut is will be a huge hazzard due to the flow of traffic. The tall windows on the side of the building could also be a factor due reflections to the sun affecting drivers. These are safety issues not addressed fully in the DEIR. **Merten:** For clarification, the glazing on the north and east sides would only be a factor with reflections, if at all, during the morning hours due to the sun angle, and not in the afternoon.

**Merten:** The six lost street parking spaces is where they close off the cul-de-sac and reduce the street width to allow for a park space. This is a nice park space, but is a trade-off between park space and parking. The times I have been by there they have been parked along this street and the cul-de-sac.

**Naegle:** Her concern is with the traffic. She had trouble accessing the documents with her computer, so she has no specifics to offer.

**Merten:** This allotted time for this meetings is short and it is not practical to attempt to make an extensive series of comments. There were some important issues raised in the public comments and letters received, and by our committee. Concerns such as the occupancy figure used in calculations, the office on Cliffridge if the project isn't approved, reduction in street parking, effects of building lighting and windows at night, the student center usage vs religious uses, etc. We could ask the LJCPA to take a deeper look into these topics and a list of our concerns, and expand on them.

**Emerson:** As one of the committee members who is also on the CPA, this project came up to the CPA last meeting, and they chose to not comment on it at the time because many of the trustees didn't have the documentation in time to go through. When the public comment period was extended, the CPA decided to send it to our committee for review and comments. The review was supposed to focus on the changes to the DEIR and not review the whole thing again. That work had been previously done last year for the earlier version on the DEIR, and an ad hoc committee as well as the CPA had looked at it an made a motion with recommendations, which had already been submitted an are on file with the city. This project will be on the agenda for the February 6 CPA meeting.

**Bob Whitney:** Has an issue with the process. If three members of the committee haven't read the whole document, and two have skimmed it, how can you make recommendations? **Emerson:** Read it all, except for some of the technical appendices that were over her head. She did not have a redline version, which made it difficult to tell what had changed. **Whitney:** Concern is the process, not the project. Doesn't know how the committee can vote up or down on the DEIR if they haven't read it. **Merten:** We are not asked to vote up or down. We are asked to make comments on issues and pass them forward. The comments that were made today touched on significant issues that weren't addressed in the DEIR. We should adopt these concerns and issues, including those by Starr and Hamilton, and pass them on to the CPA. **Whitney:** Those comments by Starr and Hamilton will be submitted independently by them. Each one of those will have to be addressed. For this committee to adopt comments from a litigator of the project is a bit unfair. The lady that made the public comment (Attiyeh) took the time to read it and made some good comments. You should focus on those comments.

**Tom Brady:** I read the earlier version on the DEIR, and it clearly is a deficient city document. The city has to take ownership of it. The city has put us into a bind time wise by not providing the redline version until just recently. You have been put into a box and need to get your comments to the CPA that they can use to highlight the deficiencies of the document. It is sad that the city has not performed sufficiently.

**Madaffer:** This is the third circulation of the DEIR, and the earlier versions have been commented on by the CPA, the public, and other groups. What is important for this version is to address the changes. The public comment period ends February 11, and there is plenty of time to review the strike-out version. **Attiyeh:** If you have it... **Madaffer:** Julie Hamilton has offered to provide it... **Attiyeh:** If you are in this room today you know that. What if you are not in this room? You won't know about the strike-out version. How do you know what has changed and what hasn't? Its a big document. **Madaffer:** Hillel has commissioned various iterations of this document, and it cost a lot of time and money. You don't need to tell us how big it is. They city has the strike-out version. **Emerson:** We requested it, and it apparently has just recently been received.

Discussion on changes in the documents and how to proceed ensued with the committee.

#### **Motion: Schenck Second: Emerson**

This committee tried to focus on the changes to the revised Draft EIR, but did not have a redline version to specifically identify the changes. We did find the DEIR deficient in the following areas and recommend that the LJCPA look into these further, due to lack of sufficient analysis in the DEIR:

- Use of an attendance limit of 50 persons for noise analysis, even though the building has occupancy limit far greater.
- Increased traffic in the area due to projected future building in the Scripps Upper Mesa site next to the Venter Institute.
- Siting of a student center in the Single Family Zone.
- The traffic pattern, turning from LJ Village drive onto LJ Scenic Drive North makes the driveway unsafe.
- Onsite parking inadequate for a religious designation and for a student center that can hold 100 to 150 people.
- The project will be precedence setting.
- Loss of 9 spaces of street parking in the campus impact parking overlay zone in an area already impacted by the UCSD campus.
- Tall windows on the buildings will create light pollution into the residential neighborhood.
- Cumulative effect of other student centers being built in the single family zone.

#### **Moton carries 5-0-0**

Approve: Emerson, Lucas, Merten, Naegle, Schenck

#### **4D. 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.

### **Previous Committee Action on 12-18-2013**

**Motion** (Lucas, 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.

Motion carries: 7-0-0. Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck, Steck

### **1-28-14**

**Merten:** The City reports that the building site is actually a .70 acre site, instead of .62. This changes the FAR to .45, which would be the limit on projects in other areas outside the LJS PDO.

### **Presented by: Greg Romine (Building Exteriors consultant), Jun Martin**

- Lot size is now .70 which is 30492 sq ft. Increase from .62 to .70 occurred on west property line. City records show transaction registered in 2001
- Current house size: 7215 sq ft. net, 9167 GFA (includes ghost area in high ceiling areas and overhangs).
- 1568 sq ft will be demolished. The addition is 3587 sq ft.
- Proposed project 10,800 sq ft. net, 12,754 GFA
- FAR at net 0.35, GFA 0.42
- Street level is 18' above the ground floor.
- House Pad on North is 20' lower
- House Pad on East is 25' higher
- Setbacks for project have been increased
- Project setback on east: First floor = 8', second floor = 12'. Neighbor directly across has 8' setback to first floor. Neighbor at start of driveway is 12' setback.
- Project setbacks on North: First floor = 8' to 12', second floor is 12' to 16'. Neighbor's house 18' lower in elevation and has a setback of 41'.
- Setbacks for other areas remaining the same. The remodeled portion doesn't affect.
- Previous neighbor setbacks presented to the committee were inaccurate and based on the SanGIS map. They have used a laser device to redo all the measurements. These measurements are accurate.

The main project change was increasing the setbacks for the addition, and pulling the second floor back. Articulation was added to the building to make it blend in with the existing structure and not look like a dormitory, which was a previous comment by the committee. The exterior finish will feature stone, tile and plaster. Photographs of homes in the area were presented to show how this house fits in with other in the area.

### **Public Comment**

**Sue Geller (neighbor to North):** Has the neighbor on the east been contacted? **Romine:** They have sent out the required public notice and have not heard from them. There has also been a notice posted on the front gate.

**Geller:** The grade levels are different between her property and this project. Their pad drains onto her property during heavy rains. There is a water retaining tank that overflows onto her property during rain storms.

**Romine:** They are aware of this issue and have hired a civil engineer to resolve this. They are redoing the drainage system. They are aware that you can't drain onto other peoples properties. **Martin:** They will still utilize this tank at north east corner to collect rain water, but will refurbish the pump. The drainage system is under repair now. The water will be sent out to street on Hidden valley road. The Softscape is is 32% and water features 8%, giving a total of 40%. **Geller:** Is this two separate homes? **Romine:** No, this is a single-family residence. The existing portion is essentially the master suite. The remodeled portion will be for the kids and visitors. **Geller:** One other issue is with earthquakes, Hidden Valley is an earthquake zone. In March 1983, there were mudslides. **Romine:** The portion of house remaining was built after the earthquake codes were updated, and should be fine. They are demolishing the older portion, which was built before the code revision.

**Jan DeVries (neighbor on West):** On the north side is a balcony/deck that sticks out. How high is it and how much does it stick out. It is about 11' feet high and the roof structure above is the same as the rest of the house. It is existing and not affected by the remodel. **DeVries:** Has similar drainage problem concerns. Has had problems with water draining onto his property. He is glad to learn it is currently under repair.

**Lucas:** Satisfied with the proposed setbacks on north and east side, and the second floor setback. The east setback mirrors the neighbor's setback. **Merten:** They have pulled back the second floor and have much better articulation and massing.

**Emerson:** What is the square footage of the surrounding houses? **Geller:** 3,500 **Devries:** 4,500, The Hagey house is 6,500, but not directly adjoining the property. Not sure on house to East. **Emerson:** Her concern is always with the precedent a project could set. This is an 11,000 sq ft house, so another project could come along that then uses this as a precedent to build a much larger house. She thinks that there are mitigating circumstances: the long driveway so it is not directly on the street, the difference in elevations of the houses, although some houses are lower so this presents a looming affect. She likes that they have pulled the remodeled portion back and the second floor is pulled back further.

**DeVries:** The existing house is an imposing house for Geller and him, and already intrudes on his privacy since they sit below this. The new project will be even more so. **Romine:** In the landscape plan, there are trees along the side, which are currently being trimmed. I know that the landscaping is not the end all solution... **Emerson:** At the start of the meeting she described a project that had removed a prominent tree that was in the landscape plan. We can't rely on the landscape plans to mitigate privacy issues.

**Merten:** There are no plans being presented today, only renderings. **Romine:** The plans have been developed, but have not been submitted yet. **Martin:** We wanted to present the changes to the committee and see if their was further revision needed, before sending them to the city. **Merten:** They are looking for conceptual approval.

Committee discussion on this ensued.. It was decided that the committee in general doesn't give conceptual approval. The committee comments today indicate that they have made significant positive improvements to the project.

**Motion: Schenck Second: Naegle**

Continue the project to future meeting. Return with the final plans that mirror the drawings provided today, and to return with the drawings that were presented today. Return with the final drainage plans.

**Motion carries: 4-0-1.** Approve: Lucas, Merten, Naegle, Schenck. Abstain: Emerson  
Adjourn