

La Jolla Shores Permit Review Committee Minutes
4:00 p.m. Tuesday, September 23, 2014
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

FINAL

1. Welcome and Call to Order: Phil Merten, Interim Chair

2. Adoption of the Agenda

Emerson offers a correction of item 6A of the agenda, Del Oro Court Homes: the type of structure is now “Single Family Residence” not “Two Single Family Residences”. The Agenda was unanimously adopted as corrected.

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

No public comment.

4. Non-Agenda Committee Member Comments

Lucas: The City of San Diego noticing process is defective in many respect: the regulations regarding the placement of posted notices are imprecise; the format for the printing of the envelopes mailed by the City to neighbors and others who have requested notices is such that the notices are often lost in the mail. Donovan: other cities have dealt with this problem by requiring very large, brightly colored notice to be placed in precisely designated location where can easily be seen. What would be the procedures for accomplishing such a change in San Diego? Conboy: we can ask City to require that notices be placed where can easily be viewed from public right of way and further we can request that the package sent to permit applicants include a written requirement that their notice is easily viewed from the public right of way. Emerson/Naegle: Also, sometimes the notices are in place for years and nothing happens; therefore there should be a re-noticing procedure after a prescribed period of time.

5. Chair Comments

The Whale Watch Way project will be heard by the Planning Commission tomorrow morning at 9 a.m. Whatever comes out of that will likely be appealed to the City Council. Merten has been asked to represent the CPA on its appeal against the Whale Watch Way project.

6. Project Review

6A. Del Oro Court Home

- Project No. 333430
- Type of Structure: Single Family Residence
- Location: 8361 Del Oro Court
- Applicant: Rebecca Marquez, Golba Architect Inc. 619-231-9905
- Project Manager: Jeff Peterson 619-446-5237 JAPeterson@sandiego.gov

Project Description: ‘SUSTAINABLE EXPEDITE PROGRAM, PROCESS 3 - CDP, SDP to demolish an existing 2,217 s.f. single family residence and 430 s.f. garage; and construct a new

5,807 s.f. 2-story single family residence and detached 4 car garage with a 691 s.f. guest quarters above on a 29,800 s.f. lot, located at 8361 Del Oro Court, 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. Project proposes a FAR of 0.21 and 43% landscape coverage.

Sasha Varone for Golba Architect, Inc.

There is now a pool cabana on the southwest corner of the property, right on Calle de la Garza, but screened by thick vegetation, to which a small-scale tree will be added. There will also be a gate allowing residents to exit onto Calle de la Garza via their easement. The gate is set in a fence that will run along south side of property.

Emerson: what about the impact of the pool noise on the facing bedrooms in the neighboring house on Calle de la Garza? Varone: there is a driveway and also foliage between the pool and the house. Emerson: the noise goes up.

Jim Neri (landscape architect): we understood your concern to be privacy and appearance. We have addressed the privacy issue with a privacy fence and planting along the west boundary of property.

Merten: the LJSPDO, which is incorporated into Ch. 13. 1310461(a) of the Municipal Code governs architectural encroachments such as pools and their accompanying structures. Pools are permitted except that pools that project 3 feet above grade are not permitted in the street yard. Ch. 13. 1310461(a)(11)(B)-*Swimming pools that project greater than 3 feet above grade are not permitted to encroach within a required street yard or interior side yard setback, but may encroach into the rear yard setback if located a minimum of 4 feet from the rear property line*..(Merten then reads code section 113.0103 - Definitions that define a street yard) What that means is that the street line cuts through the pool and the pool is 4.5 ft above grade. The rationale for this regulation is that pools are to be kept low in order for the noise associated with them to be contained. Pools are generally in back yards to minimize noise, which impacts most on people across the street, not on those in adjacent houses. Whitney: the property is not adjacent to Calle de la Garza. Emerson: You could just flip the pool to the southeast corner of the lot, in which case it would back on a tennis court, not on a house.

Sasha Varone: Turning now to the east elevation of the garage, we added more articulation to make it more attractive.

Conboy: The answers to the solar panel questions we asked? Varone: Mission Solar Electric recommends 14 solar panels, total, on the south and east exposures, which we will be adding. Conboy: This expedite process is inadequate. There is nothing green about this project. 50% is not enough. A few solar panels does not a LED project make.

Lucas: We had asked for a set-back survey. Varone – we have it. Merten: pls mail it to me and I will send it to the committee.

Motion: The committee voted unanimously to continue the Del Oro Court house (Project No. 333430) to the next meeting.

6B. Johnson Residence – CDP/SDP

- Project No. 372627
- Type of Structure: Site Walls at Single Family Residence
- Location: 8486 El Paseo Grande
- Applicant: Ed Sutton 858-456-4070 ESutton@IslandArch.com
- Project Manager: Michelle Sokolowski, 619-446-5278 MSokolowski@sandiego.gov

Project Description: PROCESS 3 - CDP and SDP for the permitting of site walls to an existing single family residence located at 8486 El Paseo Grande. The 0.25 acre lot contains an existing single family residence and is the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone , Coastal Height Limit, within the La Jolla Community Plan area.

No one present for the Johnson residence project.

7. Floor Area Ratio Limits in the LJSP District - Action Item

Previous PRC Action, July 22, 2014.

Move that the PRC ask the CPA to appoint an ad hoc committee to research the process for a mini-update to the LJSPDO. (Donovan / Conboy, 6-0-0)

LJCPA Discussion, August 7, 2014.

Does the LJCPA want to revisit possible update to the La Jolla Shores PDO? This could include working with the La Jolla Shores Association and the La Jolla Shores Planned District Ordinance Advisory Board to engage the La Jolla Shores community, the City of San Diego, and Council District 1 in an open conversation regarding a targeted update.

LJCPA Action, August 7, 2014.

To return the Item to the PRC asking them to be more specific. (Emerson, Outwater: 14-0-1)

Most Recent PRC Action, August 26, 2014

To continue discussion of this item to the next LJS PRC meeting, preferably as a first item. (Emerson, Conboy: 5-2-0)

Committee Discussion of FARs

Merten: Myrna Naegle did some research and found that the LJSAB voted 5-0 on Oct. 18, 2011, to confirm that the citywide FARs apply to the La Jolla Shores Planned District.

Naegle: The LJSA voted to confirm city-wide FARs in the LJSPD on July 13, 2011 and the CPA did the same on August 4, 2011. The LJSAB and CPA motions read as follows: the CPA/LJSAB “recommends that city-wide FARs in all zones, commercial, residential, etc., apply in La Jolla Shores Planned District without diminishing the effect

of other provisions of the La Jolla Shores Planned District Ordinance.” The language of the LISA resolution was “that the Board recommend to the City Council that it confirm that the City-wide FAR, in all zones (commercial, residential, etc.), apply in the La Jolla Shores Planning District.”

Steck: then what happened? Emerson: Nothing.

Merten: Bob, wasn't there a City Council meeting in 2011 which I spoke in opposition to imposing FARs – you have that on videotape.

Whitney: the issue was decertification of the CPA.

Naegle: Phil was concerned that FARs would downgrade the importance of the LJSPDO.

Merten: At that time I thought the PDO was a better instrument and we could rely on City to implement it. But since then the City has not implemented the PDO, so I have changed my view.

Donovan: what are the citywide FARs for residential? Merten: There is a sliding scale- the smaller the lot, the larger the FAR. For example, for a 5000 SF lot the FAR is 60, but for a 20,000+ SF lot the FAR is .45.

Merten: The problem is which one of the different commercial zone regulations would apply to the Avenida de la Playa business district. Don't hold me to this but I think that on Girard the FAR is 1.3 for a commercial bldg. and for a mixed use it goes up to 1.7. But Avenida de la Playa is less urbanized than Girard.

Conboy: We need to set up a task force, since the CPA wouldn't do it for us, that does research and comes up with an implementation plan for clarifying the PDO or amending the PDO, depending on one's view of whether the PDO already incorporates citywide FARs. E.G. What are FARs in other comparable PDOs around the City, for both residential and commercial areas?

Naegle: Would you agree that we should study La Jolla itself? Conboy: Yes, but we should look at the other PDOs as well.

Merten: The last word from the City Attorney was that if we want FARs in the Shores, we have to amend the PDO, because, in his view, the citywide FARs don't apply in the Shores. It is probably a three-year process, minimum. We could do what Laura Conboy suggests, or.....

Emerson: the CPA isn't going to do it, so if it is going to happen, we have to do it.

Naegle: Why do we have to do anything since all three relevant community bodies have already voted on the question of whether FARs apply in the LJSPD?

Emerson: The fact that the CPA has voted on it already is apparently meaningless.

Conboy: I move that we do more research into FARs in other PDOs citywide. Second: Emerson.

Emerson: I envision some sort of flow chart that shows who has what. Schenck: the numbers won't show why they did what. Lucas: we need first to analyze La Jolla – how many small plots, how many medium, large, proximity to beach, proximity to UCSD,

elevations, etc.

Donovan: The motion is too vague. We need to set up a subcommittee and assign specific responsibilities to specific people.

Vote: The committee voted 6-1-1 in favor of Conboy's motion that the LJSPRC do more research into FARs in other PDOs citywide. (The chair abstained and Donovan voted against.)

Merten: This will be an effort of the entire LJSPRC.

Conboy: I volunteer to gather the citywide neighborhood PDO information.

The Committee adjourned.

Minutes respectfully submitted by Dolores A. Donovan.