

## DRAFT MINUTES

### La Jolla Shores Permit Review Committee Minutes

4:00 p.m., Tuesday, October 27, 2015

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

**Committee members in attendance:** Tony Crisafi (chair), Dolores Donovan (secretary), Laura DuCharme Conboy, Dave Gordon, Tim Lucas, Bob Steck, Joe Walkush. Absent: Janie Emerson

#### Executive Summary:

##### **7a. Mofid Residence, 8656 Glenwick Lane - SCR**

Crisafi, seconded by Walkush, moves that a 2<sup>nd</sup> story addition to a single story home does not meet the findings for substantial conformance review (SCR) under Muni Code 126.0704 a(8) nor under CDP 154134 SDP 162186, Item No. 25, regarding proposed increases in height to the structure. Motion passes 7-0-0.

##### **7b. Marouf Residence, 2465 Hidden Valley Road - CDP**

Walkush, seconded by Lucas, moves that findings can be made for a CDP and to construct a 2,193 SF companion unit and garage addition to an existing residence located at 2465 Hidden Valley Rd on a 12,650 SF lot. No SDP sought. The motion passes 6-0-1

##### **7c. Huennenkens Residence, 8476 Westway - SDP and CDP,**

Continued to the next meeting of the PRC with directions to applicants to provide additional information.

##### **7d. Swindle Residence, 2488 Hidden Valley Road - CDP and SDP**

Continued to the next meeting of the PRC with directions to applicants to provide additional information.

##### **7e. Klein Residence, 2585 Calle del Oro - CDP and SDP**

Continued to the next meeting of the PRC with directions to applicants to provide additional information.

## MINUTES IN FULL

### **1. Welcome and Call to Order:** Tony Crisafi, Chair

### **2. Adopt the Agenda**

Motion to adopt the agenda passes 7-0-0

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

None.

### **4. Non-Agenda Committee Member Comments**

None.

### **5. Chair Comments**

Proceedings must move swiftly this evening as we will lose our quorum at 5:40.

### **6. Discussion Regarding 8440 Whale Watch Way**

Conboy: Joe Stanco, the project manager, was out of town but I talked to his supervisor, who said the PRC had approved the plans and the 30-foot wall was on the plan. The City is just following the plans.

Crisafi: The 8449 Whale Watch Way architect called Cori Del Castillo at Island Architects and said the wall was to be reconstructed lower and further back. Gary Geiler at the city stated that the walls and landscaping must be rebuilt to match Exhibit A drawings. The walls constructed currently do not match.

## 7. Project Review:

### a. MOFID RESIDENCE – SCR – 2<sup>ND</sup> REVIEW

- Project #: 424462
- Type of Structure: Single Family Residence
- Location: 8656 Glenwick Lane
- Applicant: Jim Ferrin 760-580-0569 jamesferrin@gmail.com
- Project Manager: Firouzeh Tirandazi 619-446-5325 FTirandazi@sandiego.gov
- Project Description: LA JOLLA (Process 2) SCR to CDP 154134 and SDP 162186 for a 768 square-foot addition to an existing single-family residence, and construction of a new 792 square-foot cabana, 175 square-foot master porch, and 175 square-foot office deck on a property located at 8656 Glenwick Lane. The 0.34 acre site is located within the SF (Single Family) Zone of the LJSPD, Coastal (Non-Appealable) Overlay, and Coastal Height Limit Limitation Overlay zones within the La Jolla CPA, and CD1.

Presenter: Jim Ferrin, Architect

The cabana has been removed from the plans.

At last month's PRC meeting the primary comment from the Committee on the Mofid project was that the finished grades needed to be replotted. We did so and found error. We have reduced the height of the ridge of the pop-up MBR which constitutes the 2<sup>nd</sup> floor and of the chimney by 1'8" to comply with the pre-existing grade.

Julie Hamilton, attorney representing neighbors Joe and Barbara Giammona. Neither Substantial Conformance Review nor discretionary review are appropriate. Applicants need an amendment to the Coastal Development Permit at a minimum. Substantial conformance review for second story additions to one-story houses is inappropriate in this area where developers set things up so that everyone would have a view. There is a deed restriction on view and height. Homeowners cannot modify without permission. Condition 25 of the original CDP said that further developments would require an additional permit. Further, the increase is over 10% of the interior floor area so a CDP is required. Municipal Code Sec.126.0704 is the 10% rule.

#### *Public Comment*

Sousann Ayari, neighbor: this house obstructs too many of us already. Is there any chance that the second story can be moved over to the left and at a lower height. Answer: too expensive. No can do.

Deborah Guss, neighbor - opposed to the issuance of a permit.

#### *Committee discussion*

Crisafi reads Muni CodeSec.04(a)(8) The following improvements are exempt from a CDP except "(8) Any improvement to a structure where the Coastal Development Permit issued for the original structure indicated that any future improvements would require a development permit."

Conboy: because this is a neighborhood of largely one-story homes and applicants are seeking to add a second story, we should be doing a "does it fit into the neighborhood" review rather than a "does it fit into the CDP" review

Crisafi, seconded by Walkush, moves that a 2<sup>nd</sup> story addition to a single story home does not meet the findings for SCR under Muni Code 126.0704 a(8) nor under CDP 154134 SDP 162186, Item No. 25, regarding proposed increases in height to the structure. Motion passes 7-0-0.

#### **7b. MAROUF – CDP– 2<sup>ND</sup> REVIEW**

- Project #: 409685
- Type of Structure: Single Family Residence
- Location: 2465 Hidden Valley Road
- Applicant: James Fleming 619-743-5770 sflemingaia@aol.com
- Project Manager: Firouzeh Tirandazi 619-446-5325 FTirandazi@sandiego.gov
- **Project Description:** LA JOLLA (Process 2) Coastal Development Permit to construct a 2,193 sq ft companion unit and garage addition to an existing residence located at 2465 Hidden Valley Rd. The 12,650 sq ft site is located in the LJSPD-SF zone of the La Jolla Shores Planned District in the La Jolla Community Plan Area and Coastal Overlay Zone (Non-Appealable) in Council District 1.

Presenter: James Scott Flemng, architect, for the owners.

We are adding a garage with a companion unit above it and deck above that. The main issue the PRC had on initial review was building height and bulk and scale. So we brought all our plate heights down to 10 feet instead of 12. So now the overall height is 25 feet. The setback from the property line is almost 30 feet from the curb of Hidden Valley Road. The owner discussed the addition with her neighbor to the north, Jenny Feinberg, who represents the neighborhood on the La Jolla Shores Association (LJSA) board and there is no neighborhood opposition.

*Public comment*

None.

*Committee discussion:*

Walkush, seconded by Lucas, moves that findings can be made for a CDP and to construct a 2,193 SF companion unit and garage addition to an existing residence located at 2465 Hidden Valley Rd on a 12,650 SF lot. No SDP sought. The motion passes 6-0-1. Chair Abstains.

#### **7c. HUENNEKENS CDP SDP, 8476 Westway Drive**

- Project #: 443644
- Type of Structure: Single Family Residence
- Location: 8476 Westway Drive
- Applicant: Michelle Meade 858-869-2852 mmeade@islandarch.com
- Project Manager: Morris Dye 619-446-5201 MDye@sandiego.gov
- **Project Description:** LA JOLLA (Process 3) Site Development Permit and Coastal Development Permit for a 1,692 square-foot addition and associated interior remodel to an existing single family dwelling unit. The 0.50-acre site is located within the Coastal

Overlay Zone (Non-Appealable) at 8476 Westway Drive in the LJSPD-SF zone(s) of the La Jolla Shores Planned District within the La Jolla Community Plan area, Council District 1.

Presenter: Tony Crisafi

Total FAR of 33%. Leaving ridge of house at same height. Neighbor Diane Szekely wanted to know where covered area to be added and it is to be at the north end of the house. She wanted more privacy for son's play area and we were able to give her that.

Proposed side setbacks 5'8 and 6'2. Rear 37. Proposed lot coverage is 23%.

With the addition the house will have 7,148 SF. 5 bedrooms. 3 below and 2 on main level.

Conboy: compliments to Island on the thorough nature of the presentation.

Lucas: Q: How much parking for the five bedrooms? Crisafi: 6 spaces

Lucas: Q: Any retaining wall we should know about? Crisafi: Yes, 4-5 foot retaining wall. Program for backyard is to take out the stonefruit trees and return the yard to agave and more natural landscape.

We will engage a civil engineer for drainage back there. Water will be collected and then dispersed as is required by law.

Q: Side Setbacks: existing vs. proposed? A: Currently 10 and 12, larger than what we are proposing.

Conboy: 8440 Whale Watch Way below is the problem. I cannot finish my review until I see the site section for 8440. For the future and to the committee, we should NEVER approve a project without seeing a site section of the surrounding residences.

Q: What is the existing SF? A: Existing SF with garage is 5,458 SF.

Walkush; Any work to be done on the foundations of the existing portion of the house? Anything we need to be concerned about in view of coming rainy season? Soils, stability? Crisafi: Structural engineer will be coming through and we will be augmenting some of the foundation. Have not heard any concerns from the neighbors below. The basement and crawl space are dry - I've been in there and there is only a little smell.

Conboy: The people in house 6 think the swale is going to be removed.

*Public Comment*

None

*Board discussion.*

Lucas, with Gordon as a second, moves to continue. On return, the applicants will please provide the following: 1. The site sections needed to address the lower houses below the site. Failure to do so created problems on 8440 . We need to see the topo on this and future projects. 2. A drainage plan that addresses the existence or the disappearance of the swale. A Retention approach will put a lot of water into the hill and is not likely to work as a solution. The motion passes 6-0-0. One recusal, Crisafi.

## **7e. KLEIN RESIDENCE CDP/SDP , 2585 Calle del Oro**

*Due to the large number of people present in the audience to hear the Klein Residence presentation, the Klein project was heard before the Swindle project. The minutes on the Klein Residence presentation were taken by Committee member Tim Lucas.*

- Project #: 441535
- Type of Structure: Single Family Residence
- Location: 2585 Calle Del Oro

- Applicant: Nathalie Aragno 323-931-1365 nathalie@williamhefner.com
- Project Manager: Morris Dye 619-446-5201 MDye@sandiego.gov
- **Project Description:** LA JOLLA (Process 3) Coastal Development Permit/Site Development Permit to demolish an existing single dwelling unit and construct a new 10,938 square foot two story single dwelling unit with garage attached. The 0.46-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 2585 Calle Del Oro in the LJSPD-SF zone(s) of the La Jolla Shores Planned District within the La Jolla Community Plan area and Council District 1.

#### **e. Klein Residence**

This portion of the minutes was transcribed by Tim Lucas. DuCharme-Conboy left meeting before this item was heard. Committee members for quorum: Crisafi, Gordon, Lucas, Steck, Walkush. Donovan not counted towards quorum – see disclosure below.

**Dede Donovan disclosures:** She has been in contact with architect Phil Merten. She and Phil have tried to work with the Klein architects to gain more information about this project, but haven't been able to connect due to schedule conflicts. It appears that some of the dimensions, especially height for this project are incorrect or not clear. Donovan lives across the street but has no direct financial interest in this project. She has been in contact with other neighbors regarding this project. She will be abstaining from any vote at this meeting on the grounds that she believes that there is not sufficient information available at this time to make a decision. She is also abstaining because she prefers to step away from the committee for this item and participate as a neighbor concerned for her neighborhood rather than having to be impartial.

**Presentation:** Paul Benton Architect (on behalf of the Studio William Hefner, and out of town architecture and design firm that could not be present) and Matt Peterson, land use attorney.

#### **Benton:**

The project description has some incorrect figures in it. The city planners made some calculation errors. The house is not 10,938 sq ft per the city but rather 8,234 sq ft. (not including garages and basement)

The current plans were shown. The elevation change of the property is 40', so is exempt from steep slope rules. They will be developing the lower part of the slope as part of the basement, pool and sport court. The house is slightly below street level at Calle del Oro, where the driveways are. The upper floor has a similar footprint to the existing house. The main differences are the addition of a second floor below street level and the basement/pool level below that. There is a driveway on the north with a steep slope that leads to the two car garage on the right. There is an existing second driveway on the south that leads down to a single car garage. The upper floor is nearly even with the street level. He expects that Donovan and the neighbors will be referring to the CCR's for this property. The CCR's state that a house can not be more than one story above the street. Benton will show with the elevations that the upper level is not more than one story above the street. The roof plan shows a flat roof, to keep the overall building height lower.

The landscape plan was shown: Tree heights will be controlled. Greenscape is 31% of the area. Hardscape is 6964 sq ft., lot coverage 6975 sq ft.. the Lot is 20,027 sq ft. (there is some confusion with these figures.

Setbacks: front 29' 10" (existing 21' 4") rear: 59' (73' 6" existing), south side 10' 4" (9' 4" existing), north side 8'9" (10' 4" existing). Building height 25' 7".

Elevations were shown. The east elevation (from the street was shown). A line showing street level was superimposed on the first level of the building, indicating that the project was not more than a single story above the street level per the CCR's. The 30' coastal height limit was shown (it is different than on an earlier set of plans that was shown to the neighbors). The maximum building height is 25' 7". Project sections were shown. Two street scenes were shown, one showing the existing houses, and then a second scene with the proposed project. Benton feels other houses in the neighborhood have a larger bulk and scale, and that this one fits in better.

### **Committee questions and clarifications:**

This is in the parking overlay zone, and if the existing garage is demolished, then you will not be able to maintain the two driveways? **Benton:** there is 45' of separation between the driveways.

**Committee:** the requirement is 150' separation.

**Gordon:** Has concerns with roof materials, and feels that the LJSPDO is badly out of date with material choices. Shake roofs aren't acceptable anymore in terms of fire codes. **Benton:** Agreed.

**Walkush:** Please describe the sidewalls. **Benton:** On north side there is a low retaining wall that starts mid property and ends up at 6' high on the west end of the building site. On the south side the abut the neighbor and there is a double wall, one of which is 3' and the other goes to 6'. **Walkush:** Have neighbors been contacted on the western side about this house above them? **Benton:** Yes, they had a neighborhood meeting. (Lucas, who lives to the west wasn't informed of this meeting)

**Crisafi:** Has questions about the two driveways, which they will not be able to maintain in this parking overlay zone? The PDO section 4, do they conform the amount of articulation on the side of the building, which is skinny but appears to be getting thicker from east to west? How far beyond the existing pad does this building stick out? **Benton:** Side elevations were shown, and windows in the side structures were shown. The new building projects out approximately 15' beyond existing structure.

**Walkush:** What is the square footage of existing an proposed house? **Benton:** Existing house= 3,562 sq ft, proposed 8,234 sq ft, (garages excluded in both numbers). FAR based on this is 44%. **Lucas:** what is the total enclosed area? **Benton:** 8,234 + 816 (garages) + 1,200 (approx for basement and mechanical rooms) = 10,250.

**Lucas:** Is there any west retaining wall? **Benton:** The 9' high swimming pool wall acts as a retaining wall for the north part of the lower terrace, and there will be a low retaining wall for the the south portion where the sport court area is. That design has not been finalized yet.

### **Public comment:**

**Donovan:** Have these plans changed from those that were shown to the neighbors and provided to Phil Merton? **Benton:** Yes. They have made adjustments to the plans. **Donovan:** This makes it difficult for Merten and the neighbors to comment, as we haven't been able to see there new plans. Can you show the elevations that show the existing house and proposed house? **Benton:** The roof height of the new building is 27" higher than peak of existing house. **Donovan:** It looks like improvements to the project have been made. Whether these changes are enough to be compatible with the neighborhood and bulk and scale, in accordance with the LJSPDO, and meet the CCR requirements, without setting a precedent remains to be seen. They will need to examine the new plans. **Donovan:** Sanjiv Sidhu (neighbor to south), has concerns with view blockage and privacy. Their lower level is a pool and grass area that looks slightly north to the ocean and across this project.

**Myrna Naegle:** The houses on the west side of Calle del Oro are low profile single story residences. Doesnt think that this project is compatible with the neighborhood and fits the scale and character of the area. Does not think it meets the requirements in the LJSPDO.

**Bernie Segal:** When people buy in a tract like this, part of the value of the property is in the CCR's and the protection they provide. The CCR's state that houses shall not be more than one story above

street level. Anything higher would need to go through an architectural committee. He thinks that this project goes beyond a single story. This design goes against anything in the tract, which property owners have agreed to, and thus is against the neighborhood character. The committee can't consider CCR's directly, but can consider them in terms of what the neighborhood character was intended to be. An architectural committee needs to be formed to evaluate this proposal, and this PRC committee would be preempting the architectural committee if they make a decision on this project now. (sections from the CCR's were read by Segal). Thinks that this project exceeds the single story limitation and therefore doesn't conform with the neighborhood character.

**Mike Costello:** Echoes what was said by Naegle and Segal...Thinks that there is a big problem here with the CCRs, even though the committee cannot address those. He asks the members of the public in attendance to raise their hands if they agree that there is a problem with this design that will impact the neighborhood. 15 people raised their hands. (A sixteenth neighbor left a letter opposing the project with the Committee's secretary at commencement of the PRC meeting at 4 p.m.)

**Barbara Groce:** Fifty-year resident of the area. When Prestwick Estates was created, the lots were set up so that the houses on the west side of the street had view corridors on each side. The west side also had the lots lower than the street level to not impair views from the east side. She is concerned with the massive size of this project. It looks two stories and overwhelming. She is concerned with, along with many other residents, the "mansionsing" of the area with out of character houses.

**Marianne Zappella:** Forty-year resident on Prestwick. She would like to see more photo simulations and elevations. Thinks that the ones shown are from a sloping angle, and do not provide a true picture of the house. That hill goes up significantly. A picture from only one perspective won't capture how large the structure will be compared to the surrounding area. Thinks the neighbors would be more receptive if the simulations were from less of an angle. Thinks a 10,000 plus sq ft structure is larger than the surrounding houses.

**Matt Peterson:** Before the project comes back to this committee, they want to meet with Donovan and Merten and the other neighbors to go over the plans and address concerns.

#### **Committee Discussion:**

Committee wants project to return. On return applicants are requested to address the following areas: two curb cuts; side yard articulation; rework numbers on gross floor area as they appear to be 8034 plus 816 for a total of 9050, plus 1200 for basement; full site sections through property in both directions showing adjacent homes; drainage plan; elevations and grade line; remove gridlines from elevations, as they distract from the information being shown; a photo simulation from the west from the public right of way street below (Calle del Cielo).

No motion was made.

#### **7d. SWINDLE RESIDENCE, 2488 Hidden Valley Road**

- Project #: 443712
- Type of Structure: Single Family Residence
- Location: 2488 Hidden Valley Road
- Applicant: Tim Martin 858-349-3474 im@martinarchitecture.com



- Project Manager: Edith Gutierrez 619-446-5147 equitierrex@sandiego.gov
- Project Description: LA JOLLA (PROCESS 3) Coastal Development / Site Development Permit to demolish an existing 3718 sf single family residence and construct a new 8617 sf single family residence with attached garage, pool & spa, retaining walls and landscaping located at 2488 Hidden Valley Road. The 1 acre lot is located in the LJSPD-SF zone of the La Jolla Shores Planned District in the La Jolla Community Plan Area and the Coastal Overlay Zone (Non-Appealable) in Council District 1.

Presenter: Tim Martin, architect

Our problem is slope. The pad is 34 feet above the street with a 10 foot grade differential. When this house was built it was the only one on the street. We are cutting into the hill and may need a grading permit. There may be an earthquake fault under the house. The projected gross floor area is dropping to 7330 which includes the garage. The maximum height from the low data point is 37'-6". (30' plus 7'-6" grade differential.)

The reviewer at the City says our drainage plan is a model for the City.

*Public Comment*

None

*Committee Discussion*

Lucas: please bring figures on relationship of true green to hardscape.

Walkush: Please inform us on the adjacent pad heights of neighbors. Also want to know views of neighbors - if there are any issues they are concerned about.

Donovan, seconded by Walkus, moves to continue. Motion passes unanimously

## **8. Adjournment**

The meeting adjourned at 7:04 p.m.

**The next PRC meeting will be Tuesday, November 24th, 2015 @ 4:00 p.m.**