



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: December 3, 2009

REPORT NO. PC- 09-096

ATTENTION: Planning Commission, Agenda of December 17, 2009

SUBJECT: BARNARD RESIDENCE - PROJECT NO. 175569
PROCESS TWO APPEAL

**OWNER/
APPLICANT:** Steven Barnard and Mireille Brogli (Attachment 8)
Arthur Harris, AJH Construction

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of the Staff decision to approve a Coastal Development Permit to construct a two-story, 4,383 square-foot single family residence with a subterranean garage and basement on a vacant 7,741 square-foot lot located at 13753 Pine Needles Drive, within the Torrey Pines Community Planning area?

Staff Recommendation:

DENY the appeal and uphold the City staff decision to APPROVE Coastal Development Permit No. 631805.

Community Planning Group Recommendation: On June 11, 2009, the Torrey Pines Community Planning Board voted unanimously to recommend denial of the project based on bulk and scale (Attachment 9).

Environmental Review: The City of San Diego, as Lead Agency, determined the project exempt under the California Environmental Quality Act (CEQA) per Categorical Exemption, Section 15332 - In-Fill Development Projects. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 11, 2009, and the opportunity to appeal that determination ended September 25, 2009 (Attachment 10).

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: There are no zoning or building code violations on the property.

Housing Impact Statement: The subject site is designated for low density residential with a range of 5 to 9 dwelling units per acre which would allow a maximum of one dwelling unit on the existing vacant site. The proposed project, consisting of a single-family residence would provide a net gain of one dwelling unit in the community.

BACKGROUND

The vacant 0.18 acre lot is located at 13753 Pine Needles Drive, within the Torrey Pines Community Planning Area Coastal Overlay (non appealable) and Coastal Height Limit Overlay Zones (Attachment 1). The Torrey Pines Community Plan designates the site as single family residential with a maximum density of 9 dwelling units per acre (Attachment 2). The surrounding neighborhood is characterized by one and two story single-family residential development of various ages and architectural styles (Attachment 11).

On September 25, 2009, City staff approved a Coastal Development Permit to construct a two-story, 4,383 square-foot single family residence with a 2,842 square-foot subterranean garage and basement. A Coastal Development Permit is required for development within the Coastal Zone. On October 9, 2009, Dennis Ridz, Chair of the Torrey Pines Community Planning Group appealed the project based on conflicts with the community plan related to bulk and scale (Attachment 6).

Project Description:

The project proposes to construct a two story 4,383 square-foot single family residence with a 2,842 square-foot subterranean garage and basement. The first floor of the residence will be 2,370 square-feet and the second floor is 2,013 square-feet. The project also includes a 1,703 square-foot subterranean garage and a 1,140 square-foot basement. The basement and garage are less than 3-feet 6-inches above the adjacent grade and the entrance to the underground parking is less than 25-feet in width, therefore the basement is not included in the gross floor area pursuant to San Diego Municipal Code Section 1130234(2)(A).

General/Community Plan Analysis

The Land Use and Community Planning Element of the General Plan implements the City of Villages Strategy within the context of San Diego's community planning program, and includes goals for balanced communities and equitable development. Specifically, the plan includes the goal of ensuring diverse and balanced neighborhoods and communities with housing available for households of all income levels, and the policy of providing a variety of housing types and sizes with varying levels of affordability in residential and village developments. The General Plan also establishes each community plan as an essential component of the Land Use Element, and relies on community plans for site-specific land use, density designations and recommendations.

The proposed 7,741 square-foot site is designated in the Torrey Pines Community Plan for Low Density Residential development at 5 to 9 dwelling units per acre (with 5,000 to 6,000 square-foot lots). This would allow the construction of one dwelling unit on the site. The proposal to

construct a single residence would implement the land use designation and density of the community plan.

Appeal Issues:

The Torrey Pines Community Planning Group (Chair, Dennis Ridz), appealed the project on October 9, 2009 (Attachment 6). The appeal issues are provided along with the City staff's responses:

Bulk and Scale: The Torrey Pines Community Plan states that new residential development should be designed in conformance with the Citywide underlying Zone and Coastal Zone requirements, as well as, compatibility with the bulk and scale of existing residential development.

Staff Response: The proposed project is in conformance with the regulations for the Coastal Overlay and Coastal Height Limitation Zones, and the RS-1-6 Zone. The proposed development requires no deviations to the development regulations; will maintain the 30-foot height limit; and would not impact any coastal view identified in the Torrey Pines Community Plan.

The surrounding neighborhood is characterized by one and two story single-family residential development of various ages and architectural styles (Attachment 11). The proposed development of a two-story, single family residence would be developed with a contemporary design accented with stone, stucco, and large glass window panels; and would incorporate a flat-roof. As proposed, the project would be compatible with the existing development and character of the surrounding neighborhood.

Design lacks transitional elements to adjacent smaller homes: A consideration identified in the Community Plan is the abrupt transitions in scale that result in the development of larger scale homes in neighborhoods where existing homes are of a smaller scale.

Staff Response: When considering the impact of new development within an existing neighborhood, City staff considers the existing homes on the entire block. Staff found this neighborhood on Pine Needles Drive between Del Mar Heights Road and Cordero Road dominated by two story homes (Attachment 11). The adjacent property to the south is deed restricted to single story development and at a slightly lower elevation than the site being developed. The adjacent properties to the north and to the east are both two story residences.

Additionally, there are numerous residential developments in the vicinity that are comparable in bulk and scale as the proposed development. The proposed design includes articulation through vertical and horizontal offsets and other architectural features, such as balconies, patios, decks, and varied setbacks, which serve to break up building facades. The proposed design reflects the diversity of architecture, colors and materials found in the Torrey Pines community (Attachment 11).

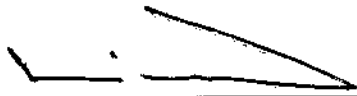
Conclusion:

City staff has reviewed the request for a Coastal Development Permit to construct a two-story, 4,383 square-foot single family residence with a subterranean garage and basement on a vacant 7,741 square-foot lot. Staff has determined that the project complies with all applicable sections of the Municipal Code in effect for the site, and is consistent with the Torrey Pines Community Plan. All the required findings can be made to support the project. Therefore, the appeal should be denied and the staff decision to approve the Coastal Development Permit upheld.

ALTERNATIVE

1. **Approve** the appeal, and **Deny** Coastal Development Permit No. 631805.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

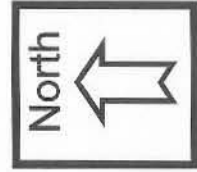
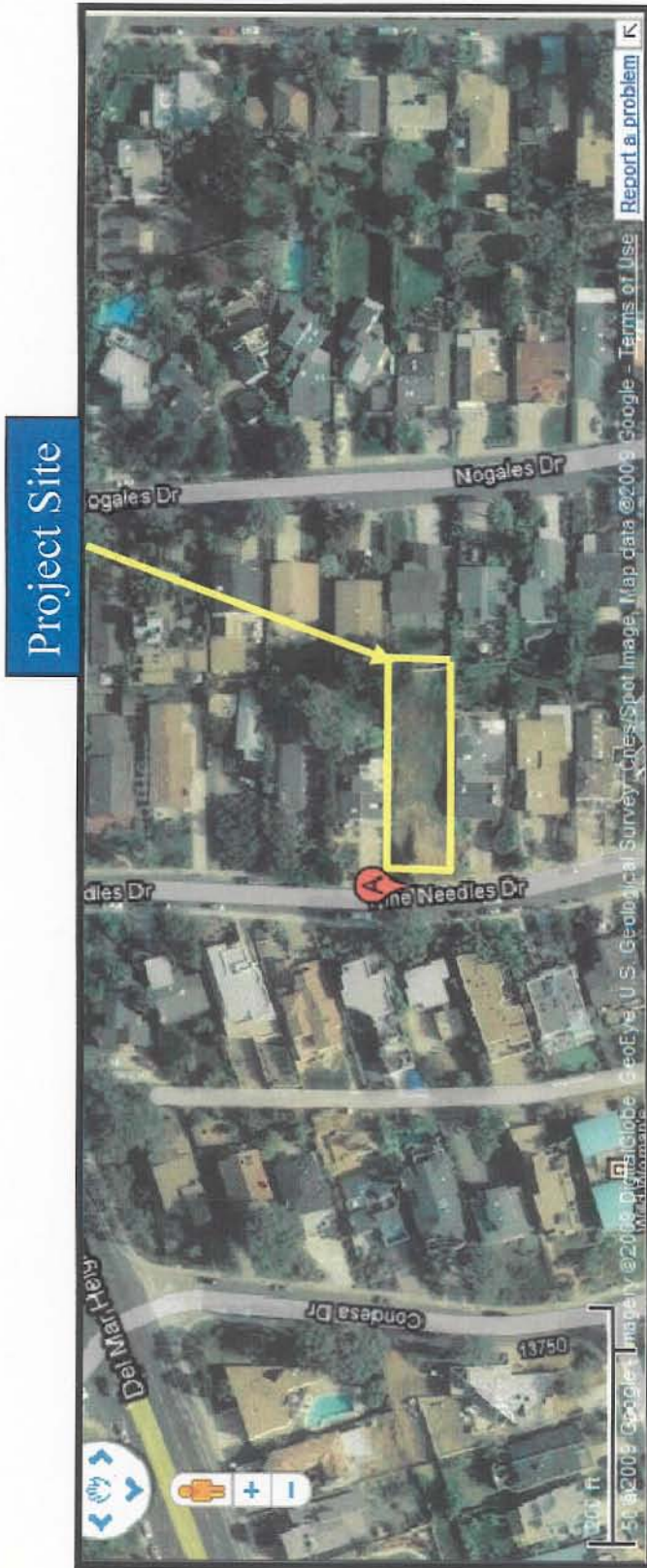


Helene Deisher
Development Project Manager
Development Services Department

KGB/HMD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Data Sheet
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Copy of Appeal
7. Project Plans
8. Ownership Disclosure Statement
9. Community Planning Group Minutes
10. Notice of Environmental Exemption
11. Site and area photos

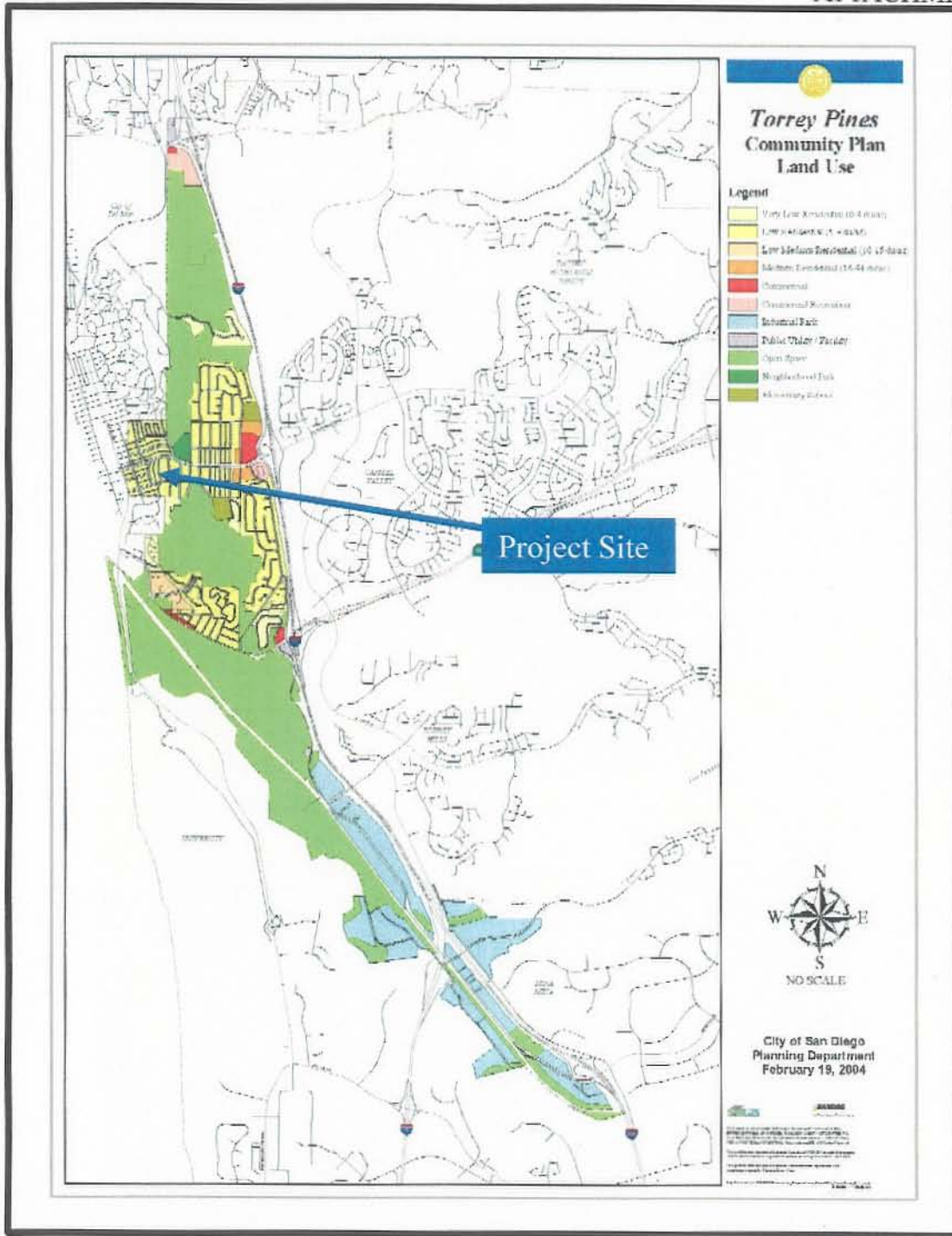


Aerial Photo

BARNARD RESIDENCE - PROJECT NO. 175569

13753 Pine Needles Drive





Torrey Pines Community Planning Map
BARNARD RESIDENCE - PROJECT NO. 175569



PROJECT DATA SHEET		
PROJECT NAME:	Barnard Residence- Project No. 175569	
PROJECT DESCRIPTION:	New two story single family residence.	
COMMUNITY PLAN AREA:	Torrey Pines Community Plan	
DISCRETIONARY ACTIONS:	Coastal Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<u>ZONING INFORMATION:</u>		
ZONE: RS-1-6		
HEIGHT LIMIT: 30', 29' proposed		
LOT SIZE: 7,741 square feet existing (no changes proposed)		
FLOOR AREA RATIO: .57 maximum / .57 proposed		
FRONT SETBACK: 15' / 15' proposed		
SIDE SETBACK: 4' / 5' proposed		
STREETSIDE SETBACK: N/A		
REAR SETBACK: 15' 6" / 15' 6" proposed		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential/RS-1-6	Residential
SOUTH:	Residential/RS-1-6	Residential
EAST:	Residential/RS-1-6	Residential
WEST:	Residential/RS-1-6	Residential
VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On June 11, 2009, the Torrey Pines Community Planning Board voted unanimously to recommend denial of the project based on bulk and scale.	

PLANNING COMMISSION RESOLUTION NO. PC XXX
COASTAL DEVELOPMENT PERMIT NO. 631805
BARNARD RESIDENCE - PROJECT NO. 175569

WHEREAS, STEVEN M. BARNARD AND MIREILLE BROGLI, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 631805), on portions of a 0.18 acre site;

WHEREAS, the project site is located at 13753 Pine Needles Drive in the RS-1-6 zone, Coastal Overlay (Non-appealable area), and Coastal Height Limitation Overlay Zones of the Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as Lot 23, Block 29, Del Mar Heights, in the City of San Diego, County of San Diego, State of California, according to Map No. 157, filed July 8, 1887; and Together with the West one half of the alley adjoining said Lot 23 on the East, as vacated and closed to public use on January 24, 1956 by order of the Board of Supervisors of San Diego County, recorded January 30, 1956 as File No. 12923;

WHEREAS, on September 25, 2009, the Development Services Department of the City of San Diego considered CDP No. 631805 pursuant to the Land Development Code of the City of San Diego and approved the permit;

WHEREAS, on September 25, 2009, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section Article 19, Section 15332; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on October 9, 2009, the Torrey Pines Community Planning Group (Dennis Ridz), appealed the staff decision to approve the project to the Planning Commission.

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated December 17, 2009.

FINDINGS:

Coastal Development Permit – Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The proposed project is to construct two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot. The property is approximately a quarter mile from the ocean. The development proposed is entirely on private property and will not have any affect on any existing or proposed public access way used by the public. The proposed single-family residence will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan. The proposed development conforms to the Development Regulations of the RS-1-6 zone. There are no public views on Pines Needles Drive as identified in the Torrey Pines Community Plan and Local Coastal Program. The proposed project will not interfere with public views to and along the ocean and other scenic coastal areas as identified in the Local Coastal Program.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The proposed project is to construct two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot. The project site is located within a developed residential area of the Torrey Pines community. The property does not contain and does not encroach into any environmentally sensitive lands. The project site is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA). There are no sensitive biological resources on site. The City staff has reviewed this project and determined it is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332. Therefore, the proposed single family residence will not adversely affect on environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The proposed project is to construct two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot. The proposed development is located in an area designated for low-density residential land use at 5-9 dwelling units/acre in the Torrey Pines Community Plan and Local Coastal Program land use plan. The proposed development to construct a single family residence conforms to the density and identified land use in the Torrey Pines Community Plan and Local Coastal Program. The proposed project has been designed in conformance with the Coastal Overlay and Coastal Height Limitation zones, and Development Regulations of the RS-1-6 zone, such as density, floor area ratio, height and setbacks in effect for this site. The project is consistent with the residential guidelines of the community plan by complying with the Citywide underlying zone and Coastal Zone requirements. There are other residential developments in the vicinity that is similar to the bulk and scale as the proposed development. The proposed design reflects the diversity of architecture, colors and materials found in the Torrey Pines community. The proposed project conforms to the certified Local Coastal Program land use plan and complies with all the regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The proposed project is to construct two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot. The proposed project is not located between the first public roadway and the sea or the shoreline of any body of water located with the Coastal Overlay Zone. All development would occur on private property. The property is approximately half-a-mile from the

Pacific Ocean shoreline. There is no identified public access and public recreation on this private property nor will these resources be impaired by the development of this site. The proposed coastal development will conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CDP No. 631805 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 631805, a copy of which is attached hereto and made a part hereof.

Helene Deisher
Development Project Manager
Development Services

Adopted on: December 17, 2009

Job Order No. 43-2168

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 43-2168

COASTAL DEVELOPMENT PERMIT NO. 631805
BARNARD RESIDENCE - PROJECT NO. 175569
PLANNING COMMISSION

This Coastal Development Permit (CDP) No. 631805 is granted by the Development Services Department of the City of San Diego to Steven M. Barnard and Mireille Brogli, Husband and Wife as Community with Right of Survivorship, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0701. The 0.18 acre site is located at 13753 Pine Needles Drive in the RS-1-6 zone, Coastal Overlay (Non-appealable area), and Coastal Height Limitation Overlay Zones of the Torrey Pines Community Plan. The project site is legally described as Lot 23, Block 29, Del Mar Heights, in the City of San Diego, County of San Diego, State of California, according to Map No. 157, filed July 8, 1887; and Together with the West one half of the alley adjoining said Lot 23 on the East, as vacated and closed to public use on January 24, 1956 by order of the Board of Supervisors of San Diego County, recorded January 30, 1956 as File No. 12923.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a two-story, 4,383 square-foot single family residence with subterranean garage and basement on a vacant lot, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 25, 2009, on file in the Development Services Department.

The project shall include:

- a. Construction of a two-story, 4,383 square-foot single family residence with subterranean two-car garage and basement;
- b. Off-street parking; and

- c. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

12. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the damaged portions of sidewalk, adjacent to the site on Pine Needles Drive, satisfactory to the City Engineer.
15. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the damaged utility cover within the sidewalk area, adjacent to the site on Pine Needles Drive, satisfactory to the City Engineer.
16. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for the retaining walls, decorative pavement and the private storm drain system within the Pine Needles Drive right-of-way.
17. The drainage system proposed for this development is private and subject to approval by the City Engineer.
18. Prior to foundation inspection, the applicant shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is in accordance with the approved plans.
19. This project proposes to export 85 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

PLANNING/DESIGN REQUIREMENTS:

20. No fewer than two off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
21. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
22. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within

ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on December 17, 2009, by resolution number XXX.

Permit Type/PTS Approval No.: CDP No. 631805
Date of Approval: Sept. 25, 2009

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

NAME
TITLE

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

Owner/Permittee

By _____
Steven M. Barnard
Husband

Owner/Permittee

By _____
Mireille Brogli
Wife

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

RECEIVED VIA FAX
ON 10/9/09 ATTACHMENT 6



City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5210

Development Permit/ Environmental Determination Appeal Application **FORM DS-3031**
MARCH 2007

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:
- Process Two Decision - Appeal to Planning Commission
 - Process Three Decision - Appeal to Planning Commission
 - Process Four Decision - Appeal to City Council
 - Environmental Determination - Appeal to City Council
 - Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name: TORREY PINES COMMUNITY PLANNING GROUP c/o ADAM GEVANTHAR
Address: 2583 VIA MERANO DEL MAR CA 92014 Telephone: 619 795 5450 x102

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.
ART HARRIS

4. Project Information
Permit/Environmental Determination & Permit/Document No.: PROJECT NO. 175569
Date of Decision/Determination: SEPTEMBER 25, 2009
City Project Manager: CHERLYN CAG

Decision (describe the permit/approval decision): APPROVAL OF APPLICATION FOR TO CONSTRUCT A TWO STORY, 4383 sq. ft. SINGLE FAMILY RESIDENCE WITH SUBTERRANEAN GARAGE AND BASEMENT ON A VACANT .18 AC LOT @ 13753 PINE NEEDLES DR.

5. Grounds for Appeal (Please check all that apply)
- Factual Error (Process Three and Four decisions only)
 - New Information (Process Three and Four decisions only)
 - Conflict with other matters (Process Three and Four decisions only)
 - City-wide Significance (Process Four decisions only)
 - Findings Not Supported (Process Three and Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

PROJECT DOES NOT COMPLY WITH COMMUNITY PLAN REGARDING BULK AND SCALE ISSUES. PROJECT PROPOSES ABRUPT TRANSITIONS IN SCALE BETWEEN IT AND EXISTING STRUCTURES TO SOUTH AND EAST. TORREY PINES COMMUNITY PLAN (TCP) STATES THAT NEW RESIDENTIAL DEVELOPMENT SHALL BE DESIGNED TO BE COMPATIBLE IN BULK AND SCALE WITH EXISTING RESIDENTIAL DEVELOPMENT. THE COMMUNITY ALSO IDENTIFIES A CRITICAL ISSUE PROPOSED BY PROJECT THAT IT TRIES TO PREVENT: ABRUPT TRANSITIONS IN SCALE THAT RESULT WITH THE DEVELOPMENT OF LARGER SCALE HOMES IN NEIGHBORHOODS WHERE EXISTING HOMES ARE OF SMALLER SCALE. NOTE: HOME TO SOUTH IS DEED RESTRICTED IN HEIGHT. SEE ATTACHED FOR ADDITIONAL INFO.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.
Signature: [Signature] Date: 10/9/09

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

Project Motions

Torrey Pines Community Planning Group

Date: Thursday, June 11th. **Location:** Del Mar Heights Elementary School

1. Bernard Residence

Recommendation to deny proposal to construct a two-story 4,383 sq. ft. single family residence with 1,136 sq. ft. basement and 1,802 sq. ft. garage on a vacant 7,747 sq. ft. lot located at 13753 Pine Needles Drive in the RS-1-6 zone, Coastal Overlay Zone, Coastal Height Limitation Overlay Zone..

Applicant: Art Harris

City Project Manager – Cherlyn Cac 619.446.5226

Motion:

Deny the project as proposed based on the following:

1. Project proposes abrupt transitions in bulk and scale between it and existing residences to south and east. It should be noted that residence to south has a deed restriction limiting its height (to be confirmed). The Torrey Pines Community Plan clearly states that new residential development shall be designed to be compatible in bulk and scale with existing residential development. The Community Plan also identifies a critical issue proposed by this Project that it tries to prevent; abrupt transitions in scale that result with the development of larger scale homes in neighborhoods where existing homes are of a smaller scale.
2. Project lacks elements that provide transitions in scale between it and smaller homes that adjoin it to south and east.
3. Due to large exterior vertical elements and parapets that accentuate the large bulk and scale of this project it was determined that the project was not “visually compatible with the character of the surrounding area” as also required by the Community Plan.
4. The project, as proposed, based on its bulk and scale and inability to mitigate through landscaping or increased setbacks, will be inconsistent with the general character of the immediate neighborhood.

We recommend that the applicant reduce the bulk and scale of this project and provide elements that create effective transitions in scale between itself and surrounding properties.

Members Yes: Unanimous

Adam Gevanthor

Project Review Committee Chair

Torrey Pines Community Planning Group

10-04

RESIDENTIAL PROJECT REVIEW GUIDELINES

The following are some excerpts from the Torrey Pines Community Plan that must be adhered to when considering residential remodel or new construction projects that require a Coastal Development Permit:

1. Single-family development shall incorporate a variety of architectural styles, colors, and building materials. (P-66)
2. Residential development shall be designed to preserve the integrity of the community's unique system of canyons, parks, sandstone bluffs, and lagoons. (66) Development adjacent to open space should blend into the natural area. (72)
3. New single-family homes shall be similar in bulk and scale to existing homes within the immediate neighborhood. (66) Shall be compatible with existing neighborhood. (72)
4. All new residential development shall conform with Citywide underlying zoning and Coastal Zone requirements. (70)
5. The Torrey Pines Community Planning Board should review all development requiring discretionary approval by the City. (70)
6. All required landscaping shall be installed prior to the issuance of an occupancy permit(70)
7. Natural runoff control measures should be implemented to direct runoff toward the street and not toward open space areas. (70)

IN ADDITION TO COMPLIANCE WITH THE TORREY PINES COMMUNITY PLAN AND CITY CODES, PROJECTS THAT REQUIRE A COASTAL DEVELOPMENT PERMIT MUST ADHERE TO THE FINDINGS WHICH NEED TO BE MADE IN ORDER TO APPROVE ANY PROPOSED DEVELOPMENT IN THE COASTAL ZONE. THE FOLLOWING IS A BRIEF SUMMARY OF THESE FINDINGS:

- 1 Will not encroach upon a public access way nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.
2. Will not adversely affect environmentally sensitive areas.
3. Will not adversely affect visitor-serving facilities or coastal scenic resources.
4. Will be sited and designed to prevent adverse impacts to adjacent parks and recreation areas, and will provide adequate buffer areas.
5. Will minimize the alterations of natural landforms.
6. Will be visually compatible with the character of surrounding areas and will restore and enhance visual quality in visually degraded areas.

The above is strictly a brief summary guide. For a more precise interpretation of the above mentions considerations refer to the adopted Torrey Pines Community Plan and to the City of San Diego Land Development Code

RESIDENTIAL ELEMENT

BACKGROUND AND ISSUES

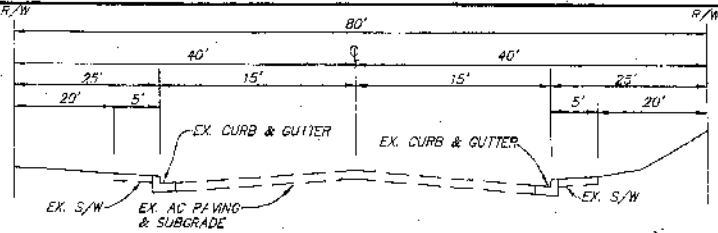
The Torrey Pines Community Planning Area is almost completely built-out with approximately 3,000 total housing units. Of this total, approximately 78 percent is single-family, and 22 percent is multifamily. At buildout, the Torrey Pines Community is expected to contain a population of approximately 7,000 residents.

Over the last decade, residential development in the Torrey Pines Community has consisted primarily of single-family homes constructed in a variety of architectural styles, colors and building materials. In most cases, new single-family homes have tended to be larger scale, utilizing the maximum building envelope allowed under the zone. In some neighborhoods where existing homes are of a smaller scale, development of larger scale homes has resulted in abrupt transitions in scale.



Another critical issue is the development and expansion of non single-family residential uses within single-family neighborhoods. Projects of this type include commercial development, child care centers and other non-residential uses which are allowed under the conditional use permit process, and the construction of single-family homes that are designed for the shared living arrangement of five or more unrelated persons. The Torrey Pines Community Planning Group has recommended that the development of minidorms within single-family neighborhoods be prohibited. Minidorms are single-family homes specifically designed, built and used to accommodate a group of unrelated adults who either share ownership or rent. Some of the impacts associated with minidorms include lack of adequate parking, insufficient landscaping, and unusual design. An additional issue includes the construction and occupancy of new homes without the provision of required landscaping.

GRADING PLAN
13753 PINE NEEDLES DRIVE
SAN DIEGO, CA. 92130



EXISTING PINE NEEDLES DRIVE TYPICAL SECTION-LOOKING NORTH
 NO SCALE

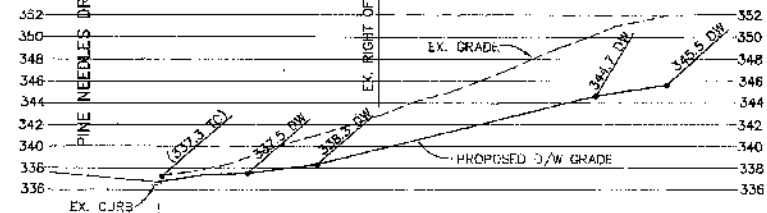
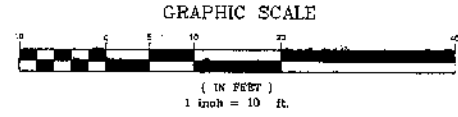
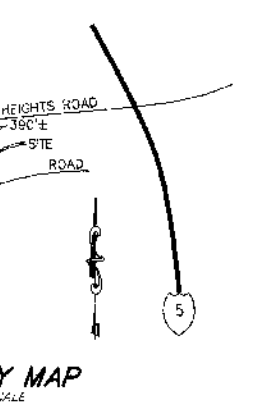
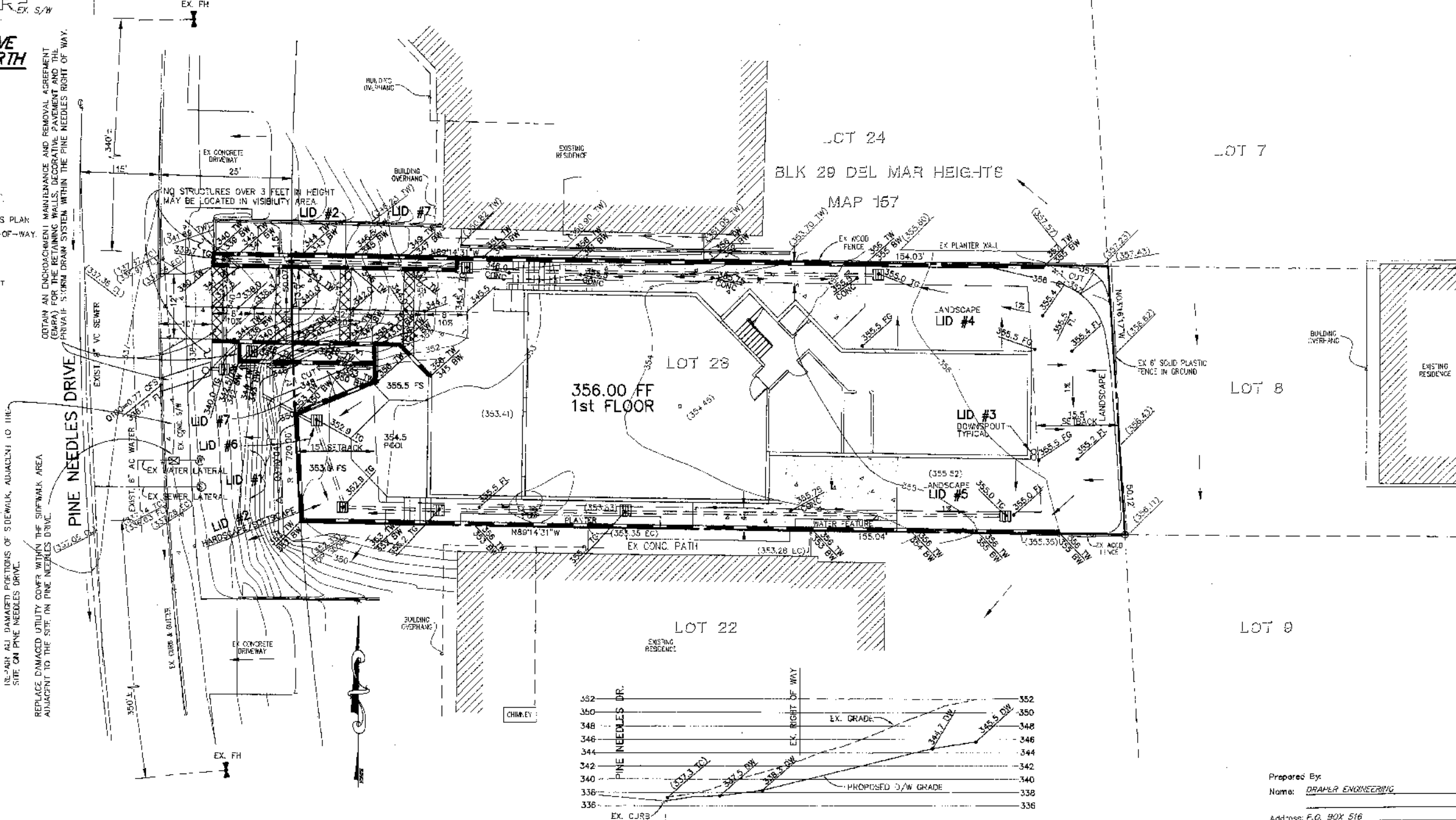
- NOTES**
1. THIS PROJECT IS A GRADING PLAN FOR A SINGLE FAMILY RESIDENCE.
 2. TYPE CONSTRUCTION AND OCCUPANCY CLASSIFICATION: TYPE VB
 3. EXISTING USE: VACANT
 4. PROPOSED USE: SINGLE FAMILY RESIDENCE
 5. ASSESSOR'S PARCEL NUMBER: 300-351-06
 6. LAMBERT COORDINATE: 286-1691
 7. EXISTING ZONING IS RS-1-6
 8. LEGAL DESCRIPTION: LOT 23, BLK 29, DEL MAR HEIGHTS, MAP NO. 157
 9. THERE ARE NO MAJOR DRAINAGE FACILITIES WITHIN 300' OF THE SITE
 10. THERE ARE NO PROPOSED OR EXISTING SLOP/TRANSIT STATIONS ON THIS PLAN
 11. WILL OBTAIN ENCROACHMENT PERMIT FOR RETAINING WALLS IN PUBLIC RIGHT-OF-WAY.
 12. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE.
 13. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
 14. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.
- FIRE DEPARTMENT NOTES**
1. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY UFG 901.4.4

GRADING DATA

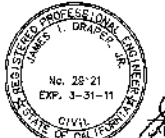
TOTAL AREA OF SITE: 7,741 SF, 0.178 AC.
 TOTAL AMOUNT OF SITE TO BE GRADED: 0.178 AC.
 PERCENT OF TOTAL SITE TO BE GRADED: 100%
 AMOUNT OF CUT: 10 CUBIC YARDS
 MAXIMUM DEPTH OF CUT: 7 FEET
 AMOUNT OF FILL: 25 CUBIC YARDS
 MAXIMUM DEPTH OF FILL: 1 FEET
 MAXIMUM HEIGHT OF FILL SLOPE(S): NONE PROPOSED
 MAXIMUM HEIGHT OF CUT SLOPE(S): 4 FEET
 AMOUNT OF EXPORT SOIL: 85 CUBIC YARDS
 RETAINING/C&B WALLS: HOW MANY: 5
 482 FEET TOTAL
 MAXIMUM HEIGHT: 12.5 FEET

LEGEND

- EXISTING PROPERTY LINE
- EXISTING RETAINING WALL
- EXISTING SURFACE FLOW
- EXISTING SPOT ELEVATION (343.17)
- EXISTING CONTOUR (1' INTERVAL)
- PROPOSED CONTOUR (2' INTERVAL)
- PROPOSED SURFACE FLOW
- PROPOSED SPOT ELEVATION
- PROPOSED RETAINING WALL
- SLOPE BANK
- VEGETATED SWALE (PRIVATE)
- CURB OUTLET
- 12" X 12" YARD DRAIN
- DRAIN PIPE
- CONCRETE FLATWORK
- INTERLOCKING PAVERS 2' WIDE STRIPS IN D/W
- BMP USED FROM WATER QUALITY STUDY
- CENTERLINE
- TOP OF CURB
- FLOWLINE
- EDGE OF CONCRETE
- TOP OF WALL
- BOTTOM OF WALL
- FINISH SURFACE
- FINISH GRADE



CIVIL ENGINEER
 DRAPER ENGINEERING
 P.O. BOX 516
 LA MESA, CA. 91944-0516
 (619) 464-6528
 CONTACT: JAMES L. DRAPER
 RCE 29121



James L. Draper 5-26-09
 JAMES L. DRAPER JR., RCE 29121
 JOB NO. 15008-118766
 DWG. NO. 15008.PRJ,GRAD-1D

TOPOGRAPHIC SOURCE
 COASTAL LAND SOLUTIONS, INC.
 573 SECOND STREET
 ENCINITAS, CA. 92024
 TOPO SOURCE METHOD (FIELD TOPOGRAPHY)
 TOPO SOURCE DATE: 5-01-06
 CITY OF SAN DIEGO BENCHMARK, SE9P
 DEL MAR HEIGHTS AND PINE NEEDLES DRIVE
 ELEVATION 341.653 DATUM: M.S.L.

OWNERS
 STEVEN M. BARNHARD AND MIRELLE BROGLI
 AS HUSBAND AND WIFE
 PER GRANT DEED, DOC. NO. 2008-017594;
 DATED APRIL 4, 2008

STEVEN M. BARNHARD
 MIRELLE BROGLI

Prepared By:
 Name: DRAPER ENGINEERING

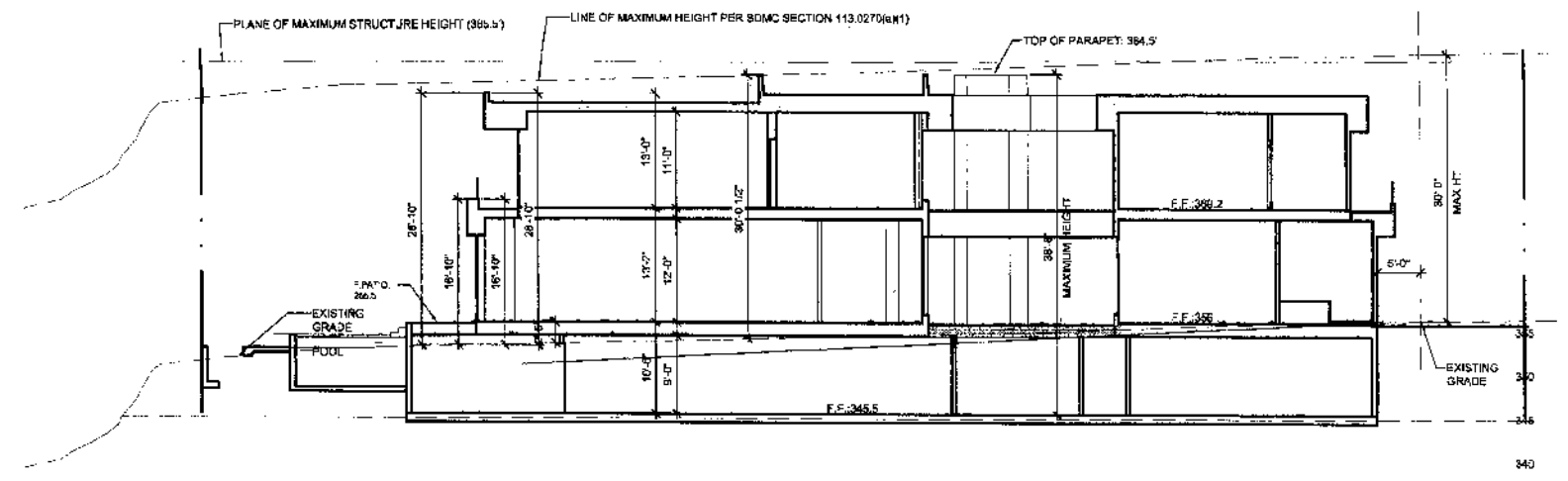
Address: P.O. BOX 516
 LA MESA, CA. 91944-0516
 Phone #: 619-464-6528

Project Address:
 13753 PINE NEEDLES DRIVE
 SAN DIEGO, CA. 92130

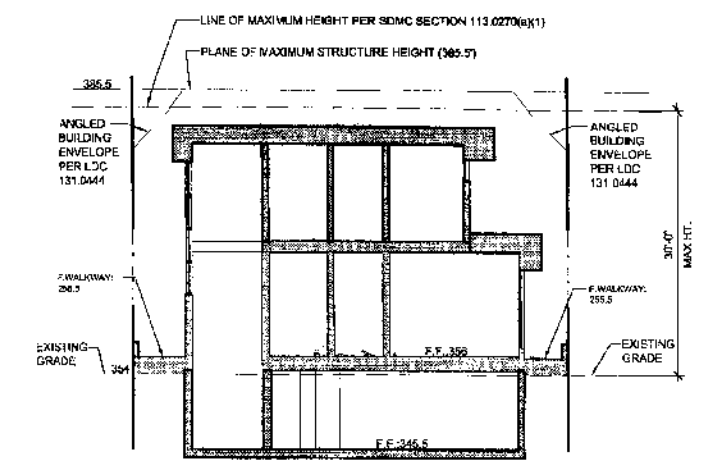
Project Name:
 PINE NEEDLES DRIVE

Sheet Title:
 GRADING PLAN

Revision:
 MAY 13, 2009



BUILDING SECTION 'A'
1" = 10'-0"

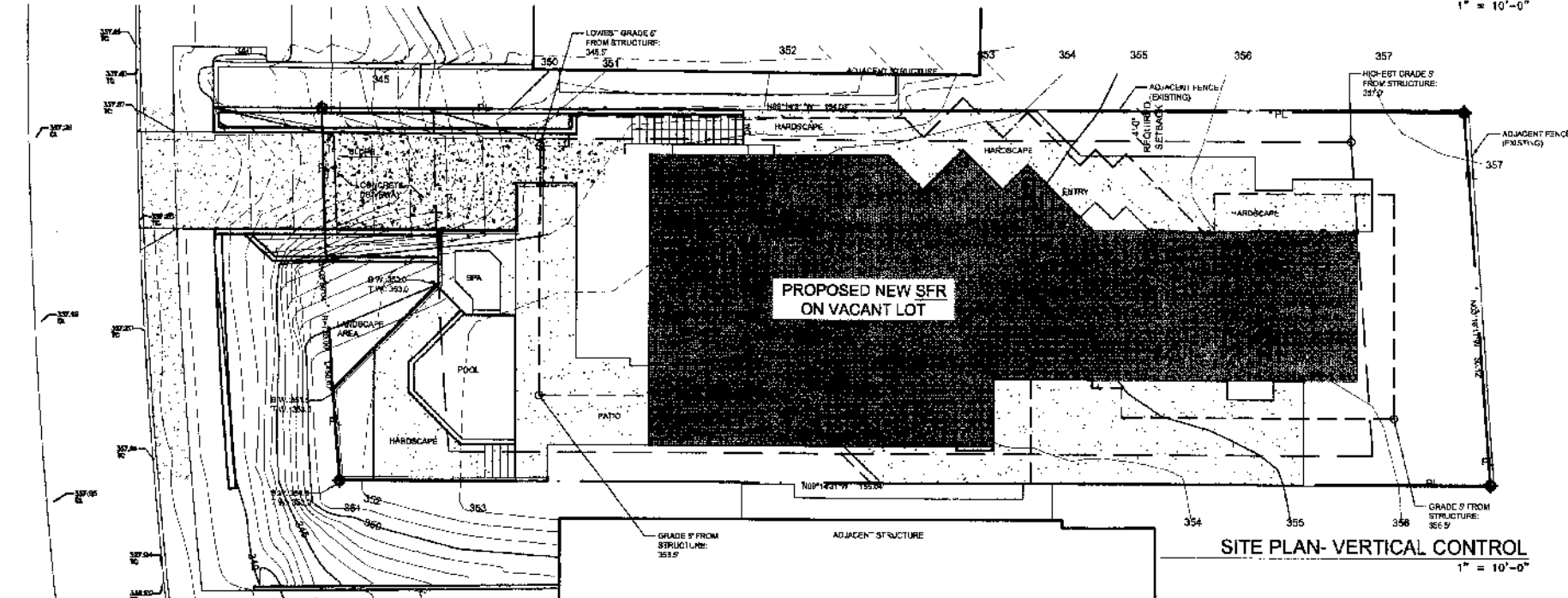


BUILDING SECTION 'B'
1" = 10'-0"

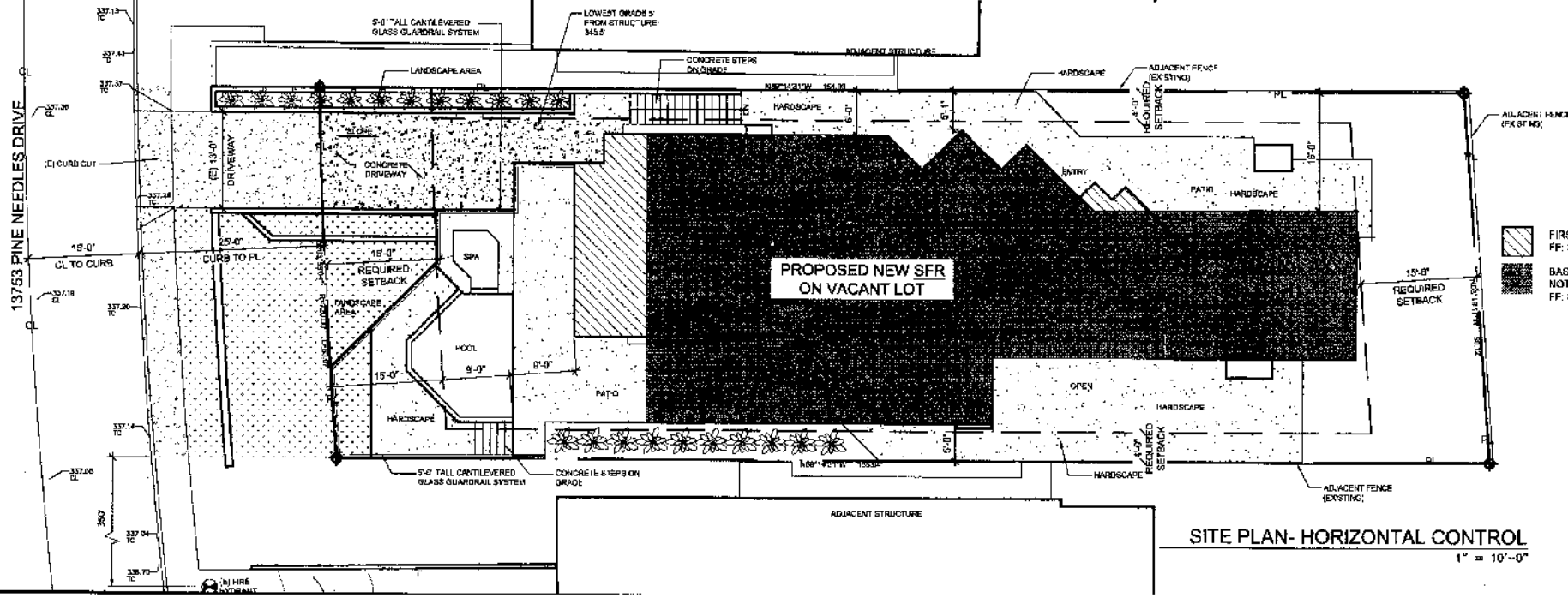
- NOTE:
- This project must comply with the Municipal code requirements for maximum height of the structure not to exceed 30 feet (LDC Sections 131.0444 and 132.0505). Highest point on roof equipment, pipe, vent antenna or other projection shall not exceed 30 feet above grade.
 - Provide building address numbers visible and legible from the street or road fronting the property per FHPS Policy P-02-6 UFC801.44.

MAXIMUM STRUCTURE HEIGHT PER SDMC SECTION 113.0270(e)(2)
 GRADE DIFFERENTIAL:
 LOW POINT = 345.0' (Basement F.F.)
 HIGH POINT = 357.0'
 DIFFERENTIAL = 12.0'

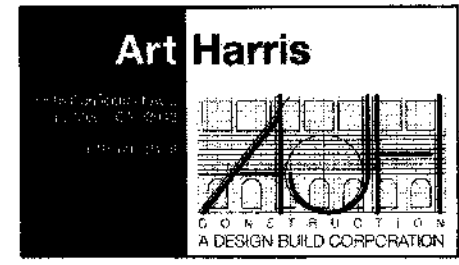
MAXIMUM STRUCTURE HEIGHT: 30' + 10' (DIFFERENTIAL MAXIMUM)
 PLANE OF MAXIMUM ALLOWABLE HEIGHT: 345.0 + 40' = 385.0'
 PLANE OF MAXIMUM PROPOSED STRUCTURE HEIGHT: 384.0'



SITE PLAN- VERTICAL CONTROL
1" = 10'-0"



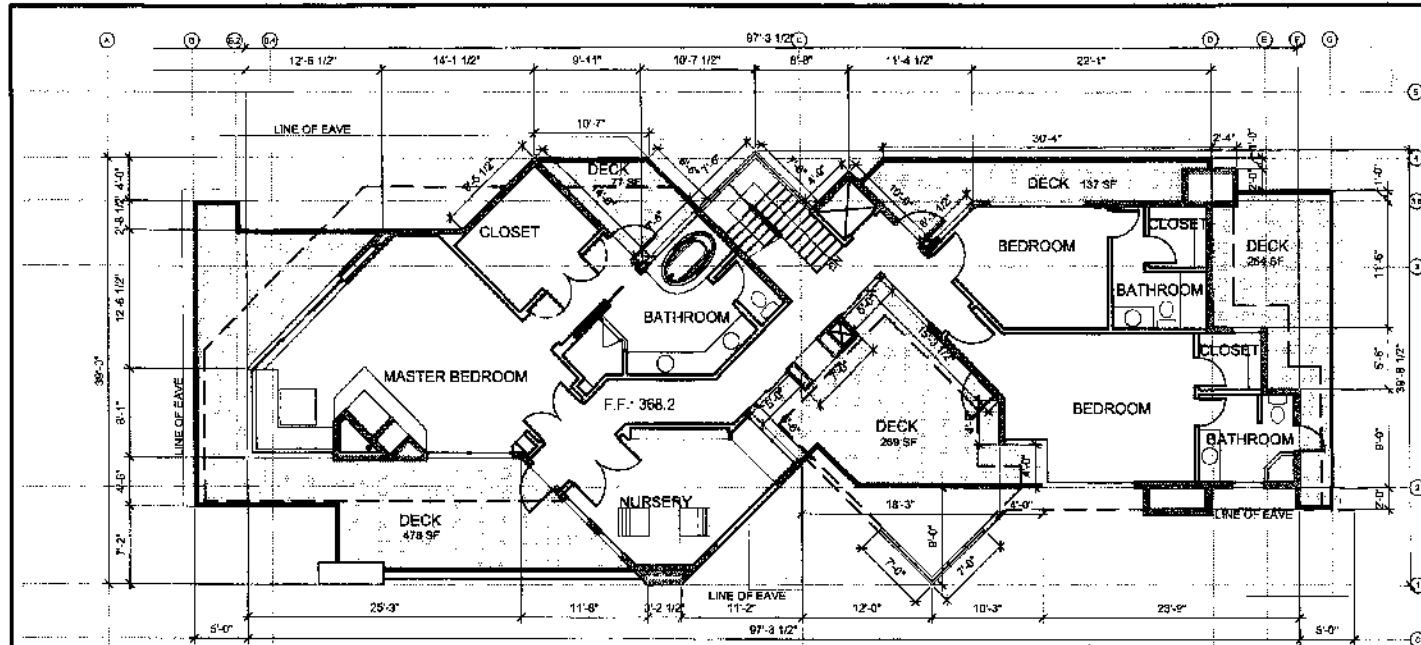
SITE PLAN- HORIZONTAL CONTROL
1" = 10'-0"



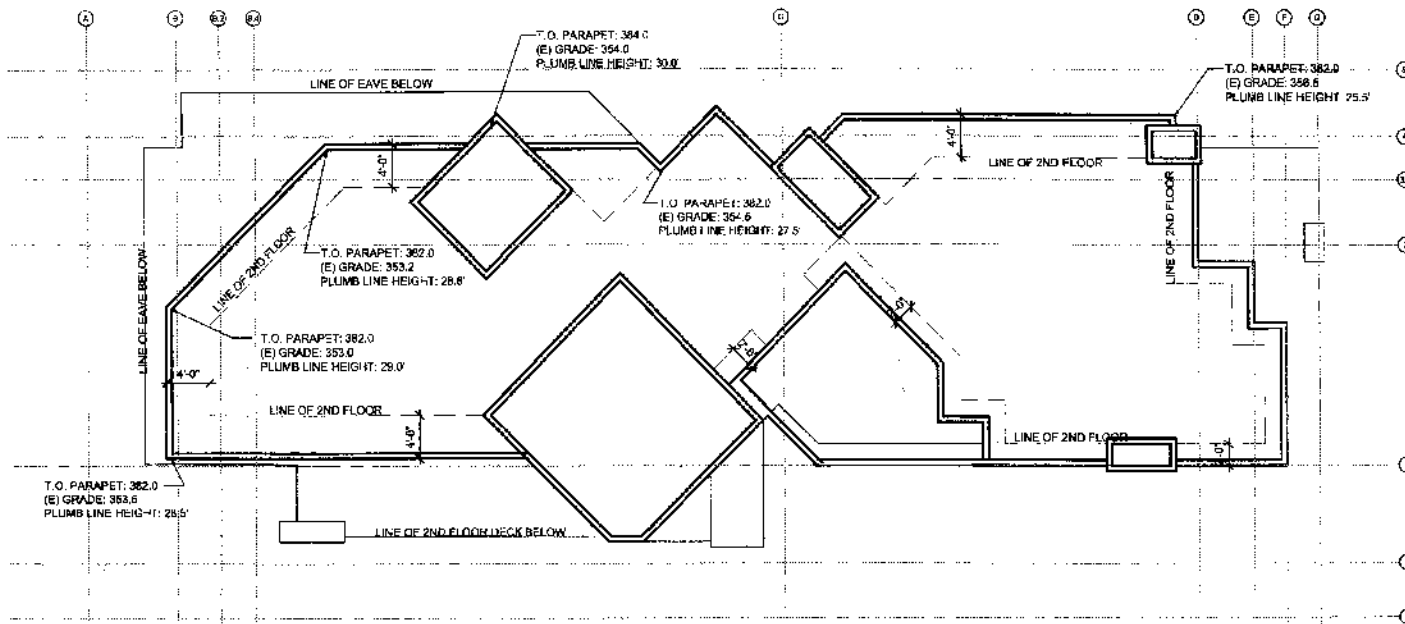
Barnard Residence
 Pine Needles Dr.
 Del Mar, California

SITE PLAN

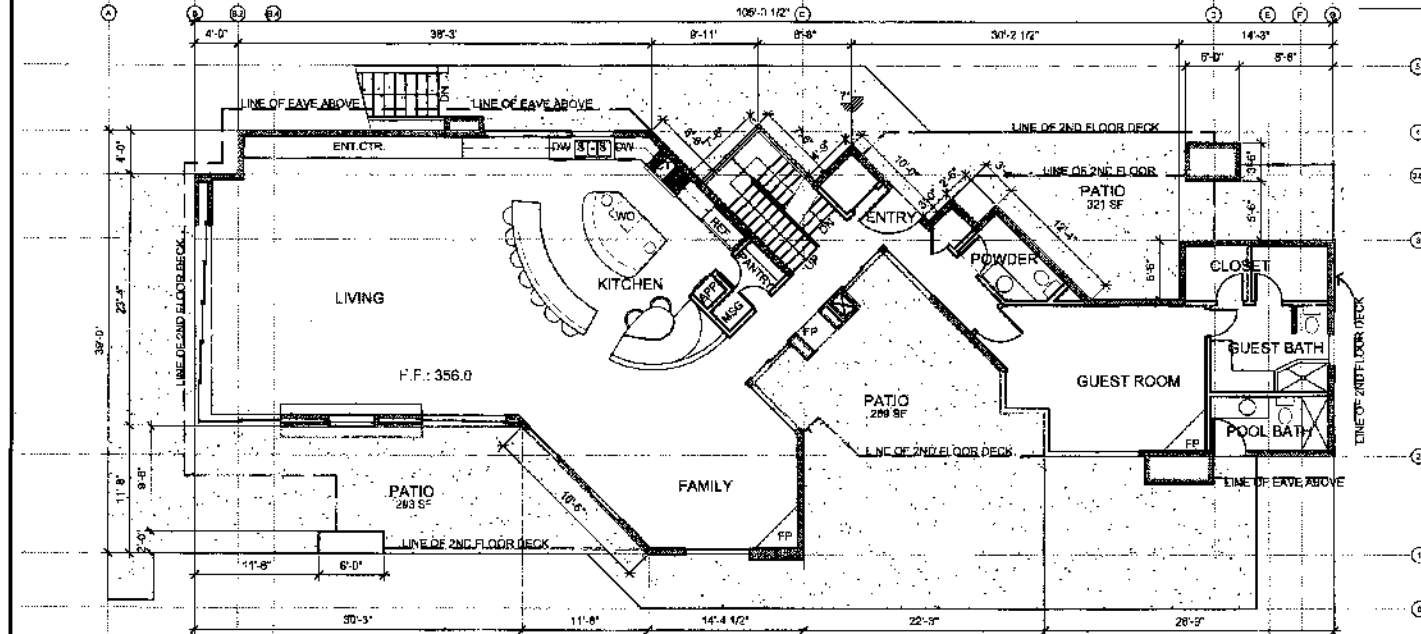
REVISIONS	DATE
	05.28.2009
A3	
3 OF 5	



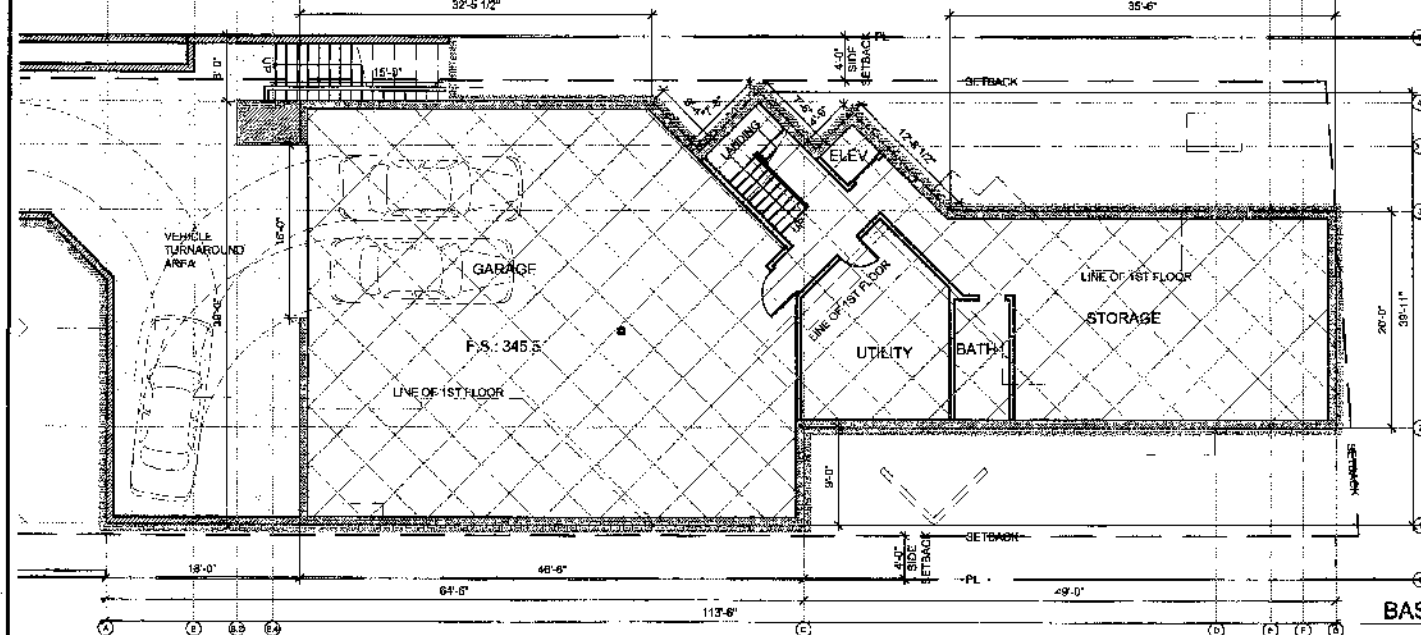
2ND FLOOR PLAN
1/8" = 1'-0"



ROOF PLAN
1/8" = 1'-0"

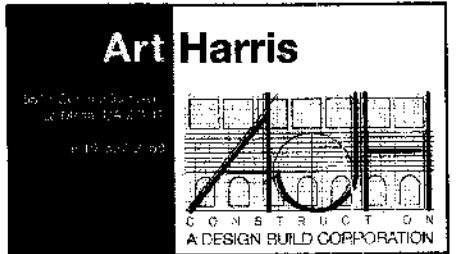


1ST FLOOR PLAN
1/8" = 1'-0"



BASEMENT FLOOR PLAN
1/8" = 1'-0"

BASEMENT FLOOR PLATE
NOT INCLUDED IN GFA PER SECTION 113.0234(a)(2)
FINISH FLOOR ELEVATION ABOVE BASEMENT DOES
NOT EXCEED 3'-6" ABOVE EXISTING OR PROPOSED
GRADE AND THE SUBTERRANEAN VEHICULAR ACCESS
OPENINGS **DO NOT** EXCEED 25 FEET IN WIDTH



Art Harris
CONSTRUCTION
A DESIGN BUILD CORPORATION

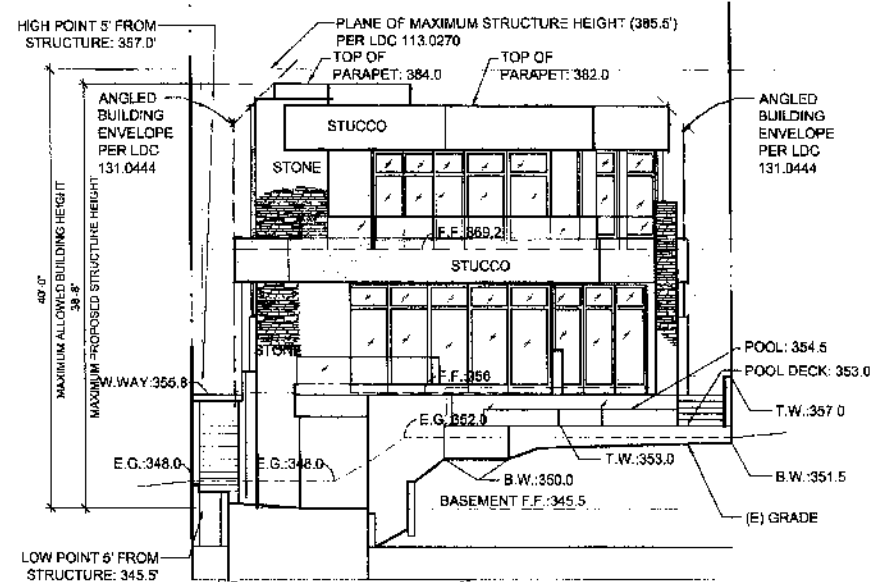
Barnard Residence
Pine Needles Dr.
Del Mar, California

FLOOR PLANS / ROOF PLAN

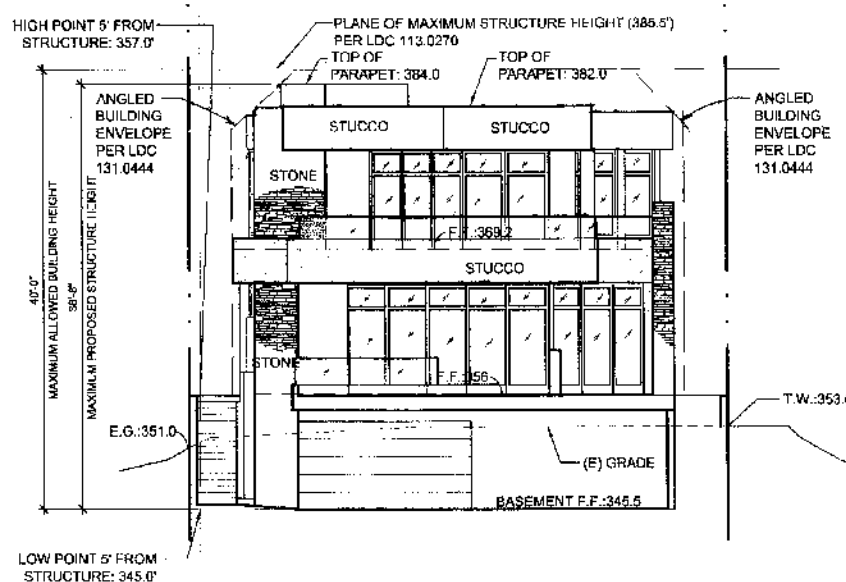
REVISIONS	DATE
	05.28.2009

A4

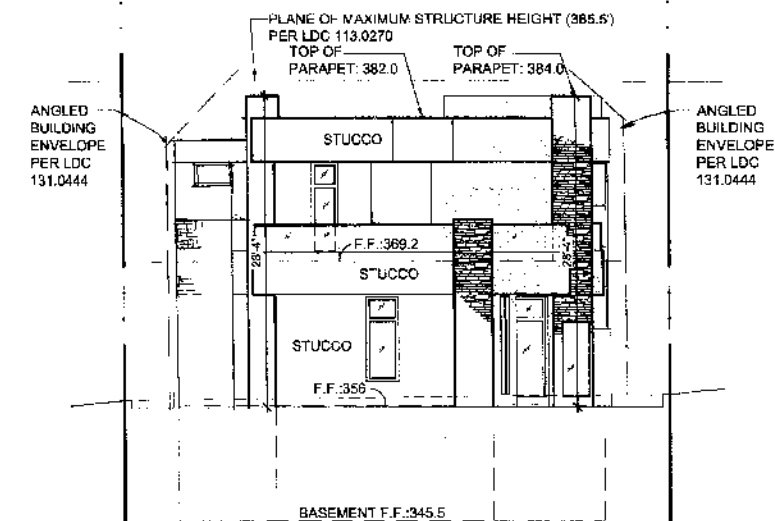
4 OF 5



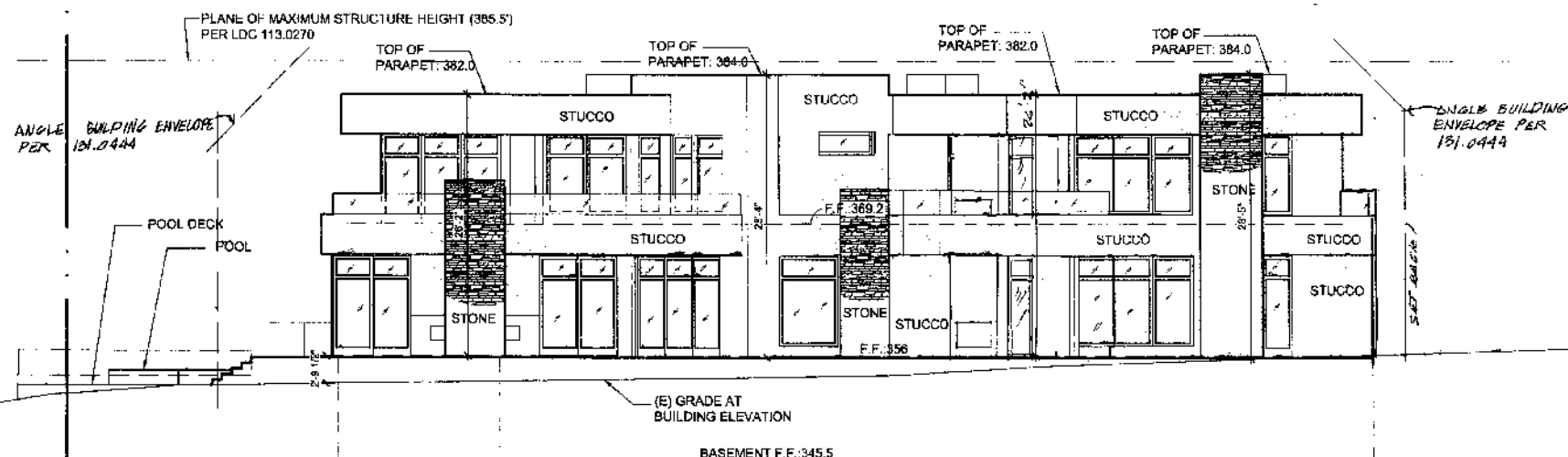
FRONT (WEST) ELEVATION
1/8" = 1'-0"



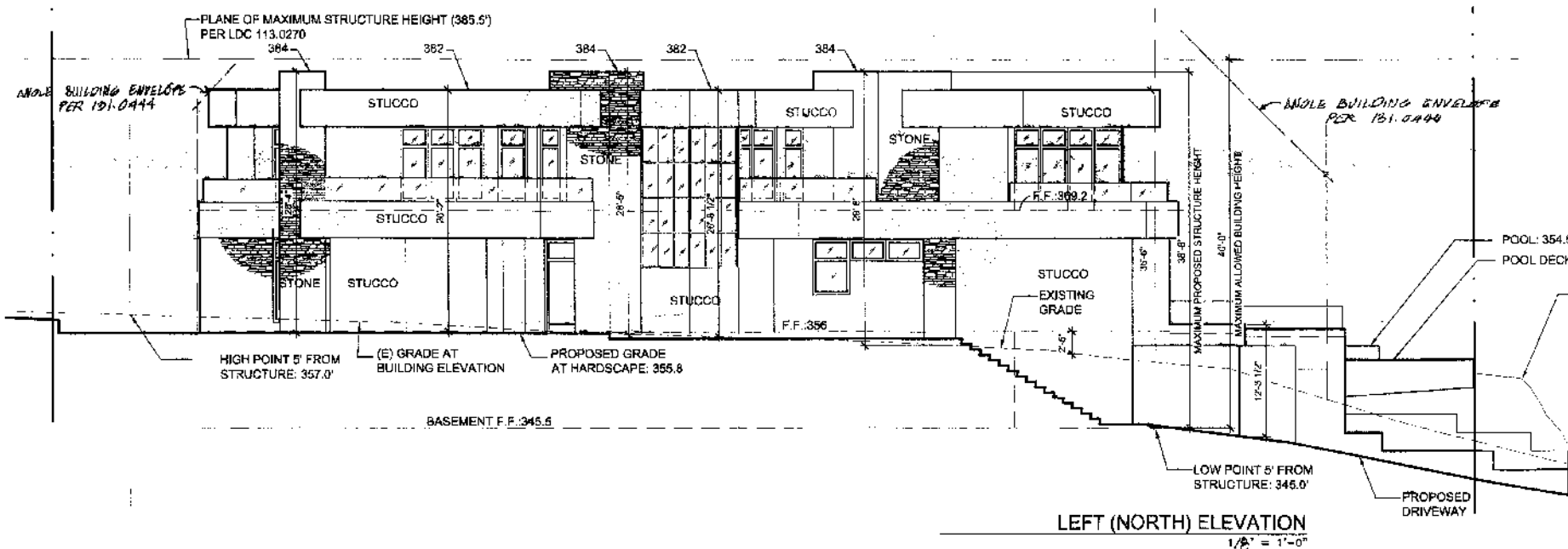
GARAGE (WEST) ELEVATION
1/8" = 1'-0"



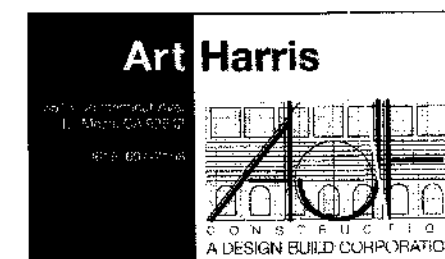
REAR (EAST) ELEVATION
1/8" = 1'-0"



RIGHT (SOUTH) ELEVATION
1/8" = 1'-0"



LEFT (NORTH) ELEVATION
1/8" = 1'-0"



Barnard Residence
Pine Needles Dr.
Del Mar, California

EXTERIOR ELEVATIONS

REVISIONS

DATE 05.28.2009

A5

5 OF 5



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other

Project Title: BARNARD **Project No. For City Use Only:** 175569

Project Address: VACANT LOT

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

X

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 5145 RENAISSANCE #C
 City/State/Zip: San Diego CA 92122
 Phone No: 619 210-1272 Fax No:
 Signature: Glen Bond Date: 1.30.09

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 5145 RENAISSANCE UNIT #C
 City/State/Zip: San Diego CA 92122
 Phone No: 619 210-1272 Fax No:
 Signature: Glen Bond Date: 1.30.09

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature: Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature: Date:



Torrey Pines Community Planning Board

14151 Boquita Drive, Del Mar, CA 92014

www.torreypinescommunity.org

BOARD MEMBERS: Dennis E. Ridz, Chair, dennisridz@hotmail.com; Adam Gevanthor, Vice-Chair & PRC Chair, Kenneth Jenkins, Treasurer; Faye Detsky-Weil, Past Chair; Patti Ashton; Michael Belch; Barbara Cerny; Michael Foster, Cliff Hanna; Greg Heinzinger; Carole Larson; Dr. Norman Ratner, Charles Richmond, Noel Spaid, Pat Whitt.

REGULAR MONTHLY MEETING

Thursday, June 11, 2009 at 7:00 PM

DEL MAR HEIGHTS Multi-Use Room (MUR)

13555 Boquita Dr, Del Mar, CA 92014

AGENDA

NOTE: Times assigned for each item are approximate. Agenda items and order are subject to modification at the beginning of the meeting at the discretion of the Chair. Any item may be pulled from Consent Agenda and added to the regular agenda by request. To request an agenda in alternative format - sign language, oral interpreter or Assistive Listening Devices (ALDs) - please contact the Planning Department at (619) 236-6879 five (5) working days prior to the meeting to insure availability.

CALL TO ORDER/INTRODUCTIONS – Dennis E. Ridz, Chair

TIME ALLOTTED FOR ITEMS A THROUGH G IS 30 MIN

- A. NON-AGENDA PUBLIC COMMENT –** Issues that are not on the Agenda but are within the jurisdiction of the Community Planning Board. Time limit - 3 minutes per speaker.
- B. GENERAL ANNOUNCEMENTS – Dennis E. Ridz**
Happy Birthday, Torrey Pines Extension – August 22, 2009 9 AM-12 Noon
- C. MODIFICATIONS TO THE AGENDA –** Motion to Approve the Agenda
- D. REVIEW AND ACTION TO APPROVE PAST MEETING MINUTES -** May
- E. REPORT BY TREASURER –** Kenneth Jenkins
- F. CONSENT AGENDA ITEMS -** Carmel Valley Rd. Via Donada light pole cell Next G Networks
- Bernard Residence Pine Needles Drive
- G. ANNOUNCEMENTS –** San Diego Police Department - Officer Gaylon Sells
- H. LISTING AND ORDER OF AGENDA ITEMS FOR JUNE.**

- ITEM 1 DISCUSSION/POSSIBLE ACTION ITEM:** — New Ad Hoc subcommittee —PLAGUE —Prevent LA Gridlock Usurping Environment -Noel Spaid, Norm Ratner, & Charles Richmond -funding & consultant interview process -10 Minutes
- ITEM 2 DISCUSSION/POSSIBLE ACTION ITEM:** Nomination and Appointment of citizens to the Project Review Committee -Dennis Ridz/ Adam Gevanthor - 5 minutes
- ITEM 3 DISCUSSION -DEL MAR TERRACE MAD – Adam Gevanthor/Andrew Field/Kim LaSelle – 15 minutes DEL MAR TERRACE MAD 2010 Budget Proposal, and Street/Berm Assessment – Mr. Andy Field, City of San Diego Assistant Deputy Director Park and Recreation Dept. Open Space Division – Maintenance Assessment Districts**
- ITEM 4 DISCUSSION/POSSIBLE ACTION ITEM:** 22nd District Agricultural Association future release of Draft EIR in July – Proposed Sale of Fairgrounds and Horse Park by State - Dennis Ridz/Bob Lewis – importance of Torrey Pines Community Plan – **10 minutes**
- ITEM 5 DISCUSSION & INFORMATIONAL ITEM: HIGH FIRE SEVERITY MAPS - Adam Gevanthor – 10 minutes**
- ITEM 6 DISCUSSION PROJECT REVIEW COMMITTEE – Adam Gevanthor /Greg Heinzinger**
Proposed Verizon Cell Site update; Possible potential sites for future carriers – **10 minutes**
- ITEM 7 DISCUSSION/POSSIBLE ACTION ITEM:** Appointment to Community Planners Committee (CPC) as alternate. Meeting at 7:00 PM 4th Tuesday of the month at Metropolitan Operations Center Auditorium
- ITEM 8 DISCUSSION/POSSIBLE ACTION ITEM:** Appointment to Committee(s)/subcommittee(s) to fill vacant positions and possible study of realignment of Committee(s) objectives.

I. INFORMATION UPDATES (As Available) 3-5 Minutes per Speaker

City Planning and Community Investment Department - Lesley Henegar

City Council District 1, Council Member Lightner Representative – Stephen Heverly

Mayor Sanders' Office - Stephen Lew

County Supervisor Pam Slater-Price's Office - Aaron Byzak

State Senator Kehoe's 39th Senate District Office - Andrew Kennerly

Congress member Brian Bilbray's District Office - Marc Schaefer

State Assembly Member Nathan Fletcher's Office – Oscar Urteaga

J. INFORMATION TPCPB REPORTS (As available, maximum 5 min)

County Service Agency 17 Representative – Barbara Cerny

Del Mar Heights Road Improvements – Carole Larson

Del Mar Terrace Maintenance Assessment District (MAD) – Adam Gevanthor (see Item #3)

i-5/SR-56 Connector – Dennis Ridz, Barbara Cerny

Parks & Recreation – Faye Detsky-Weil

Pedestrian & School Safety – Faye Detsky-Weil

Railroads and Mass Transit –Dennis Ridz –proposed double tracking at Del Mar Fairgrounds

San Dieguito River Valley Conservancy – Pat Whitt

Telecommunications – Greg Heinzinger

Transportation Committee –

Torrey Pines Association - Adam Gevanthor/Cliff Hanna

Web Site – Carole Larson

K. NON-AGENDA ITEMS CONSTITUTING NEW OR FUTURE BUSINESS

L. ADJOURNMENT AT 9:30 PM (Meeting may be extended for unfinished business with Board approval)
The Public is invited to submit agenda items for upcoming meetings.

Project Motions

Torrey Pines Community Planning Group

Date: Thursday, June 11th. **Location:** Del Mar Heights Elementary School

1. Bernard Residence

Recommendation to deny proposal to construct a two-story 4,383 sq. ft. single family residence with 1,136 sq. ft. basement and 1,802 sq. ft. garage on a vacant 7,747 sq. ft. lot located at 13753 Pine Needles Drive in the RS-1-6 zone, Coastal Overlay Zone, Coastal Height Limitation Overlay Zone..

Applicant: Art Harris

City Project Manager – Cherlyn Cac 619.446.5226

Motion:

Deny the project as proposed based on the following:

1. Project proposes abrupt transitions in bulk and scale between it and existing residences to south and east. It should be noted that residence to south has a deed restriction limiting its height (to be confirmed). The Torrey Pines Community Plan clearly states that new residential development shall be designed to be compatible in bulk and scale with existing residential development. The Community Plan also identifies a critical issue proposed by this Project that it tries to prevent; abrupt transitions in scale that result with the development of larger scale homes in neighborhoods where existing homes are of a smaller scale.
2. Project lacks elements that provide transitions in scale between it and smaller homes that adjoin it to south and east.
3. Due to large exterior vertical elements and parapets that accentuate the large bulk and scale of this project it was determined that the project was not “visually compatible with the character of the surrounding area” as also required by the Community Plan.
4. The project, as proposed, based on its bulk and scale and inability to mitigate through landscaping or increased setbacks, will be inconsistent with the general character of the immediate neighborhood.

We recommend that the applicant reduce the bulk and scale of this project and provide elements that create effective transitions in scale between itself and surrounding properties.

Members Yes: Unanimous

Adam

Gevanthor

Digitally signed by Adam Gevanthor
DN: cn=Adam Gevanthor, o=US,
o=DDS/GA,
email=Adampublic@graphicaccess.com
Date: 2009.06.12 09:09:38 -0700

Adam Gevanthor

Project Review Committee Chair

Torrey Pines Community Planning Group



THE CITY OF SAN DIEGO

Date of Notice: September 11, 2009

**NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
Job Order No. 43-2168**

PROJECT NAME/NUMBER: Barnard Residence, PTS Number 175569

COMMUNITY PLAN AREA: Torrey Pines

COUNCIL DISTRICT: 1

LOCATION: The site is located at 13753 Pine Needles Drive, between Del Mar Heights and Cordero roads, City and County of San Diego, CA 92124 (APN No. 300-051-0600). The underlying zones are RS-1-6; Coastal Overlay (non-appealable), and Coastal Height Limit. The site is in the Torrey Pines Community Planning Area and Council District 1.

PROJECT DESCRIPTION: Coastal Development Permit to construct a new 4,383-square-foot, single family residence on a vacant 0.18-acre site.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorical Exemption: In-Fill Development Projects [Section 15332]

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Staff

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project is consistent with the all applicable City Policies and Code; the site is less than five acres and surrounded by existing single-family homes; the site has no value as habitat for endangered, rare or threatened species and development would not impact historical resources per submitted negative reports; the project would not significantly effect traffic, noise, air quality, or water quality; and the site can be adequately served by adjacent existing utilities and public services. No significant CEQA impacts were identified for the scope of the proposed project.

CITY CONTACT: Cherlyn Cac, Project Manager
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER: (619) 446-5351

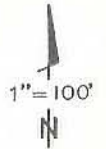
On September 11, 2009, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact above.

Applications to appeal CEQA determination made by staff (including the Mayor/Designee) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice OR 15 business days from the date of the environmental determination, whichever occurs earlier. Applications to appeal CEQA determinations made by the Planning Commission from a Process Two or Three Appeal under SDMC section 112.0506 must be filed in the Office of the City Clerk within 10 business days from the date of

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SHT 1

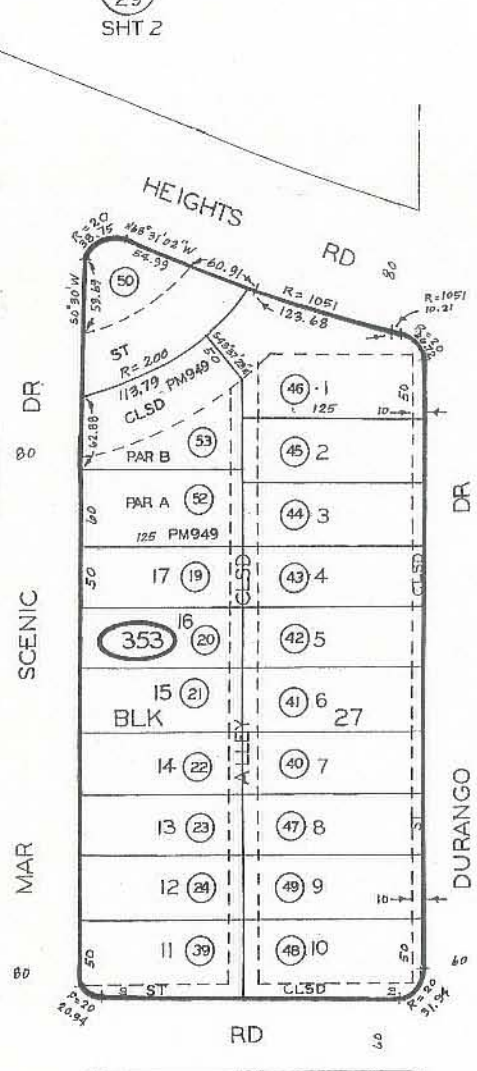
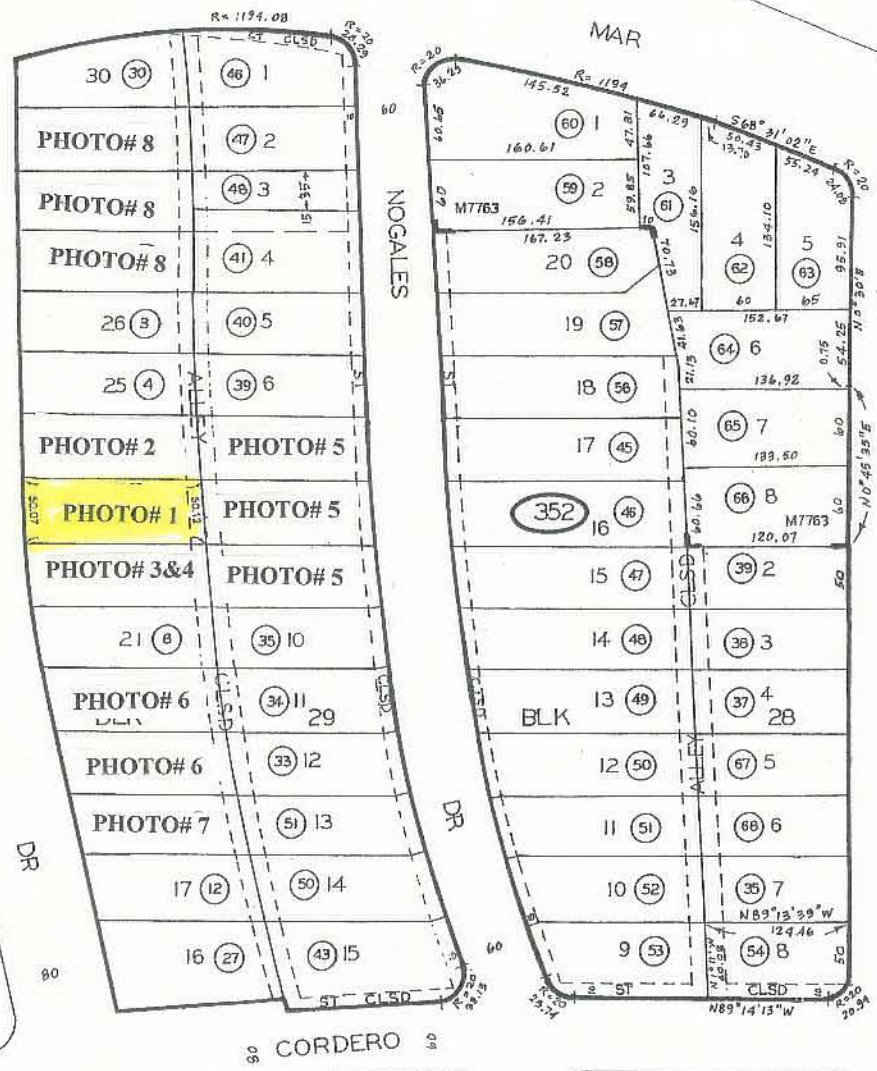
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

300-35



7/6/2001 JS

CHANGES				
BLK	OLD	NEW	YR	CUT
351	42	46-48	72	6851 CC
352	40 & 7			
	299-05	95	73	1220
353	51	52 & 53	73	3077
352	41-44	56-66	74	187
351	31 & 32	49	76	3703
351	49	50 & 51	86	1550
352	36	67 & 68	90	1620 RC
351	8	SAME AS BLK CHG	02	5516



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SHT 1

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SHT 1

VGS
8/21/73
SAN DIEGO COUNTY
ASSESSOR'S MAP
BOOK PAGE

MAP 7763 - MAR SCENIC HTS
MAP 157 - DEL MAR HEIGHTS
ROS 8545, 13323, 16771

PHOTO KEY

ATTACHMENT 11



PHOTO #1-13753 Pine Needles Drive. View of proposed building site looking east From Pine Needles Drive. Note two story homes to the rear.



PHOTO #2- Two story remodel under construction on adjacent property to the north



PHOTO #3-13741 Pine Needles Dr. Deed restricted home to the south. Note roof in background of two story home on the other side.



PHOTO #4-13741 Pine Needles Dr. street view



PHOTO#5 -13744 Nogales Dr. Two story homes directly behind and to the east of the proposed development.



PHOTO#6- 13727 and 13721 Pine Needles Dr.



PHOTO #7-13715 Pine Needles Drive

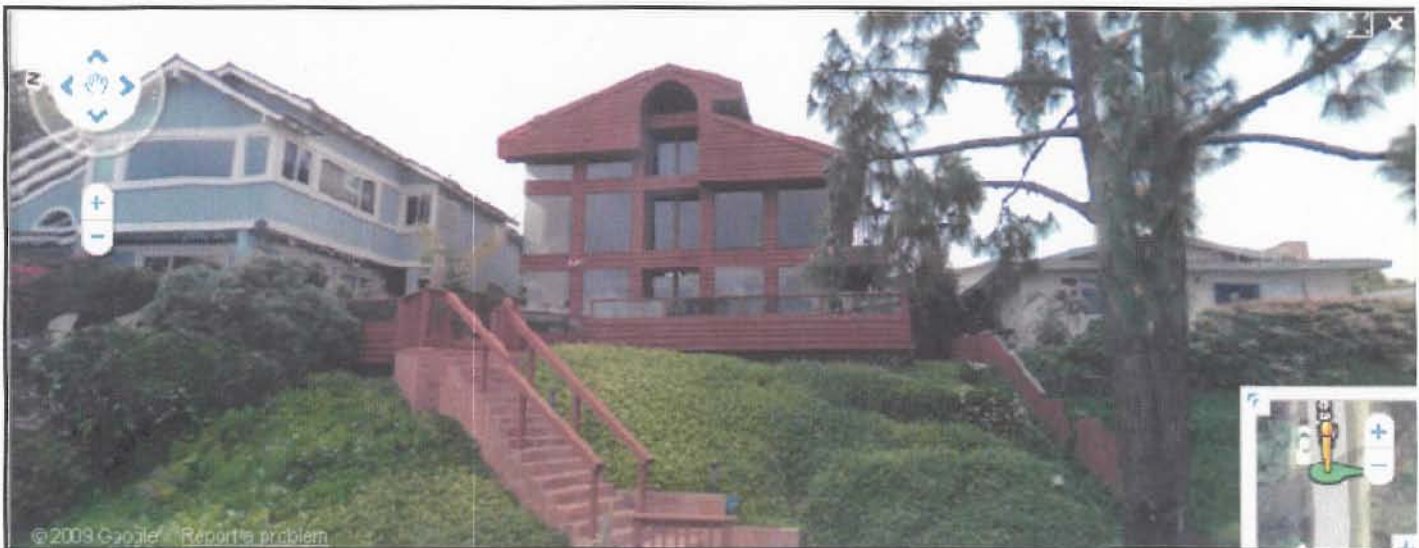


PHOTO #8-13789, 13783, 13777 Pine Needles Drive