

DATE ISSUED: May 5, 2005

REPORT NO. PC-05-160

ATTENTION: Planning Commission, Agenda of May 2 , 2005

SUBJECT: BEIZAI RESIDENCE - PROJECT NO. 33137. PROCESS TWO

OWNER/

APPLICANT: Dr. Michael and Jan Beizai

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of the City Manager approval of Coastal Development Permit No. 91048, to demolish an existing residence and construct a new two-story single family residence on an 11,228 square foot property?

Staff Recommendation:

1. CERTIFY Negative Declaration, Project No. 33137, and
2. DENY the appeal and APPROVE Coastal Development Permit No. 91048.

Community Planning Group Recommendation - The La Jolla Community Planning Association voted 6-2-2 to recommend approval of the project at their meeting of November 9, 2004. The Sub Committee voted 7-2-0 to recommend approval of the proposed project. Of the two negative votes, one was based on an issue with the proposed bulk and scale of the structure, and the other the proposed building height.

Environmental Review: A Negative Declaration, Project No. 33137, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Based on the Initial Study, it was determined that the proposed project will not have significant effect on the environment.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None with this action.

BACKGROUND

The project site is developed with an existing, 2,812 square-foot, single-story residence within a fully developed and established residential area, known as Muirlands Village. The property has a moderate slope along the street frontage, which drops down from east to west. The high point on the east is approximately at elevation 265 and the property drops down to approximately elevation 250 on the west side. The project site is located at 6542 Avenida Wilfredo, within the RS-1-5 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, and within the La Jolla Community Planning Area. The proposed demolition, grading and construction all constitute, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit.

The project was approved by the City Manager on January 19, 2005. That approval was then appealed on February 1, 2005.

DISCUSSION

Project Description: The project proposes to demolish the existing, single story residence and construct a new two-story single family residence. The proposed residence is to total approximately 4,095 square-feet of gross floor area on the 11,228 square-foot property. The main floor of the home is positioned predominately on the eastern portion of the lot at elevation 262. A lower level garage is located along the western portion of the street frontage, giving the home a two story appearance when viewed from the street (Attachment 6). The proposed project has a Floor Area Ratio (FAR) of 0.36, and the RS-1-5 Zone allows an maximum FAR of up to 0.53. The project is designed to comply with the 30 foot height limit with the height of the new structure being approximately 19 feet high. The La Jolla/La Jolla Shores Local Coastal Plan does not identify any public views associated with either the project site or the public street, Avenida Wilfredo. During the project's review with City staff, the applicant modified the project to conform to all of the development regulations of the Land Development Code.

The proposed building elevations indicate the use of Dryvit for the exterior walls, with lower portions of natural stone veneer, wood entrance doors and a dark green Maxislate roof. Proposed grading, which is predominately for a proposed basement, would consist of approximately 1,350 cubic yards of cut material to be exported offsite.

Community Plan Analysis: The site for the proposed new single dwelling unit is designated in the La Jolla Community Plan as Very Low Density Residential (0-5 du/acre). The proposed project conforms with that land use designation.

The proposed two-story residential project is located in a single family residential neighborhood. The plan recommends that in order to promote transition in scale between new and older

structures the design should create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment and variations within front yard setback requirements. The proposed project incorporates the existing topography to reduce the appearance of bulk and scale. The project site is located on a slight slope which runs the width of the property from south to north and the design of the proposed structure terraces with the slope. The front elevation, viewed from the right of way, exhibits a decorative entry way, multiple windows, roof variations and a deck above a recessed garage. The building articulation and terraced approach in design is further complemented by the proposed landscape design and variations in materials and colors. The density and design of the project conform to the policies of the La Jolla Community Plan.

Environmental Analysis: During the Environmental Initial Study, potentially significant impact due to geology/soils was identified. Environmental staff requested that the applicant submit additional information related to potential geology impacts. The additional information was provided, reviewed and accepted by Development Service's Geology Section.

Based on the reports prepared and analysis conducted, potential impacts due to geology/soils were determined to be below a level of significance, no mitigation measures were required, and staff has prepared a Negative Declaration in conformance with the California Environmental Quality Act (CEQA).

Appeal Issues: - The appeal (Attachment 9) states that the proposed project would be in violation of the Covenants Conditions and Restrictions (CC&R's) that govern Muirlands Village Unit No. 4, in that the bulk and scale of the proposed structure would be incongruous with all the existing homes in the neighborhood, and that the proposed residence would greatly impact the neighborhood due to loss of privacy, obstruction of views, and casting of shadows.

The City does not enforce CC&R's, nor does it analyze privacy, private views or casting of shadows from a single family residence. The proposed project has a calculated FAR of 0.36, which is well within the allowed FAR of 0.53, of the RS-1-5 Zone. The proposed building height is approximately 19 feet, with the allowed maximum height, within the RS-1-5 Zone is 30 feet. In the past, the conflict of bulk and scale between a proposed single family residence and existing neighboring residences was done with redundant frequency. However, when the Land Development Code was prepared and adopted, in January of 2000, it tighten up development regulation measurements such as building height and Floor Area Ratio and added new development regulations, such as the 45 degree angle setback, all of these modifications were done with the intention of eliminating the argument of bulk and scale between single family residential structures. Also at that time, the new Land Development Code amended the required Coastal Development "Findings", which removed the finding that required development to be visually compatible with surrounding development. Although the proposed residence maybe larger and higher then the surrounding residences, it is within the allowed development regulations of the zone, thus Staff believes that the required Coastal Permit Findings can all be made in the affirmative.

Conclusion: Staff has reviewed the request for a Coastal Development Permit for the proposed demolition and the development of a new single dwelling unit and found the project in conformance with the applicable sections of the San Diego Municipal Code regulating Coastal Development. Staff has determined that the development is consistent with the land use designation of the La Jolla Community Plan and believes the required findings can be supported (Attachment 8). Therefore, staff recommends that the Planning Commission deny the appeal and Certify the Negative Declaration, and Approve the Coastal Development Permit.

ALTERNATIVES

1. Approve Coastal Development Permit No. 91048, with modifications.
2. Deny Coastal Development Permit No. 91048, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Escobar-Eck/GRG

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan
6. Project Plans – Building Elevations
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Copy of Appeal
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Chronology