

DATE ISSUED: October 13, 2005 **REPORT NO. PC-05-301**

ATTENTION: **Planning Commission, Agenda of October 20, 2005**

SUBJECT: GRANT RESIDENCE - PROJECT NO. 54670. PROCESS 2

REFERENCE: NOTICE OF DECISION DATED AUGUST 16, 2005 (Attachment 13)

**OWNER/
APPLICANT:** Joseph M. Grant and Sheila P. Grant
Ryan Reynolds, Island Architects, Architect

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of Staff's decision approving Coastal Development Permit No. 165304 for demolition of an existing one - story, 2,806 square foot single family residence and construction of a two-story, above basement, 6,946 square-foot single family residence, with attached three-car garage, and detached pool?

Staff Recommendation: DENY the appeal and APPROVE Coastal Development Permit No. 165304

Community Planning Group Recommendation: The La Jolla Community Planning Association considered the project on March 3, 2005, and voted 11-4-1 in favor of the project with two conditions as presented within Attachment 10.

Other Recommendations: None with this action.

Environmental Review: A Mitigated Negative Declaration No. 54670 was prepared for the project in accordance with the California Environmental Quality Act (CEQA).

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

Code Enforcement Impact: None with this action.

Housing Impact Statement: The La Jolla Community Plan designates the subject property for very low density residential development for 0 to 5 dwelling units per acre. The project proposes to demolish one existing single family residence and construct one single family residence. The impact to the La Jolla community will be no net increase of residential units. The proposed project will result in no net increase in the housing supply for the City of San Diego.

BACKGROUND

A CoastalDevelopment Permit , in La Jolla that is outside the appealable area to the California State Coastal Commission, is a Process Two, Staff level decision per San Diego Municipal Code Section 112.0503. The CoastalDevelopment Permit was approved by Staff on August 16, 2005 (Attachment 13). On August 31, 2005, George and Irene Chandler appealed the project to the Planning Commission.

The project site is a 25,167 square-foot lot zoned RS-1-4 in the La Jolla Community Plan Area. The property is addressed as 6929 Fairway Road and is an interior lot (Attachment 1). The site is surrounded by properties also zoned RS-1-4 and developed with single family residences (Attachment 2 and 3). The La Jolla Community Plan designates the site for residential development at a Very Low density of 0-5 dwelling units per acre (Attachment 2).

The site is currently improved with a one-story single family residence. The demolition of the existing single family residence is the first step in redeveloping the property. The topography of the site slopes west-northwest along Fairway Road and throughout the property. The site has an overall grade differential of approximately 76 feet.

DISCUSSION

Project Description:

The applicant is requesting approval of a CoastalDevelopment Permit for the proposed demolition of the existing one-story, 2,806 square foot, single family residence and the construction of a two-story, above basement, 6,946 square-foot single family residence, with attached three-car garage, and detached pool. The proposed residence will include a three-car garage basement with storage area, media room, wine room, elevator, and exercise room in the basement; a family room, dining room, living room, library, sun room, kitchen, elevator, two bathrooms and one bedroom on the main level; four bedrooms, five bathrooms, sitting room, laundry room and three balconies on the second level.

Exterior elevations propose stucco walls, wood windows, and a tile roof. Site improvements will include a detached pool, fencing and landscaping.

Community Plan Analysis:

The subject property is designated as Very Low Density Residential (0-5du/ac) in the La Jolla Community Plan. Based on this density range, the approximate 25,167 square foot subject property could yield 1 single family residence. The proposed single family residence project conforms to this land use designation and density. The property is currently developed as an existing single family home.

The proposed two-story residence is located in a single family residential neighborhood along the eastern side of Fairway Road. The eastern side of Fairway Road slopes upward and development on the east side of the street is primarily located on level areas above the right of way with driveways that gradually cut across and up the front slope towards the residences. The La Jolla Community Plan recommends that in order to promote transition in scale between new and older structures the design should maintain elements of the existing neighborhood character, and offer visual relief through the use of diagonal or off-setting planes, building articulation and roofline treatment.

The subject property is located outside of any Public Vantage Point identified in the La Jolla Community Plan and Local Coastal Program Land Use Plan and will not impact public views. The density and design of the project conform to the policies of the La Jolla Community Plan for residential development.

The proposed two-story residence would be located within the existing developed area on the upper portion of the lot. The first floor and portions of the second floor of the home are obscured from view as the residence sits on a level portion of the lot above the front yard slope. The project incorporates stucco, stone columns, wood window treatments and tile roofing material. The pool is located in front of the residence. The front elevation, as viewed from the right of way, shows the second story veranda and front facing roofline, the integration of new landscaping along the slope framing the pool and deck and the retention of mature landscaping between the front yard and the driveway.

The existing trees and shrubs between the front property line and the driveway will remain intact. Maintaining the mature vegetation along the front yard provides additional screening of the new structure from the public right of way and preserves the street landscape character along the subject site and adjacent properties.

Environmental Analysis:

The City of San Diego conducted an Initial Study and determined that the proposed project could have a significant environmental effect in the following area: paleontological resources. The

project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified. A Mitigated Negative Declaration No. 54670, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

A geotechnical study was prepared for the project during the initial study. The geotechnical report "Report of Geotechnical Investigation, Proposed Grant Residence, 6929 Fairway Road, La Jolla, California," dated April 21, 2005 was prepared by Geotechnical Exploration, Inc. The report was prepared to examine the proposed project impacts to the existing site conditions and potential soil issues with the project. The report determined that the proposed project will have a factor of safety of 1.5 or greater with respect to gross and surficial slope stability at the completion of the project.

Based on the geotechnical study, no significant impacts would be associated with the proposed project; therefore, no geotechnical mitigation is required. The project proposes 1,830 cubic yards of cut with a maximum depth of cut of ten feet. The proposed amount of grading requires paleontological monitoring while grading; therefore, the Mitigated Negative Declaration was prepared in accordance with CEQA.

COMMUNITY PLANNING GROUP RECOMMENDATION

On March 3, 2005, the La Jolla Community Planning Association voted 11-4-1 in favor of the project with two conditions (Attachment 10). The conditions of approval are as follows:

1. Height to be determined and satisfied by the City.
2. Garage opening no greater than 16 feet.

These conditions have been reviewed by staff and determined that the project meets the height requirements within the Land Development Code. The garage opening has been revised to conform to SDMC Section 113.0261(d).

APPEAL ISSUES

The appellant, George and Irene Chandler, filed an appeal on August 31, 2005 (Attachment 9). The issues identified in the written appeal to the Planning Commission, can be categorized in the following:

1. Dangerous Steep Slopes and Soil Integrity.

Staff's Response: The project site does not contain a steep hillside as defined by the San Diego Municipal Code (SDMC) for environmentally sensitive lands purposes. In order to be classified as a steep hillside and be subject to environmentally sensitive lands regulations, the slope would need to be natural (not previously graded) and have an elevation differential of at least 50 feet within the natural slope. The project site is located within an urban area, has been previously

graded and developed for the construction of the existing dwelling, existing driveway and existing yard improvements.

The proposed project is located within Geologic Hazard Categories 22 and 26 on City of San Diego Geologic Hazard Maps. These categories are defined as moderate-risk areas due to a possible or conjectured ancient landslide and unfavorable geologic structure within Ardat Shale formational materials that underlie the site. A Report of Geotechnical Investigation, dated April 1, 1998 was prepared by Southern California Soil and Testing, Inc. and a Report of Geotechnical Investigation, dated April 21, 2005, was prepared by Geotechnical Exploration Inc. Both reports were reviewed and approved by City Geology Staff.

The geotechnical consultant reviewed the proposed development and the current site conditions and determined that all observed slopes appear to be stable, in good condition, and should not be negatively affected by the proposed development. The calculated factor of safety for gross and shallow slope stability of the on site soils will be at least 1.5 at project completion.

Proposed excavation for the proposed basement level beneath the residence should result in the removal of most of the fill and colluvium soils at the proposed basement location. Any areas of the proposed residential structure not underlain by the basement area, and the western slope area improvements, including the swimming pool, will utilize a caisson and grade-beam foundation system.

The proposed development is within the development regulations of the San Diego Municipal Code. Additional geologic review will be required for the proposed development during grading and building permit stage to ensure that the proposed development meets the requirements determined within the submitted geotechnical investigation reports.

3. Encroachment of proposed retaining walls and retaining wall height.

Staff's Response: Due to the existing site conditions, the project proposes retaining walls. All proposed retaining walls comply with allowable height regulations contained within the San Diego Municipal Code. The retaining walls along the sides of the entry drive range in height from 1 foot to 3 feet where a height of 6 feet is allowable within the interior side yard and a height of 12 feet is allowed outside of the required yards. The retaining wall surrounding the motor court to the rear of the proposed single family residence ranges from 4 feet to 6 feet in height when heights of up to 6 feet is allowable in the interior side yard and a height of 12 feet is allowed outside of the required yards. The retaining wall that will support the proposed pool area is proposed to be up to 12 feet in height and the maximum allowable height for this wall is 12 feet. The landscape plan shows a variety of small trees and shrubs that will be planted to screen all walls.

4. Potential for Landslides.

Staff's Response: The proposed project is located within Geologic Hazard Categories 22 and 26 on City of San Diego Geologic Hazard Maps. These categories are defined as moderate-risk areas due to a possible or conjectured ancient landslide and unfavorable geologic structure within Ardath Shale formational materials that underlie the site. A Report of Geotechnical Investigation, dated April 1, 1998 was prepared by Southern California Soil and Testing, Inc. and a Report of Geotechnical Investigation, dated April 21, 2005, was prepared by Geotechnical Exploration Inc. Both reports were reviewed and approved by City Geology Staff.

The geotechnical consultant reviewed the proposed development and the current site conditions and determined that there are no confirmed ancient landslides or recent landslide activity on site. Drilling activities on site indicated features that do not present a deep-seated slope stability problem. Since no clear evidence of recent or historic landsliding or deep-seated slope instability was found at the project site, the risk of deep landsliding is considered low. Therefore, the project as proposed does not negatively impact the surrounding neighborhood and complies with all development regulations within the San Diego Municipal Code.

4. Structure Height.

Staff's Response: The proposed project is a two-story, above basement, 6,946 square foot single family residence with a proposed overall height of 29'-3" (top of chimney); this height is under the maximum 30 foot height limit.

Structure height is measured three ways. First, the structure is measured from the top of the highest point of the building or to the top of any appurtenance, whichever is higher, to grade directly below it. If at any point that measurement exceeds 30 feet, the structure is over height. The second part of the height measurement can be considered a determination of the maximum overall building height. This measurement is the difference in elevation, within the building footprint, between the highest point of the building and lowest point of grade within five feet of the building perimeter (building wall, balcony, bay window, or similar architectural projection), or the property line, whichever is closer. In addition, this project is subject to Proposition "D" height requirements. This height requirement is the third way in which height is measured for the proposed development. Proposition "D" limits the height of buildings and structures to 30 feet. This height is measured to the highest point of the roof, equipment, antenna, or any other projection from the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five feet from said wall.

Structure height regulations require structures that are located within 6 feet of one another to be considered one structure for height measurement purposes. The retaining walls that surround the terraces, including the pool and the pool deck area, are separated by at least 6 feet from the house so that the low point of the walls are not included in the overall height measurement of the house.

The project proposes an underground garage and basement. Grade adjacent to and within 5 feet

of the exterior of the building has been used to determine the grade through the building for the allowable roof height and chimney height. The first story, second story, and chimneys have been stepped-back from the garage entry so that the height of the building at the garage entry is only 11 feet. Grade along the sides of the building and the existing grade on the site is then used to determine the allowable height for the first story, second story, and chimney that is stepped-back from the garage entry. The proposed development complies with all development regulations within the San Diego Municipal Code.

5. Number of stories for proposed residence.

Staff's Response: The proposed project is a two-story, above basement, 6,946 square foot single family residence with a proposed overall height of 29'-3" (top of chimney); this height is under the maximum 30 foot height limit. The proposed development proposes 7 feet interior yard setbacks, 69'-6" foot rear yard setback and a 6 foot street yard setback. These proposed setbacks are all within the required distances or are greater than the minimum required distances for the RS-1-4 zone.

The San Diego Municipal Code does not limit the number of stories for the proposed development. The number of stories is only limited by building code ceiling clearance requirements and the 30-foot height limit of the Coastal Zone.

The project proposes a two-story single family dwelling. The underground parking garage and basement is not considered a story as they are located below grade. The proposed terraces and retaining walls do have the possibility of appearing from a far distance as stories of a building. The requirement to include structures that are located within 6 feet of one another in the required overall height measurement was created to avoid terraces, walls, and building having a cumulative effect of appearing as large multi-story buildings. Since the terraces, walls, and dwelling are separated by 6 feet the appearance as a multi-story building should be eliminated. Proposed landscaping would also decrease the appearance of the single family residence as a multi-story building.

The proposed development complies with all development regulations within the San Diego Municipal Code.

CONCLUSION

Staff has reviewed the proposed Coastal Development Permit application and found it to be in conformance with both the La Jolla Community Plan and the applicable sections of the San Diego Municipal Code regulating Coastal Development Permits and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. **Deny** the appeal and **Approve** Coastal Development Permit No. 165304 with modifications.
2. **Approve** the appeal and **Deny** Coastal Development Permit No. 165304 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Customer Support and Information Division
Development Services Department

Laura C. Black, Project Manager
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JDS/LCB

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
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Copy of Appeal
10. Community Planning Group Recommendation, March 3, 2005
11. Ownership Disclosure Statement
12. Project Chronology
13. Notice of Decision, dated August 18, 2005