

From: [Philip Merten](#)
To: [Pangilinan, Marlon](#)
Cc: [Jane Potter](#); [Kempton, Tony](#)
Subject: [EXTERNAL] Barba/Lowther Residence SDP/CDP - PTS 670093
Date: Saturday, March 13, 2021 12:05:57 PM
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Re: Barba/Lowther Residence SDP/CDP
8561 El Paseo Grande
PTS 670093

Marlon Pangilinan and Ladies and Gentlemen of the La Jolla Shores Planned District Advisory Board,

Please consider the following information as you review the referenced project at 8561 El Paseo Grande, submitted by Marengo/Morton.

In an apparent attempt to justify the excessive size of the subject project with a stated **FAR of 97** the applicant's drawing submittal posted online at https://www.sandiego.gov/sites/default/files/attachment_2_13.pdf contains the following *Bulk & Scale 300' Study*:

Bulk & Scale 300' Study

Address	Sq. Ft.	Lot size	FAR	Front Setback	Left Setback	Right Setback	Rear Setback
8542 El Paseo Grande	9,553	9,314	102	18	5	5	5
8529 El Paseo Grande	9,119	9,294	98	20	5	5	5
8556 La Jolla Shores Dr	5,543	5,628	97	50	5	5	5
8561 El Paseo Grande Prop.	6,157	6,330	97	15	5	5	20
8542 La Jolla Shores Dr	5,303	5,631	94	50	5	5	5
8558 La Jolla Shores Dr	4,968	5,862	85	50	5	5	10
8569 El Paseo Grande	4,202	5,648	74	15	5	5	10
8554 La Jolla Shores Dr	3,952	5,966	66	50	5	5	18
8545 El Paseo Grande	4,412	8,144	54	15	5	5	5
8553 El Paseo Grande	3,339	6,363	52	15	5	5	30
8550 El Paseo Grande	4,848	9,398	51	18	5	5	5
8562 El Paseo Grande	6,220	13,424	46	18	5	5	5
8585 El Paseo Grande	2,497	5,802	43	50	5	5	5
8554 El Paseo Grande	5,168	12,842	40	18	5	5	5
8552 La Jolla Shores Dr	3,205	8,026	40	50	5	5	20
8550 La Jolla Shores Dr	3,247	8,614	38	50	10	10	50
8558 El Paseo Grande	4,747	13,672	35	18	5	5	5
8537 El Paseo Grande	2,828	8,193	34	20	5	5	40
8564 El Paseo Grande	5,035	17,008	30	18	5	5	5
Note: Project square footage reduced 10% to reflect habitable square footage							

(Note: The *Floor Area Ratio* for the subject project is erroneously stated as FAR 97, which means the *gross floor area* of the project would be 97 times larger than the area of the *premises*. Similarly, all of the FARs listed on the *Bulk & Scale 300' Study* are erroneously stated.

Interestingly, according to the Project Data (attached below) on the applicant's Sheet No. T-1, the *Floor Area Ratio* is erroneously stated as 'PROPOSED F.A.R. 5,804 S.F. (0.92%)'. A resultant Floor Area Ratio does not contain square feet. From the Project Data, a *gross floor area* of 5,804 s.f. divided by a lot area of 6,330 s.f. equates to a *Floor Area Ratio* of **0.92**, not 0.92% nor 97 as stated on the Bulk & Scale 300' Study)

LISTED DATA on the *BULK AND SCALE 300' STUDY* is ERRONEOUS

The first address on the applicant's *BULK AND SCALE 300' STUDY* is 8542 El Paseo Grande with an erroneously stated size of 9,553 sq. ft., and a **erroneous FAR of 1.02**. I do not know where the applicant obtained his bogus figures, but they are grossly inflated and absolutely false.

I am the architect who designed the remodel of the house at 8542 El Paseo Grande in 1994. The house is one story in height above the street with 2 basement levels below street level which are partially visible from the beach. 70% of the first basement level is below grade, and 85% of the second basement level is below grade. The *gross floor area* of the house is 4,944

s.f. On the 9,313 s.f. lot the **FAR is 0.53**. On just that portion of the lot east of the seawall (7,280 s.f.) the **FAR is 0.68**. **Not 1.02 or 1.02** as stated by the applicant.

Due to the slope of the land on the west and east sides of El Paseo Grande, most of the homes on the west side and many of the homes on the east side of El Paseo Grande have substantial below grade basement areas that are not included in the calculation of *gross floor area* or *Floor Area Ratio*. Since the applicant erroneously included the below grade basement area at 8542 El Paseo Grande in his *Bulk and Scale 300' Study* and his erroneous calculation of *Floor Area Ratio*, I suspect the *gross floor area* and *Floor Area Ratio* of many other projects on El Paseo Grande are erroneously and grossly inflated as well.

MOST IMPORTANTLY:

STATED *GROSS FLOOR AREA* of the PROJECT is ERRONEOUS and GROSSLY UNDERSTATED

The project's SQ. FT. and *floor area ratio* on the applicant's *Bulk & Scale 300' Study* are grossly understated.

The applicant's Project Data on Sht. No. T-1 grossly understates the actual *gross floor area* and *floor area ratio* of the proposed project.

SDMC Sec. 113.0234 Calculating Gross Floor Area states :

§113.0234 Calculating Gross Floor Area

Gross floor area is calculated in relationship to the *structure* and *grade* adjacent to the exterior walls of a building. The elements included in the *gross floor area* calculation differ according to the type of development proposed and are listed in Section 113.0234(a)-(c). *Gross floor area* does not include the elements listed in Section 113.0234(d). The total *gross floor area* for a *premises* is regulated by the *floor area ratio* development standard.

(a) **Elements Included in *Gross Floor Area* For Development in All Zones**

(1) *Gross floor area* includes all existing and proposed *floors* within the horizontal area delineated by the exterior surface of the surrounding exterior walls of the building.

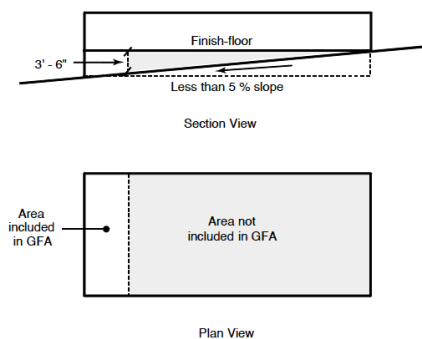
(2) *Gross floor area* for *basements* is calculated as follows:

(A) For *lots* that slope less than 5 percent along each edge of the building footprint, *gross floor area* includes the area of all portions of a *basement* where the vertical distance between *existing grade* or *proposed grade*, whichever is lower, and the *finish-floor* elevation above exceeds 3 feet, 6 inches as shown in Diagram 113-02I.

Ch.	Art.	Div.
11	3	2
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Diagram 113-02I

Basements with Less than 5 Percent Slope



According the applicant's Building Section Drawings on Sht. Nos., A-6.3, A-6.4 and A-6.5, the slope of the lot within the building footprint is less than 5 percent. According to SDMC Sec. 113.0234, and because the vertical distance from the First Floor level to existing grade below is significantly more than 3'-6", the area of the Basement/Garage below the first floor level must to be included in the *gross floor area* of the project.

Not only is the applicant's Basement/Garage Floor Plan conspicuously missing from the drawings posted on the City's web page at https://www.sandiego.gov/sites/default/files/attachment_2_13.pdf, the floor area of the Basement/Garage below the First Floor Level is conspicuously omitted from the Total *Gross Floor Area* of the Building on the applicant's Floor Area Data on Title Sheet No. T-1 shown below.

SETBACKS	EXISTING	PROPOSED	DIFFERENCE
FRONT (STREET FRONTAGE):	21'-3"	15'-0"	6'-3"
INTERIOR SIDE NORTH:	7'-10"	5'-0" / 10'-6"	2'-10" / + 2'-8"
INTERIOR SIDE SOUTH:	8'-8"	5'-0" / 7'-6"	3'-8" / 1'-2"
REAR:	21'-0"	4'-0" / 5'-10"	17'-0"
BUILDING HEIGHT LIMITATIONS:	30'-0"	28'-10"	1'-2"
PARKING SPACES:	5	9	3
BUILDING AREAS:	EXISTING	ADDITION	TOTAL
FIRST FLOOR	1,776 S.F.	1,227 S.F.	3,003 S.F.
SECOND FLOOR	1,268 S.F.	1,533 S.F.	2,801 S.F.
TOTAL AREA:	3,044 S.F.	2,760 S.F.	5,804 S.F.
GARAGE AREA	561 S.F.	2,681 S.F.	3,242 S.F.
FIRST FLOOR DECK AREA (N.C.)	1,282 S.F.	-961 S.F.	299 S.F.
SECOND FLOOR DECK AREA	71 S.F.	214 S.F.	285 S.F.
TOTAL	1,914 S.F.	2,981 S.F.	4,895 S.F.
LANDSCAPE REQUIRED:	1,899.18 S.F. (30%)		
LANDSCAPE PROVIDED:	2,049.50 S.F. (32.27%)		
LOT AREA	6,330 S.F.		
EXISTING F.A.R.	3,044 S.F. (48.08%)		
PROPOSED F.A.R.	5,804 S.F. (0.92%)		
EXISTING IMPERVIOUS AREA:	3,945 S.F.		
(E) & PROPOSED IMPERVIOUS AREA:	4,610 S.F.		

Based on the applicant's Building Section Drawings on Sht. Nos., A-6.3, A-6.4 and A-6.5, all of the Garage/ Basement Area must be included in the *gross floor area*. When adding the applicant's stated Garage/Basement Area of **3,242 s.f.** to the First Floor Area of **3,003 s.f.** and the Second Floor Area of **2,801 s.f.**, the **total gross floor area for the project is 9,046 s.f.** Dividing a *gross floor area* of **9,046 s.f.** by the stated lot area of **6,330 s.f.** equates to an actual **Floor Area Ratio of 1.43**; which is **55 percent greater than the erroneously stated FAR of 0.92**.

(Note: The proposed project's actual **Floor Area Ratio of 1.43** is **170 percent GREATER** than the actual *Floor Area Ratio* of 0.53 for the first and supposedly largest FAR on the applicant's *Bulk & Scale 300' Study*.)

Thank you for your consideration of these most unfortunate issues.

Sincerely,

Phil Merten



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