



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: July 23, 2020 REPORT NO. PC-20-045

HEARING DATE: July 30, 2020

SUBJECT: KOLMAR RESIDENCES, Process Two Appeal

PROJECT NUMBER: [639405](#)

OWNER/APPLICANT: Gregg Whitney, Owner and Isabela Guzman Vinueza, Applicant

SUMMARY

Issue: Should the Planning Commission deny or grant an appeal of staff's decision to approve the demolition of a single dwelling unit and construction of two, two-story single-dwelling units on each lot located at 304-306 Kolmar Street within the RM-1-1 Zone in the La Jolla Community Planning area?

Staff Recommendation: DENY the appeal and AFFIRM the Development Services Department's decision to APPROVE Coastal Development Permit No. 2302050.

Community Planning Group Recommendation: On March 25, 2020, the applicant informed City staff that they will forego seeking a recommendation vote from the La Jolla Community Planning Association (LJCPA) due to the uncertainties of COVID-19 and the applicant's past negative experiences seeking a recommendation vote on a similar development. The applicant requested City staff to move forward with project's Notice of Decision. On May 21, 2020, the Development Services Department issued the Notice of Decision to APPROVE the project. However, on May 19, 2020, the La Jolla Development Permit Review Committee voted 6-0-1 to recommend denial of the proposed project and on June 4, 2020, the LJCPA voted 11-5-1 to recommend denial of the proposed project.

Environmental Review: The project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15303 (New Construction or Conversion of Small Structures). The project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 7, 2020, and the opportunity to appeal that determination ended April 21, 2020.

Fiscal Impact Statement: None with this application. All costs associated with the processing of this project are paid from a deposit account funded by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed demolition of the existing single dwelling unit and construction of two new single dwelling units equates to one net gain of housing stock within the community. The addition of the new single dwelling unit contributes to providing additional housing opportunities in the community.

BACKGROUND

The 0.11-acre site is located at 304-306 Kolmar Street (Attachment 1), on the north side of Kolmar Street, east of Vista Del Mar Avenue, in the RM-1-1 Zone, and designated Low Medium Residential with 9 to 15 dwelling units per acre (DU/AC) in the [La Jolla Community Plan and Local Coastal Program Land Use Plan \(LJCP\)](#) (Attachment 2). The site is also located within the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, Parking Impact (Beach) Zone, Residential Tandem Parking Zone, Transit Area Zone, and Transit Priority Area Overlay Zone. The project site is currently developed with a single-family residence and detached guest unit (Attachment 3).

The project proposes the demolition of an existing single-family residence and detached guest unit, and the construction of two, two-story single dwelling units, one unit on each lot. Unit 1 would be 1,859 square feet, and Unit 2 would be 1,875 square feet. The existing single-family residence and detached guest unit were reviewed to determine whether a potentially significant historical resource exists on site. On October 17, 2017, City Staff concluded the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

The project site is located approximately 537 feet from the Pacific Ocean. There is no existing or proposed public accessway to the beach on or adjacent to the site as identified in the LJCP. The proposed development is contained within the boundaries of an existing residential lot, and designed in conformance with all applicable development regulations. Additionally, the project is not located within any view corridor as identified in the [LJCP – Identified Public Vantage Points map \(Figure 9, Pages 35-36\)](#). The proposed coastal development is located in an interior neighborhood lot and is designed to comply with all development regulations including the maximum 30-foot height limit of the RM-1-1 Zone and the Coastal Height Limit Overlay Zone.

On May 21, 2020, the Development Services Department issued a Notice of Decision to approve the project (Attachment 7). As noted earlier, on June 4, 2020 the LJCPA voted 11-5-1 to recommend denial of the proposed project. On June 5, 2020, the President of the La Jolla Community Planning Association submitted a Development Permit Appeal Application citing the grounds for appeal due to "Conflict with other matters."

PROJECT APPEAL DISCUSSION

The Project's appeal issues are provided below along with the City staff responses:

Appeal Issue 1: *"No transition between proposed new buildings and existing adjacent homes."*

City Staff Response: The transitions in scale between new and older neighboring structures are exhibited through off-setting planes and variations within the front yard setback. For example, most of the front setback for the eastern dwelling unit adheres to the standard 20 feet while at least half of the western dwelling unit adheres to the standard 20 feet as well.

The appellants claim there is no transition between the new building and the adjacent homes, but the east and west neighboring existing homes are both two stories in height and include pitched roofs, which increase the perceived height of those structures as well. The new homes, while designed in a different architectural style, are consistent with the design fabric of the neighborhood and are only two stories in height, where most new projects in this area are at least three if not four floors in height. The new projects being completed now that are two and three lots to the west of this project represent a narrow lot home that is three stories in height and an adjacent large single-family home that is four stories. Additionally, the two homes directly across the street that were completed a year ago are both narrow lot homes that are three stories in height. The project homes, as proposed, meet or exceed all setbacks for site placement and are at 26 feet in height which is well under the allowed maximum 30-foot height limit for the site and require no variances or deviations of any type for the project approval.

Appeal Issue 2: *“Design is bulky with no visual articulation and offsetting planes.”*

City Staff Response: The second stories of the proposed units step back by the use of decks that produce off-setting planes. Furthermore, the roof deck and architectural appendages off-set as well. The off-setting planes are exhibited both vertically and horizontally as exhibited on front and sides of the proposed units.

The RM-1-1 zone requires off-setting front setbacks of 50 percent at a 15-foot setback and 50 percent at a 20-foot setback and the home designs fully comply with that requirement providing a 5-foot off-set in the front façade of a building that is only 19'-10" wide. The design includes a variety of roof shapes and types with both flat roofs and sloping roofs with standing seam metal roofing. The designs include numerous off-setting planes and a varied material palette including horizontal wood siding, horizontal tile, brick and accent metal fascia.

Appeal Issue 3: *“The open carport adds to bulk and increases scale of residences.”*

City Staff Response: The proposed carports are detached and located in the rear of the lots, 7 feet from their respective dwelling units. The proposed carports that have two elevations at least 75 percent open are not included in Gross Floor Area (GFA) per [SDMC 113.0234\(a\)\(6\)](#). They are allowed in the LJCP and the underlying zone.

Appeal Issue 4: *“Preferred closed garages would result in 800 square feet removed from project bulk and increase storage security along alley.”*

City Staff Response: The proposed project does not provide closed garages. The proposed carports are detached and in the rear of the lots, 7 feet from their respective dwelling units. The proposed carports that have two elevations at least 75 percent open are not included in GFA per [SDMC 113.0234\(a\)\(6\)](#). They are allowed in the LJCP and the underlying zone. The appeal issue is a

hypothetical design that is not proposed by the applicant or considered as a part of this project.

Appeal Issue 5: *"25 ft. lot frontages do not adhere to established rhythm of 50' street frontages which are prevailing development patterns in neighborhood."*

City Staff Response: The project on appeal is two legal lots, Lots 48 and 49 that make up the project with one single dwelling unit proposed on each lot. While the 50-foot street frontages may be prevailing, they are not the standard within the neighborhood. Some examples include, but are not limited to: 253, 257, 344, and 348 Kolmar Street; and 329, 331, and 335 Gravilla Street, in addition to the western side of Vista Del Mar Avenue between Gravilla Street and Kolmar Street. These dwelling units are all within 300 feet of the subject site.

Appeal Issue 6: *"Extensive lot coverage lacks opportunities for large scale vegetation to soften new development and blend it into existing streetscape."*

City Staff Response: RM-1-1 zones do not have a maximum lot coverage requirement. Any landscaping proposed will be evaluated during the construction building permit plan check phase of the project.

Appeal Issue 7: *"The LJCPA requests that City cease approving carports that would cause a project to exceed the allowable FAR if counted as garages."*

City Staff Response: See responses to Appeal Issues 3 and 4. Carports are allowed as a design option if a proposed development meets the base zone development standards and does not exceed the allowable FAR. Per [SDMC 113.0234\(a\)\(6\)](#), carports are not counted as part of the development's GFA if they contain two elevations at least 75 percent open. Any modifications to a carport that would occur after project approval by the City would be subject to development regulations in place at the time and require approval of a building permit.

Conclusion:

City staff has reviewed this application for a CDP and has determined that the project is consistent with the recommended land use and development standards in effect for the site. Staff has provided draft findings (Attachment 4) and conditions (Attachment 5) to support approval of the project. Staff recommends that the Planning Commission deny the appeal and affirm Development Services Department's decision to approve CDP No. 2302050.

ALTERNATIVES

1. Deny the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit No. 2302050, with modifications.
2. Grant the appeal, reverse the Development Services Department's decision, and deny Coastal Development Permit No. 2302050, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



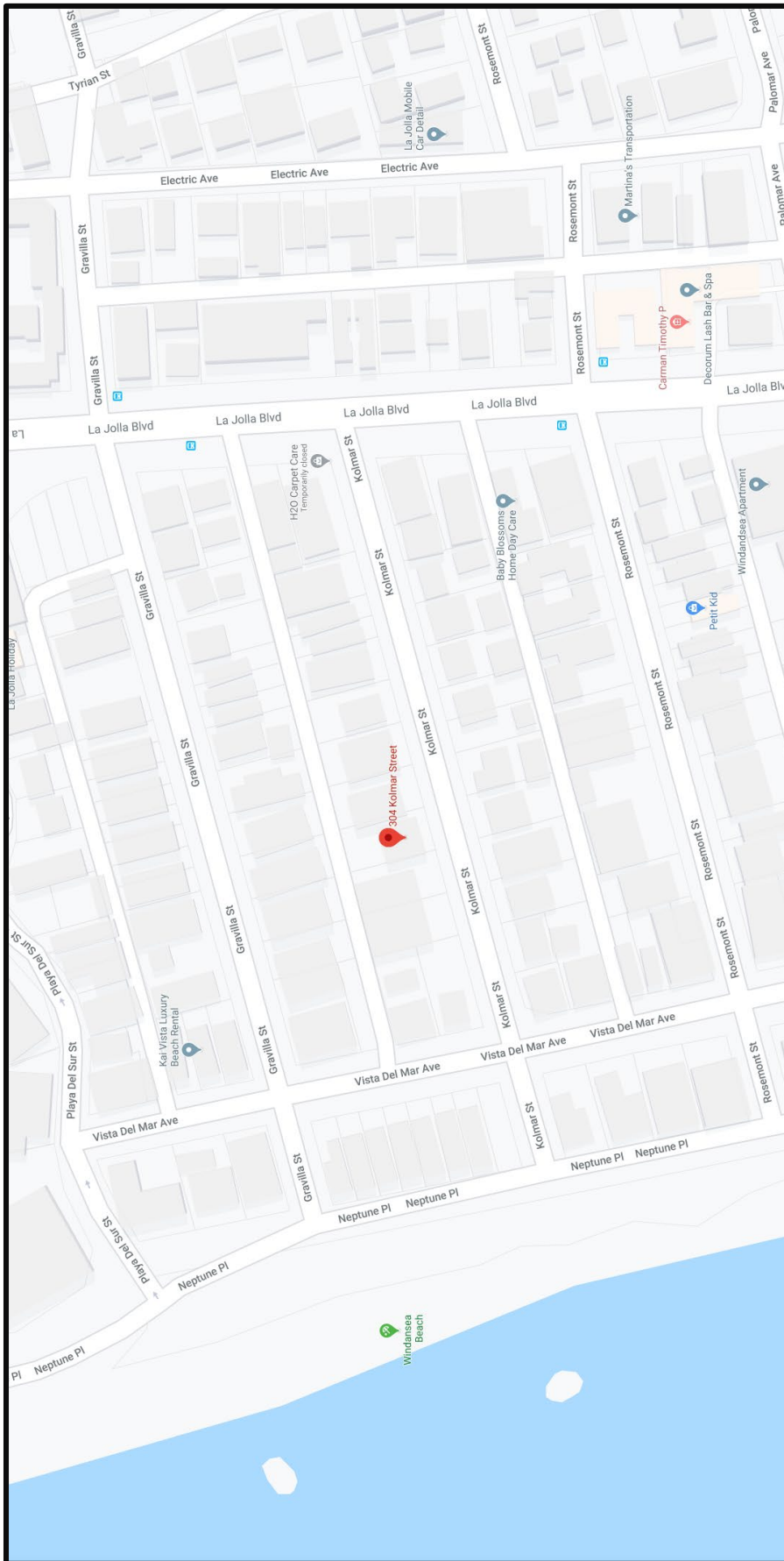
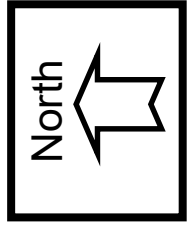
PJ Fitzgerald
Deputy Director
Development Services Department



Benjamin Hafertepe
Development Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Notice of Decision
8. Copy of Appeal
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Development Plans



Project Location Map

Kolmar Residences

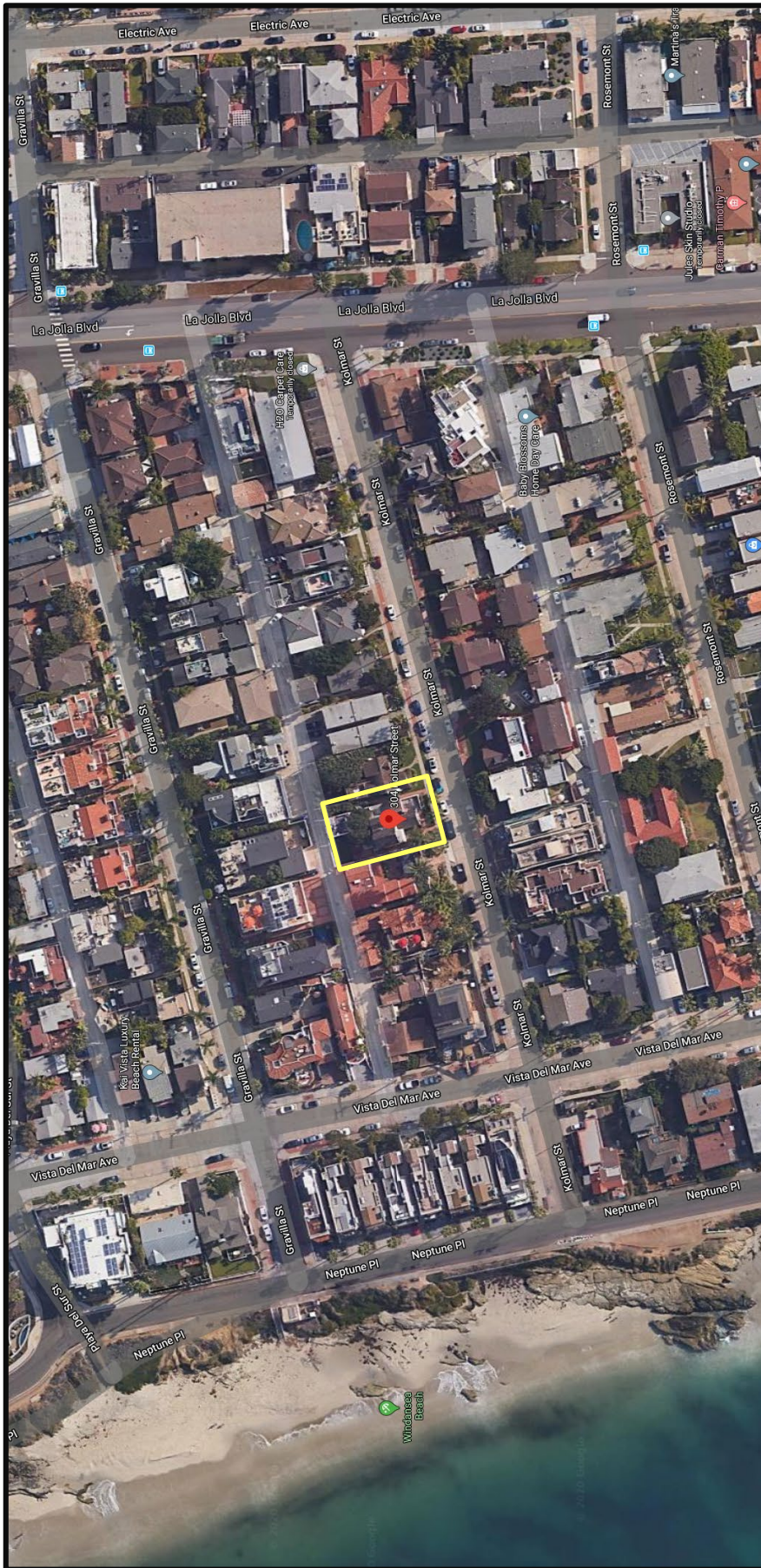
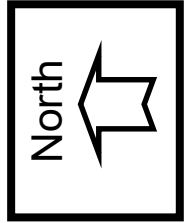
Project No. 639405 – 304-306 Kolmar Street





Land Use Map

Kolmar Residences
Project No. 639405 – 304-306 Kolmar Street



Aerial Photograph

Kolmar Residences

Project No. 639405 – 304-306 Kolmar Street



PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2302050
KOLMAR RESIDENCES PROJECT NO. 639405

WHEREAS, GREGG G. WHITNEY, Owner/Permittee, filed an application with the City of San Diego for a permit for the demolition an existing single-family residence, and the construction of two new 2-level single family residences (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2302050), on portions of a 0.11-acre site;

WHEREAS, the project site is located at 304-306 Kolmar Street in the RM-1-1 Zone, the Coastal (Non-Appealable Area 2) Overlay Zone, the Coastal Height Limit Overlay Zone, the Parking Impact (Beach) Zone, the Residential Tandem Parking Zone, the Transit Area Zone, and the Transit Priority Area Overlay Zone within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lots 48 and 49 in Block 8 of La Jolla Strand, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1216, filed in the Office of the County Recorder of San Diego County, October 18, 1909;

WHEREAS, on April 7, 2020, 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 Guidelines Section 15303 (New Construction or Conversion of Small Structures) 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 May 21, 2020, the Development Services Department of the City of San Diego considered and approved Coastal Development Permit No. 2302050 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on June 5, 2020, an appeal of the Development Services Department's decision was filed;

WHEREAS, on July 30, 2020, the Planning Commission of the City of San Diego considered an appeal of the Development Services Department's May 21, 2020 decision to approve Coastal Development Permit No. 2302050; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it denies the appeal, affirms the Development Services Department's decision, and adopts the following findings with respect to Coastal Development Permit No. 2302050:

A. COASTAL DEVELOPMENT PERMIT [SDMC SECTION 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway 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 subject site is located at 304-306 Kolmar Street in La Jolla. The site is currently developed with an existing single-family residence. The development proposes to demolish the existing structure and detached guest unit and construct two new two-story single-family residences each with a detached 2-car carport in this existing fully developed residential neighborhood. The proposed new dwelling units would be constructed on the existing developed lot that contains no physical accessways used or proposed for public use. The proposed development will enhance and protect public views by keeping all development within the 30-foot coastal height limit at 26 feet in height, as well as keeping all landscaping within the Kolmar Street required yard at 3'-0" in height or less as well as removing existing non-conforming structures from the right of way and setback area. The proposed residence meets the applicable development regulations required by the Land Development Code.

- b. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The subject site does not contain nor is it adjacent to any environmentally sensitive lands. Furthermore, both the subject and adjacent sites are all previously developed with single family residential homes.

- c. 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 project proposes the demolition of an existing single-family residence and detached guest unit, and the construction of two, two-story single dwelling units, with one unit on each lot. Unit 1 would be 1,859 square feet, and Unit 2 would be 1,875 square feet. The 0.11-acre site is designated by the La Jolla Community Plan and Local Coastal Land Use Plan (Community Plan) for low medium residential uses (9-15 dwelling units/acre) and is zoned RM-1-1. The project is consistent with the land use designation of single-family residential development (maximum of 15 DU/AC) in the Community Plan.

The project site is not located within the First Public Roadway, and there are no public view corridors, vantage points, or physical access routes from the project site, as identified in the Community Plan. In addition, the project will not encroach upon any existing physical way legally used by the public or any proposed public accessway identified in the Community Plan. The project complies with the development standards required by the underlying RM-1-1 Zone, including height, density, building setbacks, floor area ratio, and lot coverage. In addition, the project is not requesting any deviations or variances from the applicable regulations and therefore, the redevelopment of the site with two, two-story single dwelling units each with a detached 2-car carport is in conformity with the certified Local Coastal land use plan and complies with all regulations of the certified Implementation Program.

- d. 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.**

Lots 48 & 49 at 2,500 square feet each are currently developed with an existing single-family residence that is proposed to be demolished. Two new two-story single-family residences of 1,859 and 1,875 square feet will be built in its place and as such are part of an established residential single-family residence neighborhood. The project site is NOT located between the first public road and the sea or shoreline of any body of water located within the Coastal Overlay Zone. No public access or public recreation facilities exist on the project site. Therefore, the proposed project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 2302050 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. 2302050, a copy of which is attached hereto and made a part hereof.

Benjamin Hafertepe
Development Project Manager
Development Services

Adopted on: **DATE OF APPROVAL**

IO#: 24008291

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

INTERNAL ORDER NUMBER: 24008291

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2302050
KOLMAR RESIDENCES PROJECT NO. 639405
PLANNING COMMISSION

This Coastal Development Permit No. 230250 is granted by the Planning Commission of the City of San Diego to Gregg G. Whitney, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.11-acre site is located at 304 – 306 Kolmar Street in the RM-1-1 Zone, the Coastal (Non-Appealable Area 2) Overlay Zone, the Coastal Height Limit Overlay Zone, the Parking Impact (Beach) Zone, the Residential Tandem Parking Zone, the Transit Area Zone, and the Transit Priority Area Overlay Zone within the La Jolla Community Plan area. The project site is legally described as: Lots 48 and 49 in Block 8 of La Jolla Strand, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1216, filed in the Office of the County Recorder of San Diego County, October 18, 1909.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for construction of two new 2-level single family residences, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 30, 2020, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing single-family residence and detached guest unit.
- b. Construction of two new 2-level single family residences each with a detached 2-car carport; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void 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. This permit must be utilized by July 30, 2020.
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 the Owner/Permittee signs and returns the Permit to the Development Services Department, and the Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
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 building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited 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 were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit. If 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.

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate, and assure by permit and bond, the improvement of an additional 2.5 feet of the adjacent alley, satisfactory to the City Engineer.

13. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of damaged curb with City Standard curb, adjacent to the site on Kolmar Street, satisfactory to the City Engineer.

14. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of damaged sidewalk with City Standard sidewalk, maintain scoring pattern, adjacent to the site on Kolmar Street, satisfactory to the City Engineer.

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the removal of the existing brick pavers from Kolmar Street's right-of-way, and replacement with lawn, adjacent to the site on Kolmar Street, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

17. Owner/Permittee shall maintain off-street parking spaces 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 appropriate City decision maker in accordance with the SDMC.

18. 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.

19. 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:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this 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-section 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 [INSERT Approval Date] and [Approved Resolution Number].

Coastal Development Permit No.: 2302050

Date of Approval: XX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Benjamin Hafertepe
Development Project Manager

**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.

GREGG G. WHITNEY
Owner/Permittee

By _____

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



THE CITY OF SAN DIEGO

Date of Notice: April 7, 2020

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24008291

PROJECT NAME / NUMBER: Kolmar Residence/ 639405

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: The project is located at 304-306 Kolmar Street, San Diego CA 92122

PROJECT DESCRIPTION: Coastal Development Permit (CDP) to demolish one single-dwelling unit and to construct two (2) detached, two-story single-dwelling units located at 304-306 Kolmar Street. Unit 1: is 2,244 square feet and unit 2 would be 2,229 square feet. The 0.11-acre site is in the RM-1-1 zone and Coastal (Non-Appealable-2) Overlay zone of the La Jolla Community Plan Area. The proposed project complies with all height and bulk regulations and can accommodate the public utilities to serve the new structure.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego, Development Services Department

ENVIRONMENTAL DETERMINATION: Section 15301 (Existing Facilities) and 15303 (New Construction)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego, Development Services Department

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review and determined that the project would qualify to be exempt from CEQA pursuant to CEQA Sections 15303 and 15301. Section 15303 applies to projects that consist of the construction of a limited number of new small facilities or structures; including the construction of two single family units in a residential zone. In addition, CEQA Section 15301 allows for the demolition of single family residences and other small structures. Since the project would construct two single dwelling units on a previously developed site lacking sensitive resources it was determined that the CEQA exemptions were appropriate and the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER:

Benjamin Hafertepe

MAILING ADDRESS:

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER / EMAIL:

(619) 446-5086/ bhafertepe@sandiego.gov

On April 7, 2020 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 Development Project Manager listed above.

Applications to appeal CEQA determinations 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 (April 21, 2020). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

- 1) Appeals filed via E-mail: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. The [appeal application can be obtained here](#). You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
- 2) Appeals filed via US Mail: Send the appeal by US Mail to City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. The [appeal application can be obtained here](#). You must separately mail the required appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

This information will be made available in alternative formats upon request.



THE CITY OF SAN DIEGO

DATE OF NOTICE: May 21, 2020

NOTICE OF DECISION

DEVELOPMENT SERVICES DEPARTMENT

PROJECT NO:	639405
PROJECT NAME:	KOLMAR RESIDENCES
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, CEQA EXEMPT, PROCESS TWO
APPLICANT:	ISABELA GUZMAN, GOLBA ARCHITECTURE INC.
COMMUNITY PLAN AREA:	LA JOLLA
COUNCIL DISTRICT:	1
CITY PROJECT MANAGER:	Benjamin Hafertepe, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5086 / Bhafertepe@san Diego.gov

On May 21, 2020, Development Services Department APPROVED an application for a Coastal Development Permit to demolish a single-dwelling unit and to construct two (2), two-story, single-dwelling units located at 304-306 Kolmar Street. Unit 1 would be 1,859 square feet and Unit 2 would be 1,875 square feet. The 0.11-acre site is in the RM-1-1 Zone and Coastal (Non-Appealable-2) Overlay Zone within the La Jolla Community Plan area. This development is within the Coastal Overlay Zone and the application was filed on June 17, 2019.

If you have any questions about this project, the decision, or wish to receive a copy of the resolution approving or denying the project, contact the City Project Manager above.

The decision by Development Services Department staff can be appealed to the **Planning Commission** no later than ten (10) business days after the decision date. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services. During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the Planning Commission must be filed by email or US mail as follows:

- 1) Appeals filed via E-mail: The Development Permit/Environmental Determination Appeal Application Form DS-3031 can be obtained here, <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form by email to PlanningCommission@san Diego.gov. Your email appeal will be acknowledged within 24 hours. You must separately mail the appeal fee by check payable to the City Treasurer to: Planning Commission/Appeal, MS 501, 1222 First Avenue, 5th Floor, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked within 5 business days of the date the appeal is filed.
- 2) Appeals filed via US Mail: The Development Permit/Environmental Determination Appeal Application Form DS-3031 can be obtained here, <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form by US Mail to Planning Commission/Appeal, MS 501, 1222 First Avenue, 5th Floor, San Diego, CA 92101. Appeals filed by US Mail

ATTACHMENT 7

must be USPS postmarked by the appeal deadline to be considered valid. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

This project was determined to be categorically exempt from the California Environmental Quality Act on April 7, 2020 and the opportunity to appeal that determination ended April 21, 2020.

This information will be made available in alternative formats upon request.

Internal Order No.: 24008291

cc: President, La Jolla Community Planning Association

Development Permit/ Environmental Determination Appeal Application

**FORM
DS-3031**

November 2017

In order to assure your appeal application is successfully accepted and processed, you must read and understand [Information Bulletin 505](#), "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

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

Name: Diane Kane E-mail: dkane002@san.rr.com

Address:	City:	State:	Zip Code:	Telephone:
7711 Lookout Drive	La Jolla	CA	92037	858-459-9490

3. Project Name:

Kolmar Residences

4. Project Information		
Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination	City Project Manager:
Project ID: 639405; CDP, Process 2, Exempt	June 5, 2020	Ben Hafertepe

Decision(Describe the permit/approval decision):

On May 21, 2020, Development Services Department APPROVED an application for a Coastal Development Permit to demolish a single-dwelling unit and to construct two (2), two-story, single-dwelling units located at 304-306 Kolmar Street. Unit 1 would be 1,859 square feet and Unit 2 would be 1,875 square feet. The 0.11-acre site is in the RM-1-1 Zone and Coastal (Non-Appealable-2) Overlay Zone within the La Jolla Community Plan area. This development is within the Coastal Overlay Zone and the application was filed on June 17, 2019.

5. Ground for Appeal(Please check all that apply):

☐ Factual Error
 ☐ New Information
☒ Conflict with other matters
 ☐ City-wide Significance (Process Four decisions only)
☐ Findings Not Supported

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.)

6. **Appellant's Signature:** I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: _____

Date: June 5, 2020

Note: Faxed appeals are not accepted.

Kolmar Residences
304-3076 Kolmar, La Jolla
Council District 1
Coastal Development Permit, Process 2, Exempt

La Jolla Development Permit Review Committee, 5/19/2020

Findings CANNOT be made due to failure to meet La Jolla Community Plan:

- No transition between proposed new buildings and existing adjacent homes
- Design is bulky with no visual articulation and offsetting planes;
- The open carport adds to bulk and increases scale of residences;
- Preferred closed garages would result in 800 sq. ft. removed from project bulk and increase storage security along alley;
- 25 ft. lot frontages do not adhere to established rhythm of 50' street frontages which are prevailing development patterns in neighborhood
- Extensive lot coverage lacks opportunities for large scale vegetation to soften new development and blend it into existing streetscape.

(1st Gaenzle/2nd Costello) Vote: (6-0-1)

In Favor: Costello, Fremdling, Gaenzle, Jackson, Kane, Leira

La Jolla Community Planning Association Recommendation, 6/4/2020:

1. Affirm DPR motion that findings cannot be made due to stated inconsistencies with La Jolla Community Plan. (1st Costello/2nd Ish)
2. The Community Planning Association opposes City staff issuing a Notice of Decision before a project involving a Coastal Development Permit is heard by CPA.

Vote: (11-5-1)

In Favor: Brady, Costello, Courtney, Davidson, Ish, Jackson, Little, Neil, Shannon, Steck, Weiss;

Opposed: Ahern, Boyden, Fitzgerald, Mangano, Weissman;

Abstain: Kane.

Follow-Up Motion: (16-0-1)

The La Jolla Community Planning Association requests that City cease approving carports that would cause a project to exceed the allowable FAR if counted as garages. (1st Jackson/ 2nd Weiss)

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Meeting Minutes – Tuesday May 19, 2020 – 4:00 pm

Due to the current public health emergency, LJCPA and its committees are meeting online rather than physically. Those who wish to attend (including viewing, listening, and possibly speaking at the meeting) must register in advance. To register for the DPR meeting, please visit <https://lajollacpa.org/agenda-instructions-for-online-dpr-meeting-4pm-5-19-20/> at your convenience. Registration will remain open until the meeting ends.

Presentation materials will be made available in advance of the meeting through links on <https://lajollacpa.org/agenda-instructions-for-online-dpr-meeting-4pm-5-19-20/>. Applicants (or opposition) please send all materials to the DPR chair (brianljcpa@gmail.com) no later than 3pm on Monday 4/20/2020. This must include your most recent Assessment Letter and Cycle Issues in addition to your presentation materials.

-
- 1. Public comments are an opportunity to share your opinion with the committee members. Comments should not be directed at the applicant team*
 - 2. Plans are available for in-depth review by contacting the project manager at the city's Development Services Department before the meeting.*
 - 3. Public comments will be strictly limited to **2 minutes per person**. Please review the following meeting minutes. If another member of the public has already said the same thing tonight or at a previous meeting, please move on to new information. It is not necessary to repeat previous comments.*
 - 4. **Applicants:** Please present your project as succinctly as possible. Speak clearly and **CONCISELY**.*
-

NON-AGENDA PUBLIC COMMENT:

- Costello – Committee appointments coming up on CPA. If you are interested in joining this or similar committee submit your interest to LJCPA or The LJ Town Council.
- Kane – 3 DPR vacancies are all LJ Town Council
- Kane – city noticing is inadequate, need large scale signs, only noticing is easily discarded and confusing. PM refused to re-notice on another project. Barbara Bry got an ear full.
 - We have already asked for it in next code update.
 - Initial noticing is mailed out and it can be months before first meeting
 - Notice should include opensds website. This would future proof changes in PM
 - Folded piece of paper looks like an add. Tenants might throw away mail.
 - We are keepers of community meeting, can we better notify neighborhood
 - If new neighbors move in after notice, no info.
 - What if we asked applicant to post a tag on site.
 - What if ask city to add “email info@lajollacpa.org to be kept apprised of future community meetings.” Might be lowest hanging fruit to achieve.
 - Mapping on DSD home page.

APPROVAL OF MEETING MINUTES:

ITEM 1: FINAL REVIEW 5/19/2020

Project Name: Kolmar Residence – 304-306 Kolmar St
Permits: CDP
Project No.: 639405 DPM: Benjamin Hafertepe
Zone: RM-1-1 Applicant: Tim Golba
Project Info: <https://opensd.sandiego.gov/Web/Projects/Details/639405>

LA JOLLA - (Process 2) Coastal Development Permit to demolish a single-dwelling unit and to construct two (2) two-story, single-dwelling units located at 304-306 Kolmar St. **Unit 1: 1,859 sf. Unit 2: 1,875 sf.** The 0.11-acre site is in the RM-1-1 Zone, Coastal Overlay (N-APP-2) Zone within the La Jolla Community Plan area. CD1.

5/12/2020 - APPLICANT PRESENTATION

- 5 lots up from Vista del Mar. Existing house cleared historic review. Existing single family home plus garage conversion unit done without permit so no parking on site currently.
- Site photos, Kolmar almost flat until just west of this lot. Then drops quickly. Bulk of Western neighbors mass is at rear.
- Showed additional context photos on the street. Large project at the corner of Vista del Mar and Kolmar. Another 3 story project under construction adjacent to that.
- Photos from alley as well. Westerly neighbor is very tall at rear (alley) side. Tall homes across alley as well.
- 2 legal lots: house built across both properties; still two separate legal parcels.
- 2 single family homes, one on each legal underlying lots. Owner will live in West unit and sell East unit.
- Front Setbacks are larger than current building. No increase in size, each lot meets all requirements as a stand alone. As two separate lots or as a multifamily duplex, you still would have the density allowance for two units.
- **Square footage numbers on description is wrong. 1,875sf is max allowable FAR: 1,859 and 1,874sf for two units**
- Larger front setback to Eastern unit since no view. FAR exceeds 50% at 20' full setback.
- Mass appears 20'-10" above Kolmar. Only glass roof deck at 24'-4" setback from street.
- Positioned view windows further forward toward street and over neighbors garage to maintain neighbors privacy.
- Full 3D mock-up of neighbors building to show relationship.
- Materials: Stucco, precast tiles, metal fascia
- Two off-street parking provided with carport (2 sides open, but garage doors to alley)
- Each floor is under 1,000sf
- Zone survey to show all 25' wide lots in this area.
- Comparison of what is allowable and how much bigger the building could be.
- 50% increase in cumulative sideyard setbacks by not doing a duplex
- All cycle issues closed – not asking for any variance or deviation

- Increased pride of ownership with detached home. Individual fee simple lots.

5/12/2020 - PUBLIC COMMENT

- Ruef: Reviewed objections. Too big, FAR numbers are too big, tight neighbors, hear each other sneeze. Would like to see FAR math, 3' side setbacks but would be 4' if it was a duplex or single home. Is there a 5' code minimum?
- Miller: Neighbor behind. No variances? Concerned about location of carports and where to trash cans go. Giving him 8.5" Very common for people to enclose garages and build over the top. Who is there to stop it? Bulk and scale is too big. Concerned that 25' lots are not typical or historically integral. Smaller setbacks result where about neighbors.
- Carsell: Why do they call it on Kolmar?
- Heine: Community character is being destroyed by ugly boxes. Some of these homes are historic. Should not tear down older homes. Why can't a single family home be built with character.

5/12/2020 - COMMITTEE DELIBERATION

- Fremdling: horrified to learn it won't be restored, Mr. Golba has done well covering the code requirements and the number of 25' lots is compelling, the horse is out of the barn. Cannot suggest changes unless restore the house.
- Costello: consider privacy of neighbors. Prefer 4' setback
- Kane: Extensive aerial photo showed 25' lots. How many within 300 ft. radius? Inadequate transition to adjacent single story homes with pitched roofs. Carport with garage door is "cheating".
- Leira: Don't agree that Kolmar street has gone consistently 25', the street can still be saved. Prefer to see a project on a single 50' lot. The terraces with glass guardrails don't protect privacy for users or neighbors. Landscaping is important. There are some older buildings that are modern and stark but fit neighborhood with lush landscape.
- Gaenzle: Bulk and scale issues; carports are a trick that makes house 400sf bigger. Would prefer to see garages with 400 sf taken from house area. There is no transition between the old and the new. Prefer to see it reduced. Will fence at alley remain 3' (applicant: it will be 6')
- Jackson: Required notice does not appear to be posted on site. Agree with carport concerns.
- Will: roof deck glass rail hampers privacy; Happy to see see 21' height.

5/12/2020 - REQUEST FOR ADDITIONAL MATERIAL

- Carport and trash spacing?
- What to do to preserve privacy: consider solid railing set back from wall edge.
- Consider 4' setbacks
- How many 25' lots within 300'.
- Reconsider glass guardrails
- Renderings with existing houses on both sides
- Fix rendering at rear fence
- Show Bulk and scale compared to existing.
- Overlay existing vs proposed footprint
- Investigate site noticing
- Street scape noticing
- Fly drone at edge of roof terrace and show what "look down" privacy concerns will be
- Shadow analysis mid morning and mid afternoon affect on neighbors.

5/19/2020 - APPLICANT PRESENTATION

- Client gave carte-blanche to suggest improvements as a result of community feedback.
- Reviewed figure grounds of existing and proposed development
- Aerial image of 25' lots limited to 300' radius
- Aerial of how many roof decks in neighborhood
- Design Updates since last week
 - Added some sloped roof to integrate with neighborhood character and shield/reduce roof decks
 - Smaller windows on East side for neighbor privacy and lowered roof parapet at that area
 - Photos from existing second floor windows (not drone). Only large windows are forward and look over garage, all West windows that look into Western house courtyard raised sill to 5'. Roof deck 50% solid rail discourages view into neighbors'
 - East facing privacy: replaced full height windows on East with high sill windows, only front windows that look at solid wall remain large. Added solid sloped parapet at roof deck.
- 3' setback remains and is per code on 25' lots.
- Modelled new house with existing in-situ. Existing house is closer to street and taller
- Shadow study:
- Detached carports are allowed to encroach into setbacks
- Fencing in 3D rendering updated to 6' and demonstrate trash locations.
- Two sides of carports are 85% open.
- Demonstrated allowable (largest case) envelope vs proposed (much smaller/lower)
- Noticing: Site notice was properly posted in July and is back up. City PM confirmed noticing went out. Provided evidence that neighbors received notices.
- Always multifamily zoned – R2 -> RM-1-1
- What is building height?
- Landscape plan not required
- No additional trees to be planted in front yard, but street tree proposed
- Material is wood siding, stucco, tile, metal fascia (white and gray tones)
- Side setbacks are 3 on each side (instead of 4) Total setbacks are (4x) 3' not (2x) 4'
-

5/19/2020 – PUBLIC COMMENT

- Ruef – Children and neighbor on board. Children raised here
 - Concerns: Character, Bulk and Scale, Code Conformance
 - Photo of her home (immediately east of subject). Larger twin buildings to her East
 - Additional photos of existing homes in neighborhood. Some large new homes next to old smaller homes. In many cases the examples of large construction have small “cottage” neighbors
 - Additional photos of “character” French country, tudor, Spanish, beach cottage. This project “Tips the Scales”
 - Today’s presentation addressed privacy, wind/sun
 - Code concerns: Applicant understands setbacks now. Setbacks are not always followed. Neighbor to her East has wall 30” from PL. Appreciate concessions but how do I know the houses will be 36”?
 - Loosing sun, and wind. Can you move the entry bulk to other side of Lot 48.
 - This is a family neighborhood, at least appreciate the concessions made.

ATTACHMENT 8

- Miller – Garage set back will to to 1'-8", won't fit a trash can. Notice was received on July 10. Revised notice sent with wrong PM. Took a week to figure out who to talk to. Will sloped roof overhang into setback. They will overhang 6". .11 acres is less than 5,000sf. Using .11 acre the FAR is too large. There are 4 or 5 25' "split" lots on the block. Object to "split". Bulk and Scale is too large where 1,700sf existed. This neighborhood will become Mission Beach. This is not the "Jewel". Setback at Carport is 20" ? Are rules being followed? Concerned garage will be enclosed
- Heine – appreciate changes although still shadow to East. New home to old home does not "transition". This speaks to Bulk and Scale. Appreciate mature landscape in surrounding homes. Proposed looks like Sore thumbs. No room for landscaping. We know the owners of neighboring "twin" buildings. Her mom never opened the curtains again. You hear everything from one house to another. Homes throughout neighborhood are too close.
- Forest – Live on 319 Gravilla. Added second floor addition which fits the neighborhood and protects hers and neighbors privacy
- Wampler – When did we go to 3' setback. (Applicant: Code came out in 2000, not sure if it was there under R2) Will owner live on site (applicant: yes) Neighbor will be vested in neighborhood. In 90% of cases, next owner then fills it (garage) in. Character of neighborhood, there is a domino affect.
- Ruef, Shannon – Grew up in neighborhood, playing in yards, greenery, didn't feel like city. These boxes rely of small houses to create character and daylight. Telling that project pushes all limits. Recognize law is followed to letter but not spirit. Project does not fit to the LJ that we know. People care about this.
- Miller, Janie – How big is this lot (applicant: 5,000sf. 25'x100' (x2)) Neighbors in "twin" boxes are not happy. Stops being a neighborhood. Even in single family homes you hear the neighbors. These projects changes the character. Want to live in a neighborhood where neighbors get along
- Blackmond – Worked to save Ruby-Snell Cottage. Had to question everything and they found errors. On that project they made concessions that worked.
- Neil – What is process for a process 2 project

5/19/2020 – COMMITTEE DELIBERATION

- Costello – Happy to see when applicants acquiesce to be cooperative to neighbors, especially when owner will be a resident. Contact us when you want to know. I feel for all neighbors. The street is delightful. Good architect look at possibilities and constraints
- Fremdling – Expertise in historic preservation. Upset to see house demolished. Where is tipping point between modern and traditional? In some cases new projects were done to resemble former residence. Doesn't startle. These are not LJ colors. Large homes are mostly still single family and traditional styles. Code is a problem ... Independent LJ might be the answer. We can have control of our own destiny. Burglary theft is going to require owners to illegal enclose garages. Setbacks are not adequate. What about ADA access. Can't go for it, even though appreciate changes
- Gaenzle – Bulk and Scale: Carports are a cheat. Size would otherwise be reduced if not for this cheat. The LJ Community Plan says ... transition old to new, visual relief, articulation. Home to East by Master Architect Edgar Ulrich, it's small but lives large. This project should be 3-4

blocks East. Second floors should step back. this is not done. Everything meets code but you could build something else. You don't have to build this.


- Jackson – Torn: Parents built a house in the hills when young. Views would always be there? Now there are 12 houses on stilts in front and no views. Walking the neighborhood is beautiful, but the area is zoned Multi-family. When someone wants it to be something it is not in terms of rules that govern.
- Kane – Also torn. When looked at street, yes there are 25' lots, now land value makes it attractive to go back to 25'. Council policy 600-24 says we make recommendations with respect to community plan. Character, Bulk and Scale. City routinely ignored us. LJCPA has not one a single appeal in last 2 years. City does not look at community plan. Lots should have been tied when single house was built.
- Leira – Applicant has tried to address issues within framework he already established. I think there is a problem with the framework. Something could be better. Could better keep with scale and character of neighborhood.
 - Splitting parcel into 25' lots takes away flexibility.
 - Issue with carport/garage.
 - Scale is off
 - Terraces side by side is off, better if staggered.
 - Where is the vegetation? Vegetation can mask a lot of bad stuff.
 - Many owners live elsewhere
- Will – I'm impressed by how much smaller the proposed project is than the allowable envelope. One of the most important things we can achieve with this committee is to suggest/request improvements to projects that improve the community, and this applicant has made considerable concessions. There are aspects of the code we may not like and it is our job to try to change the code to better protect the community, but not to arbitrarily hold a specific project accountable to the way we wish the code was written. We are responsible to judge this project against the Land Development Code and the LJ Community Plan. This project meets all code requirements and the community plan specifically calls for Townhouses in this part of our community.


5/19/2020 – COMMITTEE MOTION

- Findings **CANNOT** be made due to failure to meet community plan, no transition new and old, no visual articulation and offsetting plans, and the open garage still adds to bulk and scale, and does not adhere to rhythm of 50' street frontages which are character of neighborhood, lack of vegetation. (Gaenzle/Costello)
- In Favor: Costello, Fremdling, Gaenzle, Jackson, Kane, Leira
- Opposed:
- Abstain: Will (as chair)
- Motion **PASSES 6-0-1**

ITEM 2: FINAL REVIEW 5/19/2020

Project Name: Bellava – 7306 Draper Ave
Permits: CDP/SDP/TM

Page 3		City of San Diego • Information Bulletin 620		May 2020						
		City of San Diego Development Services		Community Planning Committee Distribution Form						
Project Name: 304 - 306 Kolmar St. Residences			Project Number: 639405							
Community: La Jolla										
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>										
<input type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input checked="" type="radio"/> Vote to Deny										
# of Members Yes 11		# of Members No 5		# of Members Abstain 1						
Conditions or Recommendations: See attached reasons for denial										
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) Project appealed to Planning Commission										
NAME: Suzanne Weissman										
TITLE: Secretary, LJCPA			DATE: June 08, 2020							
<i>Attach additional pages if necessary (maximum 3 attachments).</i>										

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement	FORM DS-318
	October 2017		

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: 304 - 306 Kolmar Residences

Project No. For City Use Only: _____

Project Address: 304 Kolmar St, La Jolla, CA 92037

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? California Corporate Identification No. 201714210241

☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. 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.

Property Owner

Name of Individual: Gregg G. Whitney

☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 1298 Prospect St, Ste. 2L

City: La Jolla

State: CA Zip: 92037

Phone No.: 858.456.2282

Fax No.: _____

Email: info@billionairesrowlaajolla.com

Signature: Gregg G Whitney

Date: 5/13/2019

Additional pages Attached: 8369D882CCED412...

☐ Yes

☒ No

Applicant

Name of Individual: Gregg G. Whitney

☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 1298 Prospect St, Ste. 2L

City: La Jolla

State: CA Zip: 92037

Phone No.: 858.456.2282

Fax No.: _____

Email: info@billionairesrowlaajolla.com

Signature: Gregg G Whitney

Date: 5/13/2019

Additional pages Attached: 8369D882CCED412...

☐ Yes

☒ No

Other Financially Interested Persons

Name of Individual: _____

☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____

State: _____ Zip: _____

Phone No.: _____

Fax No.: _____

Email: _____

Signature: _____

Date: _____

Additional pages Attached: _____

☐ Yes

☐ No

304 - 306 KOLMAR RESIDENCES

304-306 KOLMAR STREET
LA JOLLA, CA 92037



© ARTISTIC REPRESENTATION OF PROPOSED FINAL PRODUCT

COASTAL PERMIT SUBMITTAL SET APRIL 14, 2020

Prepared By:
Isabela Guzman
Golba Architecture
1940 Garnet Avenue Suite 100
San Diego, CA 92109
Office: (619) 231-9905
Fax: (619) 231-4288

Project Address:
304-306 KOLMAR
STREET LA JOLLA,
CA 92037

Project Name:
KOLMAR
RESIDENCES

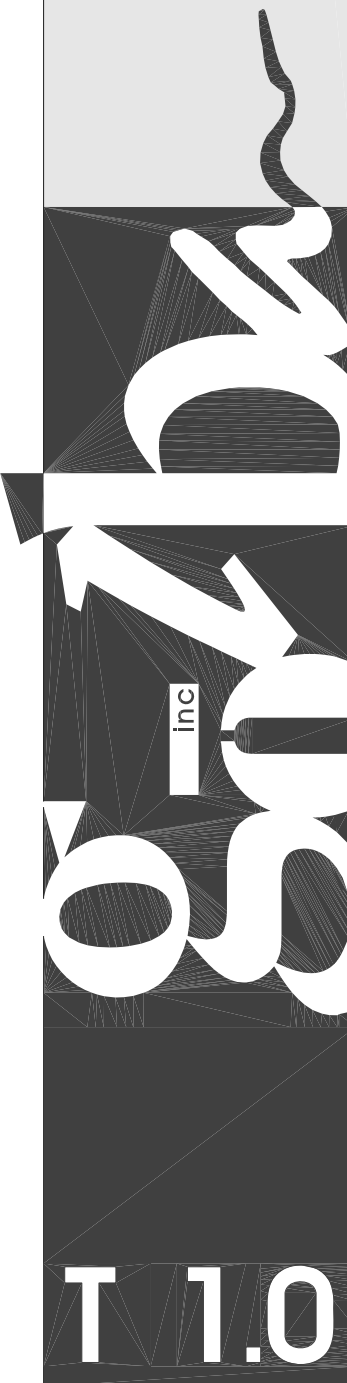
Sheet Title:
COVER SHEET

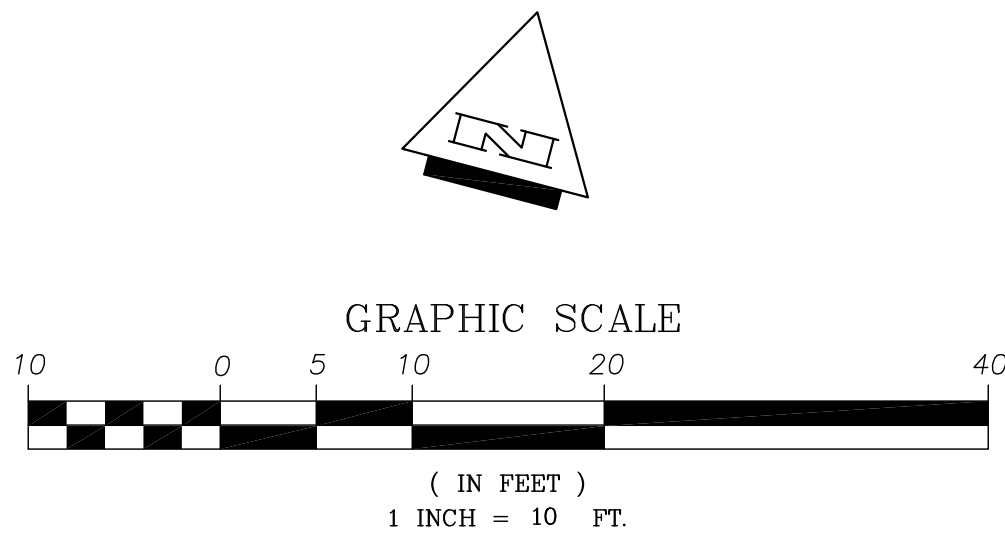
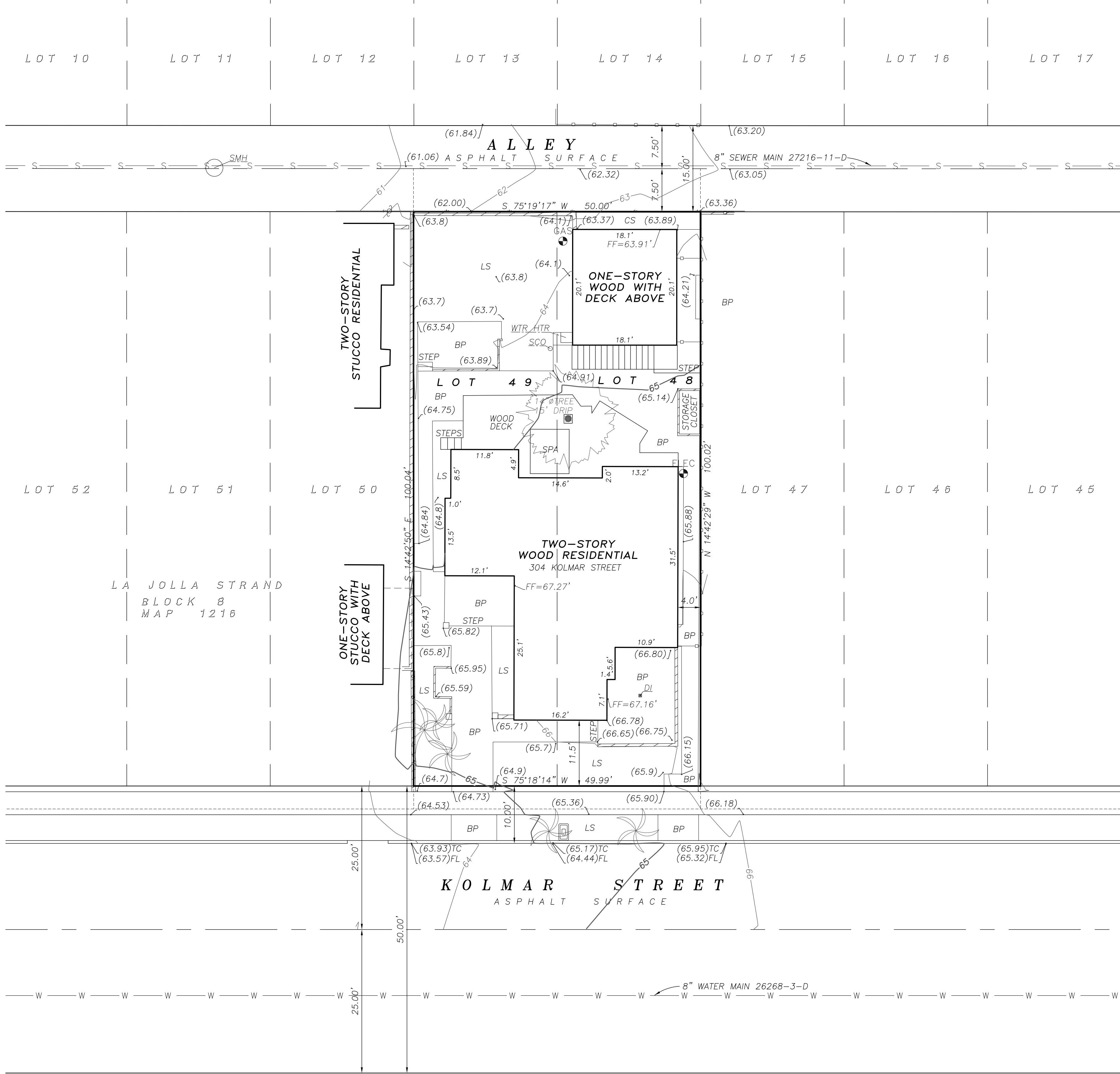
Revision 14:
Revision 13:
Revision 12:
Revision 11:
Revision 10:
Revision 9:
Revision 8:
Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1:

Original Date: 06-05-2019
Sheet 1 of 12

GOLBA ARCHITECTURE
Architecture ■ Space Planning ■ Interior Design
1940 Garnet Ave. #100 San Diego California 92109
Phone: (619) 231-9905 Fax: (619) 231-4288

FIGUEIREDO RESIDENCE
1306 NAUTILUS STREET
SAN DIEGO, CA 92037





LEGEND:

- INDICATES WATER METER
- INDICATES POWER POLE
- SMH INDICATES SEWER MANHOLE
- SCO INDICATES SEWER CLEAN OUT
- DI INDICATES DRAIN INLET
- FF INDICATES FINISH FLOOR
- INDICATES PROPERTY LINE
- INDICATES OVERHEAD POWERLINE
- INDICATES WROUGHT IRON FENCE
- INDICATES WOOD FENCE
- INDICATES WALL
- W INDICATES WATER LINE
- S INDICATES SEWER LINE
- BP INDICATES BRICK PAVERS
- CS INDICATES CONCRETE SURFACE
- LS INDICATES LANDSCAPE AREA

LEGAL DESCRIPTION:

LOTS 48 AND 49 IN BLOCK 8 OF LA JOLLA STRAND, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1216, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 18, 1909.

BASIS OF ELEVATION:

SOUTHEAST BRASS PLUG AT THE INTERSECTION OF VISTA DEL MAR AVENUE AND PLAYA DEL SUR STREET
ELEVATION = 34.54 M.S.L. N.G.V.D. 1929 FEET

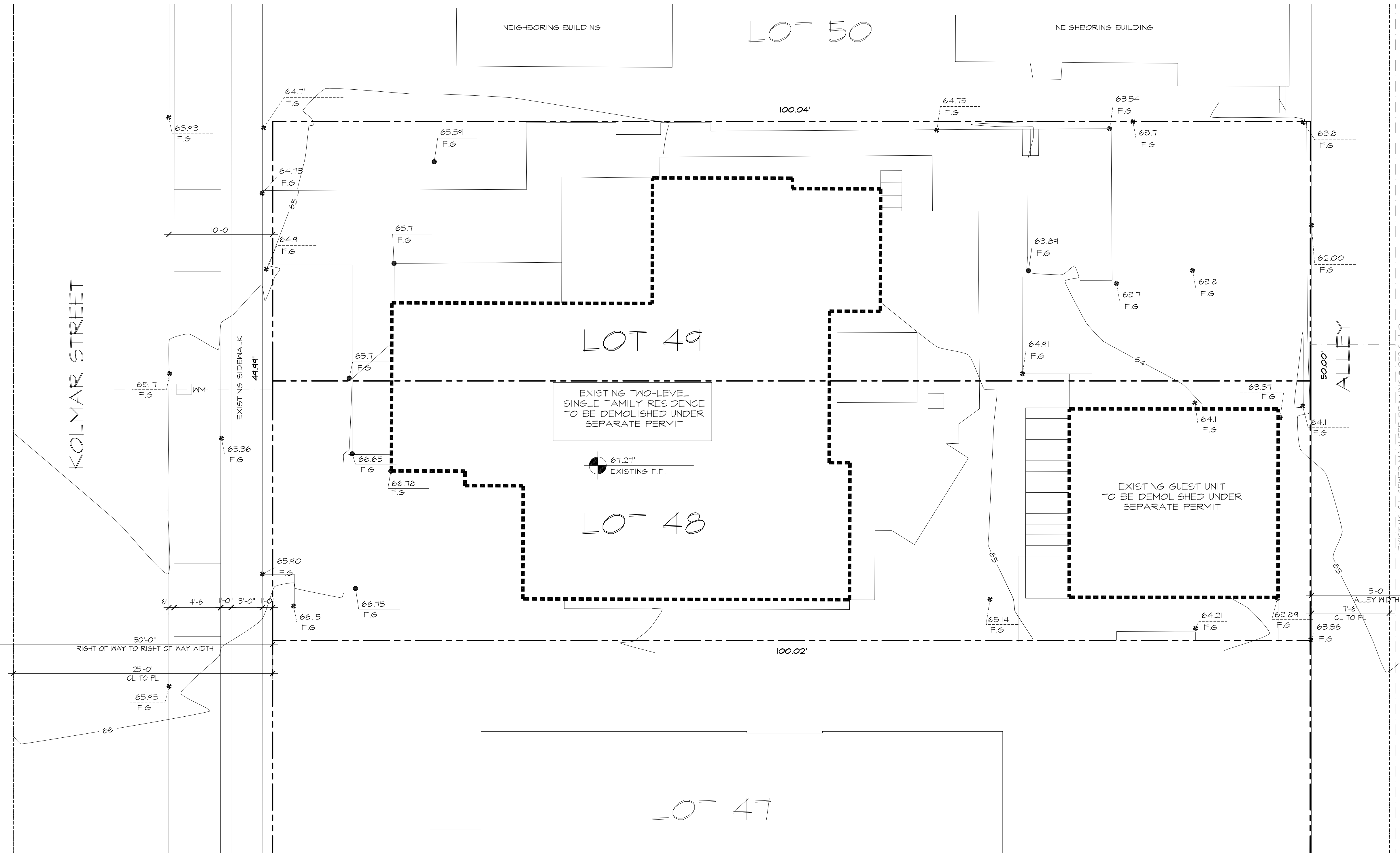


Robert J. Bateman
ROBERT J. BATEMAN, P.L.S. 7046

TOPOGRAPHY SURVEY		
For the exclusive use of: BILLIONAIRES ROW LA JOLLA 1298 PROSPECT STREET LA JOLLA, CALIFORNIA 92037		
San Diego Land Surveying & Engineering, Inc. 9665 Chesapeake Drive, Suite 445, San Diego, California 92123-1354 Phone: (858) 565-8362 Fax: (858) 565-4354		
Date: 06/27/2018	Revised:	Revised:
Scale: 1"=10'	Drawn by: J.G.B.	Sheet 3 of 12Sheet
Drawing: Kolmar St 304 TOPO.dwg	A.P.N.: 351-462-22	

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EXISTING 8" WATER MAIN PER DRAWING # 26265-3-D



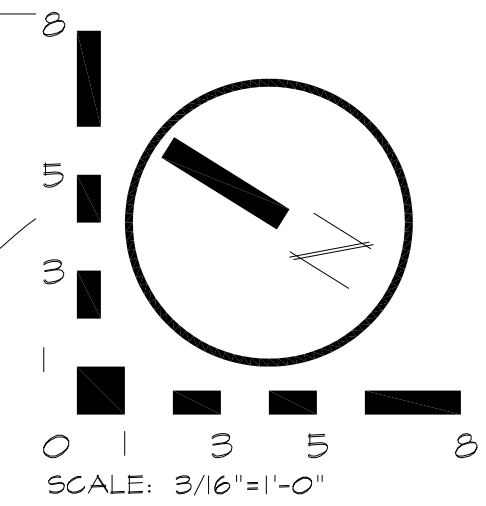
NOTE:
CONTRACTOR TO INSPECT ALL EXISTING
RETAINING WALLS FOR COMPETENCY AND
SIGNS OF WATERPROOFING FAILURE-REPAIR
AS REQUIRED.

DEMOLITION NOTE:
ALL DIMENSIONS SHOWN ARE APPROXIMATE &
TO BE CONFIRMED BY THE GENERAL
CONTRACTOR.

TYPICAL DEMOLITION NOTES:

1. CONTRACTOR TO USE EVERY PRECAUTION TO PREVENT
DAMAGE TO ADJOINING AREA, WHERE APPLICABLE.
CONTRACTOR TO PATCH AND REPAIR DRYWALL, STUCCO OR
SIMILAR ADJOINING MATERIAL AFTER DEMOLITION OR
REPLACEMENT OF WALLS, WINDOW OR DOORS.
2. CONTRACTOR TO REFERENCE NEW FLOOR PLANS AND SITE
PLANS FOR PRECISE LIMITS OF DEMOLITION. CONSULT
ARCHITECT OR OWNER IN AREA OF UNCERTAINTY OR
DISCREPANCY.
3. THESE DRAWINGS REPRESENT THE FINISHED STRUCTURE AND
DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE
CONTRACTOR IS RESPONSIBLE FOR ALL TEMPORARY
BRACING, SHORING, AND SUPPORT NECESSARY TO ACHIEVE
THE FINISHED STRUCTURE.
4. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS,
ELEVATIONS, AND SITE CONDITIONS BEFORE STARTING WORK.
THE ARCHITECT AND ENGINEER SHALL BE NOTIFIED, IN
WRITING, IMMEDIATELY OF ANY DISCREPANCIES. IN NO CASE
SHALL DIMENSIONS BE SCALED FROM PLANS, ELEVATIONS,
SECTIONS, OR DETAILS OF THESE DRAWINGS.
5. CONTRACTOR TO DETERMINE LIMITS & EXTENTS OF
DEMOLITION SHORING & PREPARATION OF THE SITE TO BUILD
THE NEW SINGLE FAMILY RESIDENCE AS PART OF THESE
PLANS.

LEGEND	
	INDICATES PROPERTY LINE
	INDICATES EDGE OF EXISTING RESIDENCE
	CENTER OF STREET
	EXISTING SINGLE FAMILY RESIDENCE TO BE DEMOLISHED



Prepared By:
Isabella Guzman
Golba Architecture
1940 Garnet Avenue Suite 100
San Diego, CA 92109
Office: (619) 231-9905
Fax: (619) 231-4288

Project Address:
304-306 KOLMAR
STREET LA JOLLA,
CA 92037

- Revision 14:
Revision 13:
Revision 12:
Revision 11:
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Project Name: KOLMAR RESIDENCES
Original Date: 06-05-2019
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Sheet Title:
EXISTING SITE PLAN

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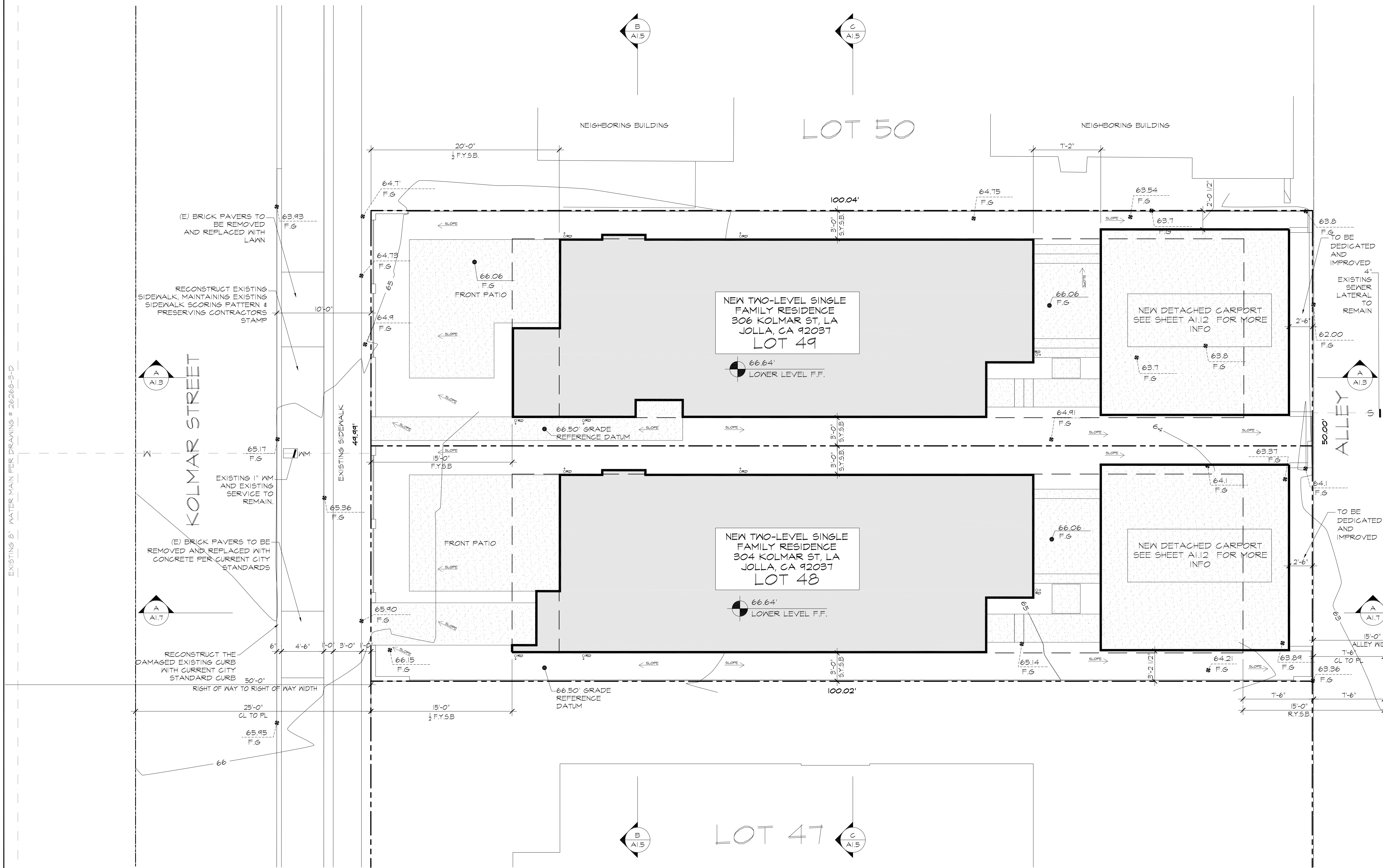
304-306 KOLMAR RESIDENCES
304-306 KOLMAR STREET
LA JOLLA, CA 92037

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DATE: 06-05-19

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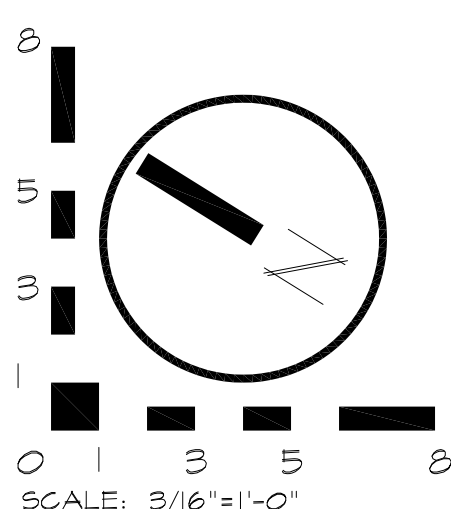
SPECIAL NOTE #1:
THE PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE ADJACENT PROPERTIES

SPECIAL NOTE #2:
PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN.

- GENERAL NOTES:**
1. NO EASEMENTS ARE KNOWN TO EXIST OR ARE PROPOSED FOR THE SITE.
 2. NO BUS STOPS EXIST OR ARE PROPOSED FOR THE SITE.
 3. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFG 901.4.4).
3'-0" MAX. HEIGHT SOLID FENCING
6'-0" MAX. HEIGHT SOLID FENCING

EARTHWORK QUANTITIES:
CUT QUANTITIES: 60 [CYD]
FILL QUANTITIES: 0 [CYD]
EXCAVATED FROM FOUNDATIONS: 60 [CYD]
EXPORT QUANTITIES: 60 [CYD] EXPORT
MAX. CUT DEPTH: 1'
MAX. FILL DEPTH: 1'

LEGEND	
	INDICATES PROPERTY LINE
	INDICATES SETBACK LINE
	CENTER OF STREET
	NEW SINGLE FAMILY RESIDENCE



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fax: (619) 231-4288
- Project Address:**
304-306 KOLMAR
STREET LA JOLLA,
CA 92037
- | | |
|--------------|--------------|
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| Revision 12: | Revision 11: |
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| Revision 8: | Revision 7: |
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| Revision 4: | Revision 3: |
| Revision 2: | Revision 1: |

Project Name: KOLMAR RESIDENCES
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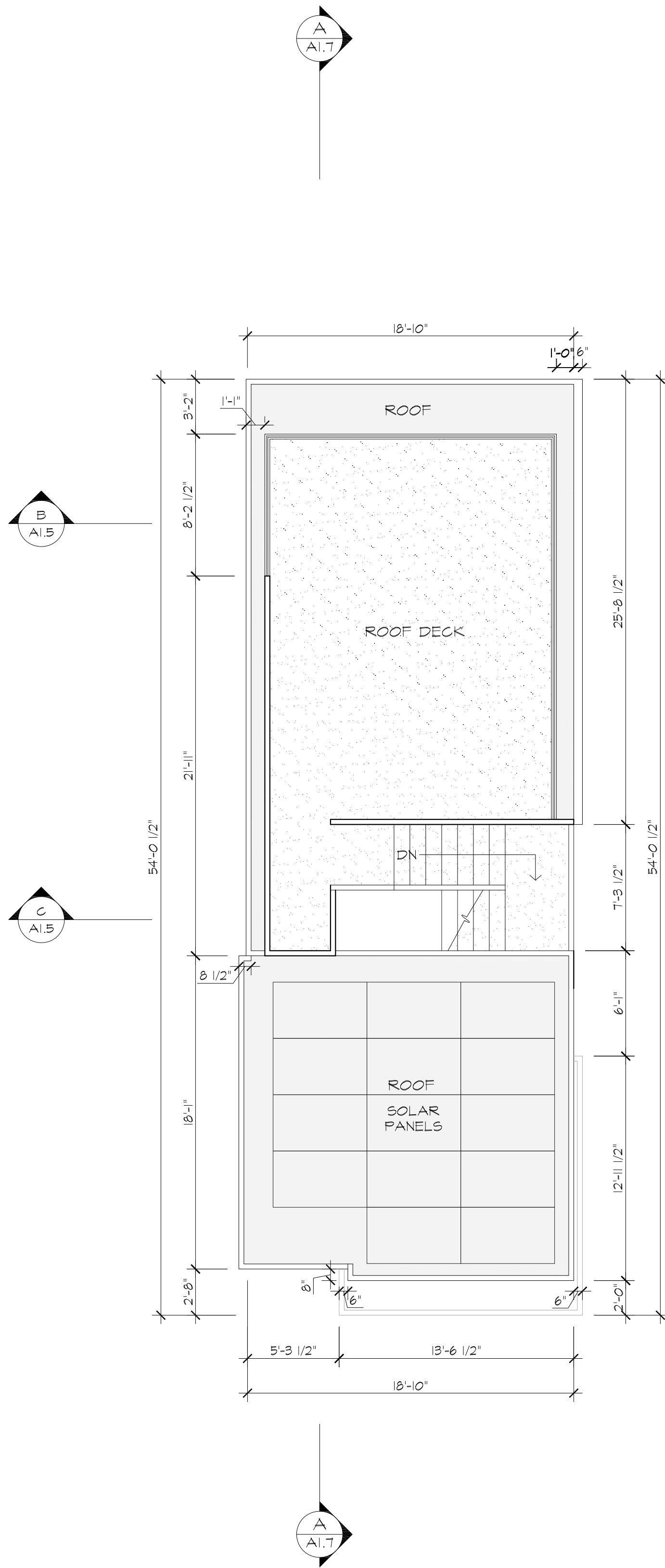
Sheet Title:
MASTER SITE PLAN
304-306 KOLMAR

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Architecture ■ Space Planning ■ Interior Design
1940 Garnet Ave. #100 San Diego California 92109
Phone: (619) 231-9905 Fax: (858) 750-3471

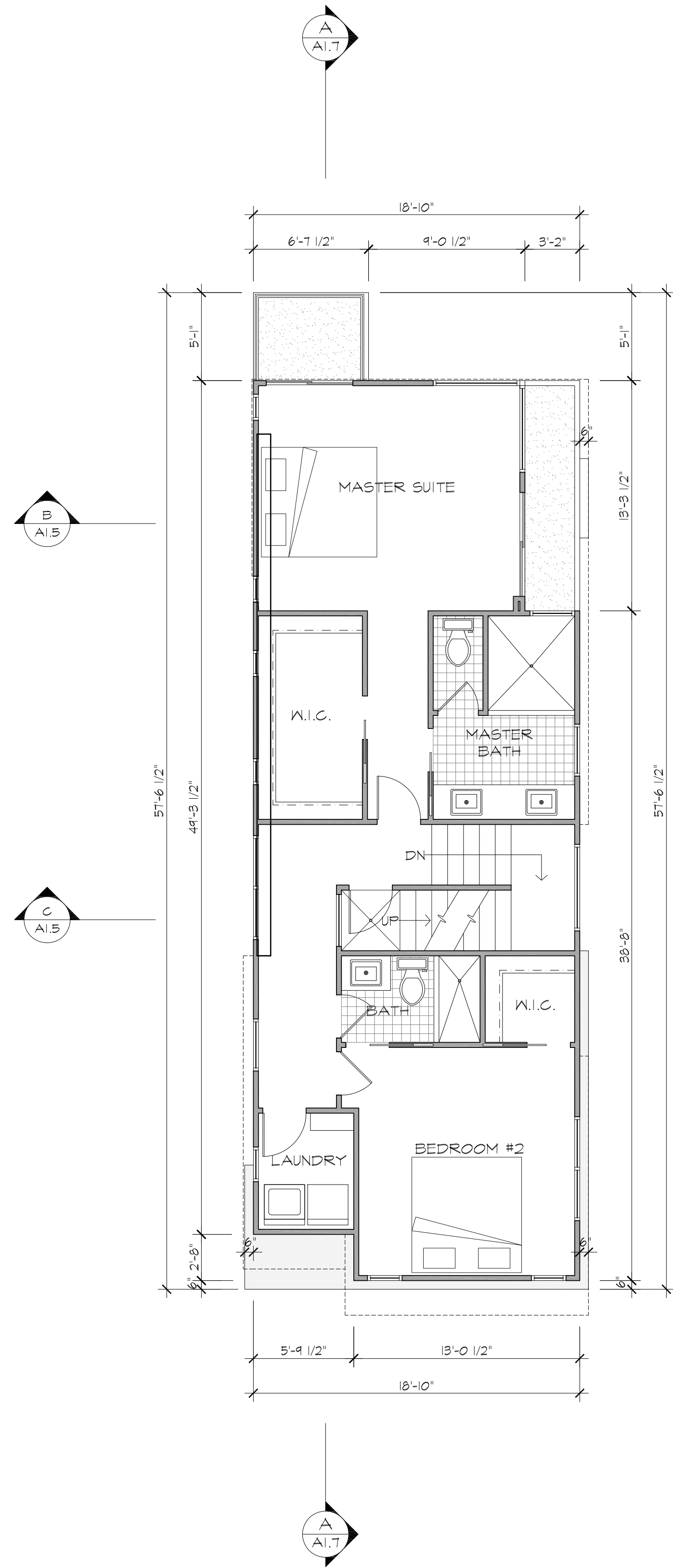
304-306 KOLMAR RESIDENCES
304-306 KOLMAR STREET
LA JOLLA, CA 92037

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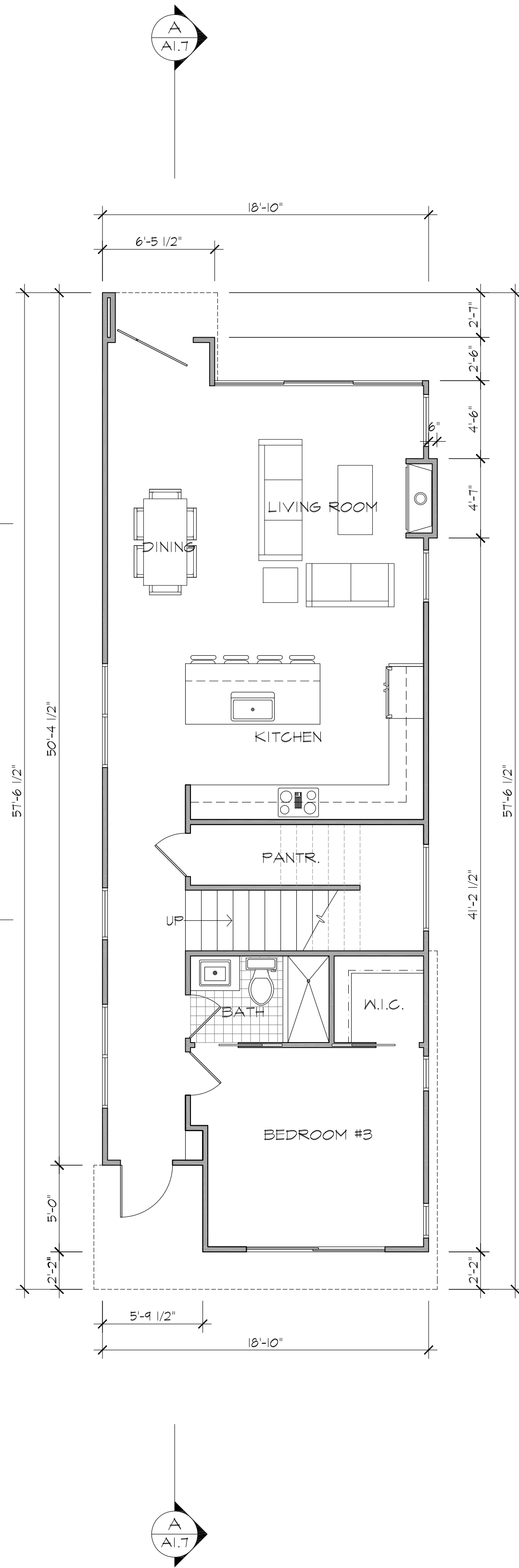
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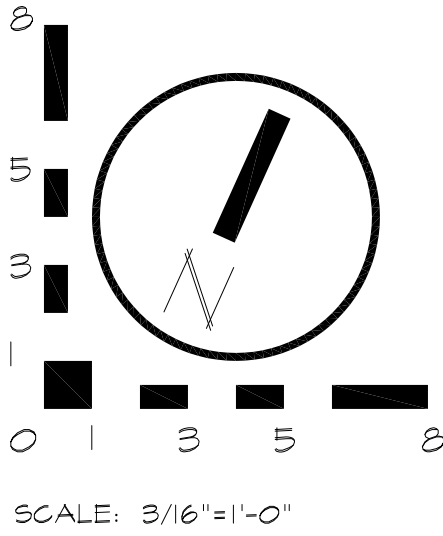
ROOF PLAN-304 KOLMAR (LOT 48)



SECOND FLOOR PLAN-304 KOLMAR (LOT 48)



FIRST FLOOR PLAN-304 KOLMAR (LOT 48)



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Project Address:
304-306 KOLMAR
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CA 92037

Project Name:
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FLOOR PLANS-304 KOLMAR
(LOT 48)

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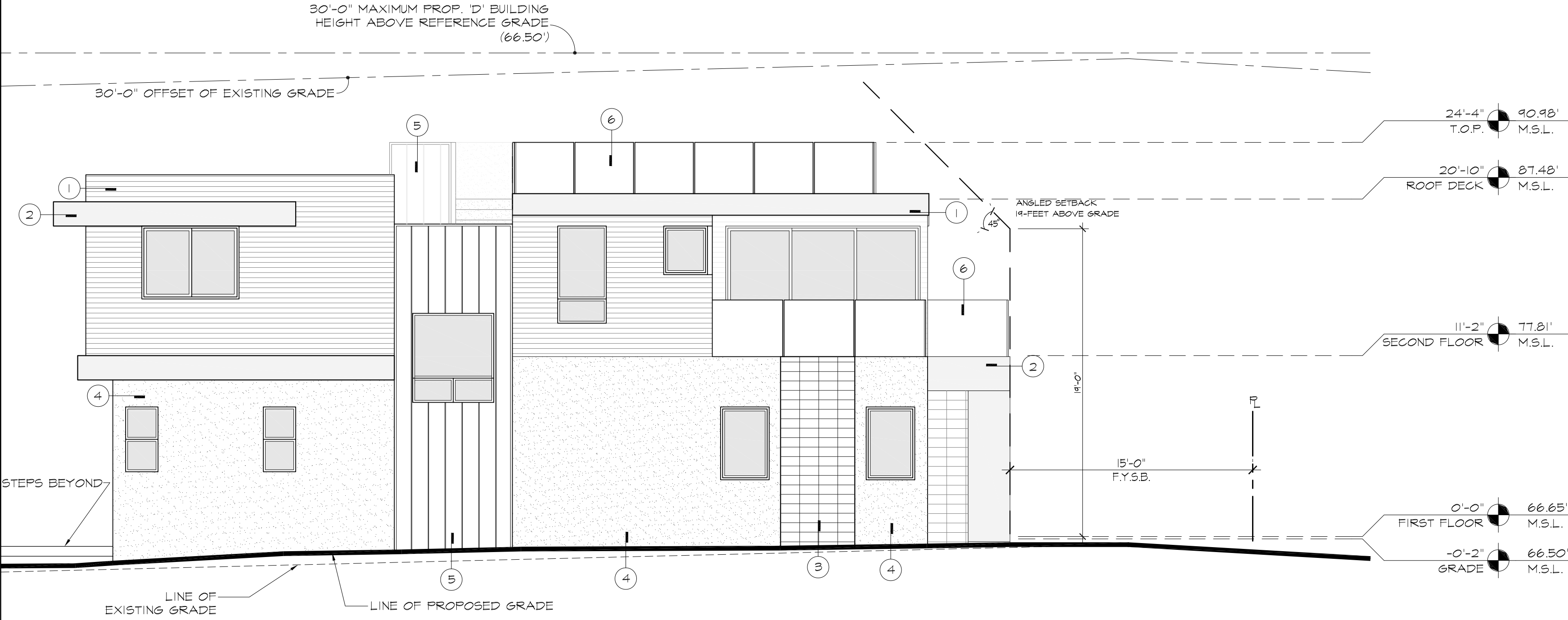
304-306 KOLMAR RESIDENCES
304-306 KOLMAR STREET
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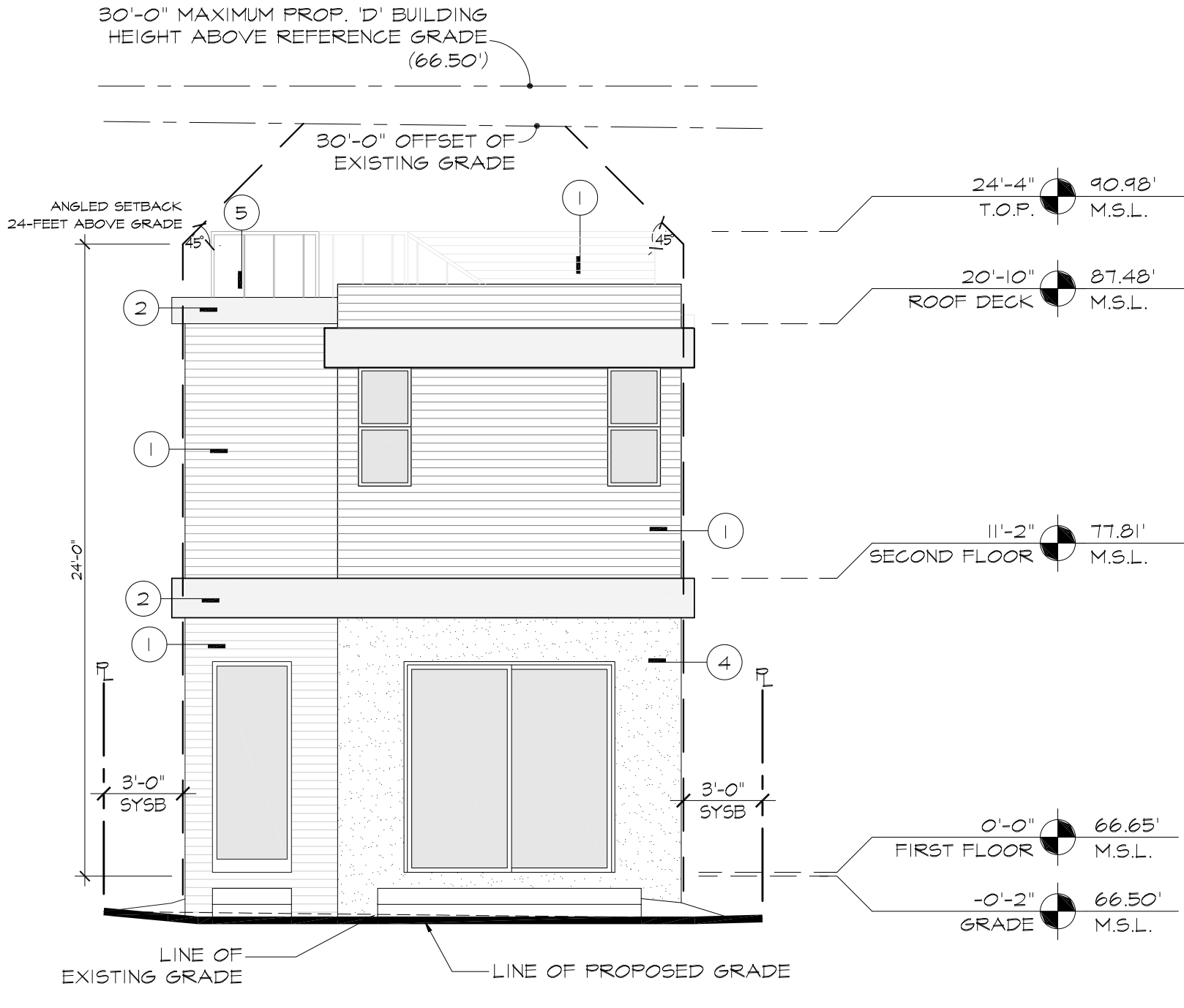
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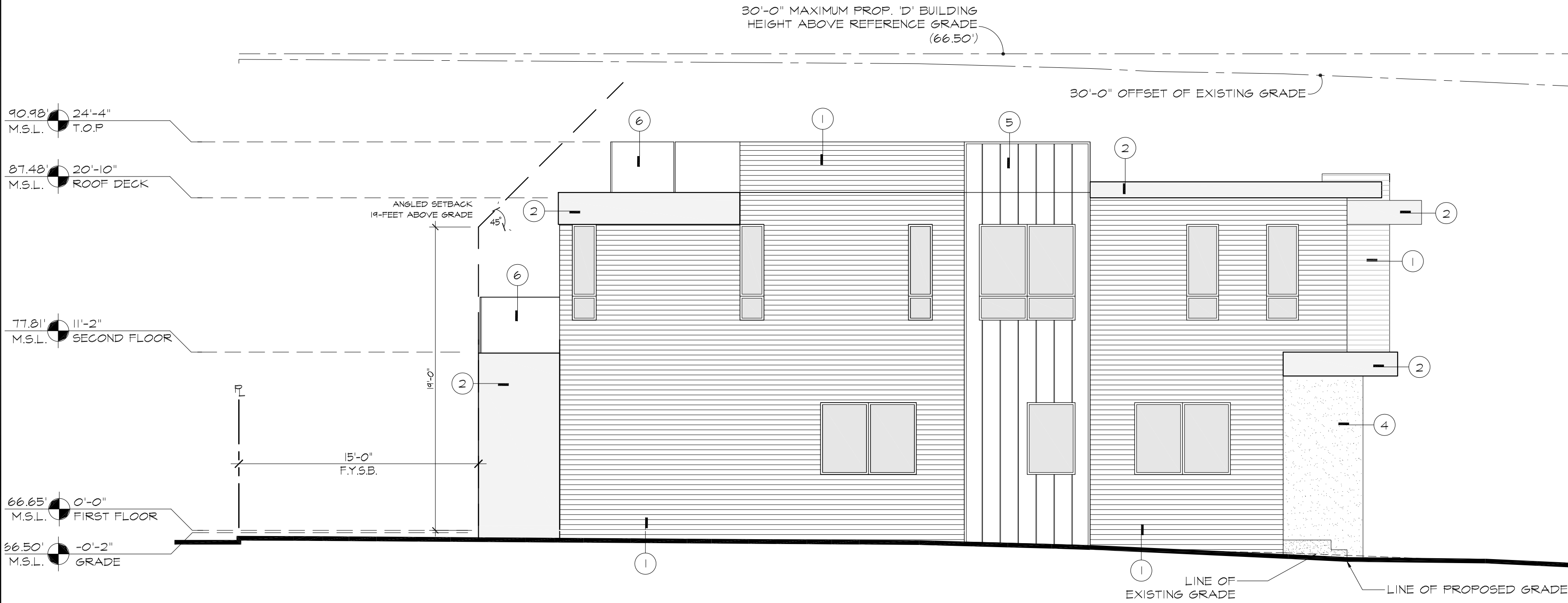
WEST ELEVATION-304 KOLMAR (LOT 48)



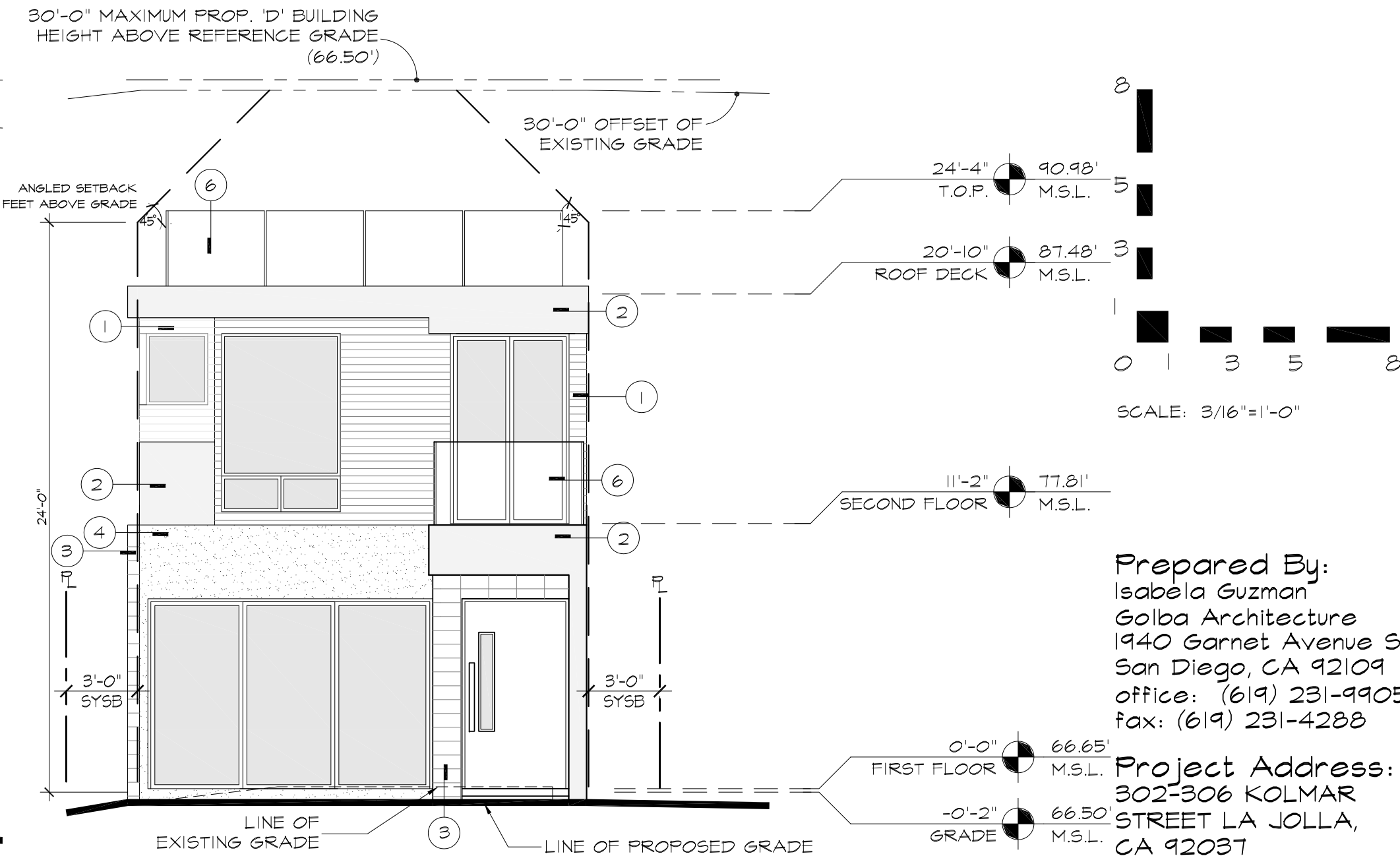
NORTH ELEVATION-304 KOLMAR (LOT 48)

ELEVATION KEY NOTES:

- ① HARDIE SIDING HORIZONTAL, WHITE.
- ② STAINLESS STEEL
- ③ PORCELEIN TILE.
- ④ 1/8" EXTERIOR CEMENT STUCCO W/ 'ENERGY' ACRYLIC STUCCO FINISH COATING, TYPICAL
- ⑤ HARDIE SIDING VERTICAL, WHITE.
- ⑥ DECK RAILING W/TEMP. GLASS PANEL @ 42" HT.



EAST ELEVATION-304 KOLMAR (LOT 48)



SOUTH ELEVATION-304 KOLMAR (LOT 48)

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Project Address:
302-306 KOLMAR
STREET LA JOLLA,
CA 92037

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Project Name:
KOLMAR
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Sheet Title:
ELEVATIONS-304 KOLMAR
(LOT 48)

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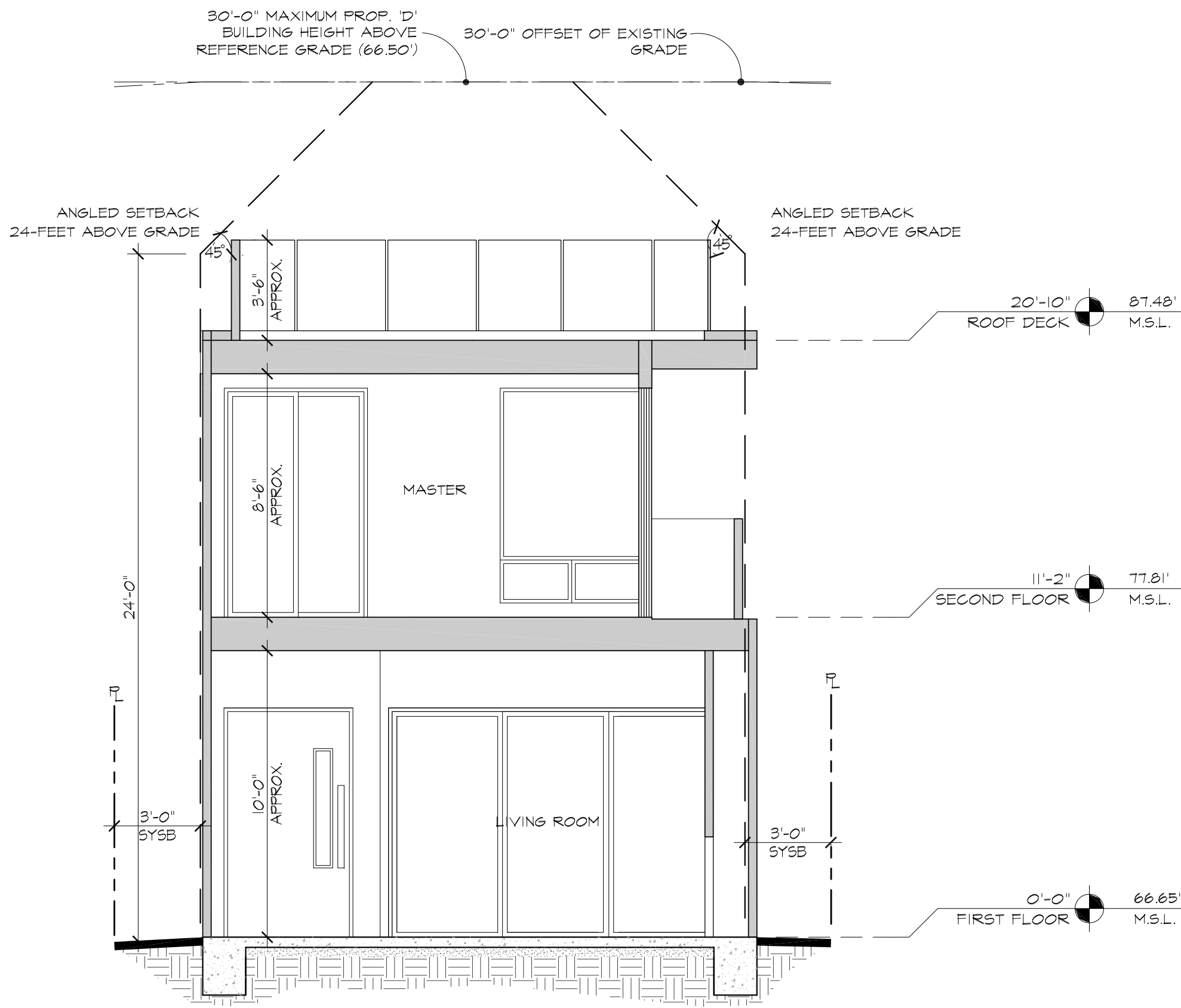
304-306 KOLMAR RESIDENCES

304-306 KOLMAR STREET
LA JOLLA, CA 92037

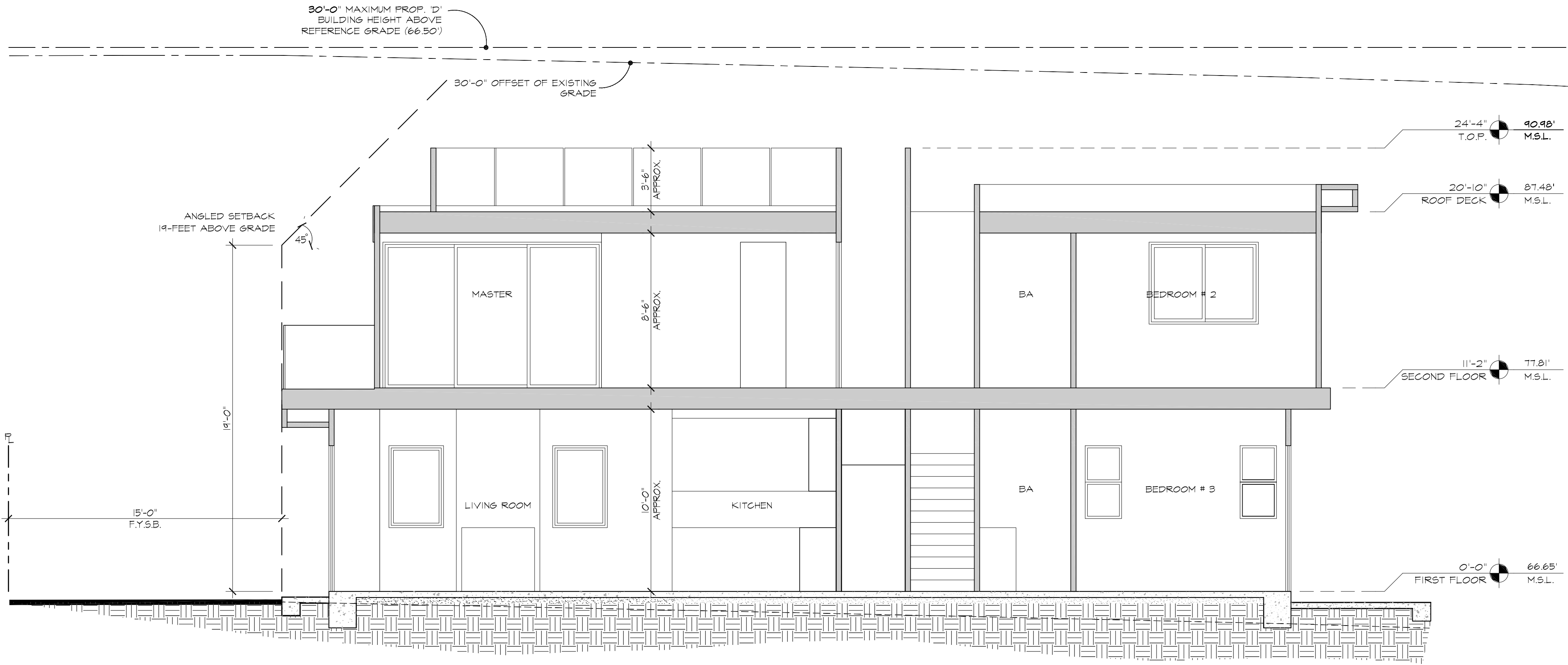
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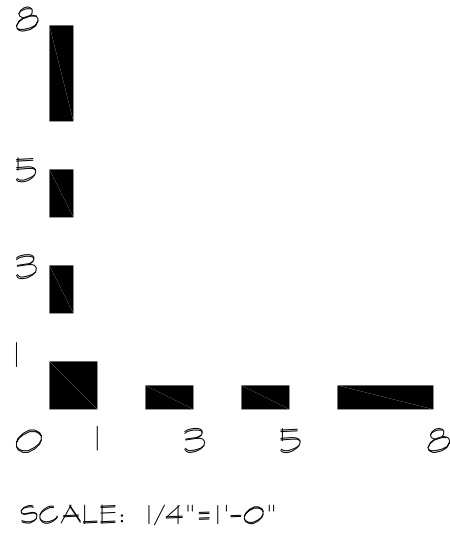
SECTION B-304 KOLMAR (LOT 48)



SECTION A-304 KOLMAR (LOT 48)

PROPOSED SECTIONS-304 KOLMAR (LOT 48)

SCALE: 1/4"=1'-0"



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302-306 KOLMAR
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SECTIONS-304 KOLMAR
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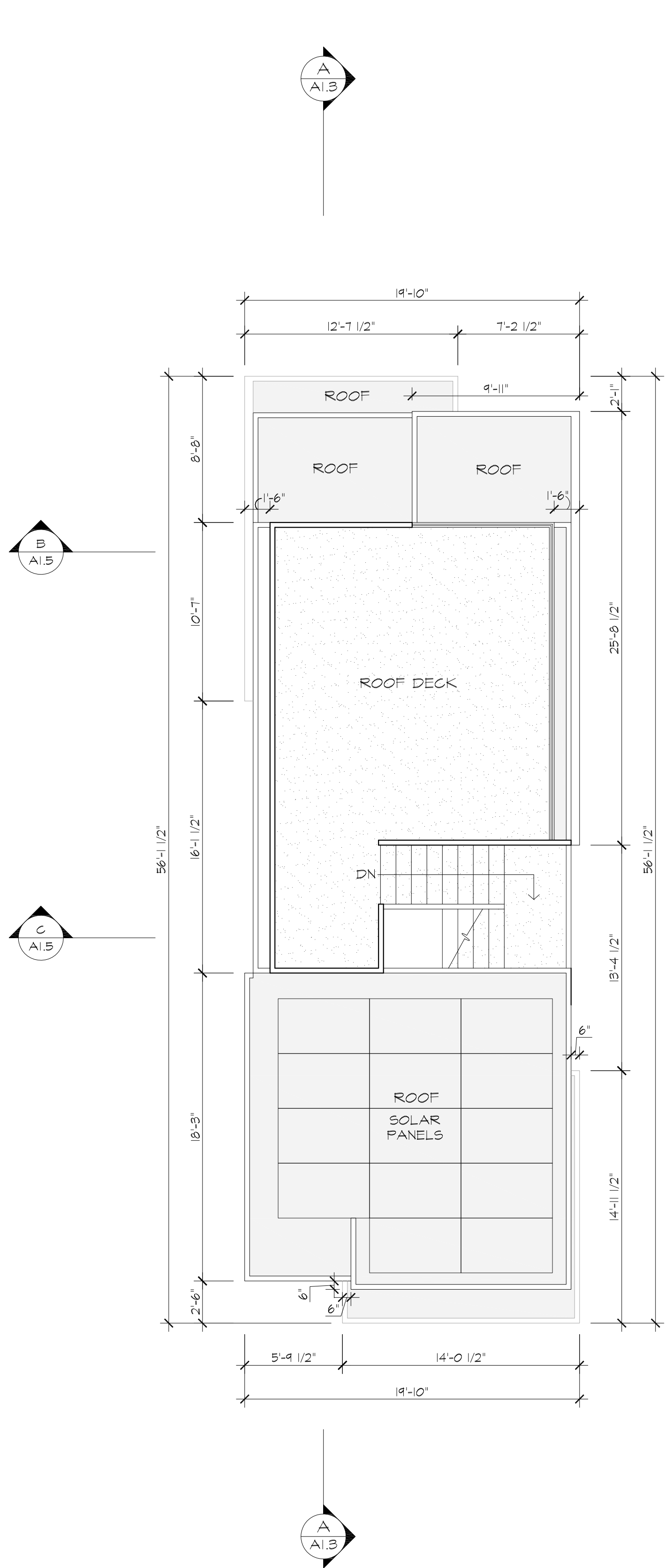
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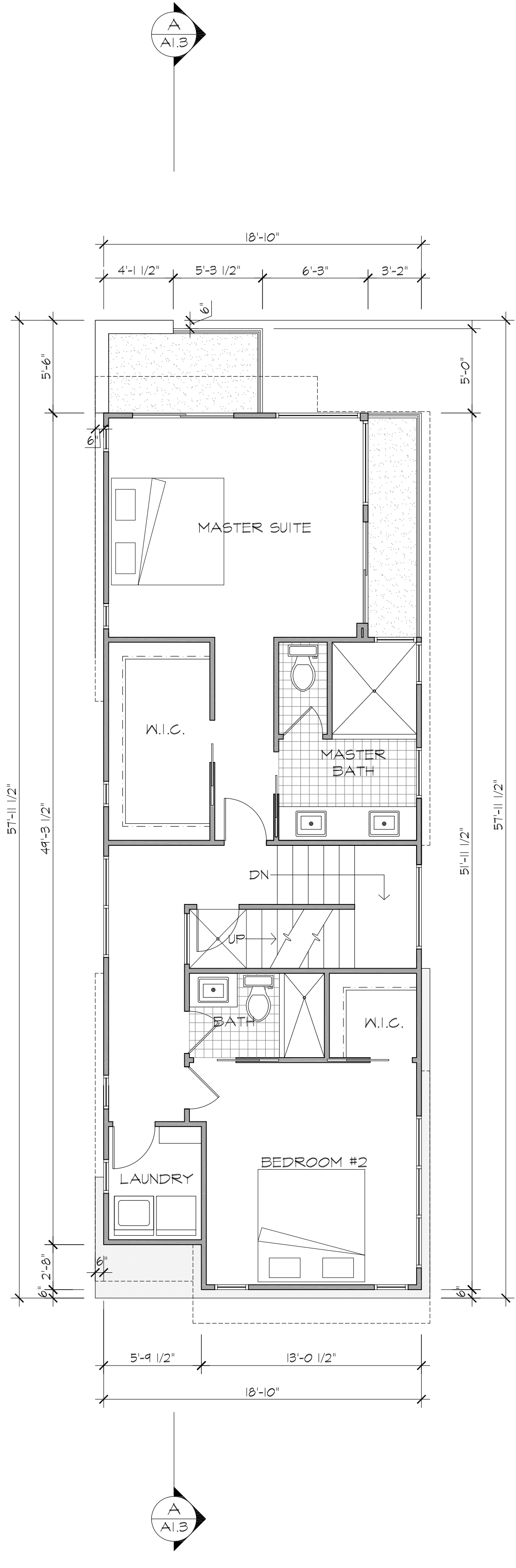
304-306 KOLMAR RESIDENCES
304-306 KOLMAR STREET
LA JOLLA, CA 92037

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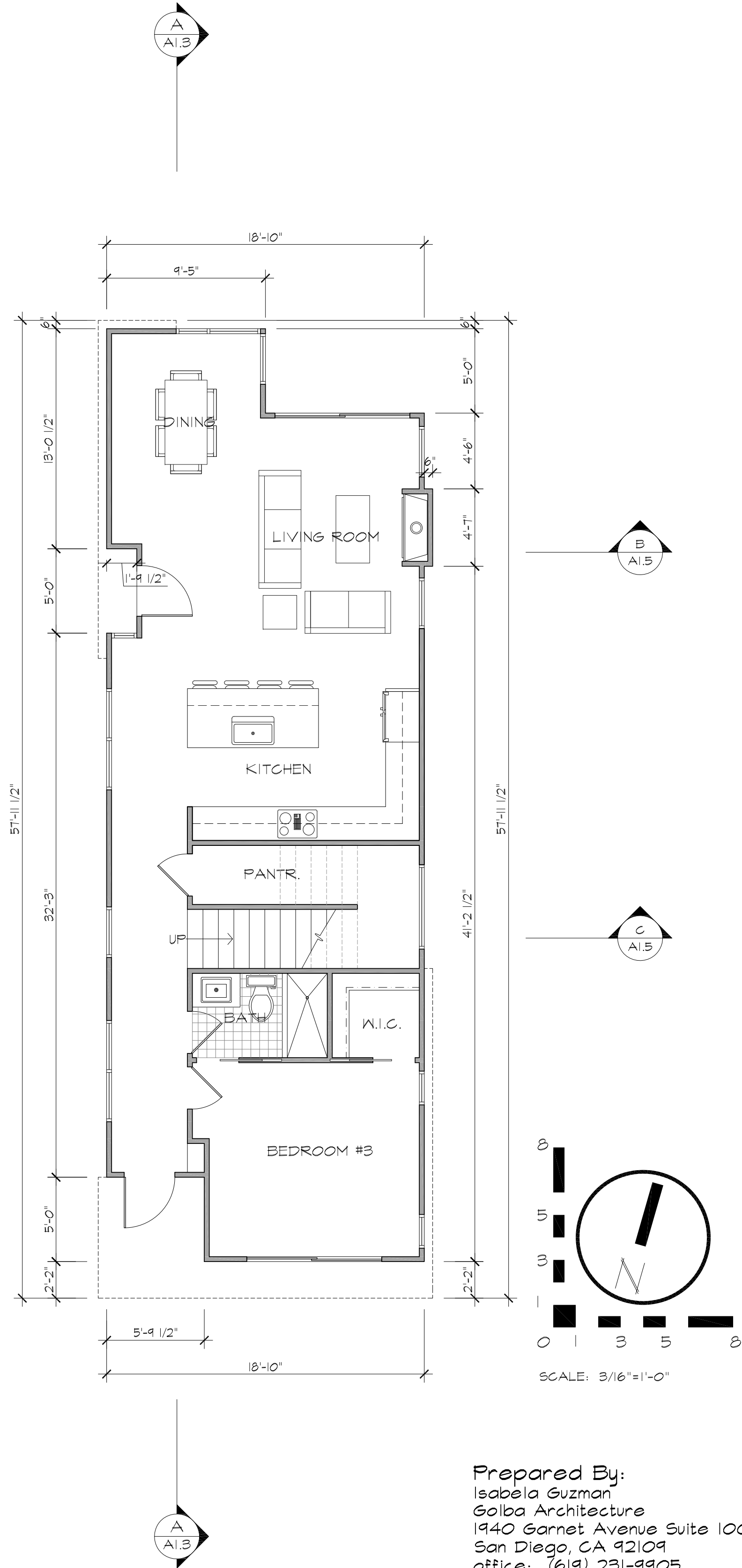
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ROOF PLAN-306 KOLMAR (LOT 49)



SECOND FLOOR PLAN-306 KOLMAR (LOT 49)



FIRST FLOOR PLAN-306 KOLMAR (LOT 49)

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Project Address:
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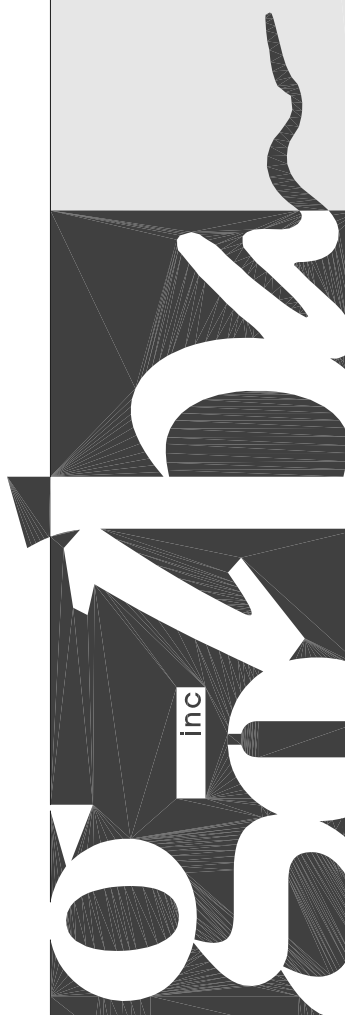
Project Name:
KOLMAR
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Sheet 9 of 12

Sheet Title:
FLOOR PLANS-306 KOLMAR
(LOT 49)

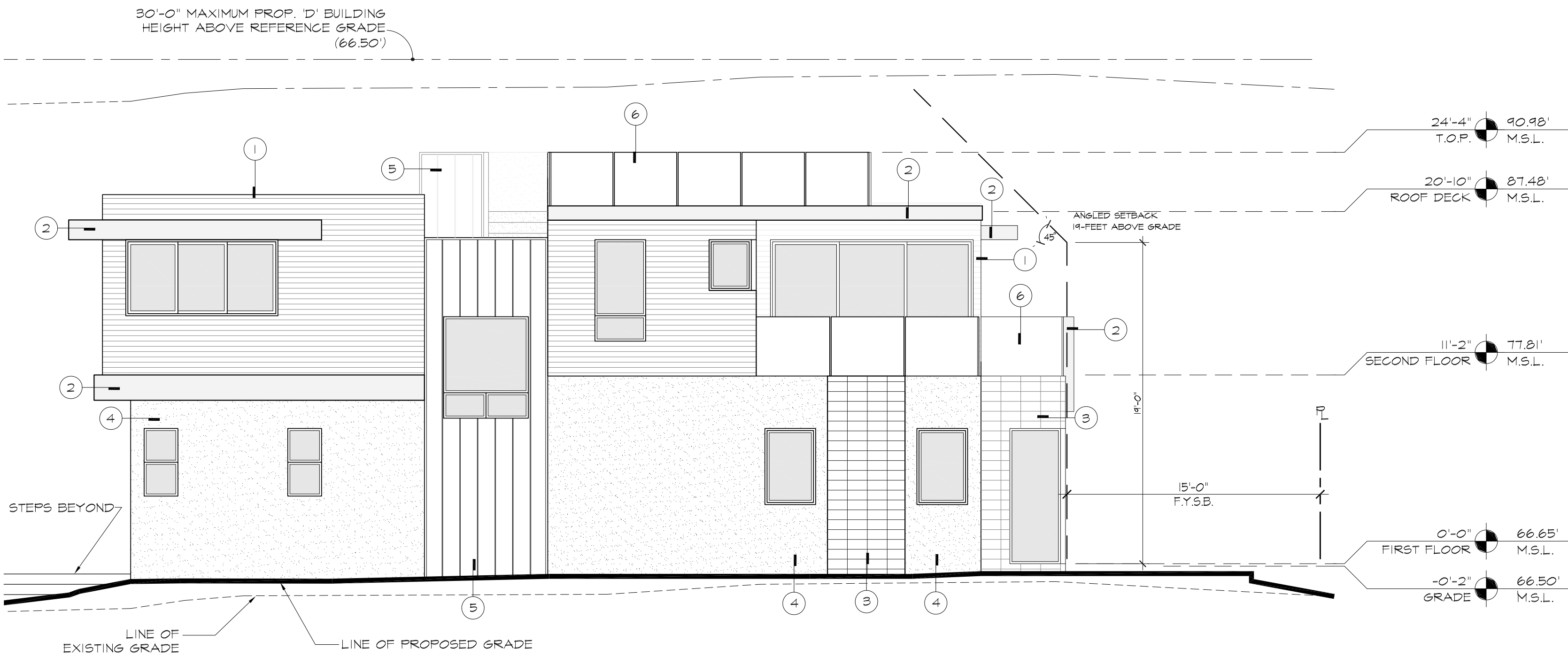
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304-306 KOLMAR RESIDENCES
304-306 KOLMAR STREET
LA JOLLA, CA 92037

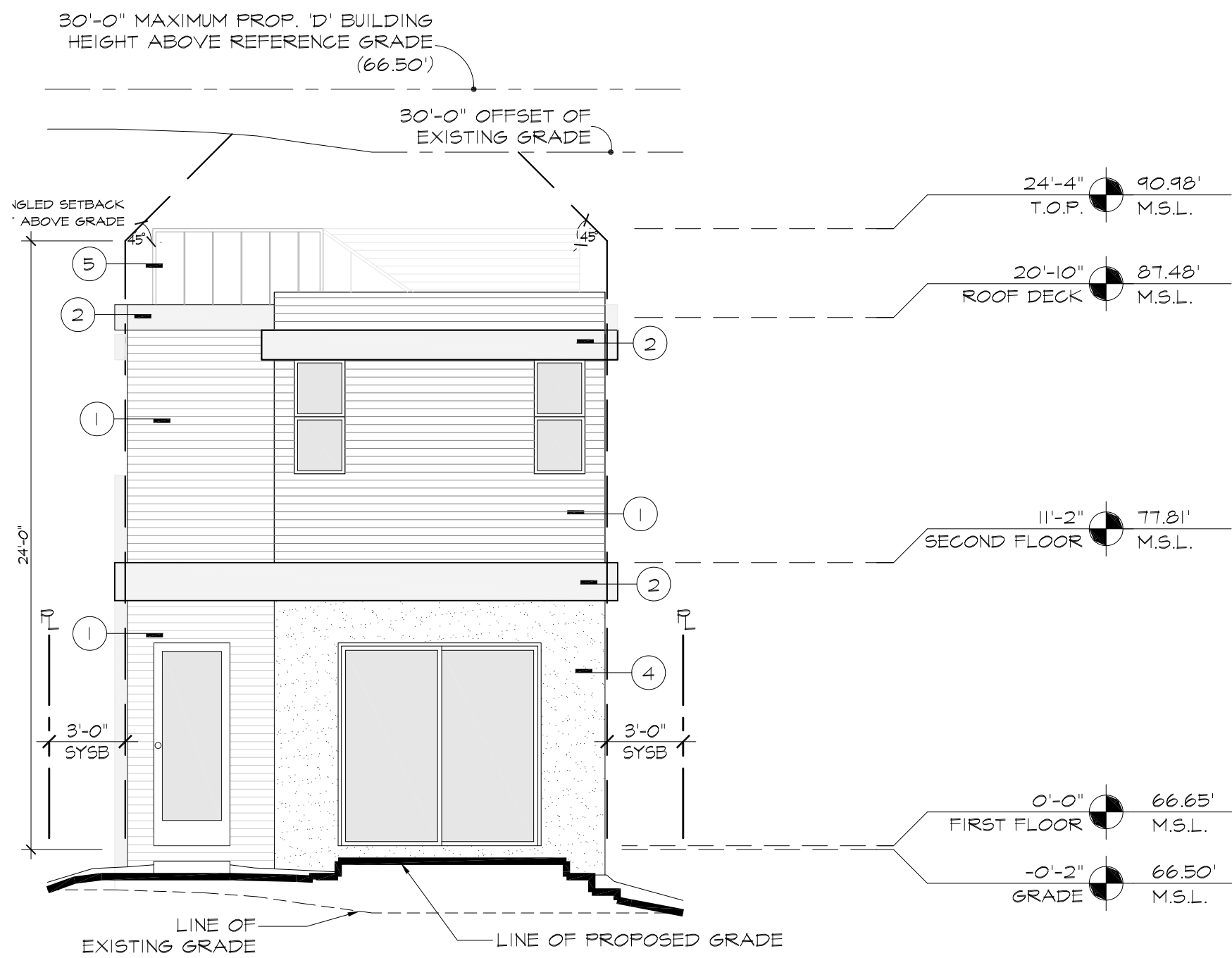


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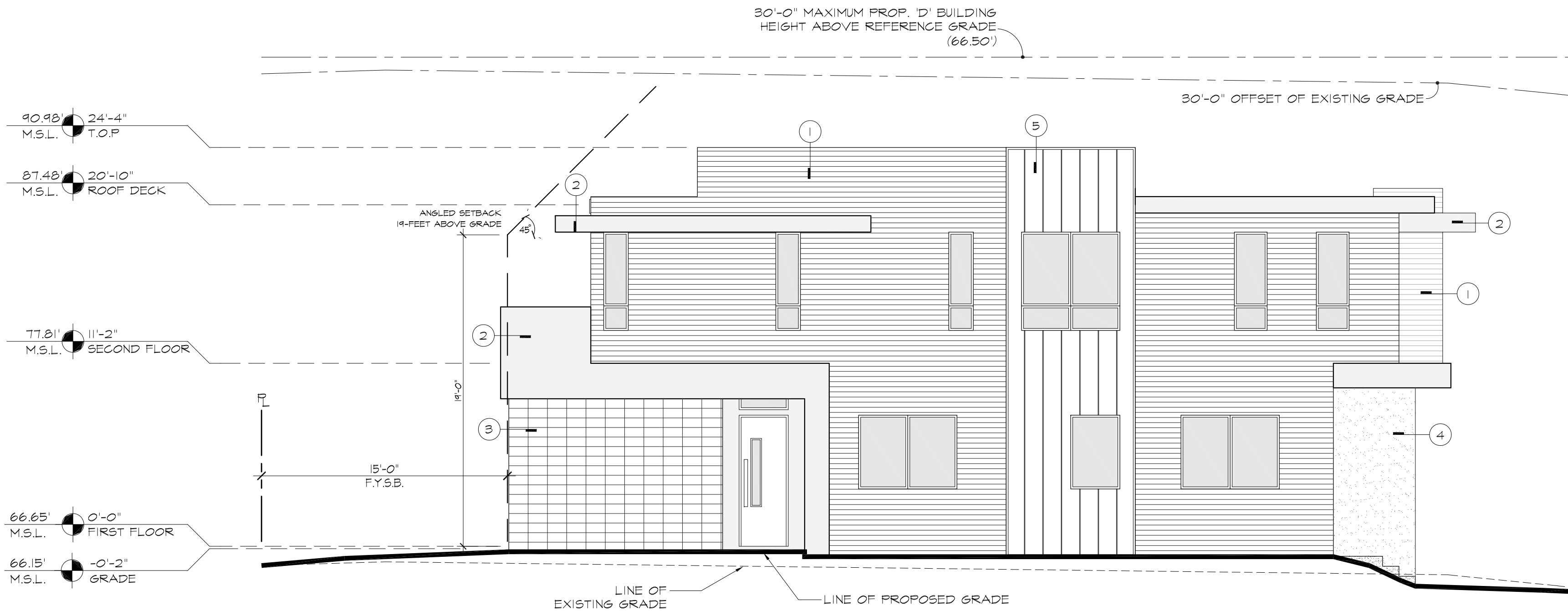
WEST ELEVATION-306 KOLMAR (LOT 49)



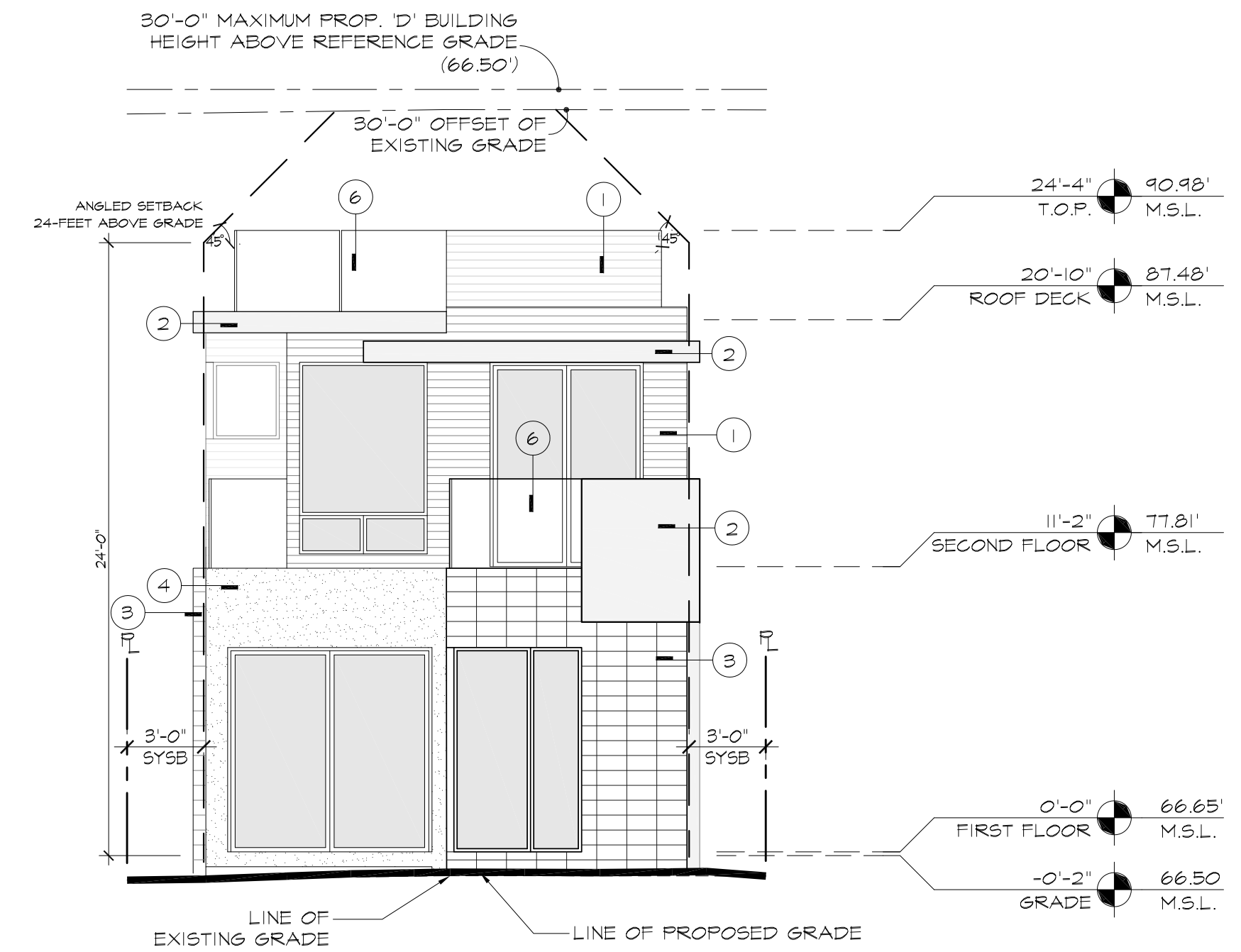
NORTH ELEVATION-306 KOLMAR (LOT 49)

ELEVATION KEY NOTES:

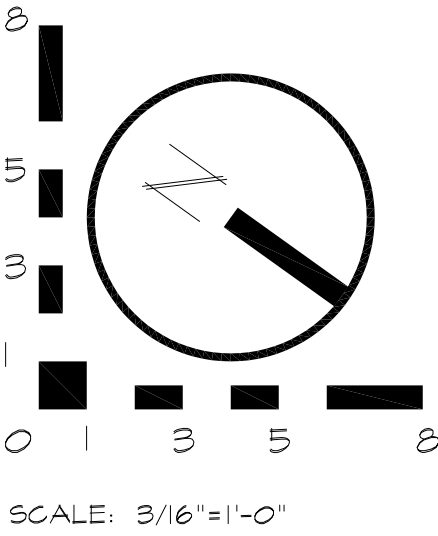
- ① HARDIE SIDING HORIZONTAL, WHITE.
- ② STAINLESS STEEL
- ③ PORCELEIN TILE
- ④ 1/8" EXTERIOR CEMENT STUCCO W/ENERGY' ACRYLIC STUCCO FINISH COATING, TYPICAL
- ⑤ HARDIE SIDING VERTICAL, WHITE.
- ⑥ DECK RAILING W/TEMP. GLASS PANEL @ 42" HT.



EAST ELEVATION-306 KOLMAR (LOT 49)



SOUTH ELEVATION-306 KOLMAR (LOT 49)



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Project Address:
302-306 KOLMAR
STREET LA JOLLA,
CA 92037

Project Name:
KOLMAR
RESIDENCES

Sheet Title:
ELEVATIONS-306 KOLMAR
(LOT 49)

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Revision 2:
Revision 1:

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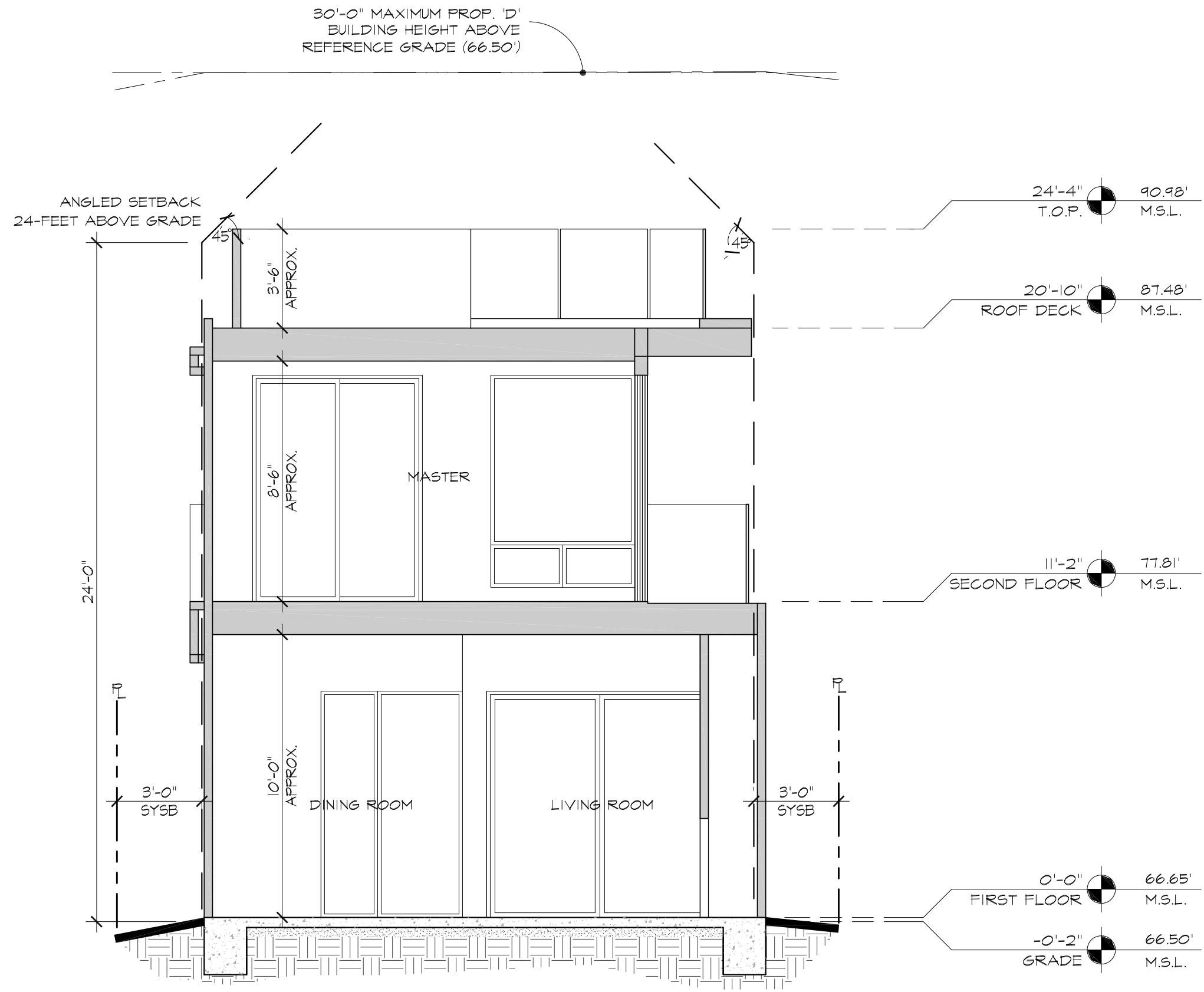
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Architecture ■ Space Planning ■ Interior Design
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Phone: (619) 231-9905 Fax: (858) 750-3471

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304-306 KOLMAR STREET
LA JOLLA, CA 92037

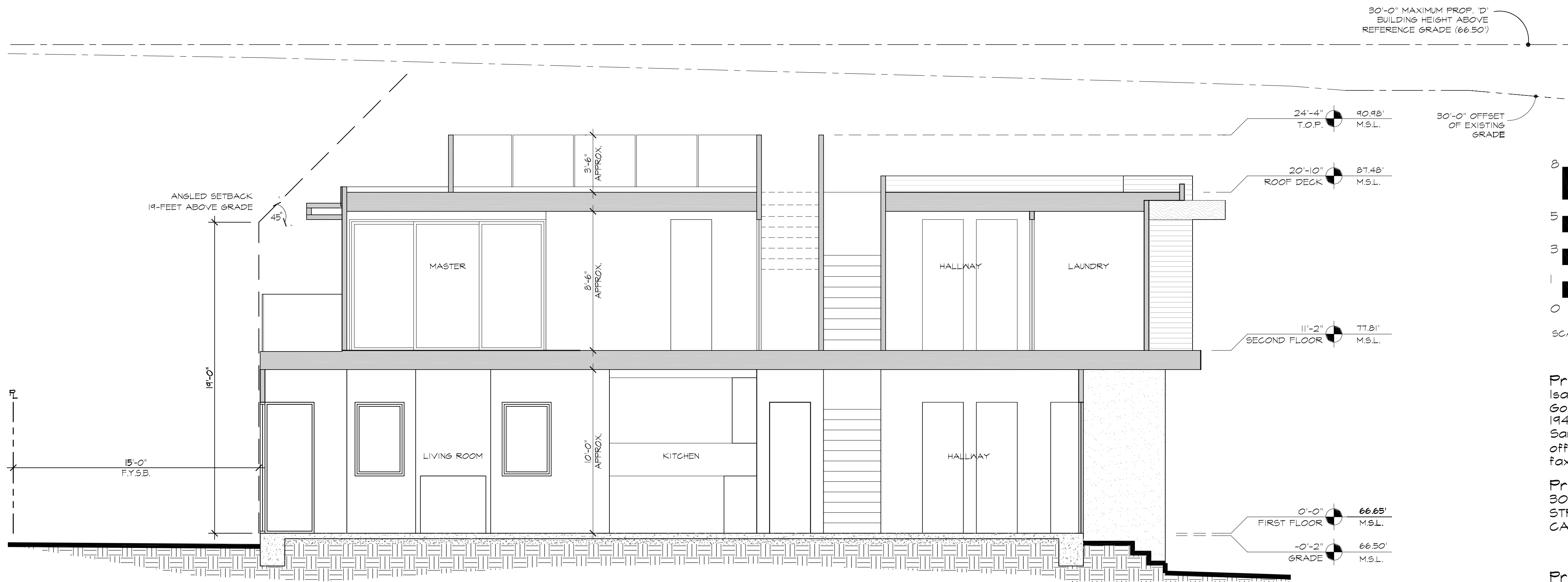
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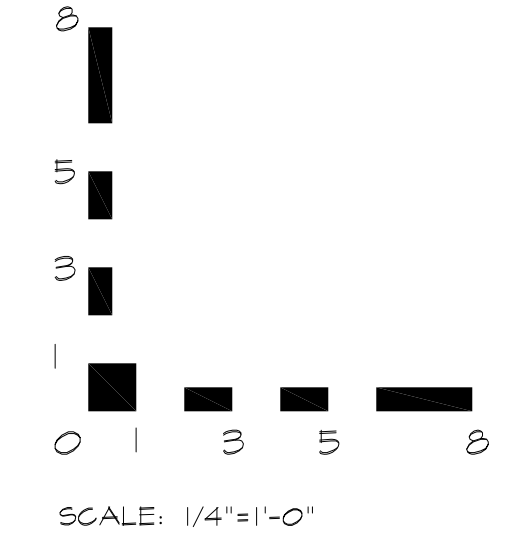


SECTION B-306 KOLMAR (LOT 49)



SECTION A-306 KOLMAR (LOT 49)

PROPOSED SECTIONS-306 KOLMAR (LOT 49)
SCALE: 1/4"=1'-0"



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302-306 KOLMAR
STREET LA JOLLA,
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Revision 14:
Revision 13:
Revision 12:
Revision 11:
Revision 10:
Revision 9:
Revision 8:
Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3:
Revision 2:
Revision 1:

Project Name:
KOLMAR
RESIDENCES

Original Date: 06-05-2019
Sheet 11 of 12

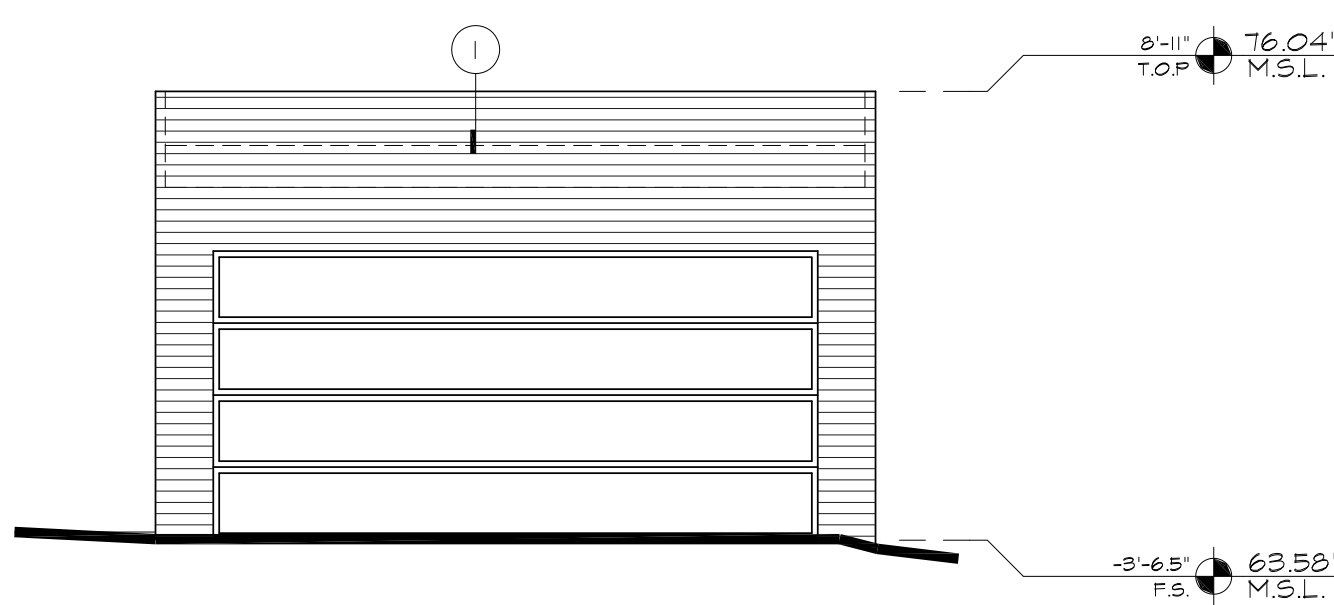
Sheet Title:
SECTIONS-306 KOLMAR
(LOT 49)

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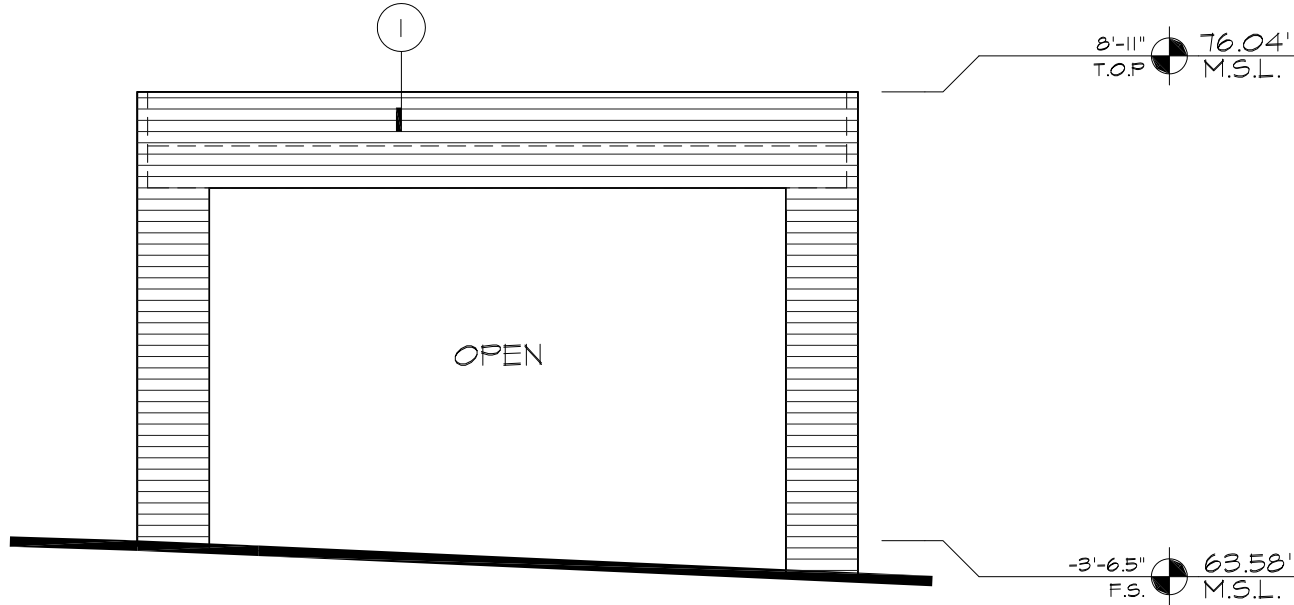
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304-306 KOLMAR STREET
LA JOLLA, CA 92037

golba INC
A1.11
DATE: 06-05-19

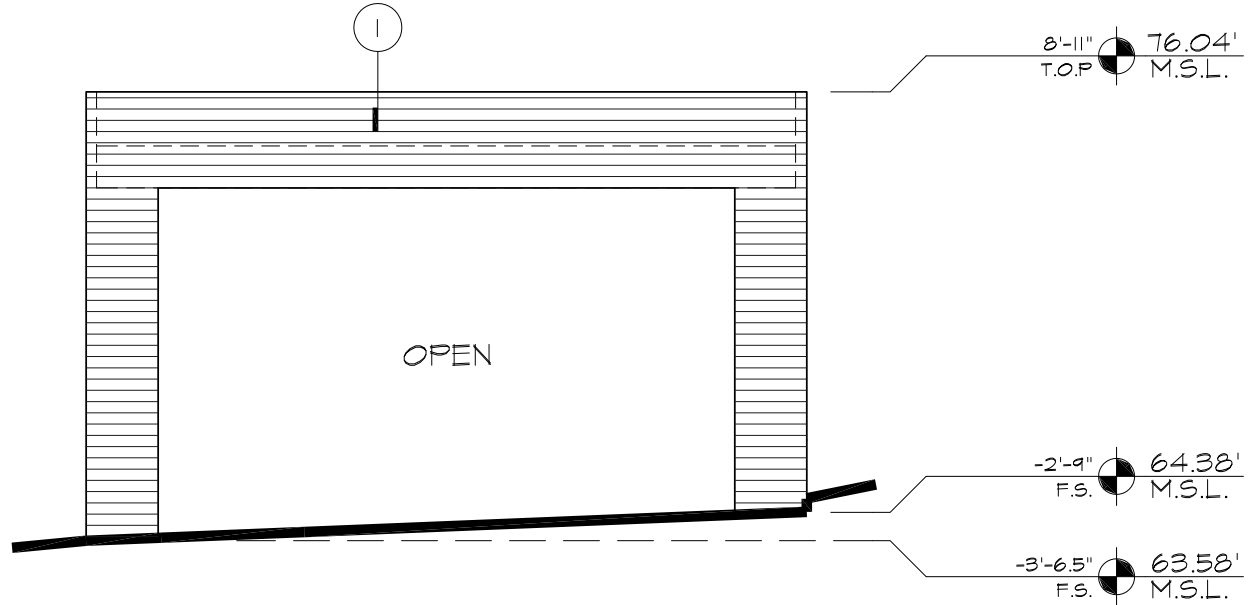
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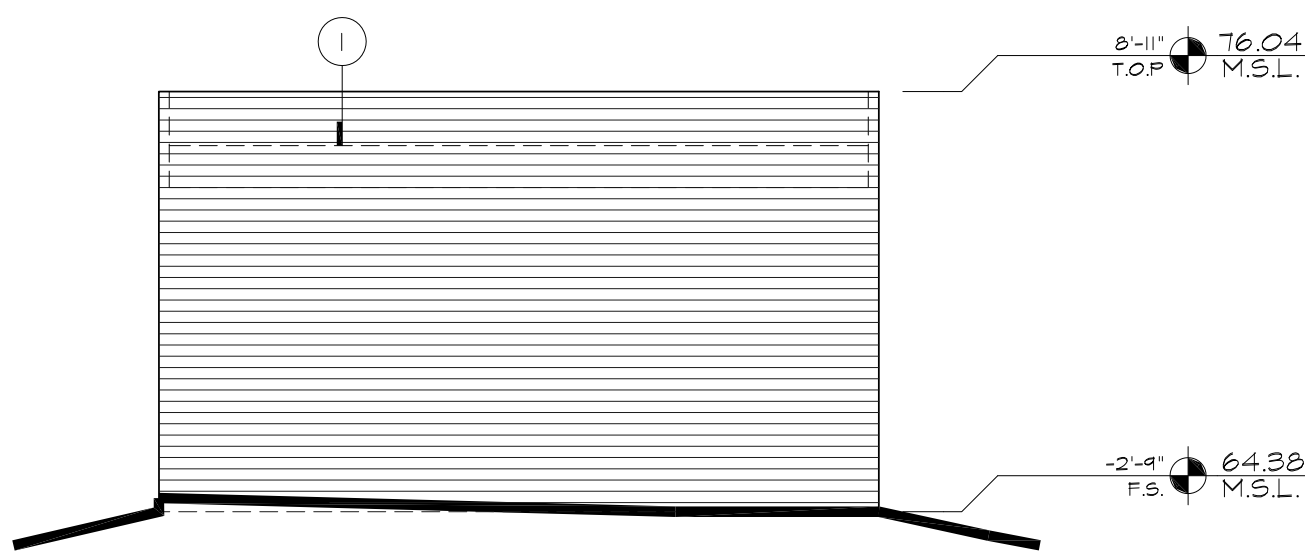
CARPORT NORTH ELEVATION



CARPORT EAST ELEVATION



CARPORT WEST ELEVATION



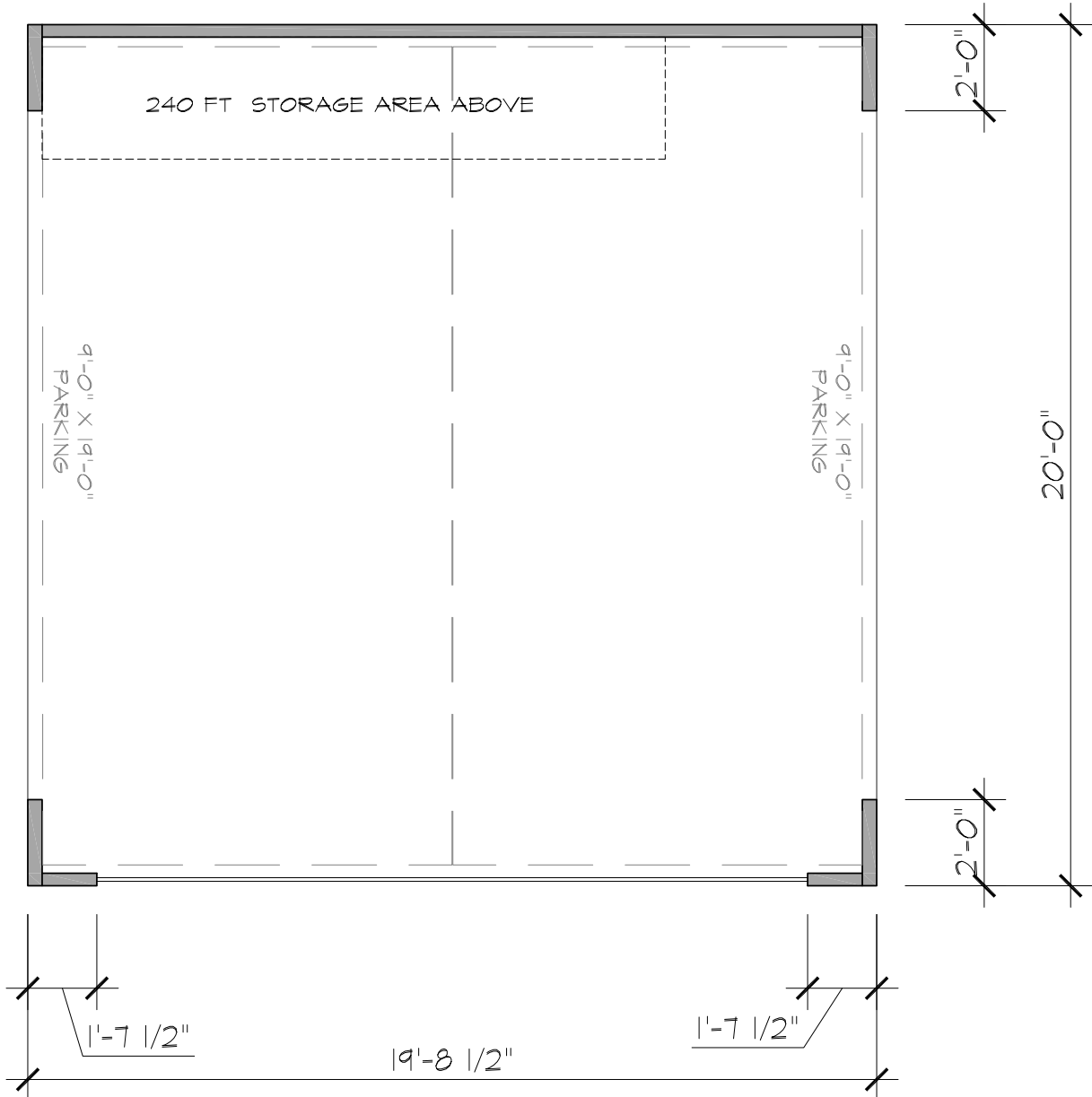
CARPORT SOUTH ELEVATION

ELEVATION KEY NOTES:

① HARDIE SIDING HORIZONTAL, WHITE.

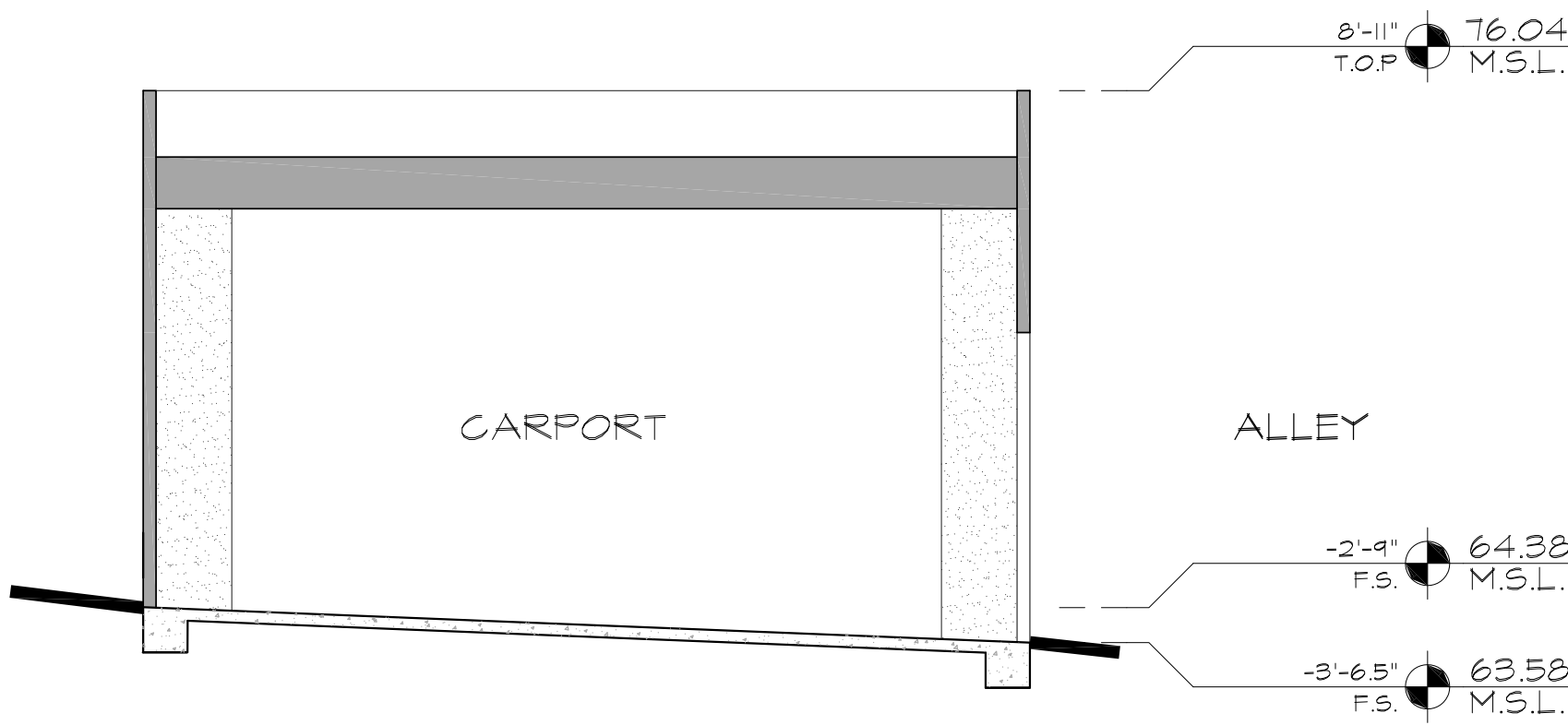
CARPORT ELEVATIONS

SCALE: 3/16"=1'-0"



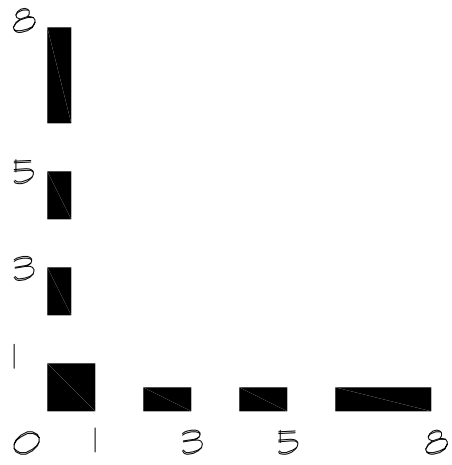
CARPORT PLAN

SCALE: 1/4"=1'-0"



CARPORT SECTION

SCALE: 1/4"=1'-0"



SCALE: 3/16"=1'-0"

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Project Name:
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CARPORT 304-306 KOLMAR

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