

DATE ISSUED: October 13, 2005 **REPORT NO. PC-05-259**

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

SUBJECT: SLOYER DUPLEX - PROJECT NO. 64271. PROCESS 2

REFERENCE: NOTICE OF DECISION DATED JULY 15, 2005 (Attachment 13)

**OWNER/
APPLICANT:** David Sloyer
Daniel Linn, Architect

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of Staff's decision approving CoastalDevelopment Permit No. 192072 for the demolition of an existing one-story, single family residence and construction of a two-story, 4,695 square-foot two unit dwelling, with two, two car attached basement garages?

Staff Recommendation: DENY the appeal and APPROVE CoastalDevelopment Permit No. 192072

Community Planning Group Recommendation: The La Jolla Community Planning Association considered the project on July 7, 2005, and voted 10-0-0 in favor of the project with no conditions (Attachment 10).

Other Recommendations: None with this action.

Environmental Review: The project was determined to be exempt from the State of California Environmental Quality Act (CEQA) Guidelines, Section 15302, Replacement or Reconstruction.

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 low medium density residential development for 9 to 15 dwelling units per acre. The proposed duplex is allowed on this site under this density range on the 6,310 square foot site. The project proposes to demolish one existing single family residence and construct two market rate rental units. The impact to the La Jolla community will be a net increase of one residential unit. The proposed project will result in an overall increase in the housing supply for the City of San Diego.

The proposed project is subject to the Inclusionary Housing Ordinance. The applicant has elected to pay the in-lieu for the Inclusionary Affordable Housing Requirements. The project requires an in-lieu fee of \$4,108.13.

BACKGROUND

A Coastal Development 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 Coastal Development Permit was approved by Staff on July 15, 2005. On August 2, 2005, Stewart M. Brown, appealed the project to the Planning Commission.

The project site is a 6,310 square-foot lot zoned RM-1-1 in the La Jolla Community Plan Area. The property is addressed as 626 Bonair Way and is an interior lot (Attachment 1). The site is surrounded by properties also zoned RM-1-1 and developed with single family residences (Attachment 2 and 3). The La Jolla Community Plan designates the site for residential development at a Low Medium density of 9-15 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 is flat along Bonair Way and throughout the property. The site has an overall grade differential of approximately 2 feet.

DISCUSSION

Project Description:

The applicant is requesting approval of a Coastal Development Permit for the proposed demolition of the existing single family residence and the construction of a two-story, 4,695 square-foot two unit dwelling, with two, two car attached basement garages. Each unit will include a storage area in the basement; a den, great room, kitchen and one bathroom on the first

floor; three bedrooms, two bathrooms and two decks on the second floor. Each unit will also have a roof deck.

Exterior elevations propose earth tone stucco walls, windows, and a reddish-brown colored flat slate roof. Site improvements will include fencing and landscaping.

Community Plan Analysis:

The subject property is designated as Low Medium Density Residential (9-15 du/ac) in the La Jolla Community Plan. Based on this density range, the approximate 6,310 square foot subject property could yield 1 to 2 units. The proposed 2-unit project conforms to this land use designation and density. The property is currently developed as an existing single family home.

The proposed project is located along a residential alley just east of a retail/service area designated as Neighborhood Commercial/Mixed Use along La Jolla Boulevard. The proposed duplex is located in an area designated as Low Medium Density Residential which emphasizes development as town homes and low-scale apartments to serve as a transition between the Commercial/Mixed Use development along La Jolla Boulevard and the Fay Avenue Public Open Space and lower density residential to the east. The relatively small-scale character of the neighborhood is gradually transitioning to multi-story structures that are larger than previous development. The proposed duplex will be larger than the existing one-story residence; however, the proposed project complies with the current development regulations within the San Diego Municipal Code.

The design of the building steps back from the street and incorporates tan colored stucco, wood window treatments and tile roofing material. The front elevation exhibits multiple windows, roof variations and a wooden trellis over the driveway connecting the two landscaped front yards. The proposed project conforms to the land use designation and addresses La Jolla Community Plan policies to create visual relief through building articulation, off setting rooflines and terraced set backs.

APPEAL ISSUES

The appellant, Stewart M. Brown, filed an appeal on August 2, 2005 (Attachment 9). The issues identified in the written appeal to the Planning Commission, can be categorized as follows:

1. Bulk and scale of the project in appropriate for the Neighborhood.

Staff's Response: The proposed project is located within the RM-1-1 zone which allows a maximum floor area ratio (FAR) of 0.75. The project site is 6,310 square feet. A maximum of 4,732.50 square feet is permitted for this site. The project proposes 4,695 square feet.

The proposed project is a two-story duplex with a proposed overall height of 29' 6" (top of chimney); this height is under the maximum 30 foot height limit. The proposed duplex proposes

5 feet side yard setbacks, 15 foot rear yard setback and a 26'6" front yard setback. These proposed setbacks are all within the required distances or are greater than the minimum required distances for the RM-1-1 zone.

Staff has reviewed the project and does not believe that the proposed bulk and scale would negatively impact the neighboring properties. The area is currently being redeveloped and there is a mixture of older homes with newer construction consisting of multiple unit buildings. The design, bulk, and scale of the proposed project are well within the development regulations of the San Diego Municipal Code.

2. Project does not fit into the neighborhood character of the area.

Staff's Response: The proposed two-story duplex is located on Bonair Way within the La Jolla community. The surrounding properties are older single family residences to the south, east and west of the property, an older triplex to the northwest – across Bonair Way and a new four-unit, three-story building to the northeast of the project site. This area is currently under redevelopment and the current neighborhood character is changing. The proposed project is within the development regulations of the San Diego Municipal Code.

3. Concerns regarding excavation for subterranean garages.

Staff's Response: The proposed project contains two subterranean two-car garages. The RM-1-1 zone allows a project design as proposed with two-stories above garage. Equipment utilized during construction activities shall remain on the project site at all times. The project as proposed does not negatively impact the surrounding neighborhood and 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. 192072 with modifications.
2. **Approve** the appeal and **Deny** Coastal Development Permit No. 192072 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeffrey D. Strohminger
Acting Deputy Director,
Customer Support and Information Division
Development Services Department

Laura C. Black, Project Manager
Customer Support and
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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, February 3, 2005
11. Ownership Disclosure Statement
12. Project Chronology
13. Notice of Decision, dated July 15, 2005