



**CITY OF DEL MAR
DESIGN REVIEW BOARD REGULAR MEETING
ACTION MINUTES
January 23, 2019**



Del Mar Town Hall 1050 Camino Del Mar, Del Mar, California

The minutes set forth the actions taken by the Design Review Board on the matters stated. Audio/video recordings of the Design Review Board proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the Design Review Board, including Red Dots (materials provided to the Design Review Board after the agenda has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Administrative Services Department at (858) 755-9313.

CALL TO ORDER

Chair Haviland called the Regular Meeting to order at 6:00 p.m.

ROLL CALL

Present: Chair Tim Haviland, Board Members John Goodkind, Julie Maxey-Allison, Bill Michalsky, Glenn Warren, and Ed Yuskiewicz

Absent: Vice Chair Beth Levine

Staff Members Present:

Principal Planner Matt Bator, Assistant Planner Adriana Jaramishian, Associate Planner Evan Langan, and Associate Planner Jennifer Gavin

APPROVAL OF MINUTES

IT WAS MOVED BY MEMBER GOODKIND, SECONDED BY BOARD MEMBER MICHALSKY, TO APPROVE THE MINUTES OF DECEMBER 12, 2018 AS AMENDED. (VOTE 4-2-1, Members Maxey-Allison and Warren abstaining and Vice Chair Levine absent)

Ayes: Chair Haviland, Board Members Goodkind, Michalsky and Yuskiewicz
Abstaining: Board Members Maxey-Allison and Warren
Absent: Vice Chair Levine

STAFF UPDATE

None.

ORAL COMMUNICATIONS

Bill Morgan asked about hearing procedures.

DESIGN REVIEW BOARD/STAFF DISCUSSION (Non-Application Items)

Chair Haviland introduced new Board Member Julie Maxey-Allison.

Principal Planner Bator stated Beth Levine was reappointed for a four-year term and Julie Maxey-Allison was appointed to fulfill the remainder of Terry Gaasterland's term.

DISCUSSION AND BRIEFING (Application Items)

Principal Planner Bator reviewed the items on the agenda, indicating Items 3 and 4 were eligible for the Consent Calendar.

Board Member Warren indicated he would like to hear Item 2.

Chair Haviland indicated he would like to hear Item 4.

CONSENT CALENDAR

None.

ADMINISTRATIVE APPLICATION(S):

ITEM 1

MOD18-005

APN: 300-071-11

Location: 118 13th Street

Owners/Applicants: 13th Street LLC

Zone: R2

Overlay Zone: Coastal (Appeals Jurisdiction)

Environmental Status: Exempt

Contact Person: Adriana Jaramishian, Assistant Planner

Description: A request to modify a previously-approved Design Review Permit (DRB17-008) to include: expansion of previously-approved second floor decks, new exterior lighting, a new wood trellis at the garage door, new location for previously-approved exterior stairs, and a new configuration of existing entry stairs.

Assistant Planner Jaramishian presented the staff report summarizing the September 26, 2018 hearing and direction from the Board, modification in response to comments from the Board, proposed landscape plan, land conservation permit, project analysis, and staff recommendation.

Chair Haviland inquired about the deck provisions of the Design Guidelines. Assistant Planner Jaramishian stated the guideline recommendation was 10% of total allowable FAR, which would be 500 square feet of deck space.

The Board provided disclosures.

Bob Scott, RJS Planning, summarized the September 26, 2018 DRB hearing and takeaways, floor plan in relation to concerns with bulk and mass and privacy, deck area reductions, elevations, lighting and planting buffer.

Member Michalsky stated it was difficult to understand the lighting plan without color.

Chair Haviland asked why the landscaping was at 49.5% rather than the required 55%. Julia Lang, landscape architect, stated that standard could be attained.

Ms. Lang presented the proposed landscape plan, including lighting.

Chair Haviland stated that it appeared the applicant would be landscaping the NCTD property.

Cindy Patterson, David Patterson, and Mark McGrath donated their time to Bill Morgan.

Bill Morgan, 125 13th Street, stated he did not get the notice but Mr. Scott offered him a courtesy call. He asked how the DRB evaluated noise from second level decks. Chair Haviland stated it was more subjective. Mr. Morgan expressed concern with the impact of landscaping on neighbors' primary views. He requested the opportunity to discuss concerns with the landscape architect. He discussed removal of the existing house and increase of primary views. He requested the DRB members view the landscaping concerns from the neighbors' homes.

Cindy Patterson, 123 13th Street, requested the Board come to her home to see potential view impacts.

Ms. Lang stated she selected specific plants that would not obstruct views. She discussed the use of slow growing trees.

Mr. Scott stated the baseline view would be the existing conditions. He discussed the height of the existing house and hedges. He requested a decision on the house and separate dialogue on the landscaping.

Member Michalsky asked why the house was locked down. Bob Dana, contractor, explained theft of equipment and the need to secure the property.

In response to Chair Haviland, Ms. Lang presented the hardscape wall heights.

Principal Planner Bator recommended the Board consider the existing situation and current views.

Member Warren agreed that the landscape plan should be considered separately from the house. He discussed the reduction in deck size and indicated support for the project.

Member Goodkind expressed concern about the cut and fill due to landscaping. He suggested listing the mitigating circumstances allowing approval. He requested a grading plan. Assistant Planner Jaramishian presented the proposed grading plan.

Member Michalsky expressed concern about the extension of the deck to the west, lighting and landscaping plan.

Member Yuskiewicz expressed concern about the deck from a bulk and mass issue. He requested additional information on the landscaping.

Chair Haviland expressed concern about the bulk and mass of the deck, and the landscape plan meeting the guidelines.

Member Maxey-Allison stated she would be interested in additional information on landscaping.

IT WAS MOVED BY MEMBER MICHALSKY, SECONDED BY MEMBER YUSKIEWICZ, TO CONTINUE MOD18-005. The motion was rescinded.

IT WAS MOVED BY CHAIR HAVILAND, SECONDED BY MEMBER GOODKIND, TO APPROVE MOD18-005, returning with the landscaping plan and meeting with lighting subcommittee (Goodkind and Michalsky). The motion carried 6-0, Vice Chair Levine absent.

NEW APPLICATION(S):

ITEM 2

**DRB18-010
CDP18-008
LC18-012**

APN: 300-145-01-00
Location: 755 Kalamath Drive
Owners/Applicants: Timothy and Barb Davis
Applicant's Representative: John Jensen Architects
Zone: R1-10
Overlay Zone: WUI
Environmental Status: Exempt
Contact Person: Jennifer Gavin, Associate Planner
Description: A request to demolish an existing single-family residence and construct a new single-story single-family residence with associated grading and site improvements.

Chair Haviland recused himself and left the Chamber.

Associate Planner Gavin presented the staff report summarizing the existing site, project overview, additional lot improvements, landscape plan, citizen's participation program, staff analysis, and staff recommendation.

The Board provided disclosures.

John Jensen, Architect, presented the existing house and new site plan. He stated they met with the neighbors and alleviated concerns with views.

Member Yuskiewicz confirmed that the fence would be wooden.

Member Warren asked if a subterranean garage was necessary. Mr. Jensen presented a plan to retain the existing garage and build a new garage in the front.

Member Goodkind asked the calculations with FAR. Mr. Jensen stated they had 40 square feet to spare.

Member Yuskiewicz asked about retaining walls. Brian Artelino, civil engineer, stated the retaining wall in the southeast corner was 4.8 feet and the southwest corner was 3.4 feet. He explained that they were moving the existing retaining walls.

Sheryl Parks stated she was pleased with the character of the house, indicating it met the guidelines, and would be an enhancement.

Neil Quinn encouraged approval of the project.

Member Yuskiewicz asked about removal of the trees. Mark Wisneski, Wisneski and Associates, explained the determination of the most viable trees. He opined that removal of two trees would enhance the two remaining trees.

In response to Member Goodkind, Mr. Wisneski stated there were four separate trees and the two trees to be removed were within 5-feet of each other.

In response to Member Michalsky, Mr. Wisneski confirmed that the trees could be removed without damaging the other trees.

Member Goodkind stated he had a concern about grading but could approve the project with the driveway modification. He questioned the distance of the trees from the home. Mr. Jensen stated the trees were further than 12-feet from the building. He ensured the trees would be trimmed to avoid view impacts.

Member Warren indicated support for the proposed garage alternative.

Principal Planner Bator recommended continuance to allow staff the opportunity to review the new design.

Member Michalsky questioned the garage modification. Associate Planner Gavin provided the proposed garage square footage. Mr. Jensen requested approval of the home separate from the proposed garage. Principal Planner Bator suggested staff be provided the opportunity to review the project for consistency.

Member Goodkind expressed concern with the amount of grading.

Member Maxey-Allison stated she had been concerned with removal of trees which had been alleviated. She suggested continuing the matter to redesign the garage.

Member Yuskiewicz expressed concern with grading necessary for a subterranean garage.

Member Warren stated the retaining walls would not be visible and the underground design was cleaner.

Member Yuskiewicz indicated concern with egress and ingress to a subterranean garage.

Member Michalsky expressed concern with architectural elements for an above ground garage attached to the existing non-conforming garage.

IT WAS MOVED BY MEMBER GOODKIND, SECONDED BY MEMBER MAXEY-ALLISON, TO CONTINUE DRB18-010, CDP18-008, and LC18-012 based on DROS 23.33.040 and 23.08.076. The motion carried 5-0, Chair Haviland recused and Vice Chair Levine absent.

RECESS

Member Michalsky called a recess at 8:00 p.m. Chair Haviland reconvened the meeting at 8:07 p.m. with all Members presented except Vice Chair Levine.

ITEM 3

DRB18-023

CDP18-014

APN: 300-093-10

Location: 1047 Stratford Court

Owners/Applicants: Jean-Jacques Abitbol

Applicant's Representative: Bokal & Sneed Architects

Zone: R2

Overlay Zone: None

Environmental Status: Categorically Exempt pursuant to CEQA Guidelines Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures)

Contact Person: Evan Langan, AICP, Associate Planner

Description: Demolition of an existing single-family residence, and construction of a new, two-story single-family residence with attached, two-vehicle garage.

Associate Planner Langan presented the staff report including existing conditions, vicinity, site plan, scope of work, elevations, lighting and landscaping plans, public outreach, staff analysis, correspondence received and recommendation.

Member Maxey-Allison recused herself and left the Chamber.

The Board provided disclosures.

JJ Abitbol, applicant, discussed efforts to accommodate the neighbors.

Bob Scott, RJS Planning, provided an aerial photograph of neighboring properties. He presented the site plan; proposed floor-plan, and; concerns regarding upstairs views, trees, light and air.

Leena Patidar, 217 11th Street, expressed concern regarding impacts to her existing view from the proposed building's bulk and mass, the CPP process prior to her purchasing her home, and the need to maintain a tree located at the easterly extent of the subject property. She proposed lowering the roofline, minimizing the size of the windows, and reducing landscaping height.

Mr. Scott stated the neighbors acknowledged that their upstairs views were not protected, and the proposed building design was disclosed as part of Ms. Patidar's purchase.

Mr. Abitbol stated they had communicated with the neighbors (regarding their proposal), particularly Ms. Patidar.

Chair Haviland stated he was encouraged with the applicant's desire to make the windows opaque and trim the tree at the easterly extent of the subject property. He expressed concern with the appearance of the proposed residence from 11th Street. He stated that it was unfair that neighbor correspondence had been submitted late, but nonetheless had to be evaluated. He expressed concern with the looming appearance of the proposed residence over Stratford Court, as well as the visual bulk and mass as seen from 11th Street. He stated the design was "too harmonious" with the house located to the south.

Member Yuskiewicz indicated support for opaque windows and lacing of the tree to retain light. He concurred with Chair Haviland on bulk and mass issues.

Member Goodkind concurred with Member Yuskiewicz and Chair Haviland. He stated Ms. Patidar's arguments were not valid and the privacy issue had been resolved. He suggested the neighbors come up with a maintenance agreement for the tree. He stated the project was consistent with the neighborhood and there were no violation of DROs.

Member Warren agreed that a less massive structure would be nice but he would vote to approve the project.

Member Michalsky stated the elevation gain of five feet from Stratford Court presented bulk and mass. He suggested relocation of the three HVAC units and moving the window footers up. He expressed concern regarding the finished floor adding to the elevation and suggested reducing the height through a change in roof pitch or finished floor. He stated the lighting needed a second look and that roof overhangs at the building's southerly elevation should be considered. He stated that the design was a great start and improvement over the existing home.

IT WAS MOVED BY CHAIR HAVILAND, SECONDED BY MEMBER MICHALSKY, TO CONTINUE DRB18-023 and CDP18-014 to allow applicant time to address feedback given by the Board regarding overall (structure) bulk and mass, window design and location at the building's easterly facade, and the location and/or number of proposed HVAC units. The motion carried 5-0, Member Maxey-Allison recused and Vice Chair Levine absent.

RECESS

Chair Haviland called a recess at 8:57 p.m. The meeting reconvened at 9:00 p.m. all members presented except Vice Chair Levine.

ITEM 4 **APN:** 300-221-30
DRB18-026 **Location:** 433 10th Street
CDP18-017 **Owners/Applicants:** Steve & Cece Bloum
 Applicant's Representative: M Design (Stacy Matthews)
 Zone: R1-10
 Overlay Zone: None
 Environmental Status: Exempt
 Contact Person: Jennifer Gavin, Associate Planner
 Description: A request to demolish an existing single-family residence and construct a new single-story single-family residence with associated grading and site improvements.

Associate Planner Gavin presented the staff including existing site, project overview, additional lot improvements, citizen's participation program, staff analysis, and recommendation.

The Board provided disclosures.

Stacy Matthews, designer representing Steve and Cece Bloum, discussed the CPP program and resolution of neighbor's concerns.

Paul Delgadillo, 427 10th Street, discussed sound impacts from the proposed deck and expressed concern with dust during construction.

Ms. Matthews reassured Mr. Delgadillo that they would implement the standard construction practices to minimize dust. She discussed sound mitigation for the deck.

Steve Bloum discussed existing conditions and the proposed home.

In response to Member Michalsky, Ms. Matthews stated they could increase the height of the wall to help mitigate sound. Associated Planner Gavin explained the maximum wall height. Principal Planner Bator discussed the possibility of Mr. Delgadillo installing the wall.

Member Michalsky stated he liked the overall design but was concerned with the roof deck and visual and auditory privacy.

Member Goodkind stated the types of tenants and activity on the roof deck could not be regulated.

Member Yuskiewicz concurred that the City could not control what happened on roof decks. He stated he could not approve the project due to roof deck.

Member Maxey-Allison stated the deck was out of size with house.

Chair Haviland agreed that the roof deck could cause problems. He suggested use of earth tone colors.

Member Yuskiewicz expressed concern with the at grade deck.

Member Warren stated some problems had to be solved between neighbors.

Ms. Matthews stated the main central deck was approximately 22x30 feet.

IT WAS MOVED BY MEMBER MICHALSKY, SECONDED BY MEMBER GOODKIND, TO APPROVE DRB18-026 and CDP18-017 removing the rooftop deck and access stairs. The motion carried unanimously.

Ayes: Chair Haviland, Board Members Goodkind, Maxey-Allison, Michalsky, Warren and Yuskiewicz

Absent: Vice Chair Levine

ADJOURNMENT

Chair Haviland adjourned the meeting at 9:36 p.m.



Afshin Atapour, Assistant Planner