



Evan Langan

From: Malea Smith <maleasmith1@gmail.com>
Sent: Thursday, January 20, 2022 8:12 AM
To: Evan Langan
Cc: Sam Blick; Pete Smith
Subject: Feedback for DRB regarding 636 Rimini Development – APN: 300-143-24

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Hi Evan,
Pete and I have compiled a list of our concerns regarding the development project located at 636 Rimini Road (APN 300-143-24). Please confirm with me when you have passed these concerns along to the DRB members.
Let me know if you have any questions.
Malea

To the Design Review Board,

We invite each member of the Design Review Board to visit our home, stand on our deck and in our primary living area to view the story poles in order to observe the effect the proposed project has on our property. Pete and I can be reached on our mobile phones: Pete Smith (858-997-4674) and Malea Smith (858-822-8424).

While we are supportive of owners’ rights to improve their property we do have significant concerns regarding the current development proposal at 636 Rimini Road. We have provided the developers with our concerns on multiple occasions. Our home located at 1232 Crest Road is the adjacent property directly east of the project development site.

23.08.072D The design will create an unreasonable invasion of privacy to our property. The proposed master bathroom window (located next to the bathtub) and windows in the stairwell leading to the master on the east side of the second story will have direct sight lines into every west facing window of our house (including direct horizontal sight lines into 3 bedrooms) as well as the entire back yard.

23.08.072J The proposed development locates structures which unreasonably, adversely impact outdoor areas on our property.

1. The location of the structure and its second story mass placed centrally in the lot and directly on the easterly setback has a looming effect on our outdoor living space. It greatly impacts our outdoor scenic views, eliminates virtually all ocean views, and dramatically reduces afternoon sunlight. The windows on the second story will have direct sight lines onto our entire backyard eliminating its privacy.

C9. Landscape and Vegetation Design Guidelines

I. New landscaping should be selected to provide a level of screening that would not block views for neighboring homes.

- 1.
- 2. **Avoid**
- 3. **columnar and/or densely planted trees.**
- 4.

We would like to note and object to the 60 x 20 ft. Ficus columnar screening hedge that was installed in June 2020 along the south end of our adjacent property line. This hedge to provide privacy for the proposed pool negatively impacts our outdoor living space by its sheer size and bulk. The hedge eliminates light and natural breezes to our backyard as well as drastically changes our scenic views. Between the proposed structure, the

hedge and the trees that have not been trimmed since the developers purchased the property in August 2014 there will be no scenic nor ocean views left from our backyard living space. This hedge has not been properly maintained since installation and carries disease: white fly and black sooty mold. The location of the pool in proximity to the hedge will encourage their notoriously invasive root systems to grow east into our property. The remaining

60 x 12 ft. hedge installed at an earlier date along the north end of the adjacent property line is welcome. For clarity the total length of the hedge runs 120 ft. along the entire length of our adjacent property line. The northerly portion of the hedge replaces a Eugenia hedge previously removed by the developers. We do, however, object to it growing in height to match the rest of the 20 ft. hedge.

23.08.076A The natural state topography or landscaping is not being preserved insofar as practical, by minimizing tree and soil removal.

While we do not have specific objections to the proposed removal of various trees from the property we do have major concerns with the growth rate of all Torreys on the property as well as the Norfolk Island Pine. In the seven years we have owned this house we have seen a significant change in our scenic and ocean views due to the growth of trees on this property.

23.08.077C The design is out of scale with structures in the neighborhood. The proposed second story is too high and inconsistent with the height of other houses up the slope of the hill. T

23.08.077D The design is not harmonious with or is functionally incompatible with the surrounding neighborhood in one or more of the following respects:

2. **Structural siting on the lot.** The placement of the structure and second story are located centrally in the lot. The structure's location directly on the easterly set-back creates a significant impact on our property.

4. **Architectural features and ornaments.** The placement of the chimney on the second story is located dead center in our primary view.

23.08.077F The design would adversely affect the lighting or noise quality of the local neighborhood. The installation of a pool and outdoor speakers would adversely impact the noise quality of the neighborhood. There are already 3 pools and one set of outdoor speakers immediately adjacent to our property and due to the acoustics of the hillside this is a cause for concern.

23.08.077H The proposed development unreasonably encroaches upon primary scenic views of neighboring property. The proposed development occupies over 30% of the scenic view from our primary living space (living room) from multiple vantage points. Our scenic view consists of views of the community, its landscapes, the urban forest character and the ocean.

23.08.068A - Required Components of a Citizens' Participation Program Introductory Meeting Prior to any preparation of architectural design plans the Property Owner shall conduct an informal meeting with neighbors whether or not CPP is required. We did not receive any correspondence regarding the first CPP meeting (held in 2018) from neither the city nor the property developer. The property developer did not reach out to us prior to preparing architectural plans presented at the second CPP meeting. My husband attended the second CPP meeting (in 2018) and expressed our concerns. After the 2nd CPP meeting the architect requested to visit our house to take photographs from our living room and deck. The property developer then asked if we could meet with him and his architect at his architects' place of work. We accepted and met with them at their offices. That project was never submitted. About three years later, a new set of story poles appeared unannounced

(Feb. 2021). The first CCP meeting for this second proposal was deemed unnecessary as the developers could use feedback from 2018. The current proposal is designed by a different architect, but the story poles are strikingly similar from our perspective. It appears that none of our concerns from 2018 were incorporated. We were not approached by the developer nor new architect for feedback before the current design was created. Our concerns expressed in both 2018 and 2021 do not seem to have been considered. Instead, the current location of the structure has moved significantly closer in proximity to our house now sitting directly on the lots easterly setback compared to the 2018 version of the design. It remains centrally on the lot, and centrally in our view corridor.

As long term Del Mar residents our purchase of the house on 1232 Crest Road was a transformative decision in our lives. We plan to spend the rest of our lives here. A major contributing factor in the purchase of this home

was our confidence that the Design Review Ordinance, and the process managed by the Board that enforces adherence to the Municipal Codes (DMMC 23.08) and Design Review Guidelines as well as the The Trees, Scenic Views and Sunlight Ordinance (DMMC 23.51) would ensure that the value of the home, its views and its privacy would be secure.

Before purchasing the lot on Crest knowing we planned to make upgrades to the property we both carefully examined all codes and guidelines as well as carefully considered all neighboring perspectives especially The Davis', directly east of us before putting pen to paper. Our project not only received full support from the DRB, but we also received multiple letters of support including one from the Davis' and one from The Wilsons. The existing footprint of the primary story did not change and due to the nature of the lot we were able to expand the existing living space under the primary story. It would have been much easier logistically and financially to add a second story, but that would have not only been out of line with codes and guidelines, but also completely out of line with our character to design a structure aimed to obscure The Davis' scenic view. We would appreciate the same respect from our westerly neighbors.

We have lived in Del Mar for 20 years. Fifteen of those years at 549 Rimini Road and 5 at our current residence. In those 20 years we have been supportive of all developments in close proximity to our property at the time as all these previously proposed developments have been very respectful of codes and guidelines. We do not feel the same about this proposal. Between the 2018 and current iteration of this project we have been staring at crude story poles for 18 months of the 5 years we have lived here. It is our hope that the codes and guidelines speak for themselves and not allow for this to continue.

Again, we invite each member of the DRB to visit our home to fully appreciate the impact of the project design on our home.

Malea Smith (858-822-8424)
Pete Smith (858-997-4674)