



**CITY OF DEL MAR  
DESIGN REVIEW BOARD REGULAR MEETING  
ACTION MINUTES**

**February 26, 2020  
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](http://www.delmar.ca.us/AgendaCenter) or by contacting the Administrative Services Department at (858) 755-9313.

**CALL TO ORDER**

Chair Levine called the Regular Meeting to order at 5:00 p.m.

**ROLL CALL**

Present: Chair Beth Levine, Vice Chair Glenn Warren, Board Members Jason Dempsey, Elena Oanta, John Goodkind, Julie Maxey-Allison, Phillip Szymanski, and Ed Yuskiewicz

Absent: Board Member Amy Isackson

Staff Members Present:

Principal Planner Matt Bator, Associate Planner Evan Langan, Associate Planner Jean Crutchfield, and Management Analyst Shaun McMahon

**APPROVAL OF MINUTES**

Design Review Board Hearing Minutes of January 22, 2020

**IT WAS MOVED BY MEMBER YUSKIEWICZ, SECONDED BY MEMBER MAXEY-ALLISON, TO APPROVE THE JANUARY 22, 2020. (VOTE 5-1-1, CHAIR LEVINE ABSTAINED AND MEMBER ISACKSON ABSENT).**

Ayes: Vice Chair Warren, Board Members Dempsey, Goodkind, Maxey-Allison, and Yuskiewicz

Abstain: Chair Levine

Absent: Member Isackson

**UPDATES**

1. Introduction of new City Manager CJ Johnson

Principal Planner Bator introduced City Manager Johnson.

2. Announcement by Management Analyst Shaun McMahon inviting attendees to the 6<sup>th</sup> Cycle Housing Element Public Workshop on February 29, 2020

Management Analyst Shaun McMahon announced the 6<sup>th</sup> Cycle Housing Element Public

Workshop on February 29, 2020, 9:30 a.m. in Town Hal.

3. Board updates: Ex-Officio Elena Oanta will become Primary Ex-Officio, and Philip Szymanski will become Alternate Ex-Officio during the summer.

Principal Planner Bator introduced the new members.

### **HEARING FROM AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA (ORAL COMMUNICATIONS)**

None.

### **DESIGN REVIEW BOARD/STAFF DISCUSSION**

1. Selection of Board Member to serve for Determination of Substantial Conformance

**IT WAS MOVED BY MEMBER YUSKIEWICZ, SECONDED BY CHAIR LEVINE, TO NOMINATE JULIE MAXEY-ALLISON AS SUBSTANTIAL CONFORMANCE OFFICER (VOTE 6-1, MEMBER ISACKSON ABSENT).**

Ayes: Chair Levine, Vice Chair Warren, Board Members Dempsey, Goodkind, Maxey-Allison, and Yuskiewicz  
Absent: Member Isackson

2. Farewell to Board Member Michalsky

Chair Levine thanked Mr. Michalsky for his service.

Principal Planner Bator discussed Mr. Michalsky's service to the City and presented a certificate of recognition.

### **RECESS**

Chair Levine called a recess to a reception for Mr. Michalsky.

### **DISCUSSION AND BRIEFING (Application Items)**

Principal Planner Bator summarized the items indicating there were no items eligible for the Consent Calendar.

### **CONTINUANCE REQUESTS**

#### **ITEM 2**

**DRB18-029**

Continued to March  
DRB Hearing

**APN:** 300-030-86-00

**Location:** 1555 Camino del Mar

**Owner/Applicant:** Del Mar Plaza (Brixton Capital)

**Applicant's Representative:** Bob Lisle

**Zone:** Plaza Specific Plan

**Environmental Status:** Exempt

**Contact Person:** Shaun McMahon, Management Analyst

**Description:** A request for revisions to the previously approved Plaza Design Manual (previously named Tenant Design Manual). The Plaza Design Manual (PDM) is the governing document for the review of individual storefront improvements, signage, and improvements to common areas within the Del Mar Plaza. The proposed revisions address the following areas of the PDM:

- Allowable Storefront and Signage Design
- Allowable Storefront and Signage Types

- Allowable Common Area Signage and Design; and
- Allowable Materials

This item was continued to March 2020.

**CONSENT CALENDAR:**

No items were eligible.

**ADMINISTRATIVE APPLICATIONS:**

**ITEM 1**

**ADR19-090**

**APN:** 300-272-08

**Location:** 700 Crest Road

**Owner/Applicant:** Jeannette Fonseca

**Applicant's Representative:** Howard Anderson Architecture

**Zone:** R1-10

**Overlay Zone:** None

**Environmental Status:** Exempt

**Contact Person:** Jean Crutchfield, Associate Planner

**Description:** A request for an Administrative Design Review Permit for an existing single-family residence to include: a new 42-inch high electric rolling vehicular gate fronting Crest Road; a new 42-inch high electric rolling vehicular gate and fence fronting Hoska Lane; reconstruction and relocation of the 6-foot high fence located adjacent to the northerly property line (western-half portion).

Associate Planner Crutchfield presented the staff report including project site, background on prior Board consideration and code enforcement compliance, project description, applicant's plan, correspondence, and staff recommendation.

The Board provided disclosures.

Chair Levine opened the public hearing.

Jaime Bernal, Howard Anderson Architecture, provided a brief history on the project. He explained the need for access to the guest house.

Lucas Mandel, attorney for Ms. Fonseca, discussed laws related to accessing property from a public street and the requested gate on Hoska Lane. He discussed concerns raised regarding traffic and safety. He stated there was no evidence of accidents on Hoska Lane. He requested modification to the existing fence to allow access to the guesthouse.

Bob Gans expressed concern about safety on Hoska Lane. He stated support for the project was from people who did not live on Hoska Lane. He stated the guest house was not meant to be a permanent residence. He urged the Board to adopt staff's recommendation.

Morgan Scudi indicated support for the gate on Hoska Lane to allow vehicular access to the property.

Paulette Horner urged the Board to protect the health, safety and welfare of Hoska Lane. She stated the property contained two residences in an R-1 zone and urged denial of a vehicle gate on Hoska Lane.

Chair Levine reminded the speakers to address the Board and that civility matters.

Jane Martin addressed the Board in support of the requested approvals. She stated the access would provide safety in emergencies.

John Martin stated the street was public and he encouraged fairness and common sense.

Henrik Jensen indicated support for allowing access on Hoska Lane.

Janie Jenson indicated support for the requested approvals.

Roberta McGill and Meghan McGill did not speak but indicated support for the proposal.

Jazmin Blais discussed her family's use of Hoska Lane and the 2015 concession to approve the guest house without a vehicular gate. She stated the applicant had been trying to circumvent the Board's decision. She stated vehicular access would split the property into two residences. She encouraged preservation of safety and their neighborhood.

Bill Michalsky questioned whether properties were allowed more than one curb cut.

Mr. Bernal (applicant) stated no curb cut would be required. He reminded the Board that the alley was public. He stated the project was a separate application from the original project.

Mr. Mandel stated there was no public curb at the location. He stated Ms. Fonseca was entitled to access to her property and reminded the Board that Hoska Lane was a public road. He stated Ms. Fonseca had not agreed to not have a gate, rather accepted approval of the project and came back for access.

Principal Planner Bator explained the allowance of 20 feet of curb cut.

In response to Member Yuskiewicz, Associate Planner Crutchfield discussed vehicular access off Hoska Lane. Member Yuskiewicz stated decisions were not made based on who lived at a property. He asked the Board's opinion at the time of the original project approval. He asked the width of the driveway on Crest. Associate Planner Crutchfield estimated the driveway on Crest was 14 feet. Member Yuskiewicz suggested a pedestrian gate to provide emergency access. He indicated he was leaning toward the original approval.

Member Maxey-Allison indicated support for a new 42-inch high electric rolling vehicular gate fronting Crest Road but a new 42-inch high electric rolling vehicular gate and fence fronting Hoska Lane would potentially overtax the alley. She concurred that a pedestrian gate was permissible.

Member Dempsey asked if there was evidence of a safety issue. Principal Planner Bator stated a traffic count could provide additional details. He stated it was not typical for development projects. Member Dempsey questioned why there would be a change to the 2015 DRB decision.

Member Goodkind stated turning the guest house into a rental unit would be a violation of code. Principal Planner Bator stated the guest house was an accessory living area, not to be a dwelling unit. He discussed changes to the Code regarding rental of accessory areas. He explained that rooms in a home could be rented out. Chair Levine read Section 30.12.040 prohibiting rental of accessory buildings. Member Goodkind stated he was unsure if safety on Hoska Lane was an issue. He asked the ground for the initial denial. Chair Levine provided a summary of the 2015 Board decision on the project.

Chair Levine expressed concern with modification to zoning by allowing a secondary access.

In response to Member Yuskiewicz, Principal Planner Bator stated the guest unit was not built as an accessory dwelling unit.

Member Goodkind suggested the unit was too large. He stated he would abstain because the unit should not have been allowed in the first place. Principal Planner Bator recalled that the Board was unable to find regulatory conclusions to deny the project.

**IT WAS MOVED BY CHAIR LEVINE, SECONDED BY MEMBER YUSKIEWICZ, TO ADOPT THE RESOLUTION AND FINDINGS THEREIN, TO APPROVE A NEW 42-INCH HIGH ELECTRIC ROLLING VEHICULAR GATE FRONT CREST ROAD; AND RECONSTRUCTION AND RELOCATION OF THE 6-**

**FOOT HIGH FENCE LOCATED ADJACENT TO THE NORTHERLY PROPERTY LINE (WESTERN-HALF PORTION) AND DENY THE VEHICULAR FENCE ON HOSKA LANE ALSO BASED ON DRO 23.08.072A BECAUSE TO ALLOW THE DRIVEWAY AND GATE ON HOSKA LANE WOULD MAKE THE ACCESSORY UNIT MORE LIKE A SEPARATE UNIT INCONSISTENT WITH THE COMMUNITY PLAN WHICH DESIGNATES LOW DENSITY IN THE AREA AND THE R1-10 ZONING STANDARDS. (VOTE 5-1-1, MEMBER GOODKIND ABSTAINING AND MEMBER ISACKSON ABSENT).**

Ayes: Chair Levine, Vice Chair Warren, Board Members Dempsey, Maxey-Allison, and Yuskiewicz  
Abstain: Member Goodkind  
Absent: Member Isackson

**NEW APPLICATION(S):**

**ITEM 3**

**DRB19-009**

**LC19-015**

**APN:** 300-143-50

**Location:** 1241 Umatilla Street

**Owner/Applicant:** David and Kimberly Mullarkey

**Applicant's Representative:** Greg Miller Designs and RJS Planning Consultants

**Zone:** R1-10

**Overlay Zone:** None

**Environmental Status:** Exempt

**Contact Person:** Jean Crutchfield, Associate Planner

**Description:** A request for a Design Review and Land Conservation Permit to remodel an existing two-story residential unit and detached garage to include: removal of 54 square-feet of floor area from the garage; removal of 152 square-feet of floor area on the first level and 137 square-feet of floor area on the second level of the home; construction of 28 square-feet of floor area on the first level and 230 square-feet of floor area on the second level of the home; grading and construction of new site retaining walls located at the driveway, front entry and rear yard; modifications to windows, doors and skylights; modification of roof structures of the garage and residence; removal of one chimney and the addition of one new chimney; construction of a new exterior spiral staircase; modification to covered deck areas; installation of new exterior light fixtures; new AC condensing unit, gas fire pit; spa unit with self-containing mechanical equipment; and new landscape/hardscape improvements.

Member Dempsey recused himself due to the location of his residence within 500 feet and left the dais.

Associate Planner Crutchfield presented the staff report including project site, background and previous City action, project description, applicant's plan, grading, landscaping, site photographs, correspondence, and staff recommendation.

The Board provided disclosures.

Dave and Kim Mullarkey discussed the goal of the project for a tasteful, modest update, simplifying the layout. They discussed efforts to be neighborly, architectural revisions, building restrictions, neighborhood outreach, and changes to address neighbor's concerns.

Chet Thompson discussed the original lot split and expressed concern with privacy and disregard for the greenbelt.

Bob Scott, RGS Planning, on behalf of the applicants, discussed restrictions on the property, sideyard setbacks, and landscape easement.

Greg Miller, project designer, clarified the distance from the easement and office height.

Vice Chair Warren stated the proposed study would impact the neighbor and provided conflicts with DRO sections.

Member Goodkind questioned whether the office could be built if not in the current location.

Member Maxey-Allison stated the open space easement was awkward and commended the Mullarkey's efforts to appease the neighbors but expressed concern with siting of the office.

Member Szymanski stated he found the siting of the office acceptable.

Member Yuskiewicz concurred with staff's findings.

Chair Levine suggested modifications or relocation of the office.

The Mullarkey's indicated acceptance to a continuance,

**IT WAS MOVED BY MEMBER YUSKIEWICZ, SECONDED BY MEMBER MAXEY-ALLISON, TO GRANT A CONTINUANCE TO REDUCE THE IMPACT OF THE OFFICE ON THE NEIGHBORS BASED ON DRO 23.08.077.D2. (VOTE 5-1-1, MEMBER DEMPSEY AND MEMBER ISACKSON ABSENT).**

Ayes: Vice Chair Warren, Board Members Goodkind, Maxey-Allison, Michalsky and Yuskiewicz  
Absent: Member Dempsey and Isackson

Member Dempsey returned to the meeting.

**ITEM 4**

**DRB19-016**

**CDP19-012**

**LC19-007**

**APN:** 300-074-05

**Location:** 1205 Stratford Court

**Owners/Applicants:** Baron Randall and Kandace 2004 Trust

**Applicant's Representative:** W. Dean Meredith, AIA

**Zone:** R-2

**Environmental Status:** Categorically Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures)

**Contact Person:** Evan Langan, AICP, Associate Planner

**Description:** Demolition of an existing residential unit and detached garage; construction of a new, two-story residential unit with attached garage and subterranean basement, in conjunction with grading and surface improvements.

Associate Planner Langan presented the staff report including site plan, building elevations, illustrative rendering, lighting plan, landscaping plan, analysis of air conditioning, retaining walls and FAR exempt components, correspondence, and recommended design revisions.

In response to Vice Chair Warren, Associate Planner Langan explained the calculation of FAR exempt areas.

The Board provided disclosures.

Randall Baron discussed their desire for timeless architecture and a quiet unobtrusive home.

Dean Meredith, project architect, discussed neighborhood compatibility, view blockage, privacy, and site constraints. He stated there had been no neighbor complaints, He presented the proposed Craftsman style and discussed the conflict of Design Guidelines between architectural style and architectural features.

In response to Member Maxey-Allison, Mr. Meredith stated they would comply with air conditioning regulations.

Member Goodkind asked if shadow studies had been completed. Mr. Meredith stated they had not conducted shadow studies.

In response to Vice Chair Warren, Mr. Meredith stated reducing the overhangs from four to three feet would impact the architectural style.

Member Dempsey asked how to categorize the overhangs. Mr. Meredith referenced staff's exempt FAR and suggested a committee review the 10% guideline.

Vice Chair Warren asked the depth of the deck. Chair Levine stated the deck was 455 square feet.

Chair Levine questioned the FAR exempt areas. Mr. Meredith stated most of the area was for circulation. Principal Planner Bator discussed DRO 23.08.070E regarding bulk and mass and the purpose of limiting the amount of non-FAR areas.

Teresa Luchsinger expressed concern about light impacts and overhangs adjacent to her home.

Mr. Baron explained the design to reduce impacts to Ms. Luchsinger's home. He explained the proposed outdoor space.

Mr. Meredith explained the second story portion designed to reduce the impact of the height shade and shadow.

Member Dempsey discussed the FAR exempt calculations and the difference between the staff and architect's calculation.

Member Maxey-Allison stated the proposed project design added to excessive mass and the second story deck should be reduced in size.

Member Yuskiewicz concurred with staff's regulatory conclusion.

Member Szymanski discussed the Craftsman style and potential DRO conflicts between style and overhangs. He stated it was necessary to consider the big picture.

Member Goodkind stated the Craftsman style would be a nice addition to the neighborhood. He stated it was a good design and the overhang should be allowed to remain.

Vice Chair Warren suggested shading be reviewed. He indicated support for the project.

Member Szymanski indicated support for the project.

Chair Levine stated she felt bulk and mass was an issue and the second floor deck added too much to bulk and mass. She suggested the need to obtain the air conditioning decibel specification.

Member Yuskiewicz liked the design but not the bulk and mass.

Mr. Baron accepted a continuance.

**IT WAS MOVED BY MEMBER DEMPSEY, SECONDED BY MEMBER MICHALSKY, TO GRANT A CONTINUANCE BASED ON DRO 23.08.070E, and requiring shadowing and AC unit specifications. (VOTE 6-0, MEMBER ISACKSON ABSENT).**

Ayes: Chair Levine, Vice Chair Warren, Board Members Dempsey, Goodkind, Maxey-Allison, and  
Yuskiewicz  
Absent: Member Isackson

**ADJOURNMENT**

Vice Chair Warren adjourned the meeting at 8:42 p.m.



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Adriana Jaramishian, Assistant Planner