

Development Permit Review Committee Minutes

14 March 2023

Attending: Fremdling, Jackson (chair *pro tem*), Kane, Leira, Rasmussen, Shannon, Williams

Absent: Will, Costello

Item 1, Adelante (postponed)

Item 2, Wrelton (postponed)

Item 3, Costa (actually discussed after item 5, since applicant didn't respond when called on initially, apparently he's hard of hearing)

- Applicant: Net effect of feedback (or lack thereof) from HRB, City, and Coastal Commission is that current structure, although now designated historic, cannot be saved, and so will be demolished and a new modernist concrete-and-glass house will built within the allowable part of the lot. Since the historic structure cannot be preserved, instead the applicants are required (and willing) to assemble a detailed record of its design, appearance, use, and historical role via interviews, documents, photographs, videos, and other media; all of that will be submitted to HRB and archived for the public record.
- Question (Jackson and others): Is this a new design? If so, then this should be a preliminary review, not a final review?
- Applicant: Yes, it's a totally new design to reflect the allowable footprint.
- Question: Do you have a first round of cycle issues from the City for the new design?
- Applicant: Orally, but not in writing. But insist that the project has been reviewed already, so want a vote
- Jackson suggests we see what applicant has brought, then decide whether it's actionable
- Applicant shows sections and a couple of renderings, limited floor plans. New design fits entirely with required setbacks and so forth; only variance required is for the garage's proximity to street.
- (general questions and discussion about structure design, generally positive)
- Leira: disagrees with applicant's assertion that nothing can be preserved from existing structure, wishes applicant would think more creatively about how to do so (eg, preserving elements, design features, etc)
- Kane: likes proposed design, but wants to know more concretely how the applicants propose to satisfy the historical requirements
- Merten: believes that architectural overhang supported by a column is a structure that extends outside the allowed building envelope (45° rule), and therefore must be modified.
- (long back-and-forth between Leira and applicant about preservation)
- Motion (Kane/Rasmussen or maybe Kane/Shannon): Appreciate applicant's commitment to meeting historical documentation requirements, findings can be made.
- Vote: 3 no (Leira, Fremdling, Williams, I think), 3 yes (Kane, Shannon, Rasmussen), 1 abstain (Jackson, as chair). Tie vote, chair can break tie. Chair declines to vote (believes

that this should have been a preliminary review, not final, hence voting not appropriate), hence motion does not pass.

- Jackson asks whether there is another motion. No one makes another motion. Therefore, DPR has taken no action on this project.

Item 4, West Muirlands

- Applicant: 4200 sq ft 2-story+basement house replacing existing 1000sq ft 1-story house on sloping lot between street and golf course. Pseudo-beach styling (gray siding, balconies, gables, dutch gables at end, garages in basement).
- Kane: Window alignments?
- Applicant: None of any significance
- Discussion generally focused on how taller house would or would not affect the character of the surrounding neighborhood. House would be about 1/3 taller than either of the adjoining houses (2-story on the downhill side, 1-story on the uphill side), but consistent with many other nearby houses on the street. Styling on the street is eclectic, so this fits in.
- Merten: retaining walls on driveway down to basement may be too tall at setback line (limited to 3' at that point); applicant believes they are okay, will double-check
- Bring for next time:
 - streetscape photo montage with design pasted in
 - aerial photo montage ditto, extending for, say, 3-5 houses in either direction on W Muirlands both sides.
 - sections running both ways--from adjoining houses through proposed house, and from golf course to other side of the street through proposed house--to illustrate adjacencies and elevation differences.
 - drawing showing how proposed house windows align with adjoining houses and their facing windows.
 - drawings or sections showing that driveway retaining walls comply with zoning requirements.

Item 5, Havenhurst

- Applicant: Owner demolishing current 1-story house (2000 sq ft?) and building 12,000 sq ft 2-story+basement house where owner's own and extended family will live. House generally within existing footprint on street side, most expansion is toward and down canyon side. Much of space is underground in basement with windows/patio on canyon side, so excluded from FAR. 2 meetings with neighbors, some adjustments as a result. Applicant showed model of proposed house.
- Kharrati (neighbor): neighborhood long ago agreed to certain standards, and process for exceptions. Proposed house required exception to add second story, exception was denied twice by committee (even after adjustments).
- Jackson: DPR does not enforce CC&Rs, that's a matter for lawyers and civil litigation.
- Leira: Fair enough, but CC&Rs provide useful information about neighborhood character, which DPR can and should consider, and so the fact that proposed house is

deemed by neighbors to be inconsistent with CC&Rs raises questions about whether it disrupts rather than enhances the neighborhood.

- Committee chair (I didn't catch name): talks about committee process.
- (much back and forth between neighbor and applicant about how proposed house blocks view, disrupts character, etc)
- Fremdling: Ceiling heights?
- Applicant: 10 feet.
- Fremdling: how can basement+2 floors with 10-ft ceilings comply with 30-foot limit?
- Applicant: 2nd story begins where basement ends, so there's no plumb line taller than 30 ft
- Leira: Model is great, but it just shows the proposed house in isolation, not in street/neighborhood context, and DPR needs the latter to judge compliance with LJCP.
- (more neighbor/applicant interaction--neighbors are clearly very out of joint about applicant's decision to ignore the CC&Rs; committee lawyer points out that "opposing counsel" isn't present, so clearly there are already lawyers jousting)
- Bring for next time:
 - aerial montage (3-5 houses each way) with proposed house inserted
 - streetscape montage ditto
 - whatever other photos or montages will help DPR understand how the drastically larger structure will fit into the area as viewed from neighbors, street, across canyon, etc.
 - cross section running from other side of the street through proposed house and down canyon to property line.
 - drawing or diagrams showing how proposed house's walls align with neighboring houses across setbacks.
 - landscape plan