CITY OF SOLANA BEACH

AGENDA

VIEW ASSESSMENT COMMISSION

Teleconference Location Only No In-Person Attendance Tuesday, October 19, 2021 - 6:00 P.M.

This meeting will be conducted in accordance with Government Code sections 54953(e) and 54954.3 and other applicable law.

MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

As a result of the emergency related to COVID-19, meeting in person would present imminent risks to the health or safety of attendees. Therefore, in-person participation at City meetings will not be allowed at this time. In accordance with Government Code sections 54953(e) and 54954.3, there will be no members of the public in attendance at Meetings. Alternatives to in-person attendance for viewing and participating in City meetings and addressing the legislative body directly are provided below.

AGENDA MATERIALS

Agenda materials may be reviewed at the Community Development Department offices. Call (858) 720-2440 to schedule an appointment to review materials.

WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's Public Meetings webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Meeting recordings are archived and available for viewing on the City's Public Meetings webpage.

PUBLIC COMMENTS

- Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to <u>ilim@cosb.org</u> with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.
- Correspondence received after the official posting of the agenda, but before 3:00 p.m. (or 3 hrs. prior to the meeting start time) on the meeting day, will be distributed to the Members and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.
- The designated location for viewing supplemental documents is on the City's website www.cityofsolanabeach.org on the posted Citizen Commission Agenda under the relative Agenda ltem.

OR

• Verbal comment participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

Before Meeting

• Sign-up (register) to speak at the virtual meeting for the Zoom webinar as early as possible and at

least 3 hours prior to the start of the meeting so that Staff can manage the speaker list.

Public Participation Link: <u>https://cosb-org.zoom.us/webinar/register/WN_67xo5y8gQD263XV-H9_y4g</u>

-Follow the prompts to enter your name and email address.

- Join the meeting by locating your confirmation email, that was sent immediately following registration, which will provide your log-in link.
- Join/Log-In to the meeting at least 15 minutes prior to the start time so that Staff can verify you are ready to speak before the meeting begins.
- If your computer does not have a mic to speak or you have sound issues, you can use the call-in audio information (Zoom ID, Participant ID) from a landline or cell phone to join the meeting for the audio accessibility.
- If you call in as well for better audio, mute your computer's speakers to eliminate feedback so that you do not have two audios competing when you are speaking.

During Meeting:

- Choose Gallery View to see the presentations, when applicable.
- Participants will be called upon from those who have Registered and their name is identified by Staff calling from the registration list. You will be called on by name and unmuted by the meeting organizer and then you may provide comments for the allotted time. Allotted speaker times are listed under each Agenda section.

SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Staff (858) 720-2434 at least 72 hours prior to the meeting.

1. CALL TO ORDER and ROLL CALL

2. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

This portion of the agenda provides an opportunity for members of the public to address the VAC on items <u>not</u> appearing on the agenda.

3. APPROVAL OF AGENDA

Note: Speaker time limits:

- Applicant, including representatives: total of 15 minutes
- Claimant, including representatives:

total of 15 minutes

- Public speakers: 3 minutes each
 (may be reduced based on number of speakers, not to exceed 20 minutes total)
- Applicant, response to any new info: total of 5 minutes

4. APPROVAL OF THE MINUTES

• August 17, 2021

5. DRP21-004/SDP21-004 Blakely Residence – 211 Ocean Street, Solana Beach

Applicant Information:

Name: Ford and Cassie Blakely

Architect:

Name:	Craig Friehauf, Friehauf Architects
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Claimant Information:

Name:	Asli Carome c/o Julie Hamilton, Law Office of Julie Hamilton
Address:	201 Ocean Street

Project Description:

The Applicant is requesting the approval of a Structure Development Permit (SDP) to demolish a single-story single-family residence and construct a replacement two-story single-family residence with an attached two-car garage. The 8,360 square-foot lot is located within the Medium Residential (MR) Zone, and the Scaled Residential Overlay Zone (SROZ). The following is a breakdown of the existing floor area:

Proposed First Floor Proposed Second Floor	1,713 SF 1,613 SF
Proposed First Floor Garage	485 SF
Subtotal	3,811 SF
Required Parking Exemption	- 400 SF
Total Floor Area Proposed	3,411 SF

The maximum building height is proposed at 25.00 feet above the proposed grade with the highest pole at 100.75 feet above mean sea level (MSL). A SDP is required for new construction in excess of 16 feet in height.

- 6. <u>VAC Member Comments / Discussion</u> (10 minutes total)
- 7. <u>Staff Comments / Discussion</u> (10 minutes total)
- 8. ADJOURNMENT

CITY OF SOLANA BEACH

View Assessment Commission Action Minutes Tuesday, August 17, 2020- 6:00 P.M. Regular Mtg. Teleconference Location Only-City Hall/Council Chambers 635 South Highway 101, Solana Beach, CA 92075

Minutes contain a summary of the discussions and actions taken by the View Assessment Commission during a meeting are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.

1. CALL TO ORDER and ROLL CALL

Chairperson Coad called the View Assessment Commission Meeting to order at 6:04PM on Tuesday, August 17, 2021 in the Council Chambers at 635 South Highway 101, Solana Beach.

Present: VAC Members:	Pat Coad, Paul Bishop, Matt Cohen, Robert Moldenhauer, Robert Zajac, and Linda Najjar
Staff Members:	Joseph Lim Community Development Director; Katie Benson, Senior Planner; John Delmer, Junior Planner; Elizabeth Mitchell, Assistant City Attorney;
Absent:	Frank Stribling

2. APPROVAL OF AGENDA

Chairperson Coad called for a motion to approve the agenda. Motion made by Commissioner Bishop, seconded by Commissioner Zajac, passed 6/0/1 (Stribling absent).

3. ORAL COMMUNICATIONS (Speaker time limit: 3 minutes)

There were no speakers.

4. Approval of the Minutes

No Meeting Minutes were provided in the Agenda Packet. The previous minutes will be approved at the next scheduled council meeting.

Chairperson Coad called for a motion to approve the agenda 1/21/2020. Motion made my Commissioner Moldenhauer, seconded by Chairperson Coad. 5/0/2 (Najjar and Stribling Recused)

Chairperson Coad called for a motion to approve the agenda 2/18/2020. Motion made my Commissioner Zajac, seconded by Commissioner Bishop. 6/0/1 (Stribling Recused)

5. DRP20-014/SDP20-020 Boyd Residence - 506 Pacific Avenue, Solana Beach

Applicant Information:

Name: Jim and Kathleen Boyd

Representative:

Name:	Eric Buchanan – Oasis Architecture & Design, Inc
Phone:	(619) 204-8248
Email:	eric@oasis-ad.com

Claimant Information:

Name:	Kathy de Paolo
Address:	504 Pacific Ave

Description of Project:

The Applicants are requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish a single-family residence, construct a replacement two-story, single-family residence built above a basement with an attached two-car garage, and perform associated site improvements. The 6,120, square foot lot is located within the Medium Residential (MR) Zone and Scaled Residential Overlay Zone (SROZ). The following is a breakdown of the proposed floor area:

Proposed First Floor	1,388 SF
Proposed Second Floor	1,562 SF
Proposed First Floor Garage	470 SF 1,276 SF
Proposed Basement	1,270 55
Subtotal	4,696 SF
Required Parking Exemption	- 400 SF
Basement Exemption	- 1,276 SF
Total Floor Area Proposed	3,020 SF
Maximum Allowable Floor Area (SROZ)	3,021 SF

As specified in the SDP Notice, the maximum building height of the residence is proposed at 24.95 feet above the proposed grade with the highest pole at 98.03 Mean Sea Level (MSL).

The project requires a DRP for grading in excess of 100 cubic yards, for a structure that exceeds 60% of the maximum allowable floor area, and for a second floor that exceeds 35% of the floor area of the first floor.

Chairperson Coad read the preamble.

Katie Benson, Senior Planner, gave a PowerPoint presentation describing the project. A copy of the PowerPoint will be included in the project file.

Commissioner Bishop asked if Staff received any correspondence that demonstrates efforts

VAC Meeting Minutes Tuesday, August 17, 2020 Page No. 3

between the applicant and claimants to resolve the view issues.

Commissioner Cohen requested to see the photos in Staffs presentation again.

The Commissioners stated their disclosures (as shown on table below) regarding dates they visited the properties.

Commissioner Cohen disclosed that he did not enter either of the properties. He only viewed the properties from the public right of way.

Assistant City Attorney Mitchell confirmed that there were no ex parte communications.

Mark Morris, Representative of the Applicants, presented a PowerPoint presentation and described their project and the communications they had with the Claimants. A copy of the PowerPoint presentation will be included in the project file.

Commissioners had questions, and Mr. Buchanan addressed their questions.

Kathy De Paolo, Claimant, presented a PowerPoint presentation and described her concerns of view blockage they would have by the proposed project. A copy of the PowerPoint presentation will be included in the file.

Commissioners had questions for Ms. De Paolo and Staff. All their questions were addressed.

Mr. Morris addressed issues that were brought up by the Claimants.

Commissioners had questions for the Applicant and Staff. All their questions were addressed.

Chairperson Coad called for a motion to close the public hearing. No one made a motion.

Chairperson Coad called for a motion to keep the public hearing open. Motion made my Commissioner Cohen, seconded by Chairperson Coad. 6/0/1 (Stribling Absent)

Comissioner Cohen asked the applicant and claimant if they would consent to continue the meeting to a later date.

The applicant and claimant stated they would be open to a continuance until he next regularly scheduled VAC meeting.

Motion made my Commissioner Cohen to close the public meeting, seconded by Chairperson Coad. 6/0/1 (Stribling Absent)

The Commissioners gave their findings as shown below:

	de Paolo acific Ave	Coad	Bishop	Cohen	Moldenhauer	Stribling	Zajac	Najjar
Date	Date Claimant		8/17	8/17	8/9		8/09	8/09
Visited	Applicant	8/12	8/16	8/17	8/9 & 8/15		8/09	8/09 & 8/13
Primary Viewing A	Area	Bedroom	Bedroom	Bedroom	Roof deck		Bedroom	Roof deck
#1 . Comm Taken Pla		Y	Y	Y	Y		Y	Y
#2 . No Pu Impairmer		Y	Y	Y	Y		Y	Y
#3 . Desigr Minimize Impairmer	√iew	N	Ν	Ν	Ν		Ν	Y
#4 . No Cu View Impa		Y	Y	Y	Ν		Y	Y
#5 . Neighborhood Compatibility		Y	Y	Y	Ν		Y	Ν

Chairperson Coad called for a motion. Commissioner Cohen made a motion to reopen the meeting to ask the Applicant if they would consider a continuance. Motion seconded by Chairperson Coad, passed 6/0/1 (Absent – Stribling). The applicant and claimant agreed to consent to an extension of the meeting longer than 30 days.

Commissioner Cohen made a motion to close the public meeting, seconded by Commissioner Zajac. 6/0/1 (Stribling Absent)

Commissioner Cohen made a motion to reopen the public meeting and continue the meeting to a date no later than November 16, 2021. Motion seconded by Chairperson Coad, passed 6/0/1 (Absent – Stribling).

6. VAC MEMBER COMMENTS / DISCUSSION

Commissioner Najjar asked about the next regularly scheduled VAC meeting.

7. STAFF COMMENTS / DISCUSSION

There were no comments from Staff.

8. ADJOURNMENT

The motion made by Commissioner Zajac to close the meeting, seconded by Commissioner Najjar, passed 6/0/1 (Absent - Stribling).

VAC Meeting Minutes Tuesday, August 17, 2020 Page No. 5

Chairperson Coad declared the meeting adjourned at 8:25 PM.

Minutes as approved by V.A.C. on ______. Respectfully submitted,

John Delmer, Junior Planner

Joseph Lim, Community Development Director

AGENDA ITEM 5

Case # DRP21-004/ SDP21-004 211 Ocean Street Solana Beach, CA

Applicants:

Ford and Cassie Blakely

Claimant:

Asli Carome c/o Julie Hamilton, Law Office of Julie Hamilton 201 Ocean Street



APN: 263-042-05

CITY OF SOLANA BEACH

www.cityofsolanabeach.org

635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075 • (858) 720-2400 • Fax (858) 720-2455

STRUCTURE DEVELOPMENT PERMIT REQUEST TO BUILD IN EXCESS OF 16 FEET IN HEIGHT

The City of Solana Beach has established a procedure encouraging neighbors to work together to resolve potential view impairment issues. Solana Beach Municipal Code, Chapter 17.63 requires applicants for building permits requesting modifications exceeding 16 feet, but not more than 25 feet above existing grade, to notify all property owners and occupants within 300 feet of the subject site. If you are concerned about possible view issues, you should immediately contact the applicant to discuss the proposal summarized below. If you are unable to resolve the issue after discussing it with the applicant, you may wish to consider filing a request for view assessment by the View Assessment Commission (VAC).

Project File: DRP21-004 / SDP21-004

Applicants/Property Owners: Ford and Cassie Blakely (858) 213-6562 fordblakely@gmail.com Architect/Representative: Craig Friehauf Friehauf Architects (858) 792-6166 friehaufinc@sbcglobal.net Staff Project Planner: Katie Benson City of Solana Beach (858) 720-2448 kbenson@cosb.org

Project Address: 211 Ocean Street, Solana Beach, CA 92075

Description of Project: The Applicants are requesting the approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to demolish a single-family residence, construct a replacement two-story, single-family residence with an attached two-car garage, and perform associated site improvements. The 8,360 square-foot lot is located within the Medium Residential (MR) Zone and Scaled Residential Overlay Zone (SROZ). The following is a breakdown of the proposed floor area:

Total Floor Area Proposed Maximum Allowable Floor Area (SROZ)	3,411 SF 3,413 SF
Total Floor Area Branacad	3,411 SF
Required Parking Exemption	- 400 SF
Subtotal	3,811 SF
Proposed First Floor Garage	485 SF
Proposed Second Floor	1,613 SF
Proposed First Floor	1,713 SF

The project would include grading in the amount of 30 CY of cut and 80 CY of fill, 5 CY of excavation for footings, 100 CY of removal and recompaction, an aggregate of 215 CY of grading, and 50 CY of import. The maximum building height of the residence is proposed at 25.00 feet above the proposed grade with the highest pole at 100.75' MSL. The project requires a DRP for grading in excess of 100 cubic yards, for a structure that exceeds 60% of the maximum allowable floor area, and for a second floor that exceeds 35% of the floor area of the first floor. You have been identified as a property owner or resident within 300 ft. of the project site and will be notified of a future Public Hearing date.

Residents/Property owners who believe their views may be impaired by the proposed structure are encouraged to contact the subject property owner directly to work out a mutually acceptable solution. Applicants are required to erect story poles and have them certified for accuracy in order to better visualize the project. The Planning Director may waive the story pole requirements for projects in which the likelihood of view impairment is slight, with the understanding that the VAC may subsequently require them if an application for view assessment is filed. Consideration for view assessment will be from the primary viewing area of the structure (excluding bathrooms, hallways, garages, and closets) or lot (excluding building setback areas) where the VAC determines the best and most important view exists.

The application and plans for the structure are available for public review through the applicant and at the City of Solana Beach Planning Department. Any person who owns or has lawful possession of a residence from which a view may be impaired by the proposed structure may, within thirty (30) days of the date of notice, file an application for assessment with the City of Solana Beach. The application shall include a description of the "viewing area" as defined in Ordinance 201 and the extent of impairment. An application processing fee of \$600 shall be paid at the time of the view assessment request. If an application for view assessment is filed, all issues in dispute, including if necessary, the determination of the viewing area, shall be resolved by the VAC. The VAC shall have thirty (30) days to make a decision. Depending on the nature and extent of the proposed project, the decision of the VAC shall be:

Referred as a nonbinding recommendation to the City Council for their consideration in a subsequent advertised Public Hearing. Please visit the City website for more information on this process.

→NOTE: The deadline to file for view assessment for the above property is: <u>5 PM Thursday, August 12, 2021</u>



CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH • CALIFORNIA 92075 • (858) 720-2400 • FAX (858) 755-1782

STORY POLE HEIGHT CERTIFICATION

Date: JUNE (7.202)

Assessor's Parcel No.:

Site Address:

Owner's Name:

263-042-05	
ZIL OCEAN ST	
BLAKELY	

This is to certify that on <u>JUNE 17 ZOZ</u> the story poles located on the above referenced site were surveyed by the undersigned, and found to be in conformance with the attached story pole plot plan. In addition, the following measurements were found:

100.75 (M.S.L.)* SP#10 = #22 ON ROOF
<u>75.8+/-</u> (M.S.L.)*
<u></u>
(M.S.L.)*

TOTAL MAXIMUM HEIGHT: 25.00

PLEASE NOTE: The story poles must show and include the total height must include roofing materials. At framing inspection, a Height Certification will be required which must be in exact conformance with the maximum height shown on Story Pole Height Certification.

For additional information, please contact me at 760-274-7653 (phone nu

Licensed Land Surveyor

Seal of Registration:

*Mean Sea Level (MSL) --- all measurements must utilize an established benchmark that will not change over the course of the project. TOP CTR SANH IN OCEAN ST., 42'+1- W/LY SITE. EL= 76.29'



RECEIVED

JUN 1 8 2021

Community Development Dept.

City of Solana Beach



PG OF 2

NAME: BLAKELY

SITE: 211 OCEAN ST

DATE 06-16-21 W.D. 21-1571 ACC 95MDV

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PGZOFZ

NAME: BLAKELY

SITE: ZIL OCEAN ST

DATE 06-16-21 W.O. 21-1571 ACC 95MDV

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RECEIVED

APPLICATION FOR VIEW ASSESSMENT (Structure Development Permit)

AUG 1 1 2021

Community Development Dept. City of Solana Beach

Project No.: DPR21-004/SDP21-004

- 1. Address of property for which the structure development permit has been requested: 211 Ocean Street, Solana Beach
- 2. Provide the following information for the individual filing this Application for Assessment: Name: Asli Carome c/o The Law Office of Julie M. Hamilton Address: 201 Ocean Street, Solana Beach Phone Number: (619) 278-0701 Email: julie@jmhamiltonlaw.com
- 3. Description of the viewing area as defined in Solana Beach Zoning Ordinance, Section 17.63.020(I) and extent of impairment: _______ Dining Room, Master Bedroom, Outdoor Living Area______
- 4. Identify the portion of the proposed structure which is the most objectionable and suggestions to minimize the view impairment: The structure will remove all views of the sunset to the west. The proposed residence is massed in a manner that invades the privacy of my home and walls off air and light, in in addition to significantly impairing my main views.
- 5. Description of the Claimants attempt(s) to resolve this issue with the owner/representative of the for which property a Structure Development Permit has been requested: The applicant provided plans to me in 2019 and told me they would not oppose my project if I agreed not to oppose their project. We did not come to an agreement. The applicant did not share the revised plans for the currently proposed residence until I made repeated requests for the plans. Initially, the applicant told me to view the plans at the City. The applicant provided me an incomplete set of plans on July 22. I asked for the missing pages which were provided on August 9. I immediately contacted the applicant and requested a meeting. We met via Zoom and did not come to a resolution. I believe more time would be beneficial.

Signature of Applicant for Assessment

STAFF USE ONLY:

Application for Assessment fee paid?

6-2019