



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: August 15, 2022  
TO: Hearing Officer  
FROM: Bryan Hudson, Development Project Manager  
SUBJECT: K-4 Residence, Item #2 on Hearing Officer docket for August 17, 2022

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Staff would like to bring your attention to two corrections to the Hearing Officer report for this item.

1. "Notice of Public Hearing" dated August 3, 2022, had the incorrect square footage of the residence. The correct square footage should be "7,695 square feet for a two-story over-basement single-family residence" instead of the 7,091 square feet that was indicated on the Notice.
2. A revision to the staff report including the vote from the La Jolla Shores Planned District Advisory Board, on November 25, 2019, voting to deny the project 4-0-0.

Item 1 does not require any changes to project documents.

Item 2 is an addition to Attachment 9 recognizing that the applicant did receive a vote from the Advisory Board and a vote of denial for the project.

Neither of these additions changes the staff's recommendation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Hudson".

Bryan Hudson  
Development Project Manager

Attachments: 1. Notice of Public Hearing  
2. Addition to Attachment 9  
3. Hearing Officer Report Outlining the Square Footage and Revision



THE CITY OF SAN DIEGO

7DATE OF NOTICE: AUGUST 3, 2022

# NOTICE OF PUBLIC HEARING

## HEARING OFFICER

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|                              |   |
|------------------------------|---|
| <b>DATE OF HEARING:</b>      | <b>AUGUST 17, 2022</b>  |
| <b>TIME OF HEARING:</b>      | <b>9:00 A.M.</b>  |
| <b>LOCATION OF HEARING:</b>  | <b>VIRTUAL HEARING</b>  |
| <b>PROJECT NO:</b>           | <b>522708</b>   |
| <b>PROJECT NAME:</b>         | <b><u>K-4 RESIDENCE</u></b>   |
| <b>PROJECT TYPE:</b>         | <b>SITE DEVELOPMENT PERMIT, COASTAL DEVELOPMENT PERMIT, EASEMENT VACATION, CEQA EXEMPT. PROCESS THREE</b> |
| <b>APPLICANT:</b>            | <b>MMK MANAGEMENT GROUP, LLC</b>  |
| <b>COMMUNITY PLAN AREA:</b>  | <b>LA JOLLA</b>   |
| <b>COUNCIL DISTRICT:</b>     | <b>1</b>  |
| <b>CITY PROJECT MANAGER:</b> | <b>Bryan Hudson, Development Project Manager</b>  |
| <b>PHONE NUMBER/E-MAIL:</b>  | <b>(619) 446-5333 / <a href="mailto:bhudson@sandiego.gov">bhudson@sandiego.gov</a></b>                    |

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Until further notice, Hearing Officer meetings will be conducted pursuant to the provisions of California Government Code section 54953(b), as amended by Assembly Bill 361 which suspends certain requirements of the Ralph M. Brown Act during a proclaimed state of emergency when measures to promote social distancing are in effect or the City Council has determined meeting in person would present imminent risks to the health or safety of attendees.

During the current State of Emergency related to the COVID-19 pandemic and in the interest of public health and safety, the Hearing Officer will be participating in Hearing Officer meetings by teleconference and/or videoconference. There will be no members of the public in attendance at the Hearing Officer meetings. We are providing alternatives to in-person attendance for participating in Hearing Officer meetings. Updated information is available on the Hearing Officer webpage: <https://www.sandiego.gov/development-services/public-hearings-meetings-notices/hearing-officer>.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment [webform](#) found on the Hearing Officer webpage: <https://www.sandiego.gov/development-services/public-hearings-meetings-notices/hearing-officer>. If you have an attachment to your comment, you may send it to [HearingOfficer@sandiego.gov](mailto:HearingOfficer@sandiego.gov) and it will be distributed to the Hearing Officer.

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Coastal Development Permit, Site Development Permit, and Easement Vacation to demolish an existing single-family dwelling unit and construct a **7,091 square-foot, two-story over basement dwelling unit on a single lot**, and to vacate an all-purpose utility easement along the southwest portion of the property. The 0.79-acre site is located at 7595 Hillside Drive,



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**La Jolla Shores Planned District Advisory Board**  
**APPROVED** Meeting Minutes for November 25th, 2019  
 615 Prospect Street  
 La Jolla, CA 92037

| Trustee      | Attendance | Trustee          | Attendance |
|--------------|------------|------------------|------------|
| Jane Potter  | Present    | Herbert Lazerow  | Present    |
| Andrea Moser | Present    | Susanne Weissman | Present    |

1. **Call to Order:** 11:00 a.m.  
Potter called the meeting to order at 11:00 a.m.
2. **Approval of the Agenda**  
Moser moved to approve the agenda. Lazerow seconded. Motion approved 4-0-0.
3. **Approval of the Minutes**  
Lazerow moved to approve minutes from October 21, 2019 with a correction to page 2 to change Moser motioned to Moser moved. Seconded. Motion passed 4-0-0.
4. **Public Comment:**  
Phil Merten commented on a project approved by the La Jolla planning board in July 2017, though LJSAB never reviewed it. Merten said the project exceeds height by at least 15 feet with 25 foot retaining walls. Merten said that the excessive height plus the retaining walls put the project over 55 feet in height. Merten said the City issued a notice of correction directing them to submit revised plans. Merten said the maximum height of retaining walls on a single family elsewhere in the City is 12 feet. Though LJS PDO puts no limits on retaining wall height, it states they should not disrupt the character of the neighborhood. Merten cautioned that LJSAB members should bear in mind that overall structure height should be 40 feet in their review of future projects.
5. **Project Review**

**ACTION ITEM A**

**Project:** 522708 – K4 Residence

**Location:** 7595 Hillside Drive

APN: 346-180-1700

**Presented by:** Jess Gonzales, [jessgonzales4299@gmail.com](mailto:jessgonzales4299@gmail.com) 619-292-5520



**Description:** Renovations of an existing 3,783 sf one story over basement single family residence.

**Presentation**

- Presenter Jesse Gonzales described the design as in keeping with the existing residence with no dramatic changes.
- Gonzales said there was no view impact to neighboring structures.
- Building height will remain at two stories.
- The 7,000 sf renovation will replace the existing 3,800 sf residence.
- Gonzales said the edge of the house is 4 feet from the street.

**Board Comment**

- Lazerow asked for the footprint of the new house compared to the existing.
- Lazerow said that a significant part of the remodel would be closer to the street than the existing.

**Public Comment**

- Merten said that the SD Municipal Code requires a 20-foot driveway between the property line and front door for guest parking but that on-street parking could be utilized in-lieu of driveway space. However, Merten said that parking on the street would block vehicular traffic, so it is not feasible. Gonzales responded he could increase the driveway to 18 feet but that the hillside lots and narrow street present considerable limitations. Gonzales also said it wasn't fair to require the owner to supply off street parking when no one else on the block does.
- Merten also said that the 4-foot paved area in front of the garage would not accommodate any parking either.
- Merten said this residence was the only one on the block that touches the front property line, though Gonzales disagreed.
- Merten suggested that most other letter comment dealt with vehicle access and lack of parking/narrowness of the street.
- Merten said the Municipal Code says setbacks should be in conformance with others in the vicinity, which this project isn't.
- Diane Kane said neighborhood character and off-site issues need to be considered. She said trucks get stuck on the street and tear it up, as they cannot gain access on-site. Cranes and other flat-bed trucks contribute to the decay. She said residents are fed up and have set up an ad hoc committee to address these concerns. Her group is negotiating with the City and has drafted construction management plans with area owners to address these issues related to safety and traffic.
- Kane said the project is too close to the street.

Staff read other comment letters regarding the project for consideration at today's meeting. Several called for a moratorium on construction on Hillside Dr. Most were

in opposition.

**Board Comment (Continued)**

- Lazerow said most of these issues with regards to construction, etc. raised were outside the jurisdiction of the LJSAB.
- Lazerow said the height increase obscures the ocean view from the street and that the building would be too close to the street. His other concern was regarding lack of second story step backs.
- Weissman said the residence would be too close to the street. Also, no guest parking would be provided and the residence would be larger than many other homes in the area.

**Motion:** Lazerow moved to deny due to height blocking ocean, failure to step back second story, lack of parking. Potter added it doesn't conform to the PDO. Moser seconded. Motion passed 4-0-0. After Merten said there is no public view the motion dropped that issue and voted to deny 4-0-0.

**Next meeting date:** January 13, 2020

**6. Adjournment:** 12:15 p.m.

Minutes taken by Tony Kempton, Associate Planner, City of San Diego



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: August 10, 2022 REPORT NO. HO-22-037  
HEARING DATE: August 17, 2022  
SUBJECT: K-4 Residence – Process Three Decision  
PROJECT NUMBER: [522708](#)  
OWNER/APPLICANT: MMK MANAGEMENT GROUP, LLC., (Owner/Applicant)

### SUMMARY

Issue: Should the Hearing Officer approve Coastal Development Permit No. 2329555, Site Development Permit No. 2329556, and Easement Vacation No. 2597876 to demolish an existing single-family dwelling unit and construct a 7,695 square-foot, two-story over basement single-family dwelling unit and 643 square-foot attached garage and vacate a public utility easement on a 0.79-acre site located at 7595 Hillside Drive within the La Jolla Community Plan Area?

### Staff Recommendation:

1. **APPROVE** Coastal Development Permit No. 2329555
2. **APPROVE** Site Development Permit No. 2329556
3. **APPROVE** Easement Vacation No. 2597876

Community Planning Group Recommendation: On November 25, 2019, the La Jolla Shores Planned District Advisory Board voted to deny the project 4-0-0. On March 4, 2021, the La Jolla Community Planning Group voted 14-0-1 to recommend approval (Attachment 9).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Section 15332 (In-Fill Development) which allows for in-fill development on parcels of less than five acres. There is no pending appeal of the environmental determination. The environmental exemption determination for this project was made on May 24, 2022, and the opportunity to appeal that determination ended on June 8, 2022 (Attachment 8).