

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370 FAX (619) 767-2384

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: La Jollans for Neighborhood Preservation c/o The Law Office of Julie M. Hamilton

Mailing Address: 2835 Camino del Rio S., Suite 100

City: San Diego

Zip Code: 92108

Phone: 619-278-0701

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of San Diego

2. Brief description of development being appealed:

Demolish existing residence and construct new 6,353 square foot single-family residence with a two car garage, swimming pool, and spa; remediation of illegally-built wall; reconstruction of existing driveway; landscaping; off-street parking; public and private accessory improvements; grading in Coastal (appealable) Zone.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

615 Wrelton Drive, La Jolla CA 92037

4. Description of decision being appealed (check one.):

- ☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-6-L35-13-0256

DATE FILED: 12/6/13

DISTRICT: San Diego

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5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☐ City Council/Board of Supervisors
- ☒ Planning Commission
- ☐ Other

6. Date of local government's decision: November 14, 2013

7. Local government's file number (if any): PTS 279093

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Donald and Celia Henely, Trustees of the Donald and Celia Henely 2000 Trust, Owner/Permitee
7014 Via Estrada
La Jolla, CA 92037

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Mike Costello, La Jollans for Neighborhood Preservation, President
Odile Costello
626 Wrelton Drive
La Jolla, CA 92037

(2) John S. Coffey, PE, PLS
Coffey Engineering, Inc.
10660 Scripps Ranch Blvd., Suite 102
San Diego, CA 92131

(3) Tony Crisafi, AIA
La Jolla Community Planning Association Chair
Island Architects
7632 Hershel Avenue
La Jolla, CA 92037

Charles Redfern, MD
2525 Ellentown Road
La Jolla, CA 92037

Dr. Nat Rose
5160 Chelsea Street
La Jolla, CA 92037

John Bannon
5184 Crystal Drive
La Jolla, CA 92037

Alex Jvirblis
625 Wrelton Drive
La Jolla, CA 92037

Tamlin Redfern Henahan
5163 Chelsea Street
La Jolla, CA 92037

Arby Eivazian
6036 Rancho Mission Road, #348
San Diego, CA 92108

Richard B. Kline
4714 Renovo Way
San Diego, CA 92124

Dave Savage
7110 Caminito Manresa
La Jolla, CA 92037

Daniel Cote
2821 Camino Del Mar
Del Mar, CA 92014

Dan Walshaw
5752 Waverly Avenue
La Jolla, CA 92037

Phillip L. Ginsburg
5821 Box Canyon Road
La Jolla, CA 92037

Valentina Henely Walshaw
5752 Waverly Avenue
La Jolla, CA 92037

Jeffrey Elden
8228 Caminito Maritimo
La Jolla, CA 92037

David Russell
3980 Home Avenue
San Diego, CA 92105

C.A. Marengo
347 Nautilus Street
La Jolla, CA 92037

Vidi Henely
5580 La Jolla Blvd.
La Jolla, CA 92037

Matt Peterson
530 B Street, Suite 1800
San Diego, CA 92101

Glenn Gargas
City of San Diego
Development Services Dept.
1222 First Avenue
San Diego, CA 92101

City Clerk
City of San Diego
202 C Street, 2nd Floor
San Diego, CA 92101

Don Henely
7014 Via Estrada
La Jolla, CA 92037

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SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The proposed development does not conform to the standards set forth in the certified Local Coastal Program:

The Local Coastal Program defines Wrelton Drive as a Scenic Overlook. There are views of the ocean and horizon line from Wrelton Drive, over existing roof tops. This project proposes a second story in this viewshed, which will obstruct the scenic overlook. The project does not enhance and protect public views to and along the ocean as specified in the Local Coastal Program land use plan.

The Local Coastal Program defines the Touramaline Surfing Park Access Drive as an unobstructed framed view from a public right-of-way. A previous owner constructed retaining walls without the required grading permits, these walls obstruct the view corridor. The current applicant plans to leave the illegal walls and retroactively permit them in addition to building a new spa near the top of the slope on the southwest corner of the property. The retaining walls will continue to obstruct the view and the proposed spa will obstruct the view further. The project does not enhance and protect public views to and along the ocean as specified in the Local Coastal Program land use plan.

The City has improperly piece-mealed the project by failing to include remediation of the illegal retaining walls in the project description. The project is not in conformity with the steep hillsides policy of the Local Coastal Program, including grading and drainage, because the retaining walls are built on a steep hillside. The LCP requires a grading and drainage plan to be submitted for structures on steep hillsides. City staff says it will not review the safety of the slope until the grading permit for the retaining wall is issued. This analysis was required as part of the Coastal Development Permit for the proposed residence.

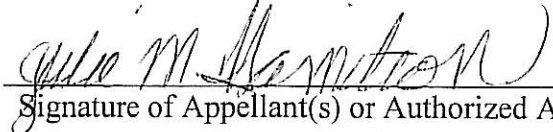
The proposed development is not in conformity with the Local Coastal Program because it failed to identify the risk and propose mitigation measures with respect to grading, modifying the pool, and remediation of the retaining walls.

The proposed project is not in conformity with the Local Coastal Program because the bulk and scale of the project is not compatible with nearby sites with sensitivity to ocean views.

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SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



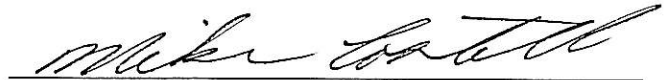
Signature of Appellant(s) or Authorized Agent

Date: 12/6/13

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize Julie M. Hamilton
to act as my/our representative and to bind me/us in all matters concerning this appeal.



Signature of Appellant(s)

Date: 12/6/2013