



PO Box 889, La Jolla, CA 92038
<http://www.LaJollaCPA.org>
Voicemail: 858.456.7900
info@LaJollaCPA.org

President: Joe LaCava
Vice President: Tony Crisafi
Treasurer: Jim Fitzgerald
Secretary: Nancy Manno

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 7 January 2010

La Jolla Recreation Center, 615 Prospect Street

D R A F T AGENDA – REGULAR MEETING

- 6:00p
1. Welcome and Call To Order: **Joe LaCava**, President
 2. Adopt the Agenda
 3. Meeting Minutes Review and Approval: 3 December 2009
 4. **Elected Official Reports – Information Only**
 - A. Council District 2 – Councilmember Kevin Faulconer
Rep: **Thyme Curtis**, 619.236.6622, tcurtis@sanidiego.gov
 - 6:15p B. **Council District 1 – Councilmember Sherri Lightner**
Rep: Erin Demorest, 619.236.7762, edemorest@sanidiego.gov
Special appearance by Councilmember Lightner for Q&A to kick off the new year!
 5. **Non-Agenda Public Comment**

Issues not on the agenda and *within CPA jurisdiction*, two (2) minutes or less.

 - A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>
 6. **President's Report – Action Items Where Indicated**
 - A. Community Planners Committee – no December meeting
 - B. Tsunami Map – Now available on CPA website. Presentation at LJSA on Jan 13.
 - C. Rainbow Curbs – With success of Phase 1 (12 spaces), City moving forward on balance.
 - D. City's Wireless Task Force – First meeting will be next week.
 - E. LJ Shores Permit Review Committee – Ratify Phil Merten as CPA appointee to vacant seat.
 - F. Membership – Need successor to John Berol.
 - G. Annual Elections – March 4, Call for Candidates; Candidate Forum – February 4.
 - H. Election Committee – Appoint Michele Addington chair (trustees to ratify), need volunteers
 7. Officer's Reports
 - A. **Treasurer** – Jim Fitzgerald
 - B. **Secretary** – Nancy Manno

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

**Time Certain simply means the item will not be heard any earlier than the listed time.*

8. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

Items pulled from this Consent Agenda are trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

T&T – No meeting in December

A. HERSCHEL RETAIL

PDO – Motion to approve project with a warm gray matte at the window frames, Unanimous. 7836 Herschel Ave – Building permit to modify façade as part of tenant improvements. *Requires concurrent waiver of CPA policy prohibiting conditional approvals.*

B. CANTER RESIDENCE

DPR – Findings can be made for a SDP, CDP and Variance, 6-0-0.

202 Kolmar Street - Coastal Development Permit and Variance to demolish existing duplex and construct a single family residence with reduced setbacks on a 0.06 acre site in the RM-1-1 Zone.

C. SVEDLUND MAP WAIVER

DPR – To approve the CDP and map waiver not to require undergrounding of utility wires from the building to the utility boxes/poles, 6-0-0.

7331 Eads Avenue - Coastal Development Permit (CDP) and Map Waiver (MW) to amend CDP 172953 and MW 241267 to remove one condition to underground overhead utilities in the RM-1-1 Zone. The project's CDP already includes a waiver of undergrounding overhead lines and telephone poles along the frontage.

D. DESSERT/HANNEKEN RESIDENCE

PRC – Findings can be made for a SDP, 4-0-1(See attached PRC minutes for actual motion)

8646 Cliffridge Avenue – Site Development Permit for a 184 sf first floor addition and 1626 sf second floor addition to an existing 2886 sf residence on a 0.35 acre lot.

9. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center – No Jan mtg

10. OFF-SITE PARKING FOR MOTOR CAR CLASSIC

Dedicated Parking for delivery trucks and trailers.

Proposed on-street locations: Nautilus (north side, between Draper and Avenida Mirola), Draper (east side, between Nautilus and Westbourne); Fay (west side between Nautilus and W. Muirlands), Previous years dedicated parking was at Del Mar Fairgrounds which was ignored and truck/trailers parked throughout the Village. City required community review and approval of this proposed plan.

11. CARDENAS RESIDENCE

PRC ACTION: Project as presented with plans reviewed that had been submitted 10/31/2009 and printed 11/2/2009 meets the findings for a Site Development Permit for environmentally sensitive lands, 4-0-0.

Pulled from December 3 Consent Agenda

8466 El Paseo Grande – Process 3 Site Development Permit for Environmentally Sensitive Lands (coastal beach). Extension of existing deck with support wall and surrounding guardrail/screen wall with storage space below; addition of retaining wall with masonry fence and cable guardrail above supporting new turf area; 6' fence at south property line; increase in height of existing site wall at the house entry and addition of planting areas and enhanced driveway paving. Lot Size: 11,879 sf; Existing House: 3467 sf; Zoning: La Jolla Shores PDO. *Note: Plans reflect change in deck construction method from imported fill and concrete to beams and woods requiring no fill.*

12. FAKHIMI RESIDENCE

PRC ACTION: The findings can not be made to add second driveway, because it doesn't meet the second finding for depriving reasonable use of the property, 3-1-1.

In October 2009, CPA found that the findings could be made for a SDP for the project, 14-1-1. Project returns at request of City and applicant to address a proposed Variance for two driveways. Discussion will be limited to the Variance request.

7790 Via Capri - Site Development Permit for a 3,134 square foot addition to an existing single family residence on a 0.46 acre site in the SF Zone of La Jolla Shores Planned District. Variance for 2 driveways on a 134 foot frontage where the Code allows 1 driveway per 100 feet of frontage.

13. PROSPECT RESIDENTIAL CARE

DPR – The findings can not be made for a CUP, 4-2-0.

(See attached DPR minutes for reasons for denial.)

484 Prospect Street - Conditional Use Permit (CUP) to change the use from office to a residential care facility in an existing 17,838 square foot building in Zone 5A of the La Jolla Planned District.

14. ADJOURNMENT

Next Regular Meeting: Thursday, 4 February 2010

In February...

- A. *Last opportunity to renew an expiring membership and therefore be eligible to vote in March election.*
- B. *Last call for candidates to run in March trustee elections; must have verified attendance at 3 CPA meetings in 12 months prior to March election.*
- C. *Candidate forum*

In March...

- A. *Annual trustee elections (6 seats)*



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La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 3 December 2009

La Jolla Recreation Center, 615 Prospect Street

D R A F T MINUTES

Present: Michele Addington, Darcy Ashley, Tom Brady, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Glen Rasmussen, Ray Weiss.

Absent: John Berol, Greg Salmon.

1. Welcome and Call To Order: **Joe LaCava**, President @ 6:05 PM.

2. Adopt the Agenda

Approved Motion: To adopt the Agenda, (Brady/Rasmussen 13/0/1).

In favor: Addington, Ashley, Brady, Costello, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Weiss.

Abstain: LaCava.

3. **Meeting Minutes:** Review and Approval: 05 November 2009.

Approved Motion: To approve the Minutes of 05 November 2009, (Merten/Fitzgerald 11/0/3).

In favor: Addington, Brady, Costello, Crisafi, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Weiss.

Abstain: Ashley, Gabsch, LaCava.

4. Elected Official Reports – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

Rep: **Thyme Curtis**, 619.236.6622, tcurtis@sandiego.gov

Not present.

B. Council District 1 – Councilmember Sherri Lightner

Rep: **Erin Demorest**, 619.236.7762, edemorest@sandiego.gov

Present: Made report: Commented: Ongoing discussion of budget cuts, strongly urged community suggestions/participation. A full report/information is available on line on Councilmember Lightner's website. Ms.

Demorest is always available to the community and Trustees to answer questions after the meeting. **Trustee**

Little posed a question/commented re: How to access earmarked funds/taxpayer funds to assist in meeting budget short-falls/requirements. **President LaCava** suggested a source might be the CCDC.

5. Non-Agenda Public Comment

Issues not on the agenda and *within CPA jurisdiction*, two (2) minutes or less.

A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

Not present.

Member Sally Miller: Commented on Star decorations in the Village; some are not lighted. **President LaCava** stated some lighted decorations are not plugged-in and a coordinated effort is being made to rectify.

Member Pat Granger: Requested assistance with a problem with newspapers/throwaway advertisements littering her driveway: is this littering, if so how can it be ameliorated?

Trustee Lucas: Presented a report on the La Jolla Shores PDO Committee's on-going effort to update their PDO.

Member Michelle Fulks, BBRC member, presented an invitation to the Community to participate in the fourth annual Bird Rock Home Tour, scheduled Saturday, January 30, 2010. The Bird Rock Elementary School will greatly appreciate sponsor participation this year because of the current economic situation.

Community Member Denise Hernandez: Requested assistance in obtaining a Zone 4 CUP for an Infant & Child Care facility. **President LaCava** stated that LJCPA is not the precipitating group and cannot take action, however **President LaCava** will provide follow-up consultation for Ms. Hernandez.

6. President's Report – Action Items Where Indicated

A. Community Planners Committee (<http://www.sandiego.gov/planning/community/cpc/>)

Primary discussion: Medical Marijuana dispensaries: will be addressed by Trustees: Agenda Item 12.

B. CEQA & Environmental Documents – Outstanding issue resolved, the City Attorney opines that CPA is not required to review before rendering a recommendation.

President LaCava reported: per the San Diego City Attorney, the LJCPA, acting as a Land Use advisory body, need not wait for environmental documents before proceeding to review a project. This opinion confirms traditional LJCPA policy of proceeding to review single-family houses, absent the environmental document. Regarding large projects, i.e., schools, churches, life guard stations, with substantive environmental documents that require consideration; LJCPA does review documentation prior to submitting recommendations. **President LaCava** expressed concern re the manner in which this issue has been resolved, and anticipates a discussion in regard to those concerns, next month at the CPC meeting.

C. MLPA – Blue Ribbon Task Force recommends expanded reserve at La Jolla Shores, new reserve from Crystal Pier (PB) to just south of WindanSea Beach.

President LaCava reported: The Marine Life Protection Act Blue Ribbon Task Force has made a proposal to greatly limit surface fishing and spear fishing by expanding the reserve at La Jolla Shores, and to establish a new reserve from Crystal Pier north to just south of Windansea Beach. The reserve would extend two miles out from the coastline. The proposal has not been approved. **Trustees Rasmussen, Gabsch** commented.

D. City's Wireless Task Force – First meeting will be January 2010.

E. Hillside Residence – Update on City's Approval

The Hillside Residence project, at 7430 Hillside Drive, was denied by Coastal Development Permit sub-committee and their decision was ratified by the LJCPA. The City, acting on the denial, required the applicant to redesign the project. The redesigned project resolved the issues of concern to the CDP and LJCPA. Subsequently, a City Hearing Officer then approved the redesigned project. **President LaCava** noted that it is encouraging when our decisions are validated.

F. LJ Shores Permit Review Committee – CPA seat still open. **President LaCava**, again, asked for names to be submitted for this important committee.

7. Officer's Reports

A. Treasurer – Jim Fitzgerald

Beginning Balance: \$636.76 + Income \$104.38 – (Expenses \$70.38) = Ending Balance: \$670.76.

Expenses: Printing, telephone.

Trustee Fitzgerald commented on the generosity of the Membership and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity.

B. Secretary – Nancy Manno

Remarks, prepared by **John Berol**, read by **President LaCava**, for secretary **Nancy Manno**: If you want your attendance recorded today, please sign-in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a Trustee. If you want your attendance recorded without signing-in at the back, then hand to me before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded. Eligible non-members wishing to join must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line. **Trustee Lucas** requested mention be made of the Annual LJCPA election in March. **President LaCava** noted: For those members interested in becoming a candidate for a Trustee position: attendance at three LJCPA meetings is a requirement. Attendance at the December 2009 and

January, and February 2010 meetings would meet this requirement. **President LaCava** clarified: a membership requires attending only one meeting per year. There will be a candidate forum at the February LJCPA meeting.

8. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

Items pulled from this Consent Agenda are trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJShores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

PDO – No action at December meeting

T&T – No meeting in November

A. DICKINS/JOHNSTON

DPR ACTION: Findings can be made for a CDP, 6-0-1

9410 La Jolla Shores Drive - Coastal Development Permit to demolish existing residence and construct a 5,794 sf single family residence on a 15,061 sf site in the RS-1-4 zone

B. SOROKIN DUPLEX

DPR ACTION: Findings cannot be made for a CDP, 5-2-1

247 Kolmar Street - Coastal Development Permit to demolish existing residence and construct two residential for rent units on a 0.11 acre site in the RM-1-1 zone.

C. PACE RESIDENCE

DPR ACTION: The findings can be made for CDP & SDP and applicant agreed to comply with scenic overlook regulations, 8-0-0.

1405 Inspiration Drive - Coastal Development Permit and (Process 3) Site Development Permit to demolish existing residence and construct a 8,660 sf. single family residence on a 1.17 acre site in the RS-1-4 zone.

D. CARDENAS RESIDENCE Pulled by member Rob Whitemore

PRC ACTION: Project as presented with plans reviewed that had been submitted 10/31/2009 and printed 11/2/2009 meets the findings for a Site Development Permit for environmentally sensitive lands, 4-0-0.

8466 El Paseo Grande – Process 3 Site Development Permit for Environmentally Sensitive Lands (coastal beach).

Extension of existing deck with support wall and surrounding guardrail/screen wall with storage space below; addition of retaining wall with masonry fence and cable guardrail above supporting new turf area; 6' fence at south property line; increase in height of existing site wall at the house entry and addition of planting areas and enhanced driveway paving. Lot Size: 11,879 sf; Existing House: 3467 sf; Zoning: LJSPDO.

Note: Plans reflect change in deck construction method from imported fill and concrete to beams and woods requiring no fill.

Approved Motion: Motion to accept the recommendation of the DPR Committee: to approve (A) Dickens/Johnston Residence and forward the recommendation to the City. To accept the recommendation of the DPR Committee: to approve (C) Pace Residence and forward the recommendation to the City. (Ashley/Gabsch 14/0/1).

In favor: Addington, Ashley, Brady, Costello, Crisafi, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Weiss.

Abstain: LaCava.

Approved Motion: Motion to confirm the action of the DPR Committee: Findings cannot be made for a CDP (B) Sorokin Duplex and forward the action to the City. (Ashley/Fitzgerald 14/0/1)

In favor: Addington, Ashley, Brady, Costello, Crisafi, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Weiss.

Abstain: LaCava.

9. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center

The Coastal Access and Parking Board did not meet in December.

10. BARKETT STREET VACATION

DPR ACTION: Findings for CDP can be made, 5-0-0.

T&T ACTION: Findings for street vacation cannot be made, 5-3-0.

Pulled from Oct 1 2009 consent agenda by applicant.

7724 Prospect Place & 7709 Prospect Place - Coastal Development Permit and Public Right of Way Vacation. The site is located within the RS-1-7 zone.

Presented by Jeff Barfield, AICP, RBF Consulting and Steve Hawxhurst, P.L.S., RBF Consulting, on behalf of the applicants: William and Lisa Barkett & Ken and Tara Nitahara.

President LaCava read a letter from neighboring property owners, **Ann Cullington, Gina Powell-Clayton, Naomi Thomas, Loraine Slack, George Campion, Mr. & Mrs. Charles Key, Dr. Jean Wickersham**, who are opposed to the proposed street vacation. Neighbors **Loraine Slack, Naomi Thomas** spoke in opposition.

Trustee Brady expressed concerns re loss of public parking. **Member Daisy Fitzgerald** commented on public parking. Applicant **Ken Nitahara, Mr. Barfield** and **Mr. Hawxhurst** responded to Trustees questions. **Trustee Merten** requested clarification re the DPR committee's approval and the T & T committee's denial of the proposal.

President LaCava discussed the T & T denial. **Trustee Addington** commented on the reasons for T & T denial.

Trustee Costello, (Member DPR), in agreement with the DPR committee decision, commented favorably.

Trustees Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Rasmussen, Weiss questioned/commented.

Trustee Crisafi, (Chair, DPR), in agreement with the DPR committee decision, commented extensively on his reasons for supporting the Street Vacation, and spoke to the conflict between the Community plan and the City concern, primarily with water pollution, specific to this Street Vacation **President LaCava**, in response to Trustee concerns, described City process/ applicable City procedures re a Street Vacation.

Approved Motion: Motion to not approve the proposed street vacation due to no perceived public benefit, including a net loss of public parking, (Brady/Addington 10/2/2).

In favor: Addington, Brady, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen.

Opposed: Costello, Crisafi,.

Abstain: LaCava, Weiss

11. NEPTUNE APARTMENTS

DPR ACTION: The findings can not be made for CDP & SDP due to proposed bulk & scale and community character of proposed structure as required by the La Jolla Community Plan, 4-2-0.

Pulled from Nov 5, 2009 Consent Agenda

6767 Neptune Place - Coastal Development Permit & Site Development Permit to demolish existing buildings and construct 24 residential for rent units on a 0.56 acre site in the RM-3-7 Zone.

The Neptune Apartments project was pulled from the November LJCPA Consent Agenda by **Trustee Merten**. At the invitation of **President LaCava, Trustee Merten** described his reasoning for pulling this project: The Neptune Apartments project is significant in terms of size and scope, is oceanfront, and therefore deserved review by the entire LJCPA Board, in addition to the review by the DPR Subcommittee.

Claude Anthony Marengo presented the project. The applicant, represented by **CA Marengo**, declined to make a presentation on the project, with the exception of one graphic board emphasizing that: (1) upper stories are stepped back, (2) the project reduced setbacks along the two side yards (public view corridors) from the existing building, (3) underground parking is provided. **Trustees Merten, Costello** made comments. **President LaCava** commented.

Member Devin Burstein spoke in opposition to the project.

Approved Motion: Motion to ratify the Development Permit Review committee's decision to deny the Neptune Apartments project, (Courtney/Fitzgerald 8/3/2).

In favor: Brady, Costello, Courtney, Fitzgerald, Little, Manno, Rasmussen, Weiss.

Opposed: Addington, Crisafi, Merten.

Abstain: Gabsch, LaCava

Trustee Gabsch: Reason for abstention: The lack of a complete presentation pertaining to the project.

President LaCava, with the enthusiastic agreement of the Trustees and Members wished "Bon Voyage" to **Trustee Ray Weiss**, who will attend the Convention On Climate Change in Copenhagen.

12. MEDICAL MARIJUANA DISPENSARIES

Proposed Amendments to City Municipal Code – Discussion and possible action on City Task Force's proposed land use recommendations to regulate Medical Marijuana Dispensaries. Task Force recommendations reportedly to be heard at City Council on December 8.

President LaCava briefed the Trustees, referring to the Task Force "Report To The City Council" document.

Trustees Addington, Costello, Courtney, Fitzgerald, Gabsch, Little, Manno, Merten, Rasmussen discussed/commented on the report and were generally concerned with the larger implications of the initiative, relative to the La Jolla community. Although there was not opposition to the initiative or the report per se, the Trustees were generally uncomfortable with the report and there were concerns that at least one recommendation specified in the report could not be supported. **Representative Erin Demorest**, (CDC 1), referred to the relative "Process Levels." **President LaCava** delineated the various Process Levels, relative to the Medical Marijuana Dispensaries. **Community members Robert Padilla, Sally Miller, Pat Granger** commented.

Approved Motion: Motion to deny acceptance of the report: "Recommendations from the Medical Marijuana Task Force," based on the provision regarding distance requirements, does not allow sufficient distance between dispensaries, ("Distance Requirements to be placed on dispensing collectives and cooperatives"). (Rasmussen/Fitzgerald 9/2/1).

In favor: Addington, Brady, Crisafi, Courtney, Fitzgerald, Gabsch, Manno, Merten, Rasmussen.

Opposed: Costello, Little.

Abstain: LaCava.

13. ADJOURNMENT: 8:30 PM

Next Regular Meeting: Thursday, 7 January 2009

Future Items:

A. Time running out to renew Memberships and be eligible to vote in March elections.

B. Call for candidates in January to run in March trustee elections, need to have attended 3 CPA meetings in 12 months prior to March election.

C. Call for volunteers for Election Committee

D. Candidate forum in February

E. Annual trustee elections (6 seats) in March

**MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE
DECEMBER 14, 2009 (Unapproved)**

Present: J. Fitzgerald, (LJTC), C. Hasson (LJTC), D. Marengo (PLJ), I. Stiegler (BRCC, Chair), J. Clark (PLJ); J. Parker (BRCC), T. Underwood (PLJ), R. Hill (LJTC), O. Gabsch (CPA), G. Rasmussen (CPA), J. Berol (CPA). A quorum was established at 4 pm.

In public comment, John Berol, speaking as an individual, stated his opinion about whether the PDO Committee could become a resource to City Code Enforcement officials (for purposes of PDO issue enforcement) just as it is a resource to City Development Services officials. This discussion was memorialized by Mr. Berol in a "Memo of Public Comments..." dated 12.14.09. This memo is attached to these minutes.

The Jordon Residence matter, appearing on today's agenda, has been continued to the January meeting, at the request of the applicant.

The September and November Minutes were requested to be revised in one respect: Each refers to Jim Fitzgerald as representing the Community Planning Association. Mr. Fitzgerald is a delegate to the PDO Committee from the La Jolla Town Council, so each of these minutes were approved with those changes: As to both months, by Fitzgerald/Parker, unanimous; with 2 abstentions as to October.

Chair's Report

Joe La Cava had informed I. Stiegler that it has not been the policy of the PDO Committee to obtain the City's first cycle letter before considering projects. Since the DPR Committee's recommendations relies on this committee for information. I. Stiegler would like the 1st cycle information to be required, since it is published for the Committees' benefit, so that applicants are not caught between recommendations of 2 committees, and so that the PDO can better perform one of its functions—to guide applicants. Some members indicated these could be considered depending on the project or whether the PDO Committee could assist the applicant to focus and come in earlier than DPR hearing, for a more efficient process. Thus, although not the subject of a formal motion, the policy will be that when an item appears on the agenda for informational purposes, the first cycle letter is not required. **By motion Marengo/Fitzgerald, unanimous, the First Cycle Letter is required on action items.**

A discussion ensued as to whether this committee should comment when it perceives applications do not comport with ordinances other than the PDO. Approvals "with conditions" are not allowed under CPA policies any longer. J. Berol believes there is discretionary review under the PDO, since the PDO Charter refers to that. It was determined that if there are comments on applications that do not comport with codes other than the PDO, these comments should be contained in these Minutes, but that PDO action items should be jurisdictional and confined to PDO deviations.

Herschel Retail (7836 Herschel Ave) Agenda Item

This proposed remodel of the toy store on Herschel is for 1-2 retail units. There will be storage in the back. The façade will be remodeled with flat cut flagstone, recessed dark metal window frames, clear windows and vestibules. It was recommended that the metal frames be flat, dark gray powder coated finish to comport with the PDO (no shiny metal). **Motion to approve project with a warm gray matt at the window frames: Rasmussen/Fitzgerald unanimous.** The applicant was also advised of the procedure for approval by the CPA.

The meeting was adjourned at 5:00 p.m.
Respectfully Submitted

Glen Rasmussen, Secretary

Memo of public comments by John A. Berol to La Jolla PDO Committee on 12-14-2009

Request: I would like the La Jolla PDO Committee to consider if it could become a resource to City Code Enforcement officials in exactly the same manner that it is a resource to City Development Services officials.

Background information:

1. The PDO Committee reviews applications for permits within the PDO with the purpose of achieving uniform and consistent application of the PDO by advising the City of San Diego about whether project applications comply with the PDO.
2. It appears that some property owners are making building changes without filing an application and thereby making changes which are alleged to violate the PDO. Such violations frustrate citizens who want a uniform and consistent application of the PDO.
3. At the City's COW (Community Orientation Workshop) training my class was told by the Code Enforcement officials that almost all code enforcement is initiated by a complaint brought by a citizen and that the City almost never looks for code violations on its own.

Discussion idea for achieving more uniform and consistent application of the PDO:

1. PDO committee advises the City code enforcement department that it is prepared to accept questions from it and render recommendations to it as to whether property changes made without permits are changes which violate the PDO.
2. PDO committee advises citizens who complain to it about PDO code violations that they should prepare a presentation with pictures and PDO code sections and lodge their complaint with the City code enforcement department.
3. In the process of investigating a complaint of citizens, if the City code enforcement officials need community advise on the PDO, they will give notice to the property owner and ask to have the matter put on the agenda of the PDO committee for review of the completed project in the same manner that the PDO committee reviews prospective projects.
4. If a PDO Committee Charter amendment is deemed necessary for accomplishing the above, then such an amendment is made to expand the scope of service of the committee to include rendering advise to City of San Diego code enforcement officials in the same manner as it renders advise to City of San Diego Development Services Officials.

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANING ASSOCIATION

**COMMITTEE REPORT
FOR
DECEMBER 2009**

**12/8/09 Present: Addington, Ashley, Collins, Costello, Crisafi (Chair), Hayes,
DuCharme Conboy, Gaenzle, Merten (Chair)**

**12/15/09 Present: Addington, Ashley (Chair), Collins, Costello, DuCharme Conboy,
Thorsen**

Project Name:	LINDA ROSA RESIDENCE	Permits:	CDP
	5644 Linda Rosa Ave.	DPM:	Linda French 619-446-5235
Project #:	JO#43-2729/193947		lfrench@sandiego.gov
Zone:	RS-1-7	Applicant:	Eric Lindeman 310-829-9932 eric@studioea.com

Please provide the following for final review:

- 1. Show adjacent grades on building / site sections**
- 2. Provide streetscape in elevation with adjacent building profiles as viewed from Linda Rosa.**
- 3. Remove trellis and other structures from required setback areas**
- 4. Reduce the mass of exterior stair to highest roof deck**
- 5. Break front plan of garage façade with trellis over garage door and off setting proposed lattice stair screen above.**
- 6. Provide roof deck area.**
- 7. Clarify if deck is included in FAR, or not, per City Code.**
- 8. Review and substantiate compliance with Community Plan regarding community character policy (pages 82 & 84)**
- 9. Comply with zoning and Prop D building heights.**
- 10. Document & indicate heights of all retaining walls, fences and guard rails on property lines or in setback areas. Demonstrate compliance to La Jolla Community Plan.**

Project Name:	5633 TAFT RESIDENCE	Permits:	CDP
	5633 Taft Ave.	DPM:	Linda French 619-446-5235
Project #:	JO#43-2896/196725		lfrench@sandiego.gov
Zone:	RS-1-7	Applicant:	Eric Lindeman 310-829-9932 eric@studioea.com

Please provide the following for final review:

- 1. Show compliance to building envelope at front yard setback (45°)**
- 2. Include and document any phantom floor area proposed: Section 113.0234 of City Code**
- 3. Document & indicate heights of all retaining walls, fences and guard rails on property lines or in setback areas. Demonstrate compliance to La Jolla Community Plan.**
- 4. Demonstrate gross floor area compliance with City Code regarding open carport with enclosed space above. Section 113.0234 and specifically Diagram 113-02P of City Code.**

**La Jolla Development Permit Review Committee
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Project Name:	PROSPECT RESIDENTIAL CARE	Permits:	CUP
	484 Prospect St.	DPM:	Helene Deisher 619-446-5223
Project #:	JO#43-2406/180343		hdeisher@sandiego.gov
Zone:	5A LJPDO	Applicant:	James Alcorn 858/ 459- 0805 james@jamesalcorn.com

The room was filled with residents of the neighboring condominium building in opposition to this project.

**Approved motion: That the findings cannot be made for a CUP.
(Ducharme-Conboy/Costello 4/2/0)
Addington & Collins in opposition to the motion.**

Reasons for denial:

- 1. Plans need to identify the location of turnaround in the alley**
- 2. Plans need to identify the location of the valet parking/ medical transportation location at the curb to identify the impacted area and the number of parking places lost to public parking.**
- 3. Plans need to reflect change to grocery delivery to kitchen access off alley, rather than through shared courtyard.**
- 4. Conditions need to reflect trash pick up hours, delivery hours, pedestrian access times to the parking structure, plan for order exhaust of cooking fans.**
- 5. Establish that the use is appropriate for location- please contrast actual square footage with square footage required in 2nd cycle issues letter, page 2 of 11 Draft conditions and show code section that identifies "Residential Care facility" as an option for "Zone 5a."**
- 6. Concern that the staff counts proposed will reflect actual use- please establish parking requirements and excess parking spaces.**

Project Name:	CANTER RESIDENCE	Permits:	CDP SDP Variance
	202 Kolmar St.	DPM:	Jeff Peterson 619-446-5239
Project #:	JO#43-2536/188139		japeterson@sandiego.gov
Zone:	RM-1-1	Applicant:	Stosh Podeswik 619-741-2014 stosh@stoshthomas.com

There were no members of the public in attendance for this project.

**Approved motion: The findings can be made for a SDP, CDP and Variance.
(Collins/Addington 6/0/0)**

PRELIMINARY REVIEW

Project Name:	SVEDLUND MAP WAIVER	Permits:	CDP & Map Waiver
	7331 Eads Ave.	DPM:	Jeanette Temple 619-557-7908
Project #:	JO#43-3040/199251		jtemple@sandiego.gov
Zone:	RM-1-1	Applicant:	Per Svedlund 858-560-0444 psvedlund@pdr-sd.com

There were no members of the public present for this agenda item.

**Approved motion: to approve the CDP and map waiver not to require undergrounding of utility wires from the building to the utility boxes/poles. The project previously included an approved waiver to underground the telephone poles.
(Collins/Thorsen 6/0/0)**

La Jolla Shores Permit Review Committee – Minutes
4:00 p.m. – Tuesday, December 22, 2009
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members in attendance: Boyden, Furtek, Lucas, Morrison, Schenck

1. Non-Agenda Public Comment -None
2. Chair Comments:
 - Cardenas deck project previously approved pulled at CPA
 - Cell tower expansion at Cliffridge Park and Ragen residence project coming next month
 - Chair requested that all motions be specific due to current LJCPA constraints. A motion to approve findings should state what plans are being approved. Motions to deny should state LJSPDO or LJCPA plan section and quote specific reason from those documents.
3. Project Review (see A to D below)
4. Tim Lucas stated there will be a meeting re LJSPDO revision project in January, likely Wednesday January 20, 2010.

A. FAKHIMI RESIDENCE (returned at City request)

- PROJECT NUMBER: # 179961
- TYPE OF STRUCTURE: Single family residential
- LOCATION: 7790 VIA CAPRI
- PLANNER: Helene Deisher E-mail: hdeisher@sandiego.gov
- OWNERS REP: Steve Ragan Ph: 858.756.2526 Email: sragan@johnjensenarchitect.com , jjensen@johnjensenarchitect.com
- PROJECT DESCRIPTION: a 3,134 square foot addition to an existing single family residence on a 0.46 acre site (Source: City)
- Seeking: Variance for two driveway entrances, 58' apart
- Chair Notes: This project was approved by the PRC (5-1-1) and the LJCPA (14-1-1) and I believe with two driveway entrances shown on the plans from the beginning even though no discussion took place. City staff is requiring specific LJCPA approval for a variance (Municipal Code limits driveways to one per 100') from the LJCPA before scheduling this project for a hearing.

Presented by architect John Jensen:

- Code is for one driveway per 100 ft frontage. This site has only 134 ft. of frontage. Variance needed for 2 driveways.
- Each driveway 16 ft. wide. 56 ft. between driveways
- The area in front of the connector between the two driveways will be planted and hidden.
- Due to the traffic circle in front of the house, it is unsafe to back out of the driveway. The westbound traffic on this side is not affected by the traffic circle, and cars speed by all the time. They would like to use this second driveway as a safer way to enter onto the street.
- The residence two properties down has a second driveway. It was an administrative approval by city engineers without any community review.

Comment from Phil Merten: The municipal code requires several findings for a variance. Finding #1 is that there must be Special Circumstances for a variance. Finding #2 is that without the variance, is the property owner deprived of special use of his property?

Response from John Jensen:

- First finding: Special circumstance. Traffic circle in middle of property frontage is unique.
- Second finding: The traffic circle does not slow down the westbound traffic; it only moves it towards their property 1 foot. This makes egress more dangerous as the traffic is coming fast, but with less margin for safety.

Response from Phil: Does not think it meets the second finding, as they could just as easily build a short turn around area that could be used when backing out of the garage. It would be where the proposed link between the driveways would be and would only extend a short distance

Committee discussion: Only one other driveway in neighborhood with this feature. Would this set a precedent such that other residents in the neighborhood would add second driveways? This is not a beach access area, so there is not much demand for parking. Would this be bad? Even though westbound traffic may be fast at times, there is not much of it. Most traffic is Eastbound to enter onto LJ Parkway/52.

Lucas: The residence at 2605 Calle del Oro added a second garage and driveway on less frontage. This had an administrative approval. The city planner/engineer that approved the driveway was concerned with safety, since this was at the approach to a hairpin and this would encourage the owners to park off street.

Motion: Furtek Second: Schenck

The findings can not be made to add second driveway, because it doesn't meet the second finding for depriving reasonable use of the property.

3-1-1

Approve: Furtek, Morrison Schenck

Oppose: Lucas

Abstain: Boyden

B. DESSERT/HANNEKEN RESIDENCE - Second hearing

- PROJECT NUMBER: 192318
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 8646 Cliffridge Avenue
- PLANNER: Tim Daly Ph: 619-446-5346 Email: tdaly@sandiego.gov
 - Joseph Stanco E-mail jstanco@sandiego.gov (away till 1-4-2010)
 - Terri Bumgardner Email: tbumgardner@sandiego.gov till 1-4-2010
- OWNERS REP: Erika Love Ph: 619-857-7406 Email: pacificpermits@aol.com
 - Katie Powers Ph: 619-286-1633 Email: Katie@charco.com
- PROJECT DESCRIPTION: 184 s.f. first floor addition and a 1626 s.f. second story addition to an existing 2886 s.f. SFR (Applicant) [Coastal Height Limit, Campus Parking Impact Zones, from NOA.]
- SEEKING: Site Development Permit (SDP)

Boyden (Chair): Read email from city planner Joseph Stanco:

- The project is, after the changes, considered to have only 4-bedrooms
- Proposed residence is sufficiently articulated
- Stepping back of second story left side will not be necessary, since most of the other two story residences have un-articulated sides.

Presented by: Dena Gillespie

- Articulation on left side has been added, even though Mr. Stanco said it wasn't necessary.
- Longest length is 34 ft. unbroken.
- Neighbors were contacted and had no objections.
- 6 ft. side setback is the average for 300' neighborhood.
- Driveway is 32 ft deep. Spaces marked on plans as requested by committee.

Motion: Schenck Second: Lucas

Project meets finding for site development permit based on email from Stanco Dec 10, 2009 and undated plans presented to committee and being submitted to City.

4-0-1

Approve: Schenck, Morrison, Furtek, Lucas
Oppose: None
Abstain: Boyden

C. McClelland Residence - First Hearing

- PROJECT NUMBER: 195996
- TYPE OF STRUCTURE: Type V, NR
- LOCATION: 8360 La Jolla Shores Drive
- PLANNER: Jeannette Temple; Ph. 619-557-7908; E-mail: jtemple@sandiego.gov
- OWNERS REP: Richard Gombes) Ph. 858-663-2045; E-mail rgombes@san.rr.com
- PROJECT DESCRIPTION: 2nd and 3rd story addition to an existing single family residence on a 0.12 acre site in the SF Zone of La Jolla Shores Planned District. Coastal overlay (non-appealable), Coastal Height Limit, and Residential Tandem Parking Overlay Zones within the La Jolla Community Plan area. (City NOA Info) Also Beach Parking Overlay per Cycle review.
- SEEKING: Site Development Permit (SDP) & Coastal Development Permit (CDP)
- OTHER: This property was issued approval #586174 for Project #163792 on 10/31/2008 (per plans) According to architect e-mail: the previous project that was permitted in 2008 was completed through the foundation & framing stage.

Presented by: Architect Richard Gombes

1140 sq feet – orig house. detached garage 438 sq ft

- Original permit for single story development. Demolished existing structures, leaving 50% walls, relocated Garage to front of lot.
- After first reconfiguration: 1043 sq ft first floor living area. Garage 438 sq ft.
- Exterior stairs not included in measurements
- Third floor : 932 sq ft.
- Total sq ft: 4061 sq ft.
- Open patio 741 sq ft. below second floor included in FAR
- Other decks not included in FAR
- Corrected FAR with open patio: .87. Without patio .74 (With Patio is correct)
- Lot coverage 54%
- Greenscape = 37%
- Max height 29' 6"
- House two doors down has FAR of .89

Motion Furtek: Second: Schenck

Review project again after second cycle issues have been released by city. There are too many issues identified in first cycles issue that need to be cleared before any vote can be taken.

4-0-0

Approve: Furtek, Morrison, Schenck, Lucas
Oppose: None
Abstain: Boyden.

D. MARCUS RESIDENCE Final hearing action item

- PROJECT NUMBER: #181889
- TYPE OF STRUCTURE: Single family residential
- LOCATION: 8551 SUGARMAN DRIVE
- PLANNER: Diane Murbach E-mail dmurbach@sandiego.gov
- OWNERS REP: Christina Mannion ph. 619-293-7640; Christinam@wallacecunningham.com
- PROJECT DESCRIPTION: Demolition of existing house and construction of a new 6213 sq. ft. two story single-family house with a basement/garage and a pool (Applicant)

Presented by owners representative Christina Mannion:

- Five air condensing units contribute less than 50 DB total noise.
- They are below grade, covered with grate and moved to street side of home.
- Tabulated summary presented. Including 4 large homes outside the 300' at city request.
- Drainage plan shown.
- Shading study presented: during summer there are limited impacts. Winter at 3:00pm shades house behind on north side where kitchen is located.
- Classification of lot in regards to what street the address should be based on, and what should be considered the front and sides in terms of setbacks is correct according to city.

Boyden (chair): Questions about historical review.

Response Mannion: Nothing historically significant about existing house or former occupants.

Boyden (chair):

- Original house was 1660 sq ft, according to sales brochure:
- Then if garage 450 sq ft., 2100 sq ft. total.
- Original lot coverage: 20%. Proposed 41% lot coverage

3D topographic model of proposed structure, and several adjacent structures on Bremerton and Kilbourn presented by Mannion to illustrate context of proposed building. The public and committee was able to view it.

Photo montage of entire Sugarman Drive area from Richard Talbott was presented.

Highlights of letters for and against read by Boyden (chair).

Public comment for:

Dechants: approve of project.

Butlers: Original homes cheaply built and have problems with settling. Not worth it to remodel existing structure. Should be all new construction.

Dostarts: fill poor, slabs sub par. Fire issues. aging trees. (Committee had copy of letter)

Public comment against:

Kuncz: This is unique neighborhood. Lots of green and landscaping so houses blend in. Designed to look natural. Cutting trees and re-siting house to the higher part of lot will stand out. Looks more like Getty museum than a house.

Lazerow: The large multi-story houses presented by owner's representative are actually in other neighborhoods. Those neighborhoods have larger houses and smaller setbacks. This neighborhood is smaller houses and larger setbacks. The proposed house is out of place in existing neighborhood. Two larger example houses were developed after a deal was cut to approve a synagogue. Even so, those 3 large houses are set back much more on all sides than this proposal. The air conditioning units of the synagogue are loud, and he has doubt that the proposed condensing units will be as quiet as stated. Maximum height of proposed structure is twice average of neighborhood, the set back is half of the average house. House should be set back on all sides and not positioned against the upper corner, next to neighbors with minimal setback. He said that even if the height was reduced, and the setbacks were improved, there are still stylistic issues that make this structure stand out from any other house in the neighborhood. He disagrees with the historical review and thinks that the current house is a historic structure, since each house in the area is slightly different in style and design. Points out that even the chimneys have different brick patterns for variety and style.

Response from Mannion: Setbacks vary in the neighborhood. City says that any new structure must be fire rated for 1 hour due to the wooded character of the area. The proposed structures will be very fire resistant.

Helen: Letters state that two houses have burned in general area and that the whole area has soil compaction and subsidence issues. She said this is not a reason to build such a big/different house in this neighborhood. Committee member Dale Naegle at previous presentation noted that it was too large for neighborhood Morton at that previous meeting thought it looked too commercial.

Phil Merten: Two sections of LJSPDO are designed to allow transitions in the neighborhood. Building what is already there isn't required to meet the code, but building so differently doesn't work either. It is a matter of degree and this is too big a jump. The committee should base findings on these sections of the PDO.

Motion: Furtek Second: Lucas

Motion to deny: The project does not meet the criteria in section 1510.0301 of the La Jolla Shores PDO which states: "No structure will be approved which is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area" and section 1510.0304 which states: "Building and structure setbacks shall be in general conformity with those in the vicinity. The proposed structure is not in compliance with those provisions of the code due to difference in style and size, as well as setbacks next to neighbors and siting of the house.

4-0-1

Approve: Furtek, Morrison, Schenck, Lucas

Oppose: None

Abstain: Boyden (chair)