



La Jolla Community Planning Association

Regular Meetings: 1st Thursdays | La Jolla Recreation Center, 615 Prospect Street

Contact Us

Mail: PO Box 889, La Jolla, CA 92038

Web: <http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

Email: info@LaJollaCPA.org

President: Joe LaCava

Vice President: Bob Steck

2nd Vice President: Patrick Ahern

Secretary: Helen Boyden

Treasurer: Nancy Manno

DRAFT AGENDA

Regular Meeting | Thursday, 5 June 2014

6:00p

1.0 Welcome and Call To Order: **Joe LaCava**, President

2.0 Adopt the Agenda

3.0 Meeting Minutes Review and Approval: 1 May 2014

4.0 Elected Officials Report – Information Only

4.1 Council District 1 – Council President Pro Tem Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov

4.2 Mayor’s Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov

4.3 39th Senate District – State Senator Marty Block

Rep: **Allison Don**, 619-645-3133, Allison.don@sen.ca.gov

4.4 78th Assembly District - Majority Leader Toni Atkins

Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov

5.0 Non-Agenda Comment

Opportunity for the public to speak on matters not on the agenda and within LJCPA jurisdiction, two minutes or less. Issues are not subject to debate, discussion, or action.

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

6.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less. Issues are not subject to debate, discussion, or action.

7.0 Officers’ Reports

7.1 Secretary

7.2 Treasurer

8.0 Candidate Statements – Special Election (2 vacancies) July 3rd – Information Only

Candidates present their qualifications and reasons for running (2 minutes each.)

→ *To be listed on the July 3rd ballot you must announce your candidacy prior to adjournment of tonight’s meeting.*

→ See <http://www.lajollacpa.org/elections.html> for eligibility requirements & announced candidates.

9.0 President's Report – Information only unless otherwise noted.

- 9.1 **Reminder: Special Election, 2 seats, July 3rd, 3pm-7pm**
- 9.2 **Coastal Access & Parking Board Appointment: Ann Steck** – Action Item
- 9.3 **Planned District Ordinance Appointment: _____** - Action Item
- 9.4 **Ratify Joint Committee/Board Appointments**, other Organizations – Action Item (see attached)
- 9.5 **Oversized Vehicle Ordinance ready to go into effect. Permit/limits for parking on city streets**
- 9.6 **Election Challenge, Part 2**
- 9.7 **Meet the Mayor, June 16th, 5:00 pm, La Jolla Recreation Center**
- 9.8 **AT&T-Cliffridge – To be reheard, July 3rd (Project will also be heard at LJSA, ljsa.org)**
- 9.9 **Henely Residence** – Coastal Commission Hearing, Huntington Beach, June 12th
- 9.10 **Children's Pool Popping Season Closure** – Coastal Commission Hearing, San Diego, August

10.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES - Information only

- 10.1 Ad Hoc Committee on Short-term Vacation Rentals <http://www.lajollacpa.org/minutes.html#vr>
- 10.2 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml>
- 10.3 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html>

11.0 CONSENT AGENDA – Ratify or Reconsider Committee Action

The 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 consent item be pulled for reconsideration/full discussion.

→Items “pulled” from Consent Agenda automatically trailed to next LJCPA mtg.

→See minutes from each committee for full details on each project & deliberations.

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

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

PRC – LJ Shores Permit Review Committee, Interim Chair Phil Merten, 4th Tues, 4pm

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

11.1 Miller Residence CDP

DPR Motion: That the findings can be made for a Coastal Development Permit to allow the construction of a new two-story, 9,876 square foot single-family dwelling unit, 973 square foot habitable accessory structure, a 1,699 square foot garage and associated improvements on a 1.0 acre site at 1540 La Jolla Rancho Road. 5-0-1.

11.2 Neptune Place Map Waiver

DPR Motion: The findings can be made for a Map Waiver to convert 18 residences under or nearly under construction (building permit pending) into condos on a 0.511 acre property at 6767 Neptune Place. 5-0-1.

11.3 La Jolla Music Society Summerfest

T&T Motion: Approve street closure 8am to midnight on July 30th. 9-0.

11.4 Amendment to Eddy V's Valet Parking Permit

T&T Motion: Deny request to amend their permit to also have valet parking to include Saturday & Sundays between 10:30 am to 11:30 pm. 7-0-2.

11.5 Ragen Residence, 7956 Paseo Del Ocaso

LJSPRC Motion: Findings can be made for Coastal Development Permit and a Site Development Permit for the Ragen residence, 7956 Paseo del Ocaso, Project No. 357715, as depicted on marked up drawings on May 27, 2014, to reflect 6' high perimeter fences. The notations were made on plan sheet numbers: 0.0 and 1.3. 4-0-1.

11.6 Wu Residence, 7615 Hillside Drive

LJSPRC Motion: Findings can be made for a Coastal Development Permit and a Site Development Permit to demolish the existing structure and construct a 7,345 sq ft house at 7615 Hillside Drive, Project No. 361774, based on plans presented today, dated March 15, 2014. 3-1-1.

**Time
Certain
6:30p**

12.0 Midway Street Bluff Repair – Action Item

George S. Freiha, PE, City Project Manager. Repair the erosion-damaged bluffs, restore and reconstruct the existing look out area and improve the ADA path of travel. City will present 30% design plans.

**Time
Certain
6:45p**

13.0 Bay View Reservoir Solar Panels – Information Item

Dirk Smith & Mohammad Rahman, City of San Diego, City project proposes to install photovoltaic solar panels on top of the Bay View Reservoir at 9175 Parkview Terrance, La Jolla, CA 92037.

14.0 Urban Forest Management Plan – Information Item

Public outreach as part of the City's development of an Urban Forest Management Plan.

15.0 City of San Diego BikeSharing Program (aka DecoBike) – Information Item

Presentation on City of San Diego program and proposed bike station locations.

Reference: Map of Proposed Stations and FAQ: <http://www.lajollacpa.org/BikeShareLaJolla.pdf>

16.0 Adjourn to next Regular Monthly Meeting, 3 July 2014, 6:00 pm

Special Election, Polls open 3:00 pm to 7:00 pm



PO Box 889, La Jolla, CA 92038
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First Vice President: Bob Steck
Second Vice President: Patrick Ahern
Secretary: Helen Boyden
Treasurer: Nancy Manno

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

Thursday, 1 May 2014

DRAFT MINUTES – REGULAR MEETING

Trustees Present: Patrick Ahern, Helen Boyden, Bob Collins, Janie Emerson, Gail Forbes, Joe LaCava, Nancy Manno, Robert Mapes, Jim Ragsdale, Bob Steck, Frances O'Neill Zimmerman

Absent: Cynthia Bond, Dan Courtney, Phil Merten, Alex Outwater, Ray Weiss, Rob Whitemore

1.0 Welcome and Call To Order: Joe LaCava, President, at 6:05 PM

President LaCava, having been absent from the April meeting, made opening remarks regarding the March election, the Election Challenge, the 2013-2014 Officers' Response, the finality of the LJCPA's actions in April regarding same, and his election.

2.0 Adopt the Agenda

Approved Motion: Motion to adopt the posted agenda (Emerson, Forbes: 9-0-1)

In favor: Ahern, Boyden, Collins, Emerson, Forbes, Manno, Mapes, Ragsdale, Steck
Abstain: LaCava (Chair)

3.0 Meeting Minutes Review and Approval – 3 April 2014

Approved Motion: To accept the minutes of April 3, 2014 as posted on the LJCPA website (i.e. including the Election Challenge and Officers' Response) with corrections as proposed by Trustee Zimmerman. (Emerson, Manno: 10-0-1)

In favor: Ahern, Boyden, Collins, Emerson, Forbes, Manno, Mapes, Ragsdale, Steck, Zimmerman
Abstain: LaCava (Chair)

Member Bob Whitney commented.

4.0 Elected Officials Report - Information Only

4.1 Council District 1 – City Council President Pro Tem Sherri Lightner

Rep: Justin Garver, 619.236.7762, jgarver@sandiego.gov

CCPPT Lightner presented certificates of appreciation to retiring trustees **Tom Brady** and **Tony Crisafi**, newly reelected **Trustees Joe LaCava** and **Bob Collins** and thanked them for their service as did members present. She presented certificates for retiring trustees **Jim Fitzgerald**, **David Little**, and **Myrna Naegle** who were not present.

She introduced new CD1 Council rep for La Jolla, Justin Garver, a native San Diegan, who spent six years as a lifeguard in La Jolla and received a Master's degree from SIO.

Mayor Faulconer's proposed FY15 budget prioritizes street repair, public safety and increased funding for libraries and rec centers. **CCPPT Lightner** will be advocating for budget additions to support a La Jolla Shores Park Ranger, continuing odor reduction treatment at La Jolla Cove and creation of a Coastal Management Plan to help handle future issues that arise from the continued proliferation of marine mammal and bird species.

Budget hearings are open to the public to provide feedback; see the City's website <sandiego.gov> for the schedule.

City staff will be providing an update on the Torrey Pines Corridor project at the May 22nd 4PM meeting of the T & T board.

Phase 1, including sidewalks, will be discussed as well as a separate project for a retaining wall on the south side of TPR near Little Street. Future phases will be discussed.

4.2. 39th District, California State Senate - State Senator Marty Block

Rep: Allison Don, 619.645.3133, allison.don@sen.ca.gov was not present

4.3 78th Assembly District - Majority Leader Toni Atkins

Rep: Toni Duran, 619-645-3090, Toni.Duran@asm.ca.gov was not present.

5.0 Non-Agenda Comment - Opportunity for the public to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less. Issues are not subject to debate, discussion, or action

5.1 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://physicalplanning.ucsd.edu> stated that Venter Institute access from Expedition Way will be complete by May 12 and the public access from TPR will close on May 15. The new road is called Capricorn Way. For the current quarter UCSD has 28,105 students. As of June 2014 two more construction projects will be completed with two more still underway to open next summer and in 2017. Please see the website <<http://physicalplanning.ucsd.edu>> for details.

5.2 General Public Comment

Member Sally Miller criticized the upcoming installation of Deco-Bike stations in LJ Village. She decried the loss of parking spaces and sidewalk space and installation of vending machines. Parks and Rec voted against these eyesores.

Member Don Schmidt also spoke against the Deco-Bike installation in the cultural zone of the PDO, citing specific guidelines against narrow sidewalks and the opposition of the LJ Historical Society, though he was not speaking for them.

6.0 Trustee Comment -Opportunity for trustees to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less. Issues are not subject to debate, discussion, or action.

Trustees Zimmerman and **Emerson** criticized the Board's handling of Item 14, AT&T –Cliffridge Park, at the April 3 LJCPA meeting with respect to the re-votes.

President LaCava stated that the LJCPA bylaws state the Chair may vote to make or break a tie.

Trustee Zimmerman stated that she liked bicycles in La Jolla but not with ugly stanchions and taking up parking spaces.

Trustee Forbes spoke to the importance of voting in the June 3rd primary election.

Trustee Ahern said that LJ Parks and Beaches had voted unanimously against the bicycle stations. Judy Halter is involved with the La Jolla Cove Pavilion. The selection process for an architect is underway; choice is expected by mid-June.

Trustee Boyden reported that **Member Peggy Davis** had sent a letter recounting her contacts with the USPS and T&T to install a handicap accessible postal deposit box in La Jolla Shores;

7.0 Officers' Reports

7.1 Secretary

Trustee Boyden stated that if you want your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: one for LJCPA members and a yellow one for guests.

LJCPA is a membership organization open to La Jolla residents, property owners and local business owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: www.lajollacpa.org/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a trustee. You may document your attendance by signing in at the back, providing the Secretary 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, or providing independently verifiable proof of attendance.

You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at three LJCPA meetings in the preceding 12-month period.

Please note that members who failed to attend a meeting between March of 2013 and February 2014 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated.

Reference was made to the upcoming Special Election where the 12-month period for qualifying to become a trustee will be measured from July 2013 to June 2014.

7.2 Treasurer

President LaCava presented the treasurer's report which had been prepared by **Treasurer Nancy Manno**. He reminded trustees and attendees that collections at the meetings are the only source of income for the LJCPA and that all contributions must be in cash. He thanked the members for their generosity in supporting the organization.

Beginning Balance as of 3/31/14	\$ 203.45
Income	
- Collections	\$ 138.00
- Meeting CD Sales	<u>\$ 5.00</u>
Total Income	\$ 143.00
Expenses , including Agenda printing & Telephone Expenses	\$(131.71)
Ending Balance as of 4/30/14	\$214.74

8.0 President's Report

8.1 Resignation-Gail Forbes – Information Only

Trustee Forbes reported that she expected to no longer have a La Jolla address as of June 8, 2014 and would be resigning rather than representing a business that she was not affiliated with. She said she had valued her service on the LJCPA and was thanked by the trustees and those present for her service and her unique and longstanding knowledge of La Jolla affairs.

8.2 Special Election, 2 seats, July 3rd – Information Only

President LaCava announced that an election will be held on July 3, 2104 to fill the currently vacant seat and the one expected to be vacated by **Trustee Forbes**. In order to be eligible to run a member must have attended three meetings in the period July 2013 to June 2014. An attendance list covering these dates is posted on the LJCPA website. The last meeting in which to become a member to vote in the election and/or qualify to run will be the June 2014 meeting.

8.3 Election Committee – **President LaCava** appointed the following members to serve as the election committee, stating that they brought diverse interests and acquaintances to the process:

Chair, Trustee Bob Steck; Trustees Ahern and Mapes, and Member Donna Aprea.

Outreach and publicity will be made through various media. In order to be listed on the ballot you must qualify and give notice of your intention to run by the close of the June 5, 2014 LJCPA regular meeting.

Approved Motion: To ratify President LaCava's appointees to the Election Committee. (Manno, Collins 10-0-1)

In favor: Ahern, Boyden, Collins, Emerson, Forbes, Manno, Mapes, Ragsdale, Steck, Zimmerman
Abstain: LaCava (Chair)

8.4 Joint Committee and Board Appointments

President LaCava appointed the LJCPA members of the DPR Committee, the PDO Committee, the PRC, the T& T Board, the Ad Hoc Committee on Short-Term Vacation rentals, the Community Planners Committee and the La Jolla Coast Access & Parking Board (one vacancy) as listed on page 12 of the agenda packet and attached to these minutes.

Approved Motion: To ratify President LaCava's appointees to the Joint Committees and Boards. (Emerson, Ragsdale: 10-0-1)

In favor: Ahern, Boyden, Collins, Emerson, Forbes, Manno, Mapes, Ragsdale, Steck, Zimmerman
Abstain: LaCava (Chair)

8.5 Proposal to move T&T meetings to 3rd Thursday of the month –

This was proposed so that there would be more time for the actions and minutes of the Board to be prepared and reported to the LJCPA. Other agencies with members on the board are being consulted and the Rec Center Room is available

Approved Motion: To approve the proposed change of the T&T meetings to the 3rd Thursday of the month. (Manno, Boyden: 9-1-1)

In favor: Ahern, Boyden, Collins, Emerson, X Manno, Mapes, Ragsdale, Steck, Zimmerman
Opposed: Forbes
Abstain: LaCava (Chair)

8.6 Member & Trustee Attendance posted on-line – Information Only

In addition to the March 2014-February 2015 and July 2013-June 2014 membership/attendance lists posted on the LJCPA website, a rolling list of trustee attendance for the last twelve months featuring the number of absences in the current period is posted on the trustee tab of the website.

8.7 Torrey Pines Road Sidewalks Update (Weiss) – Information Only

The TPR update will be heard by T& T at its May 22nd meeting.

8.8 Rock 'n Roll Marathon is seeking volunteers SanDiego@RNRRaceCrew.com

9.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES - Information only

9.1 Ad Hoc Committee on Short-term Vacation Rentals

Chair, Trustee Boyden, reported that the committee had agreed on the list of problems caused by short-term vacation rentals and had prepared lists of proposed, but not debated, solutions to the CAPP problem and possible modifications to the San Diego Municipal Code. The details are in minutes posted online. The next meeting will be Wednesday, May 28 at 5 PM at the Rec Center. In the absence of **Trustee Boyden**, **Trustee** and **Committee Member Steck** will chair the meeting and **Trustee Manno** will prepare the minutes.

9.2 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml> **President LaCava** reported that the CPC discussed alcohol licensing at its April meeting.

9.3 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html> See item 15.0 below.

10. 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 reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

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

DPR – Development Permit Review Committee, Chair Paul Benton, 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

No T & T meetings in April

President LaCava recused himself and left the room to return after the vote took place. **Vice President Steck** chaired the item.

10.1 HERSCHEL RESIDENCES, 7452 Herschel Avenue

DPR Motion: Findings **CAN** be made for a Coastal Development Permit to allow the proposed development to construct a two-unit, three-story condominium building on a 3,200 square foot property at 7452 Herschel Ave. **4-1-2**.

10.2 SCHULTZ RESIDENCE, 1650 La Jolla Rancho Road

DPR Motion: Findings **CAN** be made for a Coastal Development Permit to demolish an existing residence with garage, and construct a new [2-story 8,625 sf] residence with garages, pool, and site walls/fencing [on 1.2 acres]. The site is at 1650 La Jolla Rancho Road. **5-0-1**.

10.3 ARTHOFER RESIDENCE, 1890 Viking Way

PRC Motion: Findings **CAN** be made for a Site Development Permit (SDP) for Project No. 349880. **5-0-0**

Project Description: PROCESS 3 - Site Development Permit (SDP), to remodel and add a second story and additions totaling 2,661 sq. ft. to an existing 4,601 square foot (including basement) one-story over basement single family residence located at 1890 Viking Way. The 0.28 acre lot is in the SF Zone of the La Jolla Shores Planned District, Coastal (non-appealable), Coastal Height and Parking Impact Overlay Zones.

10.4 CABUCHON AWNING, 7646 Girard Avenue

PDO Motion: Proposed awning conforms to the PDO: 7-0-0

Approved Motion: To accept the recommendations of the DPR Committee for (10.1) Herschel Residences, 7452 Herschel Avenue that the findings CAN be made for a Coastal Development Permit to allow the proposed development to construct a two-unit, three-story condominium building on a 3,200 square foot property at 7452 Herschel Ave. 4-1-2; and (10.2) Schultz Residence, 1650 La Jolla Rancho Road that the findings CAN be made for a Coastal Development Permit to demolish an existing residence with garage, and construct a new [2-story 8,625 sf] residence with garages, pool, and site walls/fencing [on 1.2 acres]. The site is at 1650 La Jolla Rancho Road. 5-0-1; and to accept the recommendation of the PRC for (10.3) Arthofer Residence, 1890 Viking Way that the findings CAN be made for a Site Development Permit (SDP) for Project No. 349880. 5-0-1; and to accept the recommendation of the PDO Committee that (10.4) Cabuchon Awning, 7646 Girard Avenue that the Proposed awning conforms to the PDO: 7-0-0; and forward the recommendations to the City. (Zimmerman, Ahern: 7-0-3)

In favor: Ahern, Boyden, Collins, Manno, Mapes, Ragsdale, Zimmerman

Abstain: Emerson (did not remember item 10.3), Forbes (personal connection), Steck, (Chair)

Recused: LaCava

11.0 La Jolla Shores, Children’s Pool, and Cove Lifeguard Stations Update – Information Only – heard at 6:30 PM

Jihad Sleiman, Public Works, provided a brief update on the construction status of these three projects. Work at the Children’s Pool Lifeguard Station will restart on June 1st, having been stopped during the pupping season since December 15, 2013. They expect to receive the renewal of their permit, needed as of June 30. They are also awaiting judicial approval of their proposed mitigation measures. They hope to finish by December 15, 2014. **Trustee Zimmerman** requested better signage and access for pedestrians. **Mr. Sleiman** said that access to that beach will remain open. **Trustee Collins** inquired about lifeguard staffing. There is different staffing for peak and off-peak times of year.

At La Jolla Cove, demolition has been completed and work is underway on grading, utilities, ramp, and lower level. If summer moratorium is not waived, they do not expect completion until Memorial Day 2015.

The La Jolla Shores Lifeguard Station, completed in summer 2013 had problem with glare and distortion. They plan to replace the glazing and its supports with glazing angled outward at an angle ≥ 10 degrees. They are processing these plans with an accelerated job order contract and are requesting a waiver from the summer moratorium to finish the work early this summer.

12.0 La Jolla Shores & Cove Lifeguard Stations: Request to Waive Summer Moratorium – heard at 6:30 PM

The City is requesting a waiver of the Summer Moratorium for each lifeguard station project.

Approved Motion: To defer to the La Jolla Shores Association the consideration of the request for waiving the Summer Moratorium for the La Jolla Shores Lifeguard Tower (Emerson, Manno: 8-2-1)

In favor: Ahern, Boyden, Collins, Emerson, Manno, Mapes, Ragsdale, Steck
Opposed: Forbes, Zimmerman
Abstain: LaCava (Chair)

Returning to discussion of the waiver of the summer moratorium for the La Jolla Cove Lifeguard Tower.

Mr. Sleiman stated that if they get the waiver, they expect completion by December 2014; if not, it would be spring 2015. All deliveries would be done either late in the day or early in the morning. They will just be working in the one spot and the north stairs to the beach will remain open. If they have to demobilize, the site will not be any more presentable than it is now.

Council Rep Garvin stated that La Jolla Parks and Beaches had approved this waiver. Majority heavy equipment will not be used in the summer months.

Members Bill Dobbins, Mike Costello and Brenda Fake, commented on the slow and intermittent pace of the work, preservation of the beauty of the site, and safety issues.

Trustees Zimmerman, Emerson, Collins and Forbes spoke against the waiver citing, variously: repeated City requests, poor planning, inadequate staffing, and impact on tourists. **Trustees Ahern and Emerson** suggested improved fencing, performance incentives, or charges to lift the moratorium.

Failed Motion: To approve waiver of the summer moratorium at La Jolla Cove providing the entire fence fronting the restrooms is moved eastward by 6 feet or more, and that lifeguard requests for up to 3 access gates be accommodated. (Ahern, Manno: 3-7-1)

In favor: Ahern, Manno, Steck
Opposed: Boyden, Collins, Emerson, Forbes, Mapes, Ragsdale, Zimmerman
Abstain: LaCava (Chair)

Approved Motion: Deny the request for a waiver of the Summer Moratorium at La Jolla Cove. (Ragsdale, Collins: 8-2-1)

In favor: Boyden, Collin, Emerson, Forbes, Manno, Mapes, Ragsdale, Zimmerman
Opposed: Ahern, Steck
Abstain: LaCava (Chair)

Following the vote **CPPT Lightner** suggested that the LJCPA might want to have a philosophical discussion about the summer moratorium: When the project is going to take more than the time allowed, do you want the project shut down considering the cost to the City and the community?

13.0 Pottery Canyon – Information Only

Joel Hyatt, Park & Recreation, presented a remediation plan at a waste and contaminated (hazardous waste) soil site within Pottery Canyon Park. Waste site was used as a dump from the 1890's through the 1930's. Waste debris at the site consists mainly of fragmented and fused glass, porcelain, and ceramics which may be related to the Rodriguez Family's pottery manufacturing operation.

Reference: Mitigated Negative Declaration

http://docs.sandiego.gov/citybulletin_publicnotices/CEQA/PN1300%20%23296100%20Recirculated%20Draft%20MND%2001-15-14.pdf

Previous Action: None. Public Comment period on Recirculated Draft MND ended 2/15/2014.

Mr. Hyatt said Park Rangers noticed people poking around on the site and concerned that there was hazardous material, asked the state agency Cal Recycle to do a survey. Subsurface borings revealed glass, pottery, leather, metal including lead levels of 0.001mg/kg which is not considered hazardous in non-residential areas. The remediation plan will bring in two feet of topsoil, tapering off, making it look like natural hillside and to contain the contaminants. The City is the lead agency and will grant the permit to Cal Recycle.

Member Don Schmidt asked why potential Native American artifacts could not be retained by the La Jolla Historical Society for curation rather than given to the Museum of Man. He also wondered whether the truck traffic could damage tree root systems. **Member Mike Costello** asked why contain it if it was not hazardous **Member and LJA Chair Tim Lucas** stated this

was in the Shores and the LJA did not get a notice of the dMND and wondered whether it was premature to cap until historical resources could be evaluated. **Member Sally Miller** asked about costs, only staff time to City, rest by Cal Recycle: **Member Pat Dahlberg** spoke to the history of the site and that it should be honored. **Trustees Forbes, Collins, Ahern, and Mapes** asked follow-up questions and made suggestions on the slope, pottery works and monitoring process.

President LaCava noted that while the LJCPA was not taking action, it appeared that the LJ Historical Society would continue to follow the process. **Mr. Hyatt** said that if the permit process went smoothly, completion of the work might be expected by September.

14.0 Valet Parking in front of La Plaza La Jolla 7863-7877 Girard Ave

Proposal for 4 "white curb" passenger loading zones at 7863-7877 Girard Avenue.

Previous Action: T&T recommended approval for hours 11a to 2a, 7 days a week. 5-1.

Previous Action: Pulled from LJCPA's April 3rd Consent Agenda by Trustee Zimmerman

Trustee Zimmerman, who pulled the item, said she felt the loss of four parking spaces in the middle of La Jolla was detrimental to commerce and movement and to the businesses on this main street. Combined with the sidewalk barrier left by the adjacent closed business, creating more congestion, these proposed four white curb spaces need to be justified by the applicant.

Jared Svendsen, representing Sunset (LAZ) parking stated that the 27,000 sf project, expecting about 20 tenants, including one large restaurant, had no onsite parking and had acquired the right to use part of the underground parking at the nearby Brooks Brothers which has restrictive tandem parking. He feels that the valet parking would free up parking on LJ streets by getting cars into this underused garage. These would be white curbs and would be open to anyone to let off passengers. Usage of the valet service is not required.

In answer to questions by Member Sally Miller and Trustees Collins, Manno, Mapes, Boyden, and Forbes, the applicant stated that they were requesting the 3rd, 4th, 5th and 6th spaces from the corner on Girard; there were 110 spaces set aside for La Plaza in the Brooks Brothers garage; the valet by George's turns over 300 spaces on a peak night; they will park in the Brooks Brothers garage and not on the street; the charge for valet will be \$8 to \$10 dollars; annual permit fee is \$750; they can operate without a podium to conserve sidewalk space; employees can pay daily or monthly, park on street or perhaps do the so-called "LJ Shuffle;" there will be all right turns; Jack's likely had 6 to 8 spaces marked off.

T&T member Tom Brady stated that T&T had reduced the number from six spaces to four and that the prime reason for approval is that it would take substantial numbers of cars off the street.

Trustee Forbes said that the request for a sidewalk café on Wall Street had not yet cleared the PDO. **Trustee Zimmerman** stated that the ambiance of Girard would be destroyed, making like Prospect. **Trustee Emerson** stated that the situation at Jack's had been awful. **Trustee Boyden** stated that there were too many requests for valet parking and that there should be a moratorium pending a review of the situation. Another comment was that the restaurant should address the potential problem of employees usurping street parking beginning at 6 PM.

Failed Motion: To deny the 4 "white curb" parking space passenger loading zones in front of 7863-7877 Girard Avenue. (Zimmerman, Emerson: 4-6-1)

In favor: Boyden, Collins, Emerson, Zimmerman

Opposed: Ahern, Forbes, Manno, Mapes, Ragsdale, Steck

Abstain: LaCava (Chair)

Approved Motion: To ratify the T&T recommendation to approve the 4 "white curb" parking space passenger loading zones in front of 7863-7877 Girard Avenue for hours 11 AM to 2 AM, seven days a week, provided the adjacent Brooks Brother garage is used for all valet-parked cars. (Ahern, Steck: 6-4-1)

In favor: Ahern, Forbes, Manno, Mapes, Ragsdale, Steck

Opposed: Boyden, Collins, Emerson, Zimmerman

Abstain: LaCava, Chair

15.0 Coastal Access & Parking Board - Action Item

The **La Jolla Coastal Access and Parking Board (CA&P)** was formed for the purposes approved by the San Diego City Council and the California Coastal Commission in 1993 and consists of appointees by LJCPA, LJTC, & LJVMA. Consideration of whether to support the Board's direction:

"The LJCPA concurs with the La Jolla Coastal Access and Parking Board (CA&P) that the 2002 Memorandum of Understanding (MOU) requiring a 50% earmark for a "remote parking reservoir and shuttle system" is not economically sustainable. The LJCPA recommends that CA&P work with the City of San Diego and the Coastal Commission to identify traffic and parking mitigation measures that are effective, economically sustainable, consistent with the Local Coastal Plan and the Planned District Ordinance, consistent with the original private development agreements, and revise the MOU accordingly."

Background: <http://www.lajollacpa.org/cap.html>

Previous Action: Item continued from April 3 2014 meeting.

Previous Action: Draft language revised in consultation with CA&P.

Member and CA&P Chair Dan Allen stated that the Board's charter was last modified 21 years ago. In the 1980s developer fees in the amount of \$450,000 were collected with about 50% earmarked for an employee parking discount program. The California Coastal Commission earmarked \$275,000 for a "remote parking reservoir and shuttle system." The money has not been used. The CA&P was asked by the City to study why the plan did not make sense and that there were better things to do with the money; they have so determined. The City has now asked the CA&P to get the agreement of the LJCPA, the LJTC and the LJVMA with these assessments. The latter two have already agreed.

Trustee Collins stated that he was one of those who had paid into the fund. According to their permits, the money was to have been returned if it hadn't been used in ten years. The Coastal Commission and the City have been poor stewards of the money. Some of the donors want the money back and have applied to the City for return of the money. **President LaCava noted** that is not in the purview of the LJCPA.

Trustees Forbes and **Emerson** stated that the second sentence might open Pandora's box with respect to previous studies which recommended pay parking in La Jolla. **Trustee Ahern** commented also. **Mr. Allen** agreed that the second sentence was not necessary for the CA&P purposes.

Approved Motion: To approve only the following sentence of the proposal: "The LJCPA concurs with the La Jolla Coastal Access and Parking Board (CA&P) that the 2002 Memorandum of Understanding (MOU) requiring a 50% earmark for a 'remote parking reservoir and shuttle system' is not economically sustainable." (Emerson, Zimmerman, 8-2-1)

In favor: Ahern, Boyden, Collins, Emerson, Manno, Mapes, Steck, Zimmerman

Opposed: Forbes, Ragsdale

Abstain: LaCava (Chair)

16. Adjourn at 8:40 PM to the next Regular Monthly Meeting, June 5, 2014, 6:00 pm

D R A F T
La Jolla Community Planning Association
Joint Committee & Board Appointments by other charter organizations
2014 – 2015

Development Permit Review

LJTC Appointees

Bob Collins
Diane Kane
Angeles Liera
Matthew Welsh
-- (Vacant)

La Jolla Shores Permit Review Committee

LJSA Appointees

Janie Emerson
Tim Lucas
Myrna Naegle
John Schenck
-- (Vacant)

La Jolla Planned District Ordinance Committee

Appointees By Others

Michael Dershowitz – LJTC
Joe Pitrofsky – LJTC
Jennifer Van Galder - LJTC
Leon Chow – LJVMA
Anna Palmer – LJVMA
Deborah Marengo – LJVMA
Joe Parker - BRCC
Ione Stiegler - BRCC

Traffic & Transportation Board

Appointees By Others

BRCC – Michelle Fulks
BRCC – Patrick Ryan
LJSA – John Kassar
LJSA – Todd Lesser
LJTC – Donna Aprea
LJTC – Van Inwegan
LJVMA – Nancy Warwick
LJVMA – Corey Bailey

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

May 13, 2014 Present: Benton (Chair), Collins, Costello, Welsh, Leira
Appointees Henry Chiu, Jim Ragsdale, and Brian Will
May 20, 2014 Present: **CANCELLED DUE TO LACK OF QUORUM**

1. NON-AGENDA PUBLIC COMMENT 05/13/14

Issues not on agenda and within LJ DPR jurisdiction. Two minutes maximum per person.

- a) *Three individuals have been nominated for membership on this committee. They are as follows:*
- i. *Jim Ragsdale, by the La Jolla CPA*
 - ii. *Brian Will, by the La Jolla CPA*
 - iii. *Henry Chiu, by the La Jolla Town Council*

The schedule for seating these new members was discussed. All described their experience with this committee. Brian Will has attended at least 8 meetings in the past two years. Jim Ragsdale and Henry Chiu have not attended in the past two years. Mike Costello made a motion for a sequence for seating the new members, as follows:

SUBCOMMITTEE MOTION 05/13/2014: That the new members be seated and permitted to vote as follows:

1. *Jim Ragsdale: today's meeting is the first of three to be attended before voting*
2. *Brian Will: to be seated and to be permitted to vote at today's meeting*
3. *Henry Chiu: today's meeting is the first of three to be attended before voting*

(Collins / Leira 3-1-1)

In Favor: Costello, Leira, Welsh

Oppose: Collins

Abstain: Benton

Motion Passes

b) *Mark Bucon requested that this Committee consider the side yard requirements of the RM-3-7 zone, which could be as little as 0 feet. The La Jolla Community Plan, page 90, discusses requirements for open space and ways to allow light and air into buildings that exceed one story. Chairman Benton requested that this proposer summarize these points and send the text to him for a future agenda.*

2. FINAL REVIEW 05/13/14 (PREVIOUSLY REVIEWED 04/15/2014)

Project Name: **MILLER RESIDENCE CDP**
1540 La Jolla Rancho Rd. Permits: CDP
Project #: 359608 DPM: Jeff Peterson, (619) 446-5237
Zone: RS-1-1 JAPeterson@sandiego.gov
Applicant: Kim Grant, 619.269.3630

Scope of Work:

(Process 2) Coastal Development Permit for the demolition of an existing 1,794 square foot single-family dwelling unit and 400 square foot garage, and the construction of a new, two-story, 9,876 square foot single-family dwelling unit, 973 square foot habitable accessory structure, a 1,699 square foot garage and associated improvements on a 1.0 acre site. The project incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption. The project site is

located at 1540 La Jolla Rancho Road in the RS-1-1 Zone within the La Jolla Community Plan and Local Coastal Program Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable Area 1), and the Parking Impact Overlay Zone (Coastal Impact Area).

APPLICANT PRESENTATION 05/13/14: (Kim Grant)

The proposed project was presented with responses to the previously requested information. The elevations of the pool and shade structures were reviewed. All material details and finishes are the same as at the main house. The relation to the neighbors, the air condition equipment, and the various other design issues were reviewed. The presenter added a note to the drawings that indicates a sound-dampening enclosure at the air conditioner compressors, open to the sky.

SUBCOMMITTEE MOTION 05/13/2014: That the findings can be made for a Coastal Development Permit to allow the construction of a new two-story, 9,876 square foot single-family dwelling unit, 973 square foot habitable accessory structure, a 1,699 square foot garage and associated improvements on a 1.0 acre site at 1540 La Jolla Rancho Road.

(Leira / Costello 5-0-1)

In Favor: Collins, Costello, Leira, Welsh, Will

Oppose: none

Abstain: Benton

Motion Passes

3. FINAL REVIEW 05/13/14 (PREVIOUSLY REVIEWED 08/20/2013, 03/18/2014)

Project Name: **ESLAMIAN RESIDENCE CDP**

7350-7354 Fay Ave.

Permits: CDP

Project #: PO# 297495

DPM: Paul Godwin, (619) 446-5190

Zone: RM-1-1

pgodwin@sandiego.gov

Applicant: William Metz, 619-276-1885

Scope of Work:

(Process 2) Property is developed with two dwelling units (one unit at the front facing Fay Ave and two units at the rear next to the alley). Project would demolish the rear units and construct one new 3,240 sf unit above a 719 sf garage and additional carport parking in a 3-story unit with a roof deck. The single-family residence at 7354 Fay Avenue would remain. The project would also legalize the unpermitted addition at the rear of the unit which is currently an open Code Enforcement Case No. 202689, in the RM-1-1, Non-Appealable Zone 2, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone-Coastal impact, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Geologic Hazard Zone 52.

APPLICANT PRESENTATION 05/13/14: (Bill Metz)

The presenter noted that this is a new design compared to previous presentations. The proposed project was presented, reviewing the rear unit, the parking configuration, landscape plan, and building massing with 3 stories at the alley structure and the 1-story building remaining at the street front. A total of 4 parking spaces are provided in a garage and carport. The existing driveway to Fay Avenue will be removed and the curb cut removed. The Applicant presented photographs of the buildings on the site and the adjacent buildings. On completion the structures will have a total 4,984 sf, for a 0.71 FAR.

DISCUSSION 05/13/14:

A discussion of the design focused on various aspects of the new building and the appearance of the proposed building. The landscape plan is colored and does not clearly indicate the driveway to be removed. The appearance of the proposed building was discussed, as were the scale and the relation to the adjacent properties.

Please provide for FINAL REVIEW:

- a) Further study of the exterior elevations of the proposed building in relation to the neighboring structures.
- b) Provide elevations and sections that demonstrate conformance to the height limits, with floor-to-floor dimensions.
- c) Extend the section through the site so that it shows the front unit in relation to the new rear unit.
- d) Add the footprint of the existing structure to the site plan in relation to the proposed new structure.
- e) On the Landscape Plan, show the revised landscaping for the former parking space fronting Fay Avenue with a pedestrian-scale walk, and clearly indicate that the driveway to Fay Avenue is to be removed.

4. PRELIMINARY REVIEW 05/13/14

Project Name:	NEPTUNE PLACE MAP WAIVER	Permits:	CDP, MW
	6767 Neptune Place	DPM:	Glen Gargas, (619) 446-5142
Project #:	356779		ggargas@sandiego.gov
Zone:	RM-3-7	Applicant:	Robert Bateman, (858) 565-8362

Scope of Work:

Map Waiver to convert 18 residential dwelling units under or nearly under construction (building permit pending) into condominiums on a 0.511 acre property. The project site is located at 6767 Neptune Place in the RM-3-7 Zone, Coastal (appealable) Zone, Coastal Height Limitation, Beach Impact, Parking Impact, Residential Tandem Parking and Transit Area Overlay Zones within the La Jolla Community Plan area.

APPLICANT PRESENTATION 05/13/14: (Robert Bateman)

The proposed project was presented, which is a map waiver application. The application will create the new condominium units previously recommended for approval. This application is for entitlement of the previously-approved condominium units without any modifications to the Coastal Development Permit 343572.

DISCUSSION 05/13/14:

The map waiver is the subdivision procedure that is necessary to create separate ownership of the individual units. A discussion ensued about whether the first presentation of this project may be considered the final, requiring a unanimous vote.

SUBCOMMITTEE MOTION 05/13/2014: That this presentation may be considered the final presentation for this project.

(Collins / Costello 5-0-1)

In Favor: Collins, Costello, Leira, Welsh, Will

Oppose: none

Abstain: Benton

Motion Passes

SUBCOMMITTEE MOTION 05/13/2014: The findings can be made for a Map Waiver to convert 18 residential dwelling units under or nearly under construction (building permit pending) into condominiums on a 0.511 acre property at 6767 Neptune Place.

(Collins / Costello 5-0-1)

In Favor: Collins, Costello, Leira, Welsh, Will

Oppose: none

Abstain: Benton

Motion Passes

5. PRELIMINARY REVIEW

Project Name: **AMIN RESIDENCE**
7001 Country Club Drive Permits: CDP
Project #: 355717 DPM: John S. Fisher, (619) 446-5231
Zone: RS-1-4 jsfisher@sandiego.gov
Applicant: C.A. Marengo, 858-459-3769

Scope of Work:

Coastal Development Permit to amend CDP No. 617242 to delete the consolidation of Lots 4-6 La Jolla Country Club Estates, Map No. 2167 and the construction of a 6,818 square foot, single family residence on a vacant 0.71-acre (30,784 sf) located at 7001 Country Club Drive in the RS-1-4 Zone within the La Jolla Community Plan.

APPLICANT PRESENTATION 05/13/14: (Claude-Anthony Marengo)

The presenter reviewed the project and the overall composition on the site. The landscaping was reviewed; it comprises 31% of the site. The FAR is 26%. A total of 6 parking spaces are provided, all covered. The site is retained by retaining walls at the Country Club Drive frontage and at the side drive. The proposed design is subject to some private agreements for height limits. Country Club Lane is a private drive which serves a total of four residences. No parking is provided on Country Club Lane.

The proposed project was presented, which is a courtyard plan on a level-pad concept, with a series of retaining walls at the cut and fill sides. Pedestrian and vehicular access is from Country Club Lane at the north side of the site.

DISCUSSION 05/13/14:

A discussion of the design focused on various aspects of the site development and the retaining walls.

Please provide for FINAL REVIEW:

- a) Please provide a materials sample board.
- b) Please provide more definition of the bulk and scale of the retaining walls fronting Country Club Way.
- c) Provide information about the lane fronting the easterly side, with the lane, retaining walls and vegetation.
- d) Provide a simulation of the view of the properties from the west to the east, north to the south, and from the east to the west.

6. PRELIMINARY REVIEW

Project Name: **LA JOLLA BEACH TOWNHOMES TM**
6633 La Jolla Blvd. Permits: CDP, TM
Project #: 353968 DPM: Glen Gargas, (619) 446-5142
Zone: RM-3-7 ggargas@sandiego.gov
Applicant: William Mack, 858.259.8212

Scope of Work:

(Process 3) Coastal Development Permit and Tentative Parcel Map to convert 4 residential dwelling units under construction into condominiums on a 0.115 acre property. The site is located at 6633 La Jolla Boulevard, in the RM-3-7 zone of the La Jolla Community Plan area and Coastal Zone (non-appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking, and Transit Area Overlay Zones, within the La Jolla Community Plan area.

APPLICANT PRESENTATION 05/13/14: (Will Mack, Barry Fast)

The proposed project was presented, which is a tentative parcel map application. The application will create the new condominium units previously recommended for approval. This application is for entitlement of the

previously-approved condominium units in Coastal Development Permit 437105. All utilities will be undergrounded. It is noted that Unit 4 of this project is changed from 3 bedrooms to 2 bedrooms.

DISCUSSION 05/13/14:

The tentative parcel map is a procedure that is necessary to create the separate ownership of the individual units. Members of the Public, Mark Bucon and Robert Gilmore, presented information about changes to the design of the parking garage and the number of units.

A discussion ensued about whether the first presentation of this project may be considered the final, requiring a unanimous vote. Committee members discussed changes to the project since the approval of the CDP. No motion was taken: the matter is continued.

La Jolla Traffic and Transportation Board: Minutes of Meeting, May 22nd, 2014

(Draft Minutes)

Attendance: Todd Lesser LJSA, Michelle Fulks BRCC, Tom Brady LJCPA, John Kassar LJSA, Patrick Ryan BRCC, Earl Van Inwegen LJTC, Corey Bailey LJVMA, Dave Abrams LJCPA, Donna Aprea LJTC

Absent: Joe Matibag LJVMA

Chair Comment:

There is a misunderstanding circulating around the community that the LJCPA has the final say on Traffic and Transportation issues in La Jolla. This is simply not correct. This issue came up because the LJCPA was attempting to change our meeting dates. I have reviewed the Bylaws of the La Jolla CPA and the La Jolla Traffic and Transportation Board and gone over them with the City.

The CPA Bylaws state:

Article II Section 1. Purposes

"The LJCPA has been recognized by the City Council, Planning Commission, City staff and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan, or a land use plan when a plan relates to the La Jolla Community Plan boundaries.'

(Nothing in here says that it makes recommendations to the City on Traffic and Transportation issues.)

Article VI Section 2 B 3 (Page 13) states:

"In order to achieve the diversity and equality of representations of the La Jolla community and to meet the objective of Council Policy 600-24 regarding broad representation of the various geographic sections of the community and diversified community interests, Community Joint Committees and Boards have been formed and ARE REQUIRED. The LJCPA shall appoint its Members to the following Community Joint Committees and Boards as long as each Community Joint Committee/or Board continues to meet."

(To say that LJCPA gets the final vote on Traffic and Transportation issues would make LJTT's votes meaningless, there would not be true diversity as required, and it would be contrary to Robert's Rules of order when only 1/5 of the membership of a Joint Committee's vote is the only one that truly matters. It is clear that LJTT is not a sub-committee of the LJCPA and LJCPA is merely a member of this Joint Community Joint Board and only a 20% voting member.)

Concerning the LJTT Bylaws.

Article II Purpose states:

"The purposes of the La Jolla Traffic and Transportation Board are: to serve as the focal point for traffic and transportation matters for the community of La Jolla with government agencies and with the public;"

(This language is clear and unambiguous.)

Secondly, in addition to the above, LJTT is to, "investigate, evaluate and propose recommendations to the Charter Organizations (see Art III. Section 3.1) on matters pertaining to [traffic] and transportation for the community of La Jolla."

Section 6.5 states; The La Jolla Traffic and Transportation Board is responsible to the Charter Organizations. The Executive Board shall furnish meeting minutes and shall make monthly reports to the Charter Organizations. The Executive Board shall furnish meeting minutes and shall make monthly reports to the Charter Organizations. Minutes, motions and any other traffic and transportation matters which have been voted upon by the Executive Board shall be forwarded as recommendations to the Directors and/or Trustees of the Charter Organizations for their consideration.

(No where does it state in the bylaws that the LJCPA gets the final vote. Each of the five community groups appoints two members to be their vote on this Joint Committee.)

Some projects have a Land Use and a Traffic and Transportation component. Historically, LJTT made the recommendations on the Traffic and Transportation issues and the LJCPA made recommendations on the Land Use issues. To do otherwise would make LJTT's bylaws meaningless and be contrary to 600-24.

Public Comment: Deco Bikes gave a presentation on where they plan on installing bike stations throughout La Jolla. They will be making a formal presentation later this summer. They plan on taking away 12 public parking spaces in La Jolla and there will be 13 stations. On the average 3 bikes per hour are rented per station.

Concerns were expressed about public parking being taken away and that the streets in La Jolla were old and not designed to safely handle bike riders and cars.

Voting Agenda Items

- 1. La Jolla Music Society Summerfest** – The La Jolla Music Society is requesting approval for their SummerFest Outdoor Concert at Ellen Browning Scripps Park on July 30th – Street Closure – Voting Item

Motion: Approve street closure 8am to midnight on July 30th . Motion: Michelle Fulks – Second– Tom Brady. Approved 9 – 0

2. Amendment to Eddy V's Valet Parking Permit—Eddy V's is requesting to amend their permit to also have valet parking to include Saturday & Sundays between 10:30 am to 11:30 - Voting item

Motion to Deny: Tom Brady – Second– Michelle Fulks

Motion to Deny passed (7 approved and 2 abstentions)

Patrick Ryan and Corey Bailey

This zone was previously approved on a trial basis.

Chair of LJTT has received complaints about the valet attendants not following the rules.

Applicant has admitted to not following the rules in the past and parking cars on the street instead of parking them in garages.

The board told the applicant that they could come back for another vote after they improve the signage and awning to say that the valet parking is available to the public and if they agree to have all employees sign a document that they will follow all the City's regulations.

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday, May 27, 2014

La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members present: Janie Emerson, Tim Lucas (secretary), Phil Merten (chair), Myrna Naegle, Bob Steck.

Members absent: Laura DuCharme Conboy, John Schenck.

1. Welcome and Call to Order: Phil Merten, Interim Chair : A brief description of the public input part of the project review process as given for the benefit of members in the audience.

2. Adopt the Agenda : Lucas drove by 7965 Paseo del Ocaso house on way to the meeting and the required notice is not posted on the property. Lucas feels that this should not be on the agenda. Note that no neighbors are present at this project review. The posted notice is important in that the notices sent out to residents within 300' sometimes get lost in the mail, and residents that are beyond the 300' distance also become aware of a project. The posted notice serves as a backstop in case the mailed notice gets lost. **Paul Benton:** There was a notice posted and he was at the house last Thursday and the notice was there. Notices sometimes get blown away, or even taken down by people trying to delay the process. Not having a notice posted today is not a reason to delay the hearing of this item. Lucas: You are responsible for keeping a notice posted. **Benton:** We are not responsible. Anyone with a bit of mischief in mind could extend these proceedings indefinitely by removing notices. Does not believe that the code specifies that the people have to have a perfect notice. We will restore the notice after this meeting. **Bob Whitney:** Has seen a notice posted in the past. Has not been by recently. **Merten:** Does not think that there is anything in our bylaws that says that we can't review the project.

Motion Emerson, Second: Naegle: Approve the agenda as published

Motion carries 3-1-1

Approve: Emerson, Naegle, Steck Oppose: Lucas, Abstain: Merten (chair)

3. Non-Agenda Public Comment – 2 minutes each for items not on the agenda : None

4. Committee Member Comments : None

5. Chair Comments: None

6. Project Review

6A. Ragen Residence

- Project No. 357715
- Type of Structure: Single Family Residence
- Location: 7956 Paseo Del Ocaso, APN: 346-503-10-00
- Applicant: Lindsay King
- 858-459-9035 Lindsay@AlcornBenton.com
- Project Manager: Glenn Gargas, 619-446-5142 GGargas@sandiego.gov

Project Description: PROCESS 3 - CDP and SDP to demolish an existing one story single family residence and the construction of a 3,268 sq. ft. single family residence at 7956 Paseo Del Ocaso. The 5,353 sq. ft. lot is located in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limit, Parking Impact Overlay, within the La Jolla Community Plan area.

Merten: This project originally came to the committee 3 or 4 years ago and was a remodel of the existing house. The committee requested the applicant at the time to come back with more information, but the project did not come back.

Benton: This is the same project number. The plans have been revised.

Presented by: Paul Benton and Lindsay King

This is a traditional house with two stories. The neighborhood is mostly single story houses, but there are several two story houses in the neighborhood. The owners wanted to fit in with the existing neighborhood, so they wanted a design where the second story was pulled back from the street, as well as all sides. A balcony was removed from the design to further provide separation from the neighbors.

- By going 2-stories, the footprint on the ground floor is reduced from the existing house.
- Upper floor pulled back from street and also from the rear and sides.
- Second story setback from street: 29'
- The present house is set below street level. When it was originally built, approximately 2' of dirt was removed to set the house down lower, presumably for privacy. This project will fill this in and be graded to the original street level. This will add 2' to existing grade. All height measurements will be based on the lower existing grade, however.
- Chimney is tallest point on the structure - 29' 11" top of chimney, based on the current lower grade.
- House roof height 27'

- Real Slate roof tiles will be used. White materials for the sides.
- The owners have met with the adjacent neighbors.
- FAR: 60%
- Lot Coverage: 46%
- Greenspace: 32.3%
- Setbacks, ground level: front=15', rear=25', south side= 4' at chimney, 6'3" at house, north side=varies from 4' at front to 6'3". Second story: Front= 29', sides: 8'4", rear=36'
- Perimeter garden wall height: 6' from finished grade. Rear of house is 7'8" height

Public comment: none

Committee discussion:

Merten: Is the garden wall surrounding the property measured from finished grade? What are the heights on the sides.

Benton: It is measured from finished grade per code. **Merten:** It looks like the rear wall is 7'8", it can only be a maximum of 6'. **Benton:** (after measuring). It is shown on the plans as 7'8". That was a mistake. I will mark on the plans that all walls will be limited to 6' above lowest grade (whichever side of the wall is lower).

Naegle: Likes the way the house has been pushed back from the street. I makes it appear to be a single story house. **King:** The second floor was set near the center of the lot. **Merten:** Good job setting the second floor back. Thinks the house is in scale with the neighborhood. Thinks this conforms to the Community Plan.

Lucas: After bringing in the dirt to fill in the lot, will this now be level with the neighbors houses on each side? **King:** It will be more level than it presently is, sitting in a depression. **Benton:** Possibly a foot higher than the neighbor on the North.

Motion: Steck **Second:** Emerson

Findings can be made to for Coastal Development Permit and a Site Development Permit for the Regan residence, 7956 Paseo del Ocaso, Project No. 357715, as depicted on marked up drawings on May 27, 2014, to reflect 6' high perimeter fences. The notations were made on plan sheet numbers: 0.0 and 1.3. Motion carries: 4-0-1

Approve: Emerson, Naegle, Merten, Steck; Oppose: ; Abstain: Lucas (still has concerns on the missing notice to be posted on the house)

6B. Wu Residence

- Project No. 361774
- Type of Structure: Single Family Residence
- Location: 7615 Hillside Drive
- Applicant: Francisco Mendiola 619-804-4463 Francisco@CDGIUS.com
- Project Manager: John S. Fisher, 619-446-5231 JSFisher@sandiego.gov

Project Description: PROCESS 3 - CDP and SDP to demolish an existing structure and the construct a 7,345 sq. ft. two story single family dwelling unit with a basement. The site is located at 7615 Hillside Drive. The site is located in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone , Coastal Height Limit, within the La Jolla Community Plan area.

Presented: Francisco Mendiola, Jess Gonzales, James Wu

This project had a previous CDP, but project was never built. This is a new, more compact project to fit in better. It is close to the footprint of the current house, which was built in 1964. This was a rental property for many years. New owner purchased the property recently and had three main principles for the design of the project. The new building had to be in context with the neighbors. The house had to fit the slope of the hillside. The design should follow the inside functions of the house. The resulting project being presented here is smaller and more compact than the previously approved design. A comparison.

- Proposed house entry and garage is in a similar location to the existing house.
- Setback in front is similar to the existing= 1' to property line, 15' to street.
- Side setbacks: 7' & 10'
- FAR= 32%, Lot coverage=17.8%, Landscape=71.8%, Footprint=13.57%
- Meets 30' height limit.
- House is two stories, plus basement on hillside below.
- A pool will be added away from the basement (not connected to the building). Pool equipment will be below the pool structure, covered for sound insulation.

- Second floor is shifted to the east, so neighbor above still has their view over the garage and side setback. This proposal is less bulky than the immediate neighbors.
- Present house has empty space under the first floor. The proposed design, is very similar, but the space is being filled in by the basement in this design.
- This house is a flowing, somewhat modern style. Neighbor house on east is Contemporary style. House on west is Tudor style. The neighborhood is very eclectic mix of styles.
- Neighbor property to east is higher. The proposed second floor is about the height of the neighbor garage.
- Property is on a steep hillside, but has been filled, so is not considered sensitive habitat.
- The proposed basement space is pulled back from the previously approved design, so it is disturbing the hillside less.
- 10' drainage easement on east side of property. Site drainage will be through this easement.
- A detailed model was presented to the committee showing the proposed house on the slope.
- A materials board was shown. Tan and brown colors. Wood trim.

Naegle: The city cycles notes that the house front yard setback is not in conformance with the other setbacks in the neighborhood. **Gonzales:** They have spoken with the city planner Peter Cho, and have provided him the setback survey. He agrees that they are in conformance, but he can not clear the issue until the plans have been submitted.

Steck: Are the neighbors concerned about their views? **Mendiola and Gonzales:** They have spoken with the neighbors and showed them the plans. They were quite pleased with how the house is set low and farther back from the hillside.

Lucas: Talk about the footer used to secure the house? **Mendiola and Gonzales:** They are using caissons. The system is a newer one, and require less depth than the previously approved project. Also, the house is pulled back, so requires less structure underneath. **Lucas:** Cycles noted that project exceeded the FAR on a steep slope. **Gonzales:** The slope has been disturbed so this is not considered sensitive habitat. The planner agrees and will clear this when the plans are submitted.

Lucas: Cycles also say that the design had a circular driveway which is not permitted due to not having enough frontage to the property. **Mendiola:** The city planner would not accept a second driveway. This has been changed and is shown as a single curb cut in these plans today. **Lucas:** I know of a house in my neighborhood that had a second driveway approved afterwards by the city, even though it did not meet the required frontage. This is a narrow street with poor visibility, having a second entrance would enhance the safety of this project. **Merten:** They would need to follow the variance process.

They could apply for this afterwards.

Merten: The pool is not connected to the house structure, and the area between is going to be grass? **Mendiola and Gonzales:** Yes. Separated by 6'. **Merten:** You could install pavers or grasscrete in this space, but if a slab was ever poured, that would be considered a connection to the house. In that case, the height limit would be calculated differently, and would be in violation of the 30' height limit.

Public Comment:

James Wu (owner): Has lived in Muirlands for 20 years and his children went to La Jolla High School. Is very grateful for the public school system here. He wants to be a part of the LJ Shores community.

Kim Whitney: What are the ceiling heights for the levels? **Mendiola:** From 8' to 10'.

Board Discussion:

Merten: How is site drainage being handled? **Mendiola and Gonzales:** Through natural drainage and site percolation. There is also a drainage easement, with a channel, on the east of the property that the house runoff will drain to. The house footprint is similar to the existing house, so the runoff should be very similar. **Merten:** Based on their presentation, they are trying to stabilize the hillside and will not spill drainage over the sides. It will be relatively easy for them to tap into the drainage easement and route runoff to it.

Myrna: She doesn't think the design is compatible with the neighborhood. There are some very small scale Spanish homes in the area. Thinks that this style is out of character. **Gonzales:** There is an eclecticism to the street, with lots of styles. There is no overriding architecture to this area.

Discussion on the motion:

Emerson: Does not understand the rules that determine if the lower portion is a basement or a floor. This lower section has lots of windows. **Merten:** Whether called a basement or a floor, doesn't really affect the design. **Emerson:** Would still like more information on these regulations.

Lucas: Thinks that this is a very respectful house to the neighborhood. The size of the house visible from the street fits in with other houses nearby. This has a smaller footprint than what was approved before. This is a very difficult building site. My biggest objection is with the city's reluctance to allow you to have a second curb cut to allow safe driveway access on La Jolla Shores Permit Review Committee, May 27, 2014, Minutes, Page 3 of 3

this narrow, winding, road with limited visibility. I urge you to pursue a variance to get a second driveway curb cut.

Merten: Will support the project. The mass of the house has been broken up, so it fits with other houses in the neighborhood. Although it has a different curvilinear expression from the rest of the houses, there are a lot of different styles on the street. The colors and scale of the house work, it is not increasing the profile on the street as compared to other houses. The setbacks are larger than the adjacent neighbors.

Motion: Steck Second: Lucas

Findings can be made for a Coastal Development Permit and a Site Development Permit to demolish the existing structure and construct a 7,345 sq ft house at 7615 Hillside Drive, Project No. 361774, based on plans presented today, dated March 15, 2014. Motion carries 3-1-1

Approve: Lucas, Merten, Steck; Oppose: Naegle; Abstain: Emerson (Needs more information, does not understand the regulations determining a basement versus a lower floor)

7. Discussion – SDMC Chapter 13, (Zones): Do the zoning requirements of SDMC Chapter 13, (Zones) Regulations apply to projects within the La Jolla Shores Planned District. (See La Jolla Shores Planned District Ordinance, SDMC Sec.1510.0107 Applicable Regulations)

Merten: This question was raised at the previous meeting. The reason to raise this has to do with the Development Services Department's lack of enforcement of the La Jolla Shores Planned District Ordinance, particularly, the application of the La Jolla Shores Design Manual over the last couple of years. Several years ago, Joe LaCava, Tony Chrisafi, and Merten met with DSD department chairman Kelly Broughton. He stated the reason that they are not applying the Design Manual when reviewing projects is that they would have to act like a design review board and make discretionary decisions. He stated that they are not going to do that. For the last few years they have been approving projects that one could easily argue, didn't comply with the Design Manual. We have a new Mayor and a new director of DSD. The Mayor's office directs the DSD, so there may be different directives being applied. Chapter 13 of the Municipal Code brings in several other sections of the Municipal Code to apply, including the section on Zones, if there is no conflict with a PDO.

At this point several handouts were reviewed: "The Application of Citywide Base Zone Regulation of Floor Area Ratios and Setbacks in the La Jolla Shores Planned District" by Rob Whittemore, dated June 28, 2011, and a response "Comments Regarding the City Attorney's Memorandum Pertaining to Application of City Wide Base Zone Regulations in the La Jolla Shores Planned District" by Phil Merten, prepared in 2011. The Whittemore document gives some of the history of the LJS PDO and the efforts to have the City recognize that citywide residential base zone regulations do apply. The City Attorney's Office did agree with this conclusion in a memo on April 18, 2007 by Wolfsheimer. Merten at that time produced his response (Comments Regarding the City Attorney's Memorandum...). There was a rebuttal to this by DSD director Escobar-Eck in a document on April 26, 2007. Whittemore rebutted the points in the Escobar-Eck document in a document on July 11, 2007. On November 10, a memorandum appeared from Maureen Green of the City Attorneys Office, simply stating that the earlier memorandum by Wolfsheimer had been retracted. This memorandum was never signed or authorized, and came 6 days after the general election in which the City Attorney (Aguirre) was not re-elected. Since then there have been changes in the City Attorney's Office and the Mayor's Office. Merten is not sure that we have a current opinion from the City Attorney as to whether the citywide residential base zones apply. Merten thinks it would be helpful from this committee's standpoint, and from a community planning standpoint to have a clear understanding on if the zone regulations do or do not apply. He originally made an argument at the time that the zone regulations do not apply. Since that time, the City has done a horrible job at applying the LJS PDO and Design Manual. It may be time to reassess whether these base zone regulations should apply.

Bob Whitney: Why are you bringing this up again? This has been reviewed and decided before. In the minutes from the CPA meeting Feb 2, 2012, Councilwoman Sherri Lightner's representative, stated that the City Attorney's office wasn't going to pursue this issue anymore. She also stated that the City Attorney said that if you want these zones to apply, then the La Jolla Shores PDO would have to be amended. Amending the PDO is really the correct way to do this. The second point is that if there is a conflict between the Municipal Code and the LJS PDO, the PDO clearly takes precedence. The PDO doesn't address FAR's and other zone issues.

Merten: If you look at setbacks, and the MC says that setbacks shall be some specified distance, but the PDO says that they should be in general conformity to those in the vicinity, you now have two different statements on the same subject. This is a conflict, and the LJS PDO would apply. For there to be a conflict, you have to have a statement from each side. Where one ordinance is silent on the issue, and the other ordinance is specific on the issue, then there is no conflict. Since the LJS PDO is silent on the issue of Floor Area Ratios, one could say the Municipal Code regulations apply. In my 2007

La Jolla Shores Permit Review Committee, May 27, 2014, Minutes, Page 4 of 4

memorandum, I argued that FAR's were a means of controlling the amount of development on a site. In the citywide regulations FAR's are used. In the LJS PDO, controlling the amount of development on a site is done in a different way. It doesn't establish an FAR, but instead establishes building setbacks in general conformity, it establishes a maximum residential building footprint of 60%, and it has a Design Advisory Board that is supposed to step in and make a decision on whether a project is appropriate or not in relationship to the community.

Bob Whitney: Here is a document from then City Architect Michael Stepner, that says that they chose not to have an FAR in La Jolla Shores, because they composed design regulations on projects instead. What you are asking for now is restrictions in FAR's and setbacks in the Design Manual. **Naegle:** That document is faulty, because in another letter, he claimed to be the author of the La Jolla Shores PDO, and that is untrue. He is not the author of the PDO. If he would misrepresent himself in this way, he would misrepresent anything else also, in my opinion.

Bob Whitney: Stepner is saying that they didn't impose an FAR because they imposed design regulations that substitute for them. **Lucas:** The LJS PDO specifically does not say that they did not implement FAR's for that reason. Whatever he says, is his interpretation, and I don't agree with it. **Whitney:** Stepner was the City's Architect and he was intimately involved with the decisions made with the LJS PDO. **Naegle:** If you look at the LJS PDO, Michael Stepner's name is never mentioned. Many other names of community members and City officials are listed as contributing to the development of the PDO, but Stepner's name is not.

Emerson: The problem of the the years is that the way we interpret the PDO is not the same as they interpret it downtown at the City. **Merten:** Stepner makes the case that we have a LJS PDO that says you are supposed to apply the Design Manual, but for the past several years we have had a Development Services Department that says they are not going to apply the Design Manual. This was right from a director of DSD. We now have a different Mayor and staff, so maybe they will review the issue again, and will start applying the Design Manual again.

Merten: Does this committee think that this is an issue worth further discussion and asking the LJ CPA to make a formal request to the City Attorney's office or the DSD to make an official determination on what regulations apply?

Bob Whitney: Based on the CPA minutes, the current City Attorney, says that you have to amend the LJS PDO. **Lucas:** But that's a political decision, on his part. He doesn't want to spend political capital in making a tough legal decision. He wants the community to spend 5 years of our time trying to write and amend the PDO instead. I think the argument Merten presented is right, that the LJS PDO is silent in this area and that the FAR regulations do apply. In the 1990's the DSD circulated a card for development in the Shores that showed FARs versus lot sizes. In the 1990's they were using FAR's in their decisions, and all of that went out the window when the Municipal Code was revised in 1998 and became effective in 2000, even though the section containing LJS PDO had not had any significant changes made to it since 1976. I think that this should be pursued, and maybe our City Attorney would make a tough legal determination this time. **Bob Whitney:** I think that you are barking up the wrong tree and following the wrong process by trying to change it I this way. The PDO needs to be amended.

Merten: Does the committee feel that is appropriate to put this on our agenda to ask the CPA to raise this issue with the City Attorney's office and get some clarification? **Emerson:** I think we should check with Councilwoman Lightner's office first and try to get confirmation of the City Attorney's statement. If it is correct, then this pursuit may be a dead end.

Merten: I will send an email to Councilwoman Lightner's office regarding the City Attorney's comments and copy everyone on it.

Adjourn
