



# La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month | 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](mailto:info@LaJollaCPA.org)

President: Bob Steck

Vice President: Helen Boyden

2<sup>nd</sup> Vice President: Brian Will

Secretary: Dede Donovan

Treasurer: Janie Emerson

---

## MINUTES

### Regular Meeting | Thursday, 4 January 2018

Trustees present: Ahern, Boyden, Brady, Collins, Courtney, Costello, Donovan, Gordon, Greatrex, Little, Merten, Rasmussen, Shannon, Steck, Weiss and Will

Trustees absent: Emerson and Palmer

*Items below are described in the order in which they were presented, retaining their original agenda numbers.*

#### 1.0 Welcome and Call to Order:

President Bob Steck called the LJCPA January 2018 Regular Meeting to order at 6:04 pm.

#### 2.0 Adopt the Agenda

The agenda was adopted with minimal discussion: (Donovan/Boyden) Yes 11/ No 1/ Abstain 1 (Steck abstained)

#### 3.0 Meeting Minutes Review and Approval

The draft minutes were approved without discussion: (Donovan/Collins) Yes 12/ No 0/ Abstain 2 (Steck and one other)

#### 4.0 Officer Reports

**4.1** On behalf of Treasurer Janie Emerson, Vice President Boyden reported that last month's balance of \$261.45 was supplemented by \$101.00 in collections at last month's meeting, minus a total of \$120.99 in expenses (\$39.39 printing + 81.60 AT&T telephone), for a net loss of \$19.99, yielding an ending balance of \$241.46.

**4.2** Secretary Dede Donovan paraphrased the following standard announcement:

If you wish your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: white ones for LJCPA 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 guests 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/](http://www.lajollacpa.org/). We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

## 6.0 President's Report

- 6.1** Election Committee: On behalf of Election Committee Chair Janie Emerson, committee member Joe LaCava summarized the eligibility rules for the upcoming March 2018 Trustee's election. Eligible candidates must have attended at least three LJCPA meetings in the preceding 12 months. As of the December meeting, 30 members were eligible to run for election as a Trustee. At present there are 6 openings for normally rotating positions, plus 2 off-cycle vacancies. In an effort to increase diversity, the Election Committee will be consulting all eligible members to encourage them to run.

## 5.0 Elected Officials' Reports

**4.1** Council District 1: Councilmember Barbara Bry

Rep: **Mauricio Medina**, 619-236-6611, [mauriciom@sandiego.gov](mailto:mauriciom@sandiego.gov)

Councilmember Bry will present a State-of-the-District address at 6 pm January 25<sup>th</sup> in the auditorium at University City High School.

**4.2** 78<sup>th</sup> Assembly District: Assemblymember Todd Gloria

Rep: **Javier Gomez**, 619-645-3090 [javier.gomez2@asm.ca.gov](mailto:javier.gomez2@asm.ca.gov)

Assemblymember Gloria will be Majority Leader in the coming session of the State Assembly. By October 2020 persons wishing to use their California driver's license or other State ID as identification at TSA airport security must have a "Real ID" form of these documents. Beginning January 22<sup>nd</sup>, renewals will be issued in this format. Passports will continue to be valid for TSA purposes.

**4.3** 39<sup>th</sup> Senate District: State Senator Toni Atkins

Rep: **Chevelle Newell Tate**, 619-645-3133, [Chevelle.Tate@sen.ca.gov](mailto:Chevelle.Tate@sen.ca.gov)

Senator Atkins will be the President Pro-Tem of the California Senate in its next session. Beginning this calendar year, several new laws have come into effect: the minimum wage has increased; high school exit exams are no longer required for graduation; and there are new laws requiring political campaign funding transparency.

## 7.0 Non-Agenda Public Comment:

**7.1** City of San Diego – Community Planner: **Marlon Pangilinan**, [mpangilinan@sandiego.gov](mailto:mpangilinan@sandiego.gov)

Mr. Pangilinan was not present.

**7.2** UCSD - Planner: **Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/>

Ms. Delouri was not present.

**7.3** General Public

Michael Allman, formerly a Sempra Energy executive, announced that he is a candidate for the 52<sup>nd</sup> Congressional District. He stated that he would set policy by polling constituents. He did not state a party affiliation.

Melinda Merryweather spoke regarding the public right-of-way at the foot of Princess Street that has been paved with pavers by the resident at the end of the street, replacing the blacktop paving that is used by the City on the rest of this street. She argued that this paving gives drivers the incorrect impression that the public street is private, and that they cannot therefore turn around in this space. This causes traffic problems when drivers back up without turning around. Trustee Dave Little suggested that signage be used to show that this is not private property, while other members argued that this area should be returned to blacktop paving to avoid any confusion.

Melinda Merryweather also announced that the LJCPA's recommendations regarding parking and bollards at the foot of Playa del Norte (Item 12.0 on the December Agenda) have been met with objections from some affected residents. There will be a meeting at the City, yet to be scheduled, to further discuss the available courses of action.

Nancy Manno raised the issue of ongoing congestion on Hillside Drive caused by trucks and other construction vehicles that reduce the narrow road to one lane. This matter will be taken up on the February LJCPA agenda.

Dave Ish described what he characterized as abuse of the permit process by speculative builders remodeling homes in Bird Rock. They first convert garages to carports, thus reducing the FAR of the property, and then they add a second story to the homes taking advantage of the additional FAR allowance they created. He also characterized the construction as shoddy and showed photographs. Because of the Process One permit (ministerial or non-discretionary) approach that was taken, neighbors were not noticed regarding these remodels.

**11.0 Sewer and AC Water Group 797 would like approval for a project tentatively scheduled for early 2019 to early 2021 (time certain 6:30):**

Jiaying (Jenna) Gu, Junior Civil Engineer for the City of San Diego, presented an overview of this water main replacement project. It is to consist of the following components:

- Install 300-linear-feet (LF) of new water main and replace 5293 LF of existing AC water main;
- Replace 2110 LF of existing VC sewer main, including associated sewer laterals and manholes;
- Use best management practices (BMPs) for erosion control, storm drain inlet protection and restoration of disturbed areas to their original condition;
- Resurface streets impacted by its construction activities;
- And install new curb ramps that will improve mobility access for people with physical disabilities.
- Work will focus on segments of: S. Girard Ave., E. Genter St., S. Calumet Ave., W. Sea Ridge Dr., Colima Ct., San Colla St., Ricardo Pl., Bandera St. and Linda Way.

Ms. Gu further explained that construction would not take place during summer beach and holiday shopping seasons. The sense of the following discussions was that water main replacement is a necessity that is supported by the community. Caution was also expressed regarding dust and disruption of access to affected properties, despite the best efforts of the City and its contractors. Ms. Gu stated that she had not requested approval. Trustees declined to consider approval of the project as requested by the City without being given documentation for what is proposed in the form of written plans, schedules, environmental documents, etc., upon which to base such an approval.

## **8.0 Non-Agenda Trustee Comment:**

Following on the comments of Dave Ish (in Item 7.3 above) regarding the lax protections afforded to neighborhoods by the Municipal Code, Trustee Dave Little raised two issues: First, there is a strong need for code reform with respect to Process One (ministerial or non-discretionary permits) that allow work-arounds and significant changes to properties without public notice. Second, the intent of the "50% rule" that allows significant remodels without full review, as long as 50% of the original exterior walls remain, is regularly circumvented.

Trustee Dan Courtney pointed out that there is a trend for properties to use bright spotlights for security and safety. He questioned whether claims that these lights are code-compliant are correct. He pointed out that the Municipal Code has rules on this that should be followed.

Trustee Mike Costello criticized the City Council's recent discussions on the matter of short-term rentals. He characterized the information that was presented as having been disproportionately driven by the moneyed interests of on-line rental companies such as Airbnb, to the detriment of the concerns of affected neighbors who oppose such rentals.

## **9.0 Reports from Ad Hoc and non-LJCPA Committees**

### **9.1 Community Planners Committee**

<http://www.sandiego.gov/planning/community/cpc/index.shtml>, John Shannon, LJCPA Rep.

The Community Planners Committee did not meet.

### **9.2 Coastal Access & Parking Board** <http://www.lajollacpa.org/cap.html>

The LJCAPB did not meet.

### **9.3 UC San Diego Long Range Development Plan CAG** <http://lrdp.ucsd.edu>

The UCSD Long Range Development Plan CAG did not meet.

## **10.0 Consent Agenda- Action Items**

Among the three items on the Consent Agenda below, Nancy Manno pulled Item 10.2. The remaining Items 10.1 and 10.3 were approved: (Boyden/Collins) Yes 15/ No 0/ Abstain 1 (Steck abstained).

- 10.1 Garbow – Hardiman Residence** Project No.: 547408; 7682 Hillside Drive. LA JOLLA - FLAT FEE (Process 2) Coastal Development Permit for a new single-family residence - currently vacant lot. The 0.23 acre site is within the non-appealable coastal zone (N-App-1) located at 7682 Hillside Drive, in the RS-1-5 zone of the La Jolla Community Plan area.

**DPR Motion:** Findings **CAN** be made for a Coastal Development Permit (Gaenzle/Ragsdale 6-0-1)

- 10.2 Liaghat Hillside Vacation & Residence** Project No.: 503701. 7520 Hillside Drive. Process 3, Coastal Development Permit/Site Development Permit (for a site containing Environmentally Sensitive Lands) Sewer Easement Vacation and Dedication to relocate existing 8' wide sewer easement to interior property line (and change width from 8' to 15' wide) to allow construction of new, two-story, single family dwelling unit, totaling 7,884-square-feet on a 0.51-acre property. The vacant site (APN 352-13-0030) is located on the south side of Hillside Drive directly north and adjacent to 7520 Hillside Drive, in the RS-1-1/ RS-1-5 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone and within the La Jolla Community Plan Area.

**DPR Motion:** Findings **CAN** be made for a Coastal Development Permit/Site Development Permit Sewer Easement Vacation and Dedication to relocate existing 8' wide sewer easement to interior property line (and change width from 8' to 15' wide) to allow construction of new, two-story, single family dwelling unit, totaling 7,884-square-feet on a 0.51-acre property (Costello/Collins 4-2-1)

- 10.3 5785 La Jolla Blvd Mixed Use** Project No.: 552695 (Process 4) Planned Development Permit and Coastal Development Permit for the demolition of an existing single story mixed use building for the development of a new 2-story 9,439 sq ft \* mixed use live/work building at 5785 La Jolla Blvd. The 0.173 acre site is in zone 4 of the La Jolla Planned District, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan Area. \*At the 12/19/17 DPR meeting the area was reported to have been reduced to 8,828 sf.

**DPR Motion:** Findings **CANNOT** be made for a (Process 4) Planned Development Permit and Coastal Development Permit at 5785 La Jolla boulevard as presented. The proposal does not provide for an on-site Loading Area with alley access as required by the Muni Code 159.0409(a), nor does it provide the 2 ½ ft Alley Dedication as required by the City of San Diego Street Design Manual to conform to the standard alley width. The proposal does NOT qualify for a Planned Development Permit, 126.0604, because it places a Loading Area next the Traffic Splitter Median, a necessary part of the safety requirement of the Bird Rock Traffic Plan. Therefore it WILL be detrimental to the public health, safety, and welfare, 126.0604(2). The substandard alley width WILL adversely affect the applicable land use plan, 126.0604(1). The proposal will result in a LESS desirable project if it is not designed in strict conformance with the development regulations, 126.0604(3). (Costello/Kane 6-0-1)

- 12.0 Consider making a request to the City to restore public access to the Bandera Street view corridor.**

On the west side of Calumet Ave., a 20' x 110' public right-of-way (ROW) at the end of Bandera St. is a designated view corridor within the community plan. A chain link fence is installed approximately 20' West of the sidewalk, preventing the public from accessing the ROW area and viewing the waves at this long established "surf check" location. The LJCPA was asked to hear

discussion and consider making a formal request to the City of San Diego to remove the existing fence and replace it with a suitable guard rail closer to the bluff edge, thus reestablishing public access to the view.

The discussion was initiated by nearby residents Steve Rossi and Mary Lynn Hyde, and by coastal access advocate Melinda Merryweather. They questioned the history of this ROW, which was given to the City by developers in 1955 for use as a park. Following the 2010 el Niño storm season, and the resulting bluff failures, the present fences were installed. Trustee Patrick Ahern raised the difficulty of changing the La Jolla Community Plan, which apparently includes the existing fence along the sidewalk side of the ROW. Trustee Dave Little described this as an absurd situation in which the access to the public ROW is locked, but neighbors have a key.

Steve Rossi stressed that the neighbors are willing to fund the improvement of this ROW area with access to views at the bluff edge. He said that discussions are in process with Hasan Yousef of the City's Transportation and Storm Water Department.

Trustee Brian Will asked about the current status of an earlier proposal from the neighbor to the south of the ROW to repair the bluff. Trustee Mike Costello stated that this neighbor had proposed landscaping in the ROW that obstructed the view corridor. And Trustee Dan Courtney noted that the neighbor to the south's plan, that was opposed by the LJCPA, has now been withdrawn.

Mauricio Medina from Councilmember Bry's office stated that the City is earnestly working on the issue.

Trustee Helen Boyden and other Trustees urged the presenters from the neighborhood to prepare a plan that, for sake of easier implementation, minimizes changes in the Community Plan. Such a plan should first be heard by Parks and Beaches before coming to the LJCPA. The sense of the room was that there is generally strong community support for the neighbors' proposal.

**13.0 Possible adoption of a resolution prepared by Helen Boyden, with input from Philip Merten, to provide guidance to subcommittees and boards for scheduling projects.**

Their proposed resolution states:

The LJCPA resolves that in order to allow fully informed neighbors, communities and trustees to comment on and evaluate possible recommendations to the City, the various subcommittees and boards as well as the Trustees of the LJCPA should follow these guidelines:

1. No hearings shall be scheduled until at least fifteen days after the date of the Notice of Application/Future Decision, and at least fifteen days after the Notice has been posted on the property.
2. In order to place a discretionary project on a committee agenda, the initial Project Assessment Letter and Cycle Issues Comments for the project shall have been received by the LJCPA/committee chair and distributed to committee members at least 72 hours prior to the projected meeting date.
3. Information only presentations are most effective when scheduled for projects that have not yet applied for a discretionary permit. Once an applicant has applied for a discretionary permit and the required notices verified and cycles received, an action presentation is preferred. If changes are suggested during the hearing, either the

committee or the applicant can request a continuance, or changes can be made and authenticated at the meeting.

Trustees Merten and Boyden began the discussion by advocating the need for better process in interactions among the City, neighbors, and proposed development projects. Architect Michael Morton spoke against the delays in projects that would result from the proposed recommendations, noting that much information, but not actual plans, is already available on the City's "DSD Open" website. La Jolla resident Kathleen Neil argued that there is a need for changes to improve access to the process by concerned neighbors. Trustee Dave Gordon argued against the need for such measures, especially regarding the 15-day delay in Guideline 1, which he believes is too long. He agrees that the cycle issues are important, but believes they are already adequately addressed by the current process. On the other hand, Trustee Merten believes that a 15-day hearing delay period is needed to gain neighbors' participation.

Gail Forbes commented that hearing this issue before the LJCPA without prior consideration by appropriate subcommittees is a denial of due process.

Trustee Mike Costello pointed out that sometimes the required notices are actually put up at the "last minute", thus discouraging adequate input from affected neighbors. He stated that it would be good to have a policy. Trustee Ray Weiss noted that there seemed to be a significant gap between the perceptions of the development professionals, who are intimately familiar with these processes, and those of the neighbors who often know nothing about the process when they are first confronted with a new project in their neighborhoods.

Trustee Patrick Ahern opposes the 15-day provision, but favors the second item concerning cycle issues. But Trustee Merten described opposition to the 15-day issue as a "red herring" because the City takes much more time than that to prepare its assessment letters, and Trustee Gordon added that the 15 days "accomplishes nothing". Trustee Boyden reiterated that she believes the proposal is reasonable. And Trustee Little again raised the issue of poor dissemination of information in non-discretionary permits.

Trustee Dede Donovan then successively moved approval of each of the three subsections of the proposed recommendations. All three were approved according to the following votes:

Subsection 1: (Donovan/Costello) Yes 12/ No 3/ Abstain 1 (Steck abstained)

Subsection 2: (Donovan/Courtney) Yes 12/ No 3/ Abstain 1 (Steck abstained)

Subsection 3: (Donovan/Boyden) Yes 13/ No 3/ Abstain 1 (Steck abstained)

#### **14.0 Selection of the February LJCPA Minutes-Taker**

Trustee and Secretary Dede Donovan will take the minutes.

#### **15.0 Adjourn to next LJCPA Meeting: February 1, 2018, at 6:00 pm**

The meeting was adjourned at 8:10 pm.

These minutes were taken by LJCPA Trustee Ray Weiss and edited by Vice President Helen Boyden and Secretary Dede Donovan.