



La Jolla Community Planning Association

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

Contact Us:

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President: Bob Steck

Vice President: Helen Boyden

2nd Vice President: Brian Will

Secretary: Dede Donovan

Treasurer: Janie Emerson

FINAL Minutes

Annual Meeting & Regular Monthly Meeting | Thursday, 1 March, 2018

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

Trustees absent: N o n e

*Trustee Courtney arrived late and Trustee Donovan left early, which accounts for variations in the total number of trustees voting.

Annual Meeting

1.0 Welcome and Call to Order: President Bob Steck at 6:08 PM

*Please turn off or silence mobile devices
Meeting is being recorded*

2.0 Verify Quorum (Need 20% of total Membership: 136 Members= 28)

Quorum verified.

3.0 Adopt the Agenda

Approved Motion: To adopt the Agenda: (Emerson/Donovan: Motion passes without opposition)

4.0 Non-Agenda Public Comment (Opportunity for public to speak on matters not on the agenda, 2 minutes or less.)

No public comment.

5.0 Officer Reports

5.1 Treasurer

The LJCPA Treasurer reported that the CPA has \$569.17 in its bank account.

5.2 Secretary

The LJCPA Secretary stated that if you want your attendance recorded today, you should sign in at the back of the room.

LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit 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 can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. If you do not attend one meeting per year, your membership will expire. 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. 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.

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6.0 Time Certain 6:15 p.m. Pipeline Rehabilitation AP-1 Project – Information only. Rehabilitating about 4.25 miles of deteriorated sewer mains. Also included will be manhole rehabilitation, repair and replacement, rehabilitation of all sewer laterals. Most work is slated for the Mt. Soledad area of La Jolla Shores with some adjacent areas. Construction is planned for December 2018 to August 2019. Presentation by City Personnel with possible scope changes.

Presenter: Steve Bliss, City Engineer.

In response to questions from trustees, Mr. Bliss stated that the estimated completion date is August of 2019. The affected neighbors will be notified in three ways: 1) On completion of the design, a notice will be sent out; 2) As the bids are awarded, notices will be mailed to anyone within a 300-foot radius of anything being restored pursuant to the project; 3) As construction begins, city personnel will put door hangers on the doors of persons to be affected by the work. The interior of homes in the area will not be affected in terms of decreased water pressure or turned-off water.

7.0 Adjourn to Regular Meeting

Regular Meeting | Thursday, 1 March, 2018 immediately following Annual Meeting

1.0 Welcome and Call to Order: President Bob Steck

*Please turn off or silence mobile devices
Meeting is being recorded*

2.0 Adopt the Agenda

Agenda already adopted during Annual Meeting.

3.0 Meeting Minutes Review and Approval

Approved Motion: To Approve the Minutes of 02-01-2018. (Donovan/Greatrex: 13/0/1) (CPA President Bob Steck abstained in his capacity as chair.)

4.0 Officer Reports

4.1 Treasurer

**La Jolla Community Planning Association
Treasurer’s Report for March 1, 2018 Regular Meeting**

Beginning Balance as of 2/1/18	\$ 720.50
Income	
• Collections	\$ 176.00
• CD Sales	\$ <u>0</u>
Total Income	\$ 176.00
Expenses	
• LJCPA website maintenance	\$ 191.81
• Agenda printing	\$ 57.06
• AT&T telephone	\$ <u>78.46</u>
Total Expenses	<u>\$ 327.33</u>
Net Income/(Loss)	\$(151.33)
Ending Balance of 2/28/18	\$ 569.17

4.2 Secretary

The LJCPA Secretary's announcement concerning membership eligibility was made during the Annual Meeting.

5.0 Elected Officials – Information Only

5.1 Council District 1: Councilmember Barbara Bry

Rep: **Mauricio Medina**, mauriciom@sandiego.gov

No report.

5.2 78th Assembly District: Assemblymember Todd Gloria

Rep: **Javier Gomez** 619-236-6633 javier.gomez2@asm.ca.gov was not present.

5.3 39th Senate District: State Senator Toni Atkin

Rep: **Chevelle Newell Tate**, 619-645-3133, Chevelle.Tate@sen.ca.gov was not present.

6.0 President's Report – Information only unless otherwise noted

6.1 The annual election of LJCPA trustees is being held in the Irving Gill Room. The polls will close at 7:00 PM. You must provide proof of identity and be a current member. Results will be announced after the votes have been counted. Any challenges to the results must be received within one week. If none are received the results will become final on Thursday March 8.

6.2 At the April 5, 2018 LJCPA meeting, the trustees will elect the officers for the 2018-2019 year. All officers are eligible to be re-elected for that term. However, the current secretary and treasurer will no longer be serving as trustees.

6.3 At the May 3, 2018 LJCPA meeting, the President will nominate LJCPA representatives to committees and subcommittees. The LJCPA has four subcommittees, a membership committee and two representatives to the UCSD long range planning committee. Subcommittees choose their own chair. The President names chairs for all other committees.

6.4 The City Auditor has notified the LJCPA that it is among about 19 CPGs (3 in CD 1) that are being audited for adherence to 600-24 and Administrative guidelines. Information is due March 14.

6.5 Princess Street: Melinda Merryweather has requested that the issue regarding the pavement at the foot of Princess Street be heard by the CPA in April.

6.6 Bandera Street project: This week the City was expected to begin installation of the new post and chain style barrier 15 feet from the edge of the bluff. Additionally, a barrier to prevent vehicular access will be placed near the sidewalk.

6.7 The T&T did not have a quorum and therefore rescheduled the Hillside construction issue for March. It is likely the LJCPA will hear the item in combination with the DPR recommendation on this subject in April.

6.8 Correspondence report:

a. A letter requesting review and change to the City's "Notice of Decision" form for Process 2 projects has been sent to the requested individuals, per motion of February 1, 2018. City Council President Pro Tem Barbara Bry's office has acknowledged receipt but not as yet provided a substantive response.

b. The LJCPA letter regarding La Jolla Parkway has been received at City Hall and Mauricio Medina, City Council President Pro Tem Barbara Bry's representative, has informed the CPA that he has requested that the Mayor's staff respond to it.

7.0 Non-Agenda Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

7.1 City of San Diego – Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov

No report.

7.2 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu

The UCSD Koman Family Outpatient Center is open and in operation. Its address is 9400 Campus Drive, next to the Moore Cancer Center. The UCSD Community Advisory Group met on Feb. 21; the subject was transportation.

7.3 General Public: was heard in the Annual Meeting.

In fact, the members of the public present at the Annual Meeting had no comment.

8.0 Non-Agenda Trustee Comment

Costello: An article appeared recently in the press accusing Coastal Commission Trustees of violation of the Brown Act. All LJCPA Trustees should note that if they want to get information out to the members of the CPA, it must go first to the President with a request that s/he distribute it to all Trustees.

Little: The City of San Diego's push on affordable housing cannot succeed without subsidies.

Weiss: The break in the fence where the car went off Torrey Pines Road needs to be repaired.

Brady: An interview in the San Diego Union Tribune of 11/27/2017 suggested that mentally-ill homeless persons be housed in tiny houses placed in local back yards under the ADU ordinance. The goal is admirable, but query whether doing so would violate our zoning laws.

Little: Question to Mauricio Medina, Barbara Bry's representative to the CPA: What was the response of the City Attorney when your office raised the matter of the correct interpretation of Prop. D's provisions regarding height?

A: If I recall correctly, the response was that an interpretation of the type that Trustee Little and Mr. Geoff Page are seeking would require a new ballot initiative.

Costello: Statement to Mauricio Medina, Barbara Bry's representative to the CPA, with request that it be relayed to President Pro Tem Bry. During her campaign, Bry assured Residents for Neighborhoods that she supported enforcement of the Municipal Code which, according to the City Attorney's Office, means no vacation rentals are allowed. Since her election, Bry has reneged on that promise and appears willing to let Airbnb do whatever it wants. She should be aware that she has lost support.

Gordon: All documents distributed to Trustees must also be made available to the public.

Boyden: All document distributed to the Trustees for this meeting are available in the black binder on the sign-in table at the back of the room.

Gordon: In this day and age, "making available to the public" does not mean putting documents in a binder at the back of a meeting room at the beginning of a meeting.

Little: Gordon's comments reveal a misunderstanding of the Brown Act. The purpose of the Brown Act is to ensure that elected officials do not discuss issues out of the hearing of the public.

9.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

9.1 Community Planners Committee (CPC)

<http://www.sandiego.gov/planning/community/cpc/index.shtml>

Trustee John Shannon, the LJCPA's representative to the CPC, reported as follows:

1) Councilmember Georgette Gomez is the new chair of the Smart Growth and Land Use Committee which is seeking to find ways to free up new land for affordable housing; 2) The City of San Diego's master plan for parks is currently being reviewed by an outside consultant; 3) Regarding the City's audit of selected Community Planning Groups, CPC members are concerned there may be a push to disempower Community Planning Groups; 4) Land value recapture by City's public coffers rather than by profiteers may be possible by rezoning; 5) The Bike Share Plan is a go according to a document from the Mayor.

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

No report.

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

Trustee Cindy Greatrex reported on the Feb. 21 CAG meeting about transportation. UCSD is making a major effort to solve the transportation problems of its students, faculty and staff. Worthy of special note are the new bike-share program, SPIN, and a new Zip-car on-campus car rental program which is available to the general public.

10.0 Consent Agenda- Action Items

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Mike Costello, 2nd & 3rd Tuesday, 4:00

PRC – La Jolla Shores Permit Review Committee, Chair Dave Gordon 4th Tuesday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may comment on consent items.

→ See Committee minutes and/or agenda for description of projects, deliberations, and vote.

→ Anyone may request a consent item be pulled for full discussion by the LJCPA.

Vice-President Boyden pulled Item 10. 1, “ Black Halibut,” from the Consent Agenda.

10.1 Black Halibut Project #516011 Process 3) Site Development Permit and Coastal Development Permit for demolition of an existing 2,578 sq ft single story residence and 639 sq ft building. Proposed construction of a new two story (over basement) 6,927 sq ft single family residence (proposed FAR 0.60). The 0.27 acre site is located at 8470 El Paseo Grande within the Coastal Overlay Zone (appealable area) and the Sensitive Coastal Overlay Zone, in the LJSPD-SF zone of the La Jolla Shores Planned District Area within Council District 1.

PRC Motion: Findings CAN be made for the Site Development Permit #: 516011, and Coastal Development Permit. Steck, Preisendorfer (4-2-1)

10.2 Spindrifft Residence Project #: 584820: (Process 3) Site Development Permit and Coastal Development Permit for the demolition of an existing dwelling unit and construction of a new 6,374 SF, two-story dwelling unit over basement, 453 SF guest quarters above open cabana, and new pool at 1834 Spindrifft Dr. The 0.57 acre site is located within the Coastal Overlay Zone (appealable), First Public Roadway in the LJSPD-SF zone(s) of the La Jolla Shores Planned District Area within Council District 1. PRC Motion: Findings CAN be made for Site Development Permit and Coastal Development Permit (CDP) Project #: 584820. Edwards, Emerson 6-0-0. Crisafi Recused.

Approved Motion: To approve Consent Agenda Item 10.2 (Item 10.1 was pulled for review) (xxx/xxx: 0-0-0)

11.0 Action Items

The following agenda items, when marked "Action Item," can be a *de novo* consideration of the Item.
Prior actions by committees/boards are listed for information only.

< ACTION ITEMS ON FULL REVIEW >

11.0 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) Pulled from the January 2018 LJCPA consent agenda.

LJCPA February 1, 2018 Approved Motion: To return the Liaghat Project to the DPR to review the environmental document, put together a mitigation plan, and bring it back to the CPA for action in the March meeting. (Merten/Emerson: 12-0-1).

DPR Motion (2/20/2018) Findings CAN be made for CDP ... with the exhibits A-a, A-b, A-c as presented by the applicant which address and mitigate the cumulative impacts of multiple construction projects on Hillside Drive. Kane/Collins 9-0-0.

Discussion will be limited to the mitigation information presented by the presenter, Mr. Liaghat.

Mr. Liaghat announced that he will be taking the following measures to mitigate damage and disruption to Hillside Drive and its environs: 1) He will hire a van to shuttle workers in and out; 2) No trucks shall enter unless a loading/unloading sequence plan has been worked out; 3) He will make his cell phone number available to the neighbors so that they may express concerns and complaints directly to him – he expects to be only five minutes away; 4) He will approve the SWRP plan as he has been asked to do; 5) He will build a temporary pad for parking cars connected to the site off the street; 6) Only when the temporary pad has been built, will he commence construction of the temporary shoring and the permanent pad for the house; 7) In stage 4 of the construction, which includes an elevation on the right side of the site, he will make the driveway running from the back of the garage to the street available for parking of construction-related vehicles.

The over-all plan is to build from the back to the front of the site, thus always leaving open space at the front of the site for cars and trucks until the construction is almost completed, at which point the driveway will have been completed, providing space for almost ten cars so they need not park in the street.

Public Comment on the Liaghat Project from Neighbors

Joe Manno: It will take 6 months just to get through stage 1 of the project. Further, there remains a problem with drainage coming down the hill. The lot is not buildable.

Chris Day: Thank you for all the mitigation measures you have taken. I would still ask you to consider full-time site supervision. Just giving us your cell phone number makes us be your full-time on-site supervisors.

John Hillcrest: Safety considerations are foremost for me. You cannot safely pour concrete on a street that is 20 feet wide and has hairpin turns. Further, the City's Mitigated Negative Declaration has expressly said that cumulative-impact damage was not considered.

Kianoosh Radsan: I am in favor of freedom of the press, but I want it to be made very clear that I do NOT have a shotgun. I have a broomstick. My card was canceled because of the press report that I have a shotgun. Further, would you please put up a "No Smoking" sign on the site.

Nancy Manno: Thank you for all your mitigation efforts. However, this site is not reasonably amenable to development. May I ask you how many square feet the home at this point is? A: 7800 square feet not counting the garage. If the garage is included, it is 8000+ square feet.

Trustee Comment on the Liaghat Project

Brian Will: Applicant made an effort to reduce the project's impact when viewed from the street.

Approved Motion: Approve the project with the additional Exhibit A drawings showing parking areas during the various phases of construction (Emerson/Boyden: 11-2-2)

12.0 Parking Spaces on Coast Blvd. adjacent to Scripps Park – Request by La Jolla Cove Hotel to convert head-in parking spaces back to diagonal (Susan Stevens) Pulled from February consent agenda. T&T Motion: to request the City revisit and reevaluate the conversion of diagonal parking to head-in parking for the seven newly created parking spaces on Coast Blvd adjacent to Scripps Park due to complaints of traffic congestion and safety issues that has arisen: Brady, Second: Goulding 7-0-0

Applicant was not present. Applicant's Request was not heard. Will be rescheduled for April 5.

13.0 La Jolla Concours d'Elegance - Request for Temporary Street Closure and No Parking areas related to the 14th annual event at Scripps Park on April 6, 7 and 8, 2018 – Presenter: Michael Dorvillier:

La Jolla Concours d'Elegance temporary exhibit will function the same as previous years. Mr. Dorvillier distributed a plan drawing depicting the Show's layout in Scripps Park. Profits go to the La Jolla Historical Society

Public Comment:

Merriwether: Exhibit should be restricted to a smaller area so that the remainder of Scripps Park would be open to the public.

Trustee Comments:

Collins: Asked about street parking on Coast Blvd.

Little: Public parks should not be used for private purposes. Parks should remain open to the public.

Courtney: Questioned the price of tickets for General Admission and Special Admission. Suggested use of transparent fencing on Coast Blvd. Side.

Ahern: Concours d'Elegance brings outside money to La Jolla businesses.
Shannon: Concours d'Elegance is a world class exhibit.

Approved Motion: To approve the temporary street closure (Gordon/Ahern: 11/2/1)

14.0 Waiver of the annual beach area construction moratorium for the Children's Pool Walkway Beautification project –We have been requested by La Jolla Parks and Beaches to support their request for this waiver.
Presenter: Trustee Ahern.

Ahern explained the Waiver will reduce construction time and construction cost. CPA should support the Parks and Beaches Committee request

Approved Motion: To support a waiver of the construction moratorium for the Children's Pool (Gordon/Greatrex: 13/0/1)

Trustee Janie Emerson, who had been supervising the counting of the votes in the Trustee election, returned to the meeting at 7:50 PM.

15. Liaghat Project MND: Consideration of responding to the DMND for this project and/or using it as an example to illustrate flaws in the City's failure to consider cumulative impacts of multiple construction activities in one residential area. Presenter: Diane Kane, a member of the DPR Committee of the CPA.

Kane: In response the DRAFT MND for the Liaghat Project, I prepared a letter citing the City's failure to consider cumulative impacts of multiple construction activities in the same area. The letter also recommends that construction management plans should be part of the applicant's submittal package for all projects and that the City should collect Construction Impact fees to pay for mitigation measures to lessen the negative impacts of construction.

Will: The effects of construction on the environment should be considered by the City.
Gordon: The City is not doing its job.

Diane Kane: It should be noted that the DPR did pass a motion on this subject but did not endorse a specific letter. See motion below. The letter presented here tonight has not been reviewed by the DPR Committee.

DPR MOTION (2/20/2018) The committee will draft a letter for CPA ratification which challenges the draft MND as inadequate for the subject project. It does not address the significant cumulative impacts of multiple construction activities on Hillside Drive. The applicant has volunteered to take necessary steps to address and mitigate these concerns and should be commended, but these efforts should be considered on all projects and required where appropriate. 8-0-0

Approved Motion: The letter prepared by Diane Kane will be sent to the City. (Emerson/Boyden: 11/2/2)

16.0 Serial Permitting to Avoid Coastal Development Permit Review. Consideration of a letter to the City requesting information on how DSD addresses such applications. Suggested letter sent to trustees. Presenter Trustee Merten.

Merten read the draft letter to the assembly and explained Serial Permitting. He suggested adding sentences asking “Is the DSD aware of current projects in La Jolla that are utilizing 'serial permitting' to almost totally replace existing buildings without CDP review? What is the DSD doing about them?”

Costello: Serial Permitting should be stopped before it catches on with even more developers.

**Approved Motion: Approve the draft letter with Merten’s suggested additional sentences.
(Little/Costello: 14/0/1)**

Trustee Election Results announced by President Steck:

Elected to a 3 Year Term

Patrick Ahern	47 votes
Matt Mangano	46
Tom Brady	45
Diane Kane	43
John Shannon	43
David Little	40

Elected to a 2 Year Term

Suzanne Weissman	37
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Not Elected

Michael Morton	16
Tim Steck	1

17.0 Consideration of request from Geoff Page to ask the City Attorney to opine on “how the DSD believes height can be measured according to Proposition D.” Presenter: Geoff Page:

Page: Explained how developers are circumventing the intent of the Prop. ‘D’ 30-foot height limit by measuring building height from a new raised finish grade instead of from the existing grade.

Little: Endorsed the request to have the City Attorney opine on measuring building height according to Prop. ‘D’.

Merten: Explained why Geoff Page’s concerns only apply to those small areas of La Jolla with a Residential Multi-Family (RM) zoning designation, for example apartments and condominiums, where 40 feet is the maximum height limit according to the San Diego Municipal Code (SDMC). The city-wide building height limit per the SDMC in the RM-2-4, RM-3-7 and RM-3-9 zones is 40'. These RM Zones in La Jolla are at the top (south end) of Girard Avenue and east of Wind 'n Sea beach. The SDMC limits building height to a maximum of 30 feet above existing grade everywhere else in La Jolla. The confusion arises from the fact that La Jolla's RM zones are also in the Coastal (Prop 'D') Height Limit zone and are, under Prop D, limited to a maximum of 30 feet.

In the non-RM areas of La Jolla, the SDMC 30-foot height limit is more restrictive than the Prop. 'D' 30-foot height limit. Whereas the Prop. 'D' height limit is measured from finished grade because Prop D did not specify 'existing' grade when it was written and passed, the City's only definition of 'grade' at the time was contained in the Uniform Building Code which San Diego had previously adopted. When Prop. 'D' was passed, the Uniform Building Code defined 'grade' as being the finished grade around a building. It was many years after the passage of Prop. D that the SDMC defined *grade*, for purposes of measuring structure height, as being *existing grade* or *proposed grade* whichever is lower.

Will: Explained how 30-foot and 40-foot building heights are measured in the RM zones.

Approved Motion: To ask City Attorney to opine on "how the DSD believes height can be measured according to Proposition D (Collins/Emerson: 12/2/1)

18.0 Selection of April minutes-taker pending election of secretary in April:

Cindy Greatrex volunteered to be the April minutes-taker.

19.0 Adjourn to next LJCPA Meeting: Thursday, April 5, 2018 at 6:00 PM

The meeting adjourned at approximately 9:30.

Minutes respectfully submitted by Dolores Donovan (Items 1.0-11.0) and Phil Merten (Items 11.0-18.0.)