

La Jolla Community Planning Association Trustee Meeting Final Minutes

6 August 2020

Regular Meetings: 1st Thursday each month, La Jolla Recreation Center, 615 Prospect St

PO Box 889, La Jolla CA 92038
<https://lajollacpa.org>
info@lajollacpa.org

President: Diane Kane
1st Vice President: Greg Jackson
2nd Vice President: Helen Boyden
Secretary: Suzanne Weissman
Treasurer: Mike Costello

LJCPA meetings currently are online only. Instructions for registering:

<https://lajollacpa.org/ljcpa-online-meeting-instructions/>

Copy and paste the URL into your browser if clicking on it doesn't work. Those who wish to attend (including viewing, listening, and possibly speaking at the meeting) must register in advance.

Meetings are recorded. Please make sure mobile or noisy **devices are off** or silent, and in online meetings keep microphones muted except to speak. Please **address the chair** and refer to projects or issues, not to applicants or opponents. Chair calls on public and then trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands as appropriate.

LJCPA welcomes donations in cash at physical meetings or by check to "LJCPA". Please email the Treasurer (emsmike@san.rr.com) for instructions and address.

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the issues or projects are considered by the LJCPA:

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Vice Chair, Andy Fotsch, 3rd Monday, 4:00 pm

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

Supplemental materials & comments for projects, issues, & reports:

<https://lajollacpa.org/ljcpa-8-6-2020-materials-comments/>

Trustees Present: Ahern, Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Jackson, Kane, Little, Mangano, Neil, Steck, Weiss, Weissman. **Absent:** Manno, Shannon

1. Call to Order (6:06pm)

1.1. Approve Agenda (action item)

Approved unanimous vote

1.2. Approve Minutes (action item)

July 2, Pg. 4 add to first motion: to oppose housing component; ask City Council not to docket CC to allow time for changes; to allow CPG's and other stakeholders to review it; request infrastructure component before considering approval; separate out transportation element for independent review and adoption;

Pg. 4 next motion: replace *separate* with *support*

Last bullet point: change 20 to 30 ft.

July 16, Pg. add Motion: Ratify CPC motion at 7/7/20 meeting stated above (restated from above)

Pg. 6, replace *special* with *specific*

Motion: Approve minutes with corrections (Jackson/Brady) Vote: unanimous, 1 abstention.

2. Non-Agenda Public Comment

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

Morton: I request CPA to send letter requestion the City to enforce and start fining the individual for Stop Work order at 1395 W. Muirlands Dr. They are continuing to work there. The issues with Code Enforcement are egregious.

Ahern: This action Item will need 72 hour notice.

Neil: Add this item to the agenda with 2/3 vote.

Motion: Add this action item to agenda now as this is a time sensitive issue.
(Neil/Costello) **Vote:** 12-3-1: 2/3 motion carries.

In Favor: Ahern, Brady, Costello, Courtney, Davidson, Ish, Little, Mangano, Neil, Steck, Weiss, Weissman

Opposed: Boyden, Fitzgerald, Jackson

Abstain: Kane (chair)

3. Write Letter re Code Enforcement (action item)

Weiss: Can we draft a generic letter to send asking for enforcement each time we are advised of code violation. Code violations happens often.

Little: How should City respond since they have already addressed the issue?

Fitzgerald: Code compliance is not the responsibility of CPA. We can send letters individually.

Weiss: We are advisory, not enforcers.

Morton: This is an ongoing issue for 2-3 months. CPA could put pressure to City to act.

Ahern: If this is a land use issue – no permit – it has to do with implementation of the land use plan and that is our job.

Morton: Part of the issue is to get a CDP and grading permit. Need work to stop so we can review before work is complete.

Hadley: Does this group want to address things when there is development outside the code and process?

Kane: What is our jurisdiction? Can we respond when projects are outside the normal realm of process? What is vehicle to get projects back into the system?

Motion: Send letter to support enforcement of stop work order that may help our chances to be able to review the project. (Davidson/Weissman) **Vote:** 11-4-1: Motion carries.

In favor: Boyden, Brady, Costello, Courtney, Davidson, Ish, Little, Mangano, Neil, Steck, Weissman

Opposed: Ahern, Fitzgerald, Jackson, Weiss

Abstain: Kane (chair)

4. Continue Non-Agenda Public Comment

Merten: At the appeal of the Kolmar Project at the Planning Commission on July 30, Commissioner Boomhower made disparaging remarks about the Planning Association and La Jollans in general. While he may be entitled to his opinions about the Planning Association, he is not entitled to ignore the Municipal Code. The MC requires that projects comply with the MC and the Community Plan. Boomhower ignored this and his responsibility to consider the CPA. Commissioner Austin alluded to the fact that our project was not in conformance with our Community Plan, but it did conform with other transitional projects in the area. Both committed a dereliction of duty by not complying with the MC. I prepared a draft letter calling for the resignation of those individuals and hope that this letter will be on the agenda next month for your approval.

Emerson: I hope you will visit our outdoor dining street closure and walking promenade Avenida de la Playa in LJ Shores until the end of Sept. It took 4 months of planning to support local businesses.

5. Consent Agenda (consolidated action item)

The Consent Agenda enables LJCPA to ratify recommendations of joint committees or boards in a single vote, upon which those recommendations become the recommendation of LJCPA. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LJCPA at a future meeting.

5.1. 524 Palomar (650633)

(Process 2) Coastal Development permit for demolition of an existing 360-square-foot detached garage, and to construct a new 3,629-square-foot second residence with a roof top deck and new carport. Remodel of the existing house to add a 525-square-foot second story companion unit with a rooftop deck and a 531 square-foot attached garage located at 524 Palomar Ave. The 0.14-acre site is in RM-1-1 Zone, and Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area. CD1

DPR: Findings CAN be made, passes 6-0-1

5.2. 420 Pearl (655226)

(Process 2) Coastal Development Permit to demo existing residence and construct a new three story, 4,493 square-foot, two-unit residence with basement garage, roof deck, and driveway at a site located at 420 Pearl Street. The 0.083-acre site is in the La Jolla Planned District (LJPD) Zone 5 and Coastal (Non-Appealable Area) Overlay Zone within the La Jolla Community Plan area, and Council District 1.

DPR: Findings CAN be made, also recommend that City approve code deviation for garage driveway width, passes 6-0-1

5.3. 8423 El Paseo Grande (661815)

(Process 3) Coastal Development Permit and Site Development Permit to demolish an existing 1,528 square-foot single family residence, and to construct a new 3,994 square-foot two-story single-family residence with a new attached 1,102 square-foot companion unit located at 8423 El Paseo Grande. The 0.12-acre site is in the La Jolla Shores Planned District Single Family Zone within the La Jolla Community Plan area. Council District 1.

PRC: Findings CANNOT be made, bulk & scale & 0.96 FAR are excessive for neighborhood, passes 6-0-1

5.4. 5610 Bellevue (660209)

(Process 2) Coastal Development Permit to demolish an existing detached garage, and to remodel an existing 1,002 square-foot one story single-family residence. Remodel includes a 773 square-foot first floor addition, 250 square-foot attached garage, 1,189 square-foot second floor addition with three decks, and one third floor deck located at 5610 Bellevue Avenue. The 0.14-acre site is in the RS-1-7 and Coastal

Overlay (Non-Appealable) Zone within the La Jolla Community Plan area. Council District 1.

DPR: Findings CAN be made, passes 5-0-1

5.5. Closure of Cuvier Street inlet

As part of the LJ Recreation Center Renovation Master Plan, vacate the rest of a small inlet on Cuvier Street located between the Rec Center the Bishop's School.

T&T: Conceptually support vacating Cuvier Street and converting parallel parking to diagonal parking on Prospect Street from Draper Ave to La Jolla Blvd pending formal requests to the City, passes 8-0-0

5.6. Complete Communities Mobility element

T&T: Complete Communities should not apply until there is a High Quality Transit Line on the ground and in operation in La Jolla, passes 8-0-0

5.7. 15-Minute Green Curb at 7524 La Jolla Blvd

Customer pickup zone for Small Goods store.

T&T: Support the conversion of one 2-hour time limited parking space at 7524 La Jolla Blvd to a green curb 15-minute parking space, passes 8-0-0

5.8. La Jolla PDO Board appointment

Ratify Ron Jones as TC appointee to La Jolla Planned District Ordinance Board

Motion: Approve consent agenda items 5.1 – 5.8 (Boyden/Fitzgerald) **Vote:** Unanimous, chair abstains. Motion carries

6. Project Reviews (action item)

May be de novo considerations. Prior actions by committees are for information only. Chair may call for motion and vote after specified time allotted to applicants and opponents.

6.1. Cass St Right-of-Way Vacation (659043)

(Process 5) Public Right of Way Vacation to vacate a portion of Cass Street and a portion of the alley abutting 990 Van Nuys Street. The 0.117-acre site is in the RS-1-7 Zone within the La Jolla Community Plan area. Council District 1.

DPR: Findings CANNOT be made, inappropriate for City to relinquish rights, interference with nearby properties' access, passes 6-0-1

Presentation by Charles Sher, applicant, owner of residence at 990 Van Nuys St. with slides.

My property has 2 driveways, the west driveway is not useable because of steepness. An Encroachment Maintenance Removal Agreement (EMRA) with the City on the east driveway allows use on city property, but there is no room to turn around so we must back out into oncoming traffic which is dangerous. The City code

allows an application to vacate Cass St. where it ends at Van Nuys St. We cannot vacate ½ of the street, so we are joining with the property owner on the other side of the street, 1002 Van Nuys St. The two 10 ft. easements on the street, one for storm drain and one for sewer line from above will remain in place after the vacation. The Code says we have the right to apply to acquire our share of ROW if City is not using and never will improve the street.

Additional reasons for vacation given by both homeowners:

- EMRA could be revoked
- Improving Cass St. not feasible
- City has no current or prospective use of this street because it is too steep
- Access to properties above is available from another street
- Vacated space will be well maintained privately and less burden to City
- Will allow for additional housing and tax revenues
- Will improve neighborhood aesthetic and safety without adverse effect to City.

Neil: Community Plan directs us to protect public open space; Homeowner is protected by EMRA. I cannot support

Merten: There is an unwritten policy that unused street ROWs do provide a degree of open space. My photos of site show a natural cactus garden. This area could become a pocket park and should be preserved for future use.

Davidson: What would you do with newly vacated land: **Reply:** Widen driveway, don't know but we have the right to acquire. I won't destroy the cactus field.

Costello: Driveway could be improved and become useful. Alley is too narrow for use and will take away rights of property owners to north to develop their properties.

Several Trustees point out that City, who owns the property to be vacated, will give applicants valuable property free of charge. This cannot satisfy the finding that it will benefit the public.

Motion: Support DPR motion that the findings listed in DPR minutes of June 16, 2020, to vacate Cass St. ROW CANNOT be made. (Jackson/Boyden) **Vote:** unanimous, chair abstains.

7. Non-Project Discussions & Reviews (action items)

7.1. Complete Communities (Kane)

Discuss, amend, and perhaps, approve proposed public letter to CCPT Bry & possibly share with others.

Kane: I created an additional ad hoc committee to look at raising FARs in LJ Village that were not included in the City proposal. Andy Fotsch will be in charge with Brian Will, Trace Wilson, Patrick Ahern to look at potential locations and ramifications of increasing FAR in Village if City adopts the CC Plan.

Neil & Boyden question if members this ad hoc committee need trustee approval

Kane: This is another section of the original ad hoc committee approved in July to supply information on our response to CC proposal – a research group of the main committee.

Kane: The proposed letter written by Trustee Jackson to Barbara Bry thanking her for meeting with us includes a detailed explanation of La Jolla's position on the CC Plan gathered from points made during discussions, based on data and policy. It has been circulated to all trustees and made available to the public during its preparation. See supplemental material on the CPA website.

Further positive comments on the contents of the letter, involvement of trustees working together and recommendation to circulate the letter beyond CCCP Bry.

Motion: Send letter posted in supplemental materials. (Boyden/Brady) **Vote:** Unanimous, chair abstains.

7.2. Current State Legislation (Saltzman)

Update on various bills currently making their way through the Legislature. Develop and approve responses and recommendations

Kane: The CPC has discussed pending legislation that addresses housing. A number of bills have passed one house and are moving on to the second house for approval. Details are on the website. Of concern to us are "9 Bad Bills" which taken together are a redo of SB 50 that failed last year. Most troubling aspects are limits of local control, planning, zoning and CEQA; decision making given to City staff and developers. From this discussion I would like to form a subcommittee to review the letters suggested in "9 Bad Bills" paper and craft letters specific to LJ to the authors of the bills.

Saltzman: These bills mostly streamline building processes for property owners to address the housing shortage. Senator Atkins believes that increasing density can't wait for transportation issues to be solved. To make improvements compromise is needed. He then went over the bills listed on the [Overview of Housing Bills](#) in the supplemental materials focusing on SB 995 and 1120 authored by Sen. Atkins. SB 995 will have little effect in LJ as it addresses large projects. SB 1120 encourages small scale development projects spearheaded by homeowners by creating ministerial approval process for duplexes and lot splits that meet local zoning standards, but local governments will be still involved in zoning, design to insure new units match character of existing neighborhoods. He emphasized that the minimum stay in any new unit is 30 days – no STVRs. SB 902 is a new streamlining tool but is completely opt in; will not override local height limits.

Jackson: is “transit rich area” what exists now or will be sometime in future? **Reply:** It is transit rich areas now with a bus every 8 minutes; none of the beach communities qualify.

Mangano: Is 8 minute definition new? **Reply:** It depends on definition in each bill.

Weiss: I hope you will give feedback to Atkins. The difference between 8 and 15 minute bus routes is important to LJ. Until we have easily used transportation linking things together it doesn’t work.

Kane: Why does state Government want to meddle in local control? **Reply:** Senator would say these are tools for localities to use or not. We need more affordable housing; when it is not happening fast enough the state needs to think of clever solutions to make it easier for cities to use tools. This is often done easier at state level.

Kane: Traditionally affordable housing has been provided through subsidies to build or for rent. Now all are opposed to that solution and are looking to private sector, free market solutions to provide affordable housing. This will only provide market rate housing. How can free market approach provide affordable housing? **Reply:** I will relay message and email a robust answer.

Costello: Please relay to Sen. Atkins that increasing ministerial processes is a problem because staff have no knowledge of local communities; local control is so important.

More comments of economics of providing affordable housing and concerns about the need for more in depth analysis of the effects of these bills on our communities.

Saltzman: LJ Planning has given me many more questions about these bills than I have received from all 19 groups I have gone to in the beach communities. Please send me a list of questions and I will get answers from my colleagues asap. In future send me a list of questions before the meeting so I can prepare.

Forbes: Does transit rich area apply to bullet train in central valley? If you eliminate STVRs we would add thousands of units to housing stock immediately so I advocate a state wide initiative that addresses STVRs.

Tom Brady, Gail Forbes, Dan Courtney, Diane Kane volunteered to work on an ad hoc committee to make recommendations for further action on housing bills.

7.3. Recreation Center Rehabilitation (Wilson/Phelps)

Courtesy review, discussion, & possible motion to support conceptual plan

Trace Wilson: project architect: 3 years ago the committee came together with a vision and made a master plan for the LJ Rec. Center. We visited all neighbors to determine what the community wants. This plan represents the amenities and goals for preservation and rehabilitation of the Rec. Center.

Kane: Reviewed the history of the Rec. Center; initially it was a prototype for the playground movement and promoted by Ellen Browning Scripps. It is historically designated and protected by CEQA and part of the protected cultural zone. See supplemental materials on the CPA website for the slides presented.

Wilson: Presented slides showing plans for renovation. To provide more space for recreational activities they suggested to vacate Cuvier St. and relocate parking as diagonal parking on Prospect St. Bishop's School will be a partner in the plan.

Jenifer Phelps, landscape architect, described trees and plantings using unusual plant material and that will allow use for education.

The project is supported by all other La Jolla Community Groups. We will be last to approve.

Fitzgerald: Questioned and discussed handicapped access.

Motion: Approve La Jolla Recreation Center Rehabilitation Plan as presented.
(Costello/Weiss) **Vote:** Unanimous, chair abstains.

8. Elected Officials, City Agencies, & Other Entities

8.1. Council District 1: Councilmember Barbara Bry, Council President Pro Tempore

Rep: Steve Hadley, 619-236-6611, srhadley@sandiego.gov

Hadley: 101 Ash St. report from Council contains a blistering discussion directed at City staff, Mayor and City Attorney. The vote was 5-4 to get more information. Council Member Bry is trying to get more enforcement of the most egregious violations of social distancing and mask wearing and for help with STVRs ignoring COVID rules.

8.2. 78th Assembly District: Assembly member Todd Gloria not present

Rep: Mathew Gordon 619-645-3090, mathew.gordon@asm.ca.gov

8.3. 39th Senate District: State Senator Toni Atkins, Senate President Pro Tempore

Rep: Miller Saltzman, 619-645-3133, Miller.Saltzman@sen.ca.gov - see above

8.4. City of San Diego

Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov not present

8.5. UCSD

Anu Delouri, adelouri@ucsd.edu

Discussed recent ongoing Covid-19 efforts at UCSD for staff and students. 10,500 undergraduate students will live on campus this fall with some in person classes. Strict rules will be followed to prevent spread of virus. All visitors must follow the guidelines. UCSD is one of 3 San Diego locations participating in a Covid vaccine trial that will enroll 500 participants. It is the first large scale vaccine trial in the US.

North Torrey Pines Living & Learning Neighborhood Project is nearing completion with the majority of 2000 beds opening this fall. Center for Coastal Studies at SIO will be ready this fall. Theater District LLN is planned to be completed in 2023 to provide needed student housing and academic space. It will go to the Regents on Sept. 15 – 17 for final vote. Visit plandisignbuild@ucsd.edu for more information.

9. Officer Reports

9.1. Treasurer

Costello: No activity this month. Cash balance, \$881.20. We had 2 donations earlier this summer; if you would like to donate, please email me for instructions. We are not paying rent for Rec Center now.

9.2. Secretary

Weissman reviewed membership eligibility, application procedure, renewal and benefits. The attendance and membership list is on the CPA website, updated after every meeting and periodically reviewed by the Membership Standing Committee. Guests at the meetings are encouraged to join.

9.3. President

Kane: We were turned down on the Kolmar appeal. We were surprised at the harsh comments from Planning Commissioners. Is there a response we should make?

Costello: We are the City recognized planning group; we thought we had legitimate issues. They ignored the community Plan and carport issue and were dismissive of other issues. I think we should send out some form of letter.

Kane: I agree. Their comments were disrespectful and uncalled for. There is a problem with the process: the tools we have are not adequate to the questions we want to address. The meeting is structured such that discussion of the bigger issues that we were addressing could not be addressed. I suggest sending a letter from the CPA to address some of these issues that we feel were not adequately addressed at the appeal.

Costello: New construction is favored with little consideration of current property owners or transition from older to newer construction outlined in Community Plan.

Boyden: Bring a letter back to consider next month.

10. Reports from Standing, Ad Hoc, and Other Committees

10.1. Planned District Ordinance Committee

Forbes: At the last meeting we asked each member making up the PDO committee to report to their parent organizations for advice as to how we should handle murals, to develop guidelines and procedures or endorse current process stated in

our earlier motion to only interfere in the mural installation process if it involved interference in ROW, view corridor, safety or lighting. We also approved the Rec Center plan. Also under the constraints of Covid virus and economic changes to a disrupted economy we might consider how we could alter it to enhance the business district to make our village economically more viable while retaining the village atmosphere – consider office or residential uses instead of entire front half of a building being commercial.

Kane: This relates to our thinking about Complete Communities enhancing the residential component of village to support businesses. Two groups should work together.

Forbes: We also considered many issues involved in advertising in murals. If paint has been applied to a wall of a business, it is more like a mural than many of the LJ Mural installations which are hung on the wall which technically makes a mural into a sign. Then we get into the question of art versus advertising. That is why we sought guidance from our parent organizations. Continuing to paint walls with commercial signs, logos, slogans is a possible issue to consider.

10.2. Community Planners Committee

Mangano: La Jolla is leading the CPC by providing valuable information about CC project and the information we provide will have a major effect. Our letter will be distributed to all CPGs.

10.3. La Jolla Shores PDO Update Ad Hoc Committee

Weissman: At our last meeting on July 30, we discussed the classification of projects in the Shores as Process 1, 2, or 3. We also reviewed some draft update proposals to the Shores PDO to add numerical calculations to measure relative size, bulk and scale. We will meet again on August 20. Draft Minutes of this meeting are posted on the CPA website.

11. Adjourned at 9:37 to next LJCPA meeting (3 September 2020, 6pm)