

La Jolla Community Planning Association

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Final Minutes Trustee Meeting 4 November 2021, 6pm

President: Diane Kane
1st Vice President: Greg Jackson
2nd Vice President: Brian Will
Secretary: Suzanne Weissman
Treasurer: Larry Davidson

Regular Monthly Meetings: 1st Thursday, LJ Recreation Center, 615 Prospect St
(In accordance with AB361, meetings are being held online during the California public health emergency)

Links for Registration and Materials pages can be found at <https://lajollacpa.org/2021-agendas/>

Viewing, listening, and speaking at meetings require registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded, and recording is publicly available. **Refer to projects or issues, not to applicants or opponents.** For action items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

The **public is encouraged to participate** in Committee/Board meetings before LJCPA discussion:

- 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, Chair Andy Fotsch, 3rd Monday, 4:00 pm
- T&T – Traffic & Transportation Board, Chair Brian Earley, 3rd Wednesday, 4:00 pm

Quorum Present: Ahern, Boyden, Costello, Courtney, Davidson, Ish, Jackson, Kane, Manno, Neil, Rasmussen, Rudick, Shannon, Steck, Weiss, Weissman, Will. **Absent:** Hostomska

1. Call to Order (6:02pm, ACTION items)

1.1. Approve Agenda (ACTION)

Motion: Approve agenda as presented: (Jackson/Steck) no objections, Motion carries.

1.2. Approve Minutes (ACTION)

Approve minutes as presented: No objections.

2. Non-Agenda Public Comment (information only)

Items not on the agenda. 2 minutes or less. No votes or action.

Neil: Update from Parks & Beaches: all landscaping put in as of beginning of September. If nothing dies within 90 day period, they will begin taking fences down in December.

Emerson: La Jolla Shores Association meeting on Nov. 10. Download membership application to become a member and attend one meeting before February. No meeting in December. At next meeting will be a report on tar on beaches, pottery canyon, and redistricting. On elections: we have 4 trustees who can run again; 2 are planning not to run. 3 are termed out; there are 7 open seats. We will be contacting people eligible to run. To run one must be a member and have attended 3 meetings in past year. A candidate forum will be in February. Candidates can report in person or your resume will be read. Election is in March.

Forbes: reminder, the 66th annual La Jolla Christmas parade on December 5, at 1:30 pm starting on Girard and Torrey Pines Rd. Be careful where you park that day.

Hadley: The revised Vending Ordinance will come to City Council on December 14. No published version is available.

3. Consent Agenda (consolidated ACTION item)

The Consent Agenda enables LJCPA unanimously to ratify recommendations from joint Committees or Boards that findings CAN or CANNOT be made. Those recommendations become LJCPA's. 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 subsequent meeting.

3.1. 5752 La Jolla Blvd (Cernobbio)

Facade and interior improvements to turn the existing vacant building into a coffee shop.

- **PDO 10/11/21: CONFORMS, 7-0-0**

3.2. Komen 3-Day (Parker)

Annual 3 Day 60 Mile walk fundraising event for breast cancer. La Jolla portion takes place Friday, Nov. 19th. No street closures, no parking, or traffic mitigation needed; route takes place on sidewalks, shoulders and in bike lanes.

- **T&T 10/20/21: APPROVE, 9-0-0**

Motion: Approve Consent Agenda: (Rasmussen/Jackson) no objections. Motion carries.

4. Elected Officials, Agencies & Other Entity Representatives

4.1. Council 1 (Joe LaCava): Steve Hadley, 619-236-6611, srhadley@sandiego.gov no report

4.2. SD Mayor's Office (Todd Gloria): Matt Griffith, 619-964-7748, griffithm@sandiego.gov not present

4.3. County 4 (Nathan Fletcher): Aaron Burgess, 619-531-5022, Aaron.Burgess@sdcounty.ca.gov not present

4.4. Assembly 78 (Chris Ward): Rachel Granadino, 619-413-0674, rachel.granadino@asm.ca.gov not present

4.5. Senate 39 (Toni Atkins): Cole Reed, 619-645-3133, cole.reed@sen.ca.gov not present

4.6. SD Planning: Marlon Pangilinan, 619-235-5293, mpangilinan@sandiego.gov no report

4.7. UCSD Planning: Anu Delouri, 858-610-0376, adelouri@ucsd.edu not present

5. Local Project Reviews (action items as noted)

These may be *de novo* considerations. Actions by committees are listed for information only. Written comments can be submitted via the Materials & Comments page, link above. In general, applicants for each project have 10-15 minutes to present, an individual representing organized opponents (if there are such) has 10 minutes to respond, and members of the public have 15 minutes for 2-minute comments not already covered in presentations. Trustees then discuss the project for 20 minutes, at which point the President may call for motions and vote.

5.1. Cuvier St Vacation (679621, Williams) ACTION

(Process 5) Cuvier Street right-of-way vacation, CDP, and lot-line adjustment located south of Prospect Street, next to the La Jolla Recreational Center (615 Prospect) and The Bishop's School. The site is located in the LJPD-6 and OP-1-1 Zones, and Coastal (Non-appealable-2) Overlay zone within the La Jolla Community Plan and CD 1.

- **DPR 5/11/21: findings CAN be made, 5-0-2**

- **T&T 5/19/21: APPROVE the proposed vacation of Cuvier St and the redistribution of diagonal parking spaces on Prospect Street and La Jolla Blvd, 10-0-0**
- **PDO 4/12/21: APPROVE, 10-0-0**

Trace Wilson, Friends of La Jolla Recreation Center, Presentation:

Thanks to Elyse Lowe, Director of Development Services Department, Andy Field, Director of Parks & Beaches, Steve Hadley, and Joe LaCava, City Council District 1, Partners from Bishop's School and La Jolla Tennis Club for all their help and support. We are asking for approval of the Cuvier Street vacation, lot-line adjustment and a Coastal Development Permit.

- Slides showing current views and proposed improvements with a close-up slide showing Cuvier St. with adjacent properties owning to center line of street.
- Then another diagram showing the lot-line adjustment splitting the space horizontally with the Rec Center getting ~11,000 sq.ft along the street frontage and Bishops getting the rear ~8,000 sq. ft., dividing the same amount of land into more useable portions for each owner. See materials page on LaJollaCpa.org for the diagrams.
- Further aerial views of proposed buildings and amenities for Rec Center and a parking diagram.
- Diagonal parking proposed on Prospect St. 27 spaces lost from Cuvier St. new plan will be a net increase of 13 spaces with 4 new ADA spaces and 3 dedicated spaces for Park & Rec employees. The idea is to calm traffic on Prospect.
- The project itself is a public benefit providing more parkland and recreational amenities with the Rec Center and Bishop's working together and providing 80 ft. new frontage on Prospect St.
- We are working on a MOU with Bishops to include curb and gutter on Prospect St., grading, trenching and relocation of utilities and sharing a piece of Cuvier for staging construction. Bishops has already paid for all civil engineering for the project.
- A CDP is required by the City when a street is vacated or a lot line adjusted.
- Andy Field, Director of Park & Rec, researched and verified that the Rec Center and Bishops own the underlying fee ownership of half of the existing street to the center of the street per the 1887 plat map showing the configuration of Cuvier St. The street was dedicated in 1887 with the original subdivision map shown. The Rec Center building and land were given to the City of SD by Ellen Browning Scripps in 1915.
- Both properties are in the Cultural Zone which the Community plan allows institutional and private buildings and recreational facilities. The Rec Center building and property are in zone OP1-1 which allows for recreational facilities. The zoning will move with the approval of the lot-line adjustment and City zoning maps will be updated.
- The lot-line adjustment will not require a General Plan, Community Plan or PDO amendment as all proposed uses, building and amenities are consistent with

existing land use codes; no zone amendments required. Buildings allowed in both zones will be lot tied to the adjacent parcel to prevent being sold as individual lots.

- The Reading Room is a physical asset of Bishop's School and views of it are not protected, but the Rec Center and Bishop's design teams have agreed to keep views open to the Reading Room building as a public amenity.

Kane: We have already agreed to the street vacation. What we are discussing tonight is the lot-line adjustment and findings for a CDP. Findings for a CDP per the Municipal Code were read.

Sally Miller: Do we know what Bishop's and the Rec Center plan to do with their parcels?

Reply: We do have some conceptual ideas that will come back for approval if the LLA and CDP are approved.

Gail Forbes: This project will be a vast improvement for our community; the gain of parking places and addition of land to the Rec Center are an invaluable public benefit. Please support.

Victor Krebs: Are there any changes to the five items we discussed for the MOU?

Bishop's will do the following:

1. Pay for civil engineering, plans, reports, city fees.
2. Remove all old curbs, gutters, sidewalks, street asphalt.
3. Regrade Cuvier St. to finish elevation for park use.
4. Install new curb, gutters, sidewalk on Prospect St. from corner to corner.
5. Relocate utilities as needed.

Wilson: That is what we are writing into the MOU, drafting, and taking to our boards.

Kane: The MOU is not part of the action, but conceptually that is what is on the table.

Kurt Hoffman: Fabulous set of drawings and contribution to community. I don't know if Trace is being compensated.

Mary Munk: An amazing group of people came together to make this happen. Trace is not paid.

Courtney: This is a benefit for Bishop's as well as the public. What was approved previously? **Jackson Reply:** July motion: "Accept street vacation only." Carried 9-3-3.

Courtney: Is there a title report to verify underlying fee ownership? Has it been verified?

Kane: Andy Field, head of Parks & Rec. did do a title search on both parcels and the street. His report was handed to DSD.

Elyse Lowe, Director of DSD: In a typical development project, DSD would request the applicant or a consultant or other pull fee title and provide it to us. Working with Real Estate Assets department or Park & Rec, or applicant we would verify that information. It is part of the permitting process; I would need to verify the donation of the land but I would follow up with this committee to confirm that. We would do that as part of our regular review cycle.

Wilson: It has, and Will Mack can verify that.

Courtney: It is important considering the value of the land being transferred to the school.

Low: This is the process with all projects that come through DSD. This is an interesting question because we don't see a lot of projects like this. I advocate for process, but in my time, I have not seen a project quite as remarkable as this with a community association working with the City as a partner to provide such a fantastic public amenity in my opinion.

Courtney: What happens if there is not enough verification shown for underlying fee ownership? **Reply:** The original review I have of this project demonstrated that there is.

Will Mack, engineering Dept: We did a chain of title research on this and verified that the underlying fee ownership does split down the center of the street. We turned that in to DSD for their map check review. They have concurred.

Courtney: What is net difference in parking? **Reply:** 13 new spaces including 4 ADA, 3 dedicated for employees.

Neil: I can approve this project if there is a promise of good will on the terms of the MOU described by Mr. Krebs from Bishop's School. I am concerned that it has not gone to the board yet. Does the Rec Center have the funding to proceed?

Rasmussen: What would the Rec Center still need to do if sidewalks, curbs and gutters, civil improvements are accomplished by Bishop's through MOU. **Reply:** I am quite certain we will find funds to build courts and park space and we could raise funds for other amenities. Bishop's contribution creates more amenities for the Rec Center.

Rasmussen: What is the chance the MOU will be approved? I would like to see MOU first. Rec Center loses its leverage if LLA and CDP are approved. I would just like some assurance because the MOU doesn't exist yet. **Reply:** We intend to have MOU approved internally before we go to the Planning Commission.

Brian Williams, Bishop's School Rep.: We have partnered very closely with the Friends of the LJ Rec Center for several years and have every intention of continuing to do so. We have not received all the comments from the City yet. It is difficult to finalize the exact MOU because things could change as comments come in from the City. We have no expectation for our relationship with the Friends to change in any way.

Weiss: Thanks to Mr. Krebs for his activism. I haven't seen any documentation for street ownership. Ms. Lowe and Mr. Mack say it exists, but it has not been provided for this group to see. On the SD County GIS website Cuvier St. looks like any other street in LJ. It does not show property on either side of center belonging to adjacent properties. The MOU is a positive thing for Bishop's School to do for the community in exchange for receiving a large parcel of land. Before I can approve this project, I need some proof that this MOU exists and won't be altered after it leaves this group. I want to make sure that the crosswalks are included in the count of parking spaces.

Will: For private properties it is standard practice that land goes to the mid-point of the street to each of the adjacent private properties. The fact that one of the parties in this

case is a public entity doesn't mean that Bishop's is getting something it doesn't deserve. The city is getting its half of the street. Bishops is not getting any more area than their fair share; the Rec Center is getting the most valuable piece. Bishop's is giving up street frontage in exchange for an area closer to their campus. This seems to be a benefit for everyone.

Forbes: I requested the MOU primarily so we could understand what our expenditures would be. One of the objects was to keep the expenditures balanced between the two entities. Getting the LLA and CDP approved and working out the details will help us draft that memo. I don't want to comment on discussions of utilities and grading. I am interested in obtaining this parcel for the benefit of LJ. This is a once in a lifetime opportunity where all the community organizations have come together to bring a gift to the community that will last another 100 years just as the parcel that is there now has been used and enjoyed for the past 100 years. In my opinion Bishop's has been a great citizen in the community of La Jolla.

Motion: Findings can be made for a lot-line adjustment and a Coastal Development Permit. (Will/Rudick)

Discussion:

Weiss: Will makers of the motion accept that the approval be contingent on documentation of street ownership being provided to the community and documentation of the MOU commitment?

Will: Since we are advisory, I don't know why we would need the City to tell us that they have approved the title before we can recommend to the City that they should approve the project. They will do their due diligence. The community is already getting the better deal whether the MOU is finalized. I stick with my motion. I don't think this group has the power to put conditions on a motion.

Rasmussen: Why is the Rec Center doing this deal without a MOU?

Munk: This project has been done in good faith; I don't think Bishop's wants to end up with egg on their face. This is an amazing opportunity.

Ahern: the lot-line adjustment as provided is a benefit. This is a step to move project forward.

Kane: As this project goes forward, at what point in the project does the MOU come into play?

Low: Any street vacation must go to City Council. MOU is not required for findings, but Council members will be asking similar questions. It is important to get as much information as possible before Planning Commission and Council. Park & Rec's willingness to partner and work towards this goal is crucial to the project and street vacation.

Will: I will amend the motion to include a recommendation that Bishop's and the Rec Center move forward with the MOU as described tonight.

Motion: Table the motion. (Courtney/Rasmussen) **Vote:** 2-14-1: Motion fails

In favor: Courtney, Rasmussen

Opposed: Ahern, Boyden, Costello, Davidson, Ish, Jackson, Manno, Neil, Rudick, Shannon Steck, Weiss, Weissman, Will

Abstain: Kane

Motion (amended): Findings can be made for a Coastal Development Permit, Street Vacation and Lot-Line Adjustment with the recommendation that Bishop's School and the La Jolla Rec Center move forward with the MOU as described tonight. (Will/Rudick) Vote: 14-2-1 Motion carries.

In favor: Ahern, Boyden, Costello, Davidson, Ish, Jackson, Manno, Neil, Rudick, Shannon Steck, Weiss, Weissman, Will

Opposed: Courtney, Rasmussen

Abstain: Kane

Weiss left

6. City/State/UCSD Project Reviews (action items as noted)

6.1. La Jolla Cove/Boomer Beach (Hoffman) ACTION

Several Trustees requested revisions to the letters tentatively approved in October.

Proposed action: Approve revised letter(s). See Materials page on lajollacpa.org.

Hoffman: I support the EIR letter. Regarding the trustee prepared letter, I prefer the first Boomer Beach closure letter.

Kane: Which version of Boomer Beach closure letter do the trustees prefer?

Neil, Rasmussen: I am in favor of original letter with map.

Motion: Approve October 7, letter drafted by Mr. Hoffman to director Andy Field.

(Neil/Davidson) **Vote:** 11-3-2, Motion Carries

In favor: Ahern, Costello, Courtney, Davidson, Ish, Manno, Neil, Rasmussen, Shannon, Steck, Will

Opposed: Jackson, Rudick, Weissman

Abstain: Boyden, Kane (chair)

Motion: Approve EIR letter. (Rasmussen/Steck) **Vote:** 13-2-1, Motion carries

In favor: Ahern, Boyden, Costello, Courtney, Davidson, Ish, Manno, Neil, Rasmussen, Shannon, Steck, Weissman, Will

Opposed: Jackson, Rudick

Abstain: Kane (chair)

7. Officer Reports (action items as noted)

7.1. President No report

7.2. Secretary

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.

You do not need to be a member to attend and participate in the meetings. The La Jolla Community Planning Association welcomes the community to our public meetings and encourages expression and discussion of all viewpoints in our open forums.

Those in attendance tonight who are not already members are encouraged to join to give our community a strong voice at City Hall.

Please encourage your friends and neighbors to join and participate in the community groups to let our City officials know many in LJ want to improve the quality of life issues in our community. Membership in this group as well as other LJ Community groups require little time or work but will keep you informed and perhaps motivated to let your elected officials and City staff know you are interested and involved. You can join more than one group with little time commitment.

Information on how to join this group, the membership application and list of current members is on the Website – LaJollaCPA.org. Attendance & Membership

If you register and attend an online meeting your attendance will count towards your meeting attendance requirement.

7.3. Treasurer

Beginning Balance as of Oct 1, 2021	\$ 771.23
Total Income	25.00
<u>Total Expenses</u>	<u>0.00</u>
Net Income/(Expenditure)	25.00
Ending Balance of Oct 32, 2021	\$ 796.23

Donations can be made by mailing a check made out to the LJCPA. Email the Treasurer via info@lajollacpa.org for instructions and address.

8. Policy Discussions, Reviews, & Recommendations (action items as noted)

8.1. University City Plan Update (Nielsen) ACTION

There is a lot of new density proposed for the shopping areas on Villa La Jolla Drive and other traffic/transportation changes in the UC area that can affect La Jolla. We may want to weigh in on their plan.

Kane: I had asked Chris Nielsen, Chair of the University City Planning Group, to give us an overview of what they are doing in their plan update. Things are in flux, and he is not ready to report to us. An online survey looking at three different areas being upzoned in UC closed on October 31. The area of most interest to LJ is the area south of the University campus between Gilman, the boundary between UC and LJ, and I5. The two shopping centers, one with Trader Joe's, the other with Whole Foods are up for densification.

Neil: At the Nov. 3, meeting of Land Use & Housing, Mike Hansen, Planning Director, responded to a question by Council Member, Joe LaCava, stating that the code amendment to prohibit drive-throughs in TPA's was being promoted to make it a city-wide provision. Currently the Planning Department during community plan updates has been shoving that drive-through provision through the process. Be aware of what is taking place in community plan updates.

8.2. ADU Regulations (Hueter)

Update on changes to City ADU regulations

Hueter, representing Neighbors For a Better San Diego: Presented and discussed the differences between the California and the San Diego ADU code requirements and the changes to the SD code recommended to City Council shown on the Materials and Comments page on lajollacpa.org. NFABSD proposed code changes were discussed with an update on the problems with implementation of SB9. Progress so far: he has met with all City Council members and the Mayor and reviewed suggestions by Sean Elo-Rivera. 15 Community groups are supporting NFABSD.

Miller: What will quadruple density do to water supply considering drought conditions?

Will: Initial code revisions were excessive on overdevelopment. Above garage unit is classic ADU revision, the 16 ft. height limit unnecessarily restricts the best use of ADU. Something less than 30 ft., but more than 16 ft., perhaps the 18ft. plate height.

Hoffman: This is happening now in Clairemont, high traffic, low parking area.

Courtney: Affordability is important for families.

Kane: In coastal zone every single-family lot has been rezoned to accept 4 units: one house, an ADU, a JADU and a tiny home. Requirement for CDP in LJ is a deterrent from city-wide upzoning in effect in the rest of the City. It is going to Coastal Commission by the end of the year; so, things are likely to change soon in LJ.

Rasmussen: Current regulations may be a financial benefit to homeowners. Is that a deterrent for more people supporting your plan? **Reply**: Awareness is probably the main reason for lack of support. There no organized homeowner groups.

Asakawa: I don't think desalinization will ever be economically feasible.

Kane: Availability of water is the real limit on growth in SD. No consideration is given whether the environment can support projected growth. Desalinization is not equivalent to fresh water. It seems NFABSD has added a few refinements to what we voted previously to support in July. Is there something we can do to help?

Hueter: Other than prescribing that each entity add its own affordability measure, we are asking to bring things back to the state law to close the loophole provided by passage of SB9 that allows an unlimited number of ADUs on each property. Further action would be to propose the City revise ADU code to prevent no more than 4 units on any single-family lot as promised under SB9.

Jackson, Steck: I'm comfortable with what we have already proposed.

8.3. Redistricting (Boyden)

Update on District 1 United actions that LJCPA voted to support at September meeting.

Boyden: A redistricting meeting is going on now. The big concern for District 1 is the proposed increases in population in Torrey Pines Mesa, UTC, Governor Dr. The District 1 United plan to keep District 1 mostly together is not working. The Redistricting Commission voted last weekend to go with the map which kept LJ and up the coast pretty

much the same, but cut University City planning group area in half down Genesee Ave. They are working on a preliminary final map now to be presented to the City Clerk and to be evaluated by an outside legal group for conformance to the voting rights act. Follow redistricting on sandiego.gov/redistricting. There are 3 more meetings next week.

9. Reports from Standing, Ad Hoc, and Other Committees (information only)

None

10. Non-Agenda Trustee Comment (information only)

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Courtney: We should have made more comments on Spaces as Places.

Neil: We did comment at CPC, the only place for community comments. The five updates La Jolla promoted are on track for the LDC update which is going to City Council. The only things not recommended by LU & Housing were elimination of drive-throughs in TPA,s.

11. Adjourn to next LJCPA meeting

Regular meeting 2 December 2021, 6pm.

Prepared by:

Suzanne Weissman

LJCPA Secretary