



La Jolla Community Planning Association

Regular Meetings: 1st 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

President: Cindy Greatrex

Vice President: Bob Steck

2nd Vice President: Joe LaCava

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

DRAFT AGENDA

Regular Meeting | Thursday, 3 September 2015, 6:00 pm

6:00pm

1.0 Welcome and Call To Order: Cindy Greatrex, President

→ Please turn off or silence mobile devices

→ Meeting is being recorded

2.0 Adopt the Agenda

3.0 Meeting Minutes Review and Approval: 6 August 2015

4.0 Elected Officials – Information Only

4.1 Council District 1 – Council President Sherri Lightner

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

4.2 Mayor's Office – Mayor Kevin Faulconer

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

4.3 39th Senate District – State Senator Marty Block

Rep: **Sarah Fields**, 619-645-3133, Sarah.Fields@sen.ca.gov

4.4 78th Assembly District – Speaker of the Assembly Toni Atkins

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

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

5.1 Bylaw Amendment – Ad-Hoc Committee Meeting: September 14, 3:00

5.2 Brown Act Training, Conducted by City of San Diego Senior City Planner Karen Bucey, 10/1 5:00

5.3 Whitney Mixed Use – 182513 Appeal Hearing: City Council, October 5, 2:00

5.4 Short-Term Vacation Rental – Update sent to Membership

5.5 October 1 Regular meeting: Senator Marty Block, 39th District, to speak and accept Q and A

5.6 Planned District Ordinance: September meeting moved to Monday, September 21st

5.7 Traffic & Transportation Meetings Permanently Moved to third Wednesday of the month, 4:00

6.0 Non-Agenda Comment

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

6.1 City of San Diego – Community Planner: Karen Bucey, KBucey@sandiego.gov

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

7.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

8.0 Officers' Reports

8.1 Treasurer

8.2 Secretary

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

- 9.1 **Community Planners Committee** <http://www.sandiego.gov/planning/community/cpc/index.shtml>
- 9.2 **Coastal Access & Parking Board** <http://www.lajollacpa.org/cap.html>
- 9.3 **Ad Hoc Committee on Residential Single-Family (RS) Zoning**

10.0 Full Review- Action Item

None

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.

11.0 Consent Agenda- Action Item

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 Mon, 4:00 pm
DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm
PRC – La Jolla Shores Permit Review Committee, Chair Phil Merten, 4th Tues, 4:00 pm
T&T – Traffic & Transportation Board, Chair David Abrams, 4th Thurs, 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.**
- **Items "pulled" from Consent Agenda are automatically trailed to the next LJCPA meeting.**

PDO – No August recommendations to LJCPA
PRC – No meeting in August

11.1 MARISIMA TRAVEL CENTER NUP 1654 Marisima Way

DPR Recommendation: Findings CAN be made for a Neighborhood Use Permit for the Home Occupation at 1654 Marisima Way only, limited to one client visit per week. 4-1-1.

11.2 LAWTON RESIDENCE POOL INSTALLATION 6525 El Camino del Teatro

DPR Recommendation: Findings CAN be made that the proposed project conforms to the La Jolla Community Plan for a Site Development Permit (Process 2) to demolish an existing 2,596 square foot single family residence and construct a new swimming pool and sports court, which will tie the two lots, and associated retaining walls, at 6525 El Camino del Teatro. 7-0-1.

11.3 CONRAD PREBYS PERFORMING ARTS CENTER & EASEMENT VACATION

7600 Fay Avenue

DPR Recommendation: Findings CAN be made that made that the proposed project conforms to

the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit to demolish an existing retail building and construct a 44,014- square-foot, 2-story over basement level Performing Arts Center located at 7600 Fay Avenue. 6-0-1.

11.4 LA JOLLA COMMUNITY PARADE San Diego County Diversity & Inclusiveness Group

T&T Recommendation: Motion to Deny SDCDIG request for Street Closures on Sunday, December 13, 10-0-0. Motion to Deny the Request for Continuance: 10-0-0.

12.0 7362 Brodiaea Way– ACTION ITEM

Marengo Morton Architects to submit plan for a Right of Entry permit to be issued by the Park and Recreation Department on a project that proposes to remove a several non-native eucalyptus trees located in the adjacent open space.

13.0 Adjourn to next LJCPA Meeting, Thursday, October 1, 6:00 pm



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President: Cindy Greatrex

Vice President: Bob Steck

2nd Vice President: Joe LaCava

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

DRAFT MINUTES

Regular Meeting | Thursday, 6 August 2015, 6:00 pm

Trustees present: Patrick Ahern, Helen Boyden, Tom Brady, Bob Collins, Mike Costello, Dolores Donovan, Janie Emerson, Jim Fitzgerald, Cindy Greatrex, David Little, Alex Outwater, Bob Steck, Ray Weiss, Brian Will, Fran Zimmerman

Trustees absent: Joe LaCava, Jim Ragsdale, Glen Rasmussen

1.0 Welcome and Call To Order at 6:06 pm by Cindy Greatrex, President who announced that the applicant had pulled item 10.3 from the consent agenda.

2.0 Adopt the Agenda

Approved Motion: To amend the agenda to hear item 8.0 between items 4.0 & 5.0 (Fitzgerald, Donovan: 12-0-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Will, Zimmerman

Abstain: Greatrex (Chair)

Approved Motion: To adopt the modified agenda (Fitzgerald, Boyden: 12-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Will, Zimmerman

Abstain: Greatrex (Chair)

3.0 Meeting Minutes Review and Approval: 2 July 2015

Approved Motion: To approve the minutes as distributed (Steck, Emerson: 11-0-3)

In favor: Ahern, Boyden, Collins, Costello, Donovan, Emerson, Fitzgerald, Outwater, Steck, Weiss, Will, Zimmerman

Abstain: Greatrex (Chair), Brady, Little (both absent)

4.0 Elected Officials – Information Only

4.1 Council District 1 – Council President Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov reported that the City Council had approved the Environmental Services Department's Zero Waste Plan to increase the City's diversion of waste from the current 67% to 75% by 2020 and to 90% by 2035 by adding infrastructure, allowing for new materials to be recycled and fully implementing public space recycling. These measures and new compaction techniques are expected to extend the life of the Miramar Landfill from 2022 to 2030.

4.2 Mayor's Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov was not present.

4.3 39th Senate District – State Senator Marty Block

Rep: **Sarah Fields**, 619-645-3133, Sarah.Fields@sen.ca.gov said the legislature was in recess and that now was the time to propose new legislation to the Senator.

4.4 78th Assembly District – Speaker of the Assembly Toni Atkins

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

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

5.1 Bylaw Amendment: President Greatrex said the City was giving the go ahead to work on bylaws revisions. **Bob Whitney** commented on the lack of transparency in the LJCPA process with respect to ongoing efforts to revise the bylaws. **Trustee Boyden** commented that it had been six months since the LJCPA membership had passed new bylaws intended to conform to the revised Policy 600-24 and the City had not yet acted, referring to requirements in the current LJCPA bylaws adopted in November 2014.

5.2 Informational Presentation on City Sewer Group Job 743: Paula Roberts-Humanability Communications Consulting and Sheila Gamueda described plans to replace-in-place and sewer rehab a line going from Torrey Pines Road to Cliffridge Avenue at in the 8600 block where it curves. It will take place between September 2015 and Summer 2016; they will report again when the exact date is known. Access will be through a manhole cover on Cliffridge Avenue. It should not affect residences. Any digging will take place adjacent to TPR and may affect traffic there.

5.3 Whitney Mixed Use, Project #182513: Appeal Hearing, City Council. Tentatively scheduled for Tuesday, October 5 at 2:00 pm.

5.4 Short-Term Vacation Rental: Timeframe Update – No report

5.5 ACTION: Federal Spectrum Act: Proposed organization response (letter) to the Mayor of the City of San Diego, in response to the City of San Diego Development Services Department (DSD) proposed updates to the Municipal Code provisions in the Federal Spectrum Act" and its plan to develop a Supplemental Environmental Impact Report concerning wireless cell tower installations across the city without regard to 30 ft. height rules, without advance notice to neighbors or regard to the 30-foot height limit in the coastal zone or to aesthetics of neighborhood character.

David Haney, Lou Cumming, Chuck Key, and Hilary Nemchik (on behalf of **Barbara Bry**) spoke opposing the City's actions in allowing installations of cell phone towers in accordance with FCC regulations and prior to the City Council adopting changes instituting same to the SDMC. They spoke to the lack of notification, visual pollution, exceeding the 30' Coastal Height Limit and cited the lawsuit opposing the FCC regulations filed by Montgomery County, Maryland and supported by the League of California Cities (in an amicus brief) of which the City of San Diego is a member. Also announcing support for these views were: **Catharine Douglass, Stone Douglass, Pam Foley, L. Michael Foley, Ellen Key.** **Trustee Zimmerman** presented a draft of a letter to City officials and invited editing by the group. **Trustees Weiss and Outwater** felt that any letter detail should defer to legal experts. Others trustees including **Boyden, Little, Ahern, Steck, Fitzgerald, Costello, Emerson, Brady, and Will** urged support of a letter with some suggesting something simple and to the point; also pointed out was the fact that the LJCPA would have other opportunities in the future to address the SEIR draft and at the City Council. **Trustee Donovan** submitted suggested edits which were discussed by the trustees. (letter sent attached to the minutes)**Approved Motion: To send the letter drafted by Trustee Zimmerman and edited (with edits read at the meeting) by Trustee Donovan to the Mayor, various City staff and Councilmembers: to be verified by President Greatrex and Trustees Boyden and Donovan. (Fitzgerald, Little: 13-0-2)**In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Little, Steck, Weiss, Will, Zimmerman Abstain: Greatrex (Chair), Outwater (disagreed with text)

5.6 ACTION: Ad Hoc Committee on Residential Single-Family (RS) Zoning: Request for modification of quorum requirements: "In order to ensure that the greatest number of public meetings are held at times convenient for interested parties to attend and provide input. However, when the committee begins deliberations and formulating recommendations then a quorum, if not all of the committee members, must be present. Quorum not required prior to deliberations phase."

Various trustees including **Boyden and Emerson** questioned whether this was allowable under the Brown Act.

No motion made

5.6 ACTION: Ad Hoc Committee on Residential Single-Family (RS) Zoning: Ratify Appointment of Committee Member Eric Lindebak

Approved Motion: To ratify the appointment of Eric Lindebak to the Ad Hoc Committee on Residential Single-Family (RS) Zoning (Costello, Fitzgerald: 12-0-3)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Outwater, Steck, Will, Zimmerman
Abstain: Greatrex (Chair), Little, Weiss (did not know candidate)

5.7 ACTION: La Jolla Shores PRC: Ratify Appointment of Board Member Joe Walkush

Approved Motion: To ratify the appointment of Joe Walkush to the La Jolla Shores PRC (Emerson, Outwater: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Weiss, Will, Zimmerman
Abstain: Greatrex (Chair)

5.8 ACTION: Galaxy Taco 2259 Avenida de la Playa: Should the LJCPA consider the question of exterior colors (Request of La Jolla Shores Permit Review Committee) ?

Myrna Naegle spoke against the color scheme and compared it to other Shores buildings as did **Shirley Church**. **Bob Whitney, Kim Whitney** and **Michael Morton** spoke in general approval of the current color scheme and the inappropriateness of the LJCPA becoming involved in a Code Compliance issue. Owner **George Hauer** spoke of his efforts and expense to restore the building which had been in disrepair. He had presented to the LJSA and exchanged suggestions with Trustee Emerson as a private party. Later in the discourse he agreed to tone down the yellow primary color and make a coordinated scheme across that elevation of the building.

Trustees Boyden, Weiss, Emerson, Fitzgerald, Costello, Outwater, Zimmerman spoke of the requirements of the LJS PDO for exterior colors and many thought it should be toned down. There was general feeling that the LJCPA should not be involved in a Code Compliance issue-- it having come to the fore after the City had already finished the approval process without opportunity for formal community review. There was general acceptance of Mr. Hauer's offer to modify the exterior color scheme.

No motion made.

6.0 Non-Agenda Comment

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

6.1 City of San Diego – Community Planner: Karen Bucey, KBucey@sandiego.gov was not present.

6.2 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> **President Greatrex** reported for her on the \$3 Million gift from Audrey Geisel for renovation of the UCSD Geisel Library. **6.3 Others Contractor Vic Salazar** stated that Sewer Water group 820 would finish up on Exchange Place by

August 14, with work occurring between 9pm and 5am every day during the August 10 to 14th week.

7.0 Trustee Comment

Trustee Emerson noted that fireworks were being set off at the SIO Pier with no notice and disturbing local pets and residents.

Trustee Brady noted that the T&T Board had approved the parking plan for the La Jolla Music Society on Fay and wanted to assure interested parties that they will have an opportunity to comment on the parking plan at a future LJCPA meeting after the project has been reviewed by the DPR. The City is only interested in getting one recommendation from the LJCPA, not individual ones from its subcommittees. **Trustee Costello** noted that the dEIR is out for the Climate Action Plan. The CAP and the dEIR can be viewed at

<http://www.sandiego.gov/planning/genplan/cap/>. Responses to the dEIR may be submitted to DSDEAS@sandiego.gov with the project name and number in the subject line (San Diego Climate Action Plan – No. 416603) – Deadline Tuesday, September 29, 2015. He also noted that he is joining with residents to review the Bonair project and prepare a report. He suggested listening to the Planning Commission hearings (archives at sandiego.gov) with a view to critiquing the proceedings.

Trustee Zimmerman thanked Pat Sherman of the La Jolla Light for his extensive and helpful reporting on the Spectrum Act regulations issue (see 5.5 above).

Trustee Little also spoke to Planning Commission proceedings with respect to the LJ Community Plan. **Trustee Donovan** suggested that items pulled from the consent agenda for a full hearing be placed earlier on the agenda to avoid applicants' additional expense and inconvenience. **President Greatrex** will take that under consideration as the order of the agenda is at her discretion.

Trustee Boyden suggested with concurrence by **President Greatrex** that it would be inappropriate for other Trustees to join in Trustee Costello's private review of the Bonair project.

8.0 Officers' Reports

8.1 Treasurer – Trustee Fitzgerald reminded the attendees that the LJCPA relies on cash donations to meet the expenses of the organization and thanked them for their continuing support.

Beginning Balance as of 7/1/15 \$ 249.73

Income

• Collections	\$ 114.00
• CD Sales	<u>10.00</u>
Total Income	\$ 124.00

Expenses

• Agenda Printing	\$ 52.82
• AT&T telephone	63.27

Total Expenses \$ 116.09

Net Income/ (Loss) \$ 7.91

Ending Balance of 7/31/15 \$ 257.64

8.2 Secretary

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

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

You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a trustee. You may document your attendance by signing in at the back, providing the Secretary before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded, or providing independently verifiable proof of attendance.

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

For complete membership information you should refer to the current LJCPA bylaws which can be found on the website. Refer to Article III, Section 1.

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

9.1 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml> No report

9.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html> No report **9.3 Ad Hoc Committee on Residential Single-Family (RS) Zoning 10.0** No report

10.0 Consent Agenda – Action Item

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 Mon, 4:00 pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair Tony Crisafi, 4th Tues, 4:00 pm

T&T – Traffic & Transportation Board, Chair Dave Abrams, 4th Thurs, 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.

Items “pulled” from Consent Agenda are automatically trailed to the next LJCPA meeting.

10.1 Jooste Wines Sidewalk Café 5621 La Jolla Boulevard

PDO Recommendation: Project meets PDO requirements 6-0-0

10.2 Duke’s ROW Encroachment NDP 1216 Prospect Street

DPR Recommendation: Findings CAN be made that the proposed project conforms to the La Jolla Community Plan and for a Coastal Development Permit and Site Development Permit for a Neighborhood Development Permit to construct private landscape and public art encroachment(s) in the public right-of-way fronting 1216 Prospect Street 4-1-1

10.3 Kaplan-Gaston 5606 Dolphin Place – pulled by applicant for further review

DPR Recommendation: Findings **CANNOT** be made for a Coastal Development Permit and Site Development Permit for a 1st and 2nd story addition to an existing single family residence at 5606 Dolphin Place, because the project does not transition or relate well to other neighboring houses. 4-1-1

10.4 Warbler Site Development Permit 5560 Warbler Way

DPR Recommendation: Findings **CAN** be made for a Site Development Permit (Process 3) for Environmentally Sensitive Lands for a 1,919 sq ft basement addition and a 1,587 sq ft deck and pool at basement level of existing 3,151 sq ft residence at 5560 Warbler Way. 5-1-1

10.5 Verizon Mt. Soledad Presbyterian Church 6551 Soledad Mountain Road

DPR Recommendation: Findings **CAN** be made that the proposed project conforms to the La Jolla Community Plan and for a Coastal Development Permit and Site Development Permit for a Site Development Permit, Coastal Development Permit, Neighborhood Development Permit and Neighborhood Use Permit applications to expand an existing Wireless Communication Facility at 6551 Soledad Mountain Road at the Mount Soledad Presbyterian Church. 5-0-1

10.6 Shirley Trust SDP and CDP, 8025 Calle del Cielo

PRC Recommendation: Findings **CAN** be made for an SDP and a CDP for a 6,840 SF Gross Floor Area (10,955 total habitable space if the 'basement' is counted) two-story-over-basement residential dwelling unit with a 785 SF detached habitable accessory structure, pool, spa, and site retaining walls on an existing vacant 0.652 acre lot at 8025 Calle del Cielo in the SF zone of the La Jolla Shores Planned District, Coastal (Non-appealable) Overlay Zone within the La Jolla Community Plan. 5-0-2

10.7 Taste of the Cove, August 27th

T&T Recommendation: Approval of road closure requested by San Diego Medicine Foundation. 9-0-0

10.3 Kaplan-Gaston 5606 Dolphin Place was pulled by applicant prior to the meeting for further review

Approved Motion: To approve the recommendation by the PDO Committee that 10.1 Jooste Wines Sidewalk Café 5621 La Jolla Boulevard meets PDO requirements; and the recommendations of the DPR Committee for 10.2 Duke's ROW Encroachment NDP 1216 Prospect Street that the findings CAN be made that the proposed project conforms to the La Jolla Community Plan and for a Coastal Development Permit and Site Development Permit for a Neighborhood Development Permit to construct private landscape and public art encroachment(s) in the public right-of-way fronting 1216 Prospect Street and for 10.4 Warbler Site Development Permit 5560 Warbler Way that the findings CAN be made for a Site Development Permit (Process 3) for Environmentally Sensitive Lands for a 1,919 sq ft basement addition and a 1,587 sq ft deck and pool at basement level of existing 3,151 sq ft residence at 5560 Warbler Way and for 10.5 Verizon Mt. Soledad Presbyterian Church 6551 Soledad Mountain Road that the findings CAN be made that the proposed project conforms to the La Jolla Community Plan and for a Coastal Development Permit and Site Development Permit for a Site Development Permit, Coastal Development Permit, Neighborhood Development Permit and Neighborhood Use Permit applications to expand an existing Wireless Communication Facility at 6551 Soledad Mountain Road at the Mount Soledad Presbyterian Church; and the recommendation of the PRC for 10.6 Shirley Trust SDP and CDP, 8025 Calle del Cielo that the findings CAN be made for an SDP and a CDP for a 6,840 SF Gross Floor Area (10,955 total habitable space if the 'basement' is counted) two-story-over-basement residential dwelling unit with a 785 SF detached habitable accessory structure, pool, spa, and site retaining walls on an existing vacant 0.652 acre lot at 8025 Calle del Cielo; and the recommendation of the T&T Board to approve the road closure requested by San Diego Medicine Foundation and forward the recommendations to the City. (Emerson, Fitzgerald: 13-0-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Weiss, Will, Zimmerman

Abstain: Greatrex (Chair)

11. Feuerstein Residence, 8351 Del Oro Court – pulled by Trustee Zimmerman

PRC Recommendation: Findings can be made for a CDP & SDP, Process 3, to demolish the existing single family residence and construct a new 9,614 square foot two-story residence on a .68-acre lot. 5-0-1

Trustee Zimmerman pulled the project because of its size. **Architect Tim Martin** described the project as being on a large sloping lot with little street frontage so that both ends of the residence will be obscured from view by stone pines. The second story is pulled back. The FAR is 0.32, with part of the GFA coming from phantom areas. Landscaping is 42%. Front yard setback is 22'; rear is 33'; sideyard setbacks are: 12', 38', 60' and 12'.

Approved Motion: To ratify the recommendation of the PRC that the findings can be made for a CDP & SDP, Process 3, to demolish the existing single family residence and construct a new 9,614 square foot two-story residence on a .68-acre lot (Outwater, Ahern: 12-1-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Weiss, Will

Opposed: Zimmerman

Abstain: Greatrex (Chair)

12. Leibowitz Residence, 8283 La Jolla Shores Drive- pulled by a resident.

PRC: Findings can be made for a CDP & SDP, Process 3, to demolish an existing residence and detached pool house, and construct a 9,245 sq ft single family residence with 157 sq ft detached pool house on a 1.12-acre lot. 3-2-1.

The resident who pulled the project was not present. **Leanne MacDougall**, who lives downslope adjacent to the proposed project spoke of her concern about drainage from the project onto her property, possibly flooding her guest house which is close to the property line. She wanted additional questions answered. Her consultant from Rick Engineering had queried the applicant's engineer, but the exchange was not concluded timely for this meeting. The City engineers were satisfied with the grading and drainage plans. For a 50-year flood condition, the drainage through the common drain would improve by 9% with greater improvement at lesser flood conditions; the project proposes retention basins on site to control the flow from heavy rains. They are not changing the direction of the natural flow through the common drain which serves a number of connected properties. **Carson P. Edgington, RCE**, of **Rick Engineering** and **Steven R. Hauser, PE**, Civil Engineer for the project spoke. **Attorney Matt Peterson** also commented and presented arguments for the project and argued that the drainage question was not in the purview of the LJCPA. Documents submitted by the speakers are included in the Public Document and had been e-mailed to the trustees the day before and the afternoon of the LJCPA meeting.

In response to **Tricia Rihl**, it was stated that the solar panels would be on the roof behind parapets and that roof decks and rooftop umbrellas were not proposed; one-story height was 16' with the smaller two-story section reading 29'. It was stated that **Ms. McDougall** had changed the drainage in her yard. Various trustees commented on the improvement in drainage and that that had not been challenged. Trustees commenting to the various issues were: **Little, Donovan, Steck, Emerson, Fitzgerald, Outwater, Weiss, and Will.**

Approved Motion: to ratify the recommendation of the PRC that the findings can be made for a CDP & SDP, Process 3, to demolish an existing residence and detached pool house, and construct a 9,245 sq ft single family residence with 157 sq ft detached pool house on a 1.12-acre lot. (Steck, Outwater: 9-3-2)

In favor: Ahern, Boyden, Brady, Donovan, Fitzgerald, Outwater, Steck, Will, Zimmerman

Opposed: Costello, Emerson, Little

Abstain: Greatrex, (Chair), Weiss (friend of neighbor opponent)

13. Speed Limit Decrease- pulled by **Donna Aprea**. Proposal to reduce speed limit from 30mph to 25mph on La Jolla Shores Drive from El Paseo Grande to N. Torrey Pines Rd.

T&T Recommendation: Opposed decrease: 5-3-0. Approved leaving speed at 30 mph: 7-0-0.

Donna Aprea pulled the item because she felt that there was confusion in the voting and stated that UCSD had requested the reduced speed due to dangerous conditions turning on to La Jolla Shores Drive from SIO property. A City study showed that 85% of cars are traveling up to 30mph limit, a criterion for keeping it at 30 mph. **Trustee Emerson** stated that she believed the danger stemmed from poor visibility rather than speed and suggested that a longer red curb, eliminating a couple of parking spaces, would help the visibility, but noted that this is in the Beach Impact Parking Zone. Others noted the bridge and other provisions for pedestrians to cross safely, though the request centered on cars turning onto La Jolla Shores Drive. **Gregg Salmon** also spoke to the subject.

Approved Motion: To ratify the T&T approval of leaving the speed limit on La Jolla Shore Drive between N. Torrey Pines Road and El Paseo Grande at 30 mph. (Emerson, Brady: 12-0-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Steck, Will, Zimmerman
Abstain: Greatrex (Chair)

14. MCASD Expansion, 700 Prospect Street. (Paul Benton/Lindsay King/Jim Neri). Process 4 Coastal Development Permit and La Jolla Planned District Special Use Permit (processed as a CUP), to demolish an existing residence and construct a museum addition/remodel, including underground parking facilities, totaling 53,469 square feet on a 110,983 square foot property. The project site is located at 700 Prospect Avenue (Museum of Contemporary Art San Diego) in the LJPD-6A and 5A zones of the La Jolla Planned District, Coastal Overlay Zone (Appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Overlay Zones in the La Jolla Community Plan Area.

Architect Paul Benton presented. **Lindsey King, and Jim Neri** also contributed. The area to the right, currently a parking lot and plaza will be converted to a sculpture garden and other spaces open to the public and will maintain the view through to the ocean. The new construction will be to the left. Much of it including the parking area for 41 cars and workshop and some gallery areas will be underground. The current Sherwood Hall auditorium will be converted to galleries. The Norfolk Island Pine will be moved away from the building. Building materials were shown.

The project with four deviations was approved 3-1-1 by DPR, but the LJ PDO committee did not approve the open stairwell as they thought it would be attractive to homeless persons. The deviations proposed are 1) an accessible lift and stair encroachment within the rear yard setback which will allow access for tour bus passengers and disabled persons from Coast Boulevard. 2) Providing a 80' trellis where 50' is allowed at the entrance will match the width of the building; 3) Allowing for a height of 35.4'-this is an interior height only and 4) an egress only stairwell on the SE portion of the site within the sideyard setback is a single retaining wall of a height where setbacks are usually required. Allowing this will preserve the width of the garage and galleries and allow parking of more cars. It will have an open-out-only gate. This fourth one is the one the PDO objected to.

Approved Motion: That the findings can be made for a Process 4 CDP and La Jolla Planned District Special Use Permit (processed as a CUP) to demolish an existing residence and construct a museum addition/remodel, including underground parking facilities, totaling 53,469 square feet on a 110,983 square foot property located at 700 Prospect Avenue (Museum of Contemporary Art San Diego) with the following four deviations: 1) Accessible lift and stair encroachment within the Rear Yard Setback fronting Coast Boulevard; 2) Eighty foot trellis encroachment over entrance fronting Prospect; 3) Interior Height exceeding the 30-foot Zoning Height limit and 4) Egress stair on the southeast portion of the site, within the Side Yard Setback, leading to Prospect Street. (Ahern, Zimmerman: 11-1-1)

In favor: Ahern, Boyden, Brady, Costello, Donovan, Fitzgerald, Little, Outwater, Steck, Will, Zimmerman
Opposed: Emerson
Abstain: Greatrex (Chair)

15. Adjourned at 10:00 pm to next LJCPA Meeting, Thursday September 3rd, 6:00 pm



La Jolla Community Planning Association

Date: August 8, 2015

Subject: Letter to City of San Diego from the La Jolla Community Planning Association

To: Mayor Kevin Faulconer (kevinfaulconer@sandiego.gov)
Department of Development Services Director Robert Vacchi (RAVacchi@sandiego.gov)
City Attorney Jan Goldsmith (cityattorney@sandiego.gov)
Deputy Chief Operating Officer David Graham (dgraham@sandiego.gov)

RE: "Amendments to the Land Development Code and the City's Local Coastal Program - Spectrum Act Wireless Communications Facilities".

The La Jolla Community Planning Association (LJCPA) and many concerned residents request your immediate attention to plans outlined in the above-referenced July 17, 2015, notice from the Department of Development Services (DSD) concerning "Amendments to the Land Development Code and the City's Local Coastal Program -- Spectrum Act Wireless Communication Facilities." The DSD's mid-summer hearing has been set for Wednesday, August 12, when many San Diegans will be out of town on vacation, and public comment will be taken only until August 17, 2015.

These DSD plans affect all of San Diego and all City Council districts. These plans propose to override all local zoning regulations, provisions of community plans and the long-established 30-foot Coastal Height Limit. Ostensibly, the rationale for these DSD plans is to conform to the requirements of the Federal Communications Commission's (FCC) interpretation of the 2012 Spectrum Act. But the FCC interpretation of the Spectrum Act is unbalanced and eclipses the authority of local governments to set zoning and environmental regulations that protect their communities.

We ask you to put the brakes on wireless construction locally until a federal case now before the U.S. Fourth Circuit Court of Appeals contesting an order of the Federal Communications Commission is decided. The lawsuit, Montgomery County, Maryland vs. FCC, is supported by the League of California Cities, to which San Diego belongs. We ask you to direct DSD to cease and desist from all wireless permitting that does not conform to current San Diego municipal zoning and permitting ordinances and regulations until the federal-court legal challenge is resolved and a "third way" can be found to reconcile our wireless needs with the preservation of our environment. That is where DSD's efforts should focus.

We also ask you to oppose AB 57, now making its way through the State Legislature and likely to pass before September. AB 57 is an intrusion into the zoning autonomy of municipal governments and a blanket permit to the wireless industry for construction wherever "deemed necessary."

Finally, should AB 57 go to Governor Brown for signature, we ask the City of San Diego to officially communicate to him its request that he veto AB 57 because it is inimical to the best interests of citizens at the local level of government.

We look forward to your prompt response.

Sincerely,

Cindy Greatrex
President
La Jolla Community Planning Association

Cc: Council President Sherri Lightner (sherrilightner@sandiego.gov)
Councilmember Lorie Zapf (loriezapf@sandiego.gov)
Councilmember Todd Gloria (toddgloria@sandiego.gov)
Councilmember Myrtle Cole (myrtlecole@sandiego.gov)
Councilmember Mark Kersey (markkersey@sandiego.gov)
Councilmember Chris Cate (chriscate@sandiego.gov)
Councilmember Scott Sherman (scottsherman@sandiego.gov)
Councilmember David Alvarez (davidalvarez@sandiego.gov)
Council President Pro Tem Marti Emerald (martiemerald@sandiego.gov)

PO Box 889, La Jolla, CA 92038 ♦ 458.456.7900 ♦ <http://www.LaJollaCPA.org> ♦ info@LaJollaCPA.org

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

La Jolla Planned District Ordinance Committee Chair: Ione R. Stiegler, FAIA

DRAFT MINUTES – MONDAY, August 10, 2015

4:00 PM, La Jolla Recreation Center, 615 Prospect Street, Room 1

Present: Ovanessoff-Acting secretary, Fitzgerald - Acting Chairperson, Van Galder, Dershowitz, Marengo, Underwood, Burke, Zimmerman.

Visitors: Sheila Fortune (LJVMA), David Sorenson, Christopher Beach, Ray Porfilio, Steve Horne, Eleanor Ellsworth, Bakbaka Enberg, Steve Baker, Brenda Baker, Marcela Escobar Eck, Sue Wagner, Kristen Sakamoto, Athena Harman, Martha Dennis

1. **Public Comment** – Issues not on today’s agenda (2 minutes maximum.)

None

2. **Chair Report / Board Discussion**

a. Review and Approve July Minutes

Marengo motion to approve. Seconded by Dershowitz

Vote 5-0-1 (only those who attended the last meeting were eligible to vote, Underwood and Burke left early)

b. Issues regarding PDO compliance and means to promote enforcement. Tabled until next meeting.

3. **Recommendations to DPR**

a. **Project Name:** 801 Pearl Street

Address: 801 Pearl Street, La Jolla, California 92037 **Project**

Number: 294307 Account # 24003213 **PDO Zone:** 4

Applicant: Mark & Becky Conger

801 Pearl Street

La Jolla, California 92037 **Agent:** James Alcorn, AIA.

City Project Manager: John S. Fisher, RLA.

Date of App Notice: 9/26/2014 – (Review Cycle Comments enclosed) Resubmission June 2015

Scope of Work:

Scope of Work and Minutes of discussion as listed at June 8 2015:

Remove existing gasoline station and auto repair shop along with underground tanks etc. Site will be determined clean by County authorities.

Then owner wishes to construct multi-use retail/residential uses on 21,000 sf (140’x150’) site. The north 14,000 sf of site (140’x100’) adjacent to Pearl Street is LJPDO Zone 4. The southern 7000 sf (140’x50’) of the site is zone RM-1-1.

Underground parking will be provided for the site with access from Eads Avenue. ~5,400 sf first floor retail space on Pearl Street will be serviced from Bishops Lane. This space will be divided into 5 retail condo units.

Three condo flats and 9 condo townhouses will be placed over the retail and around a courtyard accessed from both Eads Avenue and Bishops Lane. Separate elevators will service the retail and residential owners from the Parking Garage.

Since the last City review Dec 2014, and difficulties with the local DPR Committee and neighborhood opposition, the owner has changed architects and then configuration of the project.

The program of 12 dwelling units and a total allowable buildable area of 23,428 sf (FAR 1.12) has not changed, but we have reviewed the City comments, met with neighbors, listened to their issues, reconfigured the project and eliminated the third floor from the work. Therefore the new scheme proposes 2 story townhomes backing up to the adjacent neighbors, retail space reduced by ~20%, and reduced building heights.

Parking exceeds the 32 space minimum.

Minutes:

Project presented by Mr. James Alcorn, project architect. Mr. Alcorn informed the Committee that a previous version of this project had been presented to the PDO in the past and had been approved. However, during the applicant's subsequent presentation to the DPR Committee, they encountered difficulties with the project's neighbors and decided to significantly re-design the project. The new project was presented in detail. The required parking for the project is 32 spaces, while the new design would have 38 spaces. It was further explained the project is located on two separate lots with two separate sets of applicable zoning regulations (commercial and residential). It was further noted that only the parcel facing Pearl Street, the commercial parcel, would be subject to the PDO regulations. The new buildings have a maximum height of approximately 25 feet, while the older design had a maximum height of 30 feet. The project was reduced in the total number of floors from three to two. It was further noted that, per the City's request, the entrance to the underground parking structure would be from Eads Ave. because there was a traffic light on the corner of Eads and Pearl, which would help in controlling the traffic entering the project. It was further noted that all the delivery and trash areas would be located on Bishop Lane. Applicant had also reduced the commercial portion of the project by 20% from its last design as well as reducing the footprint of the project to 60% of the entire lot. There are two proposed elevators. One for the commercial and one for the residential. Jacaranda trees are required for this development, which will be provided on Eads Ave.; flowering Pear trees will also be provided. Stiegler noted that one of the cycle issues raised on the previous version of the project related to building 5 residential units in the RM1 zone when only 2 such units were allowed. Mr. Alcorn explained that, since the applicant is consolidating the two lots, 5 units would be permissible on that portion of the property. It was noted that FAR was not an issue. Stiegler also pointed out that, in the past cycle reviews for this project, bulk and scale was an issue with Long Range Planning department. Presenter noted that all issues with Long Range Planning has been resolved. Stiegler further noted that this Committee could only decide on the commercial portion of the property as it was the only portion that actually was subject to the LJPDO jurisdiction. There was detailed discussions regarding to patios, balconies, and windows overlooking neighbors. Stiegler noted her concern about the staircase that led to the parking structure from Eads Ave. It was noted that the staircase would be gated and well lit. Fitzgerald asked how the residential and commercial parking space would be differentiated to ensure that clients of the commercial areas would not park in the residential spaces. Other than being marked, there would be no other means to segregate the spaces. After reviewing the parking requirements, it was decided that the present design does indeed meet the PDO requirements.

Public Comments:

Connie Branscomb voiced her concern about not having enough parking spaces for all the commercial clients as well as the occupants and their visitors/guests. She recommends the project to be reduced from 12 units to 8.

Ryan Panned (spelling?) was concerned whether a tow truck would be able to enter the garage structure to tow away illegally-parked or disabled vehicles. The presenter noted that the parking structure was designed per the City requirements and, as a result, there should be no issue here. Doug Moranville expressed his

concern as to how the trash would be collected from Bishops lane amidst all the parked cars. Mr. Alcorn responded by indicating that the majority of La Jolla is treated the same manner as this project would be.

Leslie Gaunt addressed the Committee members with a detailed presentation of the opposition of the project by the Southerly neighbor(s). A detailed brochure was handed to everyone. Ms. Gaunt's presentation will be included as part of the PDO record. She noted that there were no dimensions provided by the applicant and, as a result, any decision on the project by the Committee would be premature. There was great concern about the bulk and scale of the project and how it relates to the PDO regulations. She further noted that the density did not comply with the PDO. The major concerns were detailed fully on pages 7, 11, 12 and 14 of her handout.

Scope of Work Quote from Architect's Letter, July 10, 2015 to City Permit Processing: "The project retains an overall density of 1.12 and the building footprint has been reduced to 64% from the previous 70% building coverage. The retail space has been reduced by 22% from 6830sf to 5340sf and the dwelling unit on RM-1-1 portion of the lot has been reduced from 3 stories to 2 stories (30ft to 24/2Sft height). The dwelling unit count at southerly RM-1-1 portion of the site is reduced by 37.5% from 8 to 5 and the southerly rear setback of the property which is located in the RM-1-1 zone has been increased from 10ft to 15ft. Street parking along Eads Avenue has been increased by 150% from 2 to 5 available. Underground project required parking is 32 although 38 spaces are provided (6 extra)."

Action: This item was removed from the Agenda by Chairperson Stiegler and Vice-Chair Fitzgerald. The reason: The City's cycle issues letter was not available shortly before the meeting. As a result, there was insufficient time for the Committee members and members of the public to review this important material prior to discussion and Committee vote.

b. Project Name: The Conrad Prebys Performing Arts Center

Address: 7600 Fay Avenue, La Jolla, CA 92037

Project Number: 421722 **PDO**

Zone: 3

Applicant: La Jolla Music Society **Agent:**

JWDA and/or Atlantis Group

City Project Manager: Patricia (PJ) Fitzgerald **Date of**

App Notice: 07/09/15

Scope of Work: (Process 2) Coastal Development Permit and Easement Vacation to demolish two existing commercial buildings and construct a Performing Arts Center (44,014 sf) on a 30,760 SF site in Zone 3 of the LJ PDO and within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable), Coastal Height Limitation Overlay

Zone, Parking Impact Overlay Zone, Transit Area Overlay Zone, and Council District

1. This project is coming to the Committee to present how the overall facility design responds to the requirements of the PDO along with proposed colors, materials and landscape. The project as proposed is not requesting any variances.

Mr. Christopher Beach, President and Artistic Director of the La Jolla Music Society introduced this project to the Committee. He further introduced the members of the project team who were in attendance and available for any questions that the Committee members or any member of the public that were present.

Mr. Ray Porfilio, Chief Architect of the project. Mr. David Sorenson, Parking Consultants

Martha Dennis, Chairperson of the Board of Directors of La Jolla Music Society. Allen

Joslin, Architect.
Debra Epstein, Architect.
Marcela Escobar Eck, Atlantis Group.

Mr. Beach introduced the overall project. He explained that the current Sherwood Auditorium was being closed down and that the Conrad would replace it. The new auditorium would have a 500-seat music hall along with a 150 seat Cabaret multi-use space. An elaborate color brochure was distributed to all the members. This brochure is a part of these minutes. Mr. Beach further notified the audience that a web page has also been created that contains all up-to-date information about the project. The web page is www.theconrad.org. Construction is estimated to commence this spring and completion of the project is estimated to be in January

2018. Mr. Beach informed the Committee that he requested all of his team members to design the Conrad so that it will comply with all land-use regulations without have to request any deviations or variances. He then turned the floor to Mr. Ray Porfilio, Architect, to present the project. Mr. Porfilio presented the entire project with color slides that were a copy of the brochure that was handed out earlier. He further summarized the project with the following information:

Drainage: Mr. Porfilio explained that there was a 60-inch storm drain that was located beneath the project. Please see brochure. This storm drain would be replaced by a 66-inch storm drain by the applicant, which would increase the life of the drain to 100 years. He further noted that all area water that was drained from the site would be filtered before it exited the project.

Landscape: Mr. Porfilio demonstrated that the City staff was coordinating the landscape of the project to match and coordinate with the upcoming Boffo Cinemas (across the street from this project), as well as with the Monarch Cottages. The applicant has agreed to all of City staff's requirements and suggestions for landscaping. The landscaping would have a layered effect. Major trees on the street side layered with more accent trees as you enter the project. Currently, the applicant exceeds the minimum landscape requirements. Please refer to brochure.

Parking Mr. Porfilio reported that they had presented their Parking Management Plan to the T&T Committee recently and that the Committee had unanimously approved their plan. The applicant has purchased 67 parking spots from the nearby Bank of America parking structure as well as having 6 onsite parking spaces, totaling 73 spaces. In addition, the applicant had formally arranged for parking spaces at other nearby buildings to accommodate peak requirements. The applicant noted that, per their parking requirement calculations, at peak times, the required parking would be for 192 spaces. Please see brochure for further detail. Fitzgerald noted that an executed shared parking agreement would be necessary to comply with the PDO requirements. Ms. Escobar explained that the applicant had presented its Parking Management Plan, including its off-site parking agreements, to the City Staff and it was deemed acceptable.

Height: Mr. Porfilio indicated that no part of the proposed building structure was more than 30 feet. Applicant had complied with all Land-Use building height requirements.

FAR Mr. Porfilio noted that the FAR of this project was below the maximum allowable FAR.

Exterior Materials Please refer to the color brochure. Generally, the primary material used will be stucco with a natural tone. Terra Cotta with earth tones will also be used. Pavers and some wood accents would complete the remainder of the project. It was noted that a portion of the roof towards the Bishops Lane alley would be a standing-seam metal roof with a dark Terra Cotta color. Mosaic walls will surround the entrance to the project, although the applicant may decide to use a perforated metal wall instead, which would also comply with the PDO.

Mr. Porfilio concluded his presentation by noting that the applicant has not finalized the signage and will return to this Committee once the signage proposal is complete. Also, he noted that there will be two encroachment removal agreements that still need to be finalized with the City. These agreements deal with a trellis awning that cantilevers over the public city sidewalk and with the lighting along the sidewalk.

Chairperson then opened the meeting for public comment:

Mr. Bob Whitney expressed his concern that the applicant was not providing any new parking and yet the applicant was not requesting any deviations. He noted that all applicants must demonstrate how their new project would allow for additional parking while this project does not allow for any new parking. He expressed his concern that this would create a precedent for all future applicants.

Another member of the public also noted his concerns about the lack of new parking spaces. He questioned why the applicant would not construct underground parking. Mr. Porfilio explained that due to the existence of the storm drain the ran under the project, underground parking was not possible or feasible.

Detailed discussion followed regarding the lack of new parking spaces provided. Applicant further explained that the majority of the events that will take place at the Conrad would be in the evenings when parking is less of an issue. It was further explained that the Sherwood auditorium is presently operating with exactly the same parking arrangements and the Conrad would simply be replacing the Sherwood. Mr. Sorenson provided additional information regarding the further explained the Parking Management Plan.

Athena Harman expressed her sincere support of this project and further noted how this project would be an great economical benefit to the community.

Eleanor Ellsworth also expressed her support of the project.

Sue Wagner expressed her support of the project and claimed that it was “the best thing that has happened for La Jolla in 45 years”.

Fran Zimmerman expressed her concerns about the lack of new parking spaces for the project, but further noted that, the parking issue aside, she supported the project.

Marcela Escobar Eck referred to a chart in the brochure that further explained the parking arraignments for the project.

Motion by Marengo/seconded by Zimmerman: “Proposal conforms with the PDO requirements, with the exception of signage that will be presented to this Committee at a later time for their approval.” Vote 8-0-0 passes unanimously.

4. Recommendations to CPA Committee

- a. None

Meeting adjourned at 5:40

Respectfully submitted,

Peter Ovanessoff, Acting Secretary

NEXT MEETING – MONDAY, SEPTEMBER 14, 2015

Please check <http://www.lajollacpa.org> 72 hours prior to meeting, meeting may be cancelled if no projects are on the agenda.

**FOR ADDITIONAL INFORMATION, PLEASE CONTACT IONE R. STIEGLER, FAIA, CHAIR, 858-456-8555 OR
istiegler@isarchitecture.com**

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services

Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

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LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Report – August 2015

August 11, 2015 Present: Benton (Chair), Costello, Leira, Mapes, Welsh, Will
August 18, 2015 Present: Benton (Chair), Collins, Costello, Leira, Mapes, Welsh, Will

1. NON-AGENDA PUBLIC COMMENT

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

August 11, 2015:

1. Mike Costello reviewed the history of the height at the former Jonathan's, which is being converted to a movie theater. Following a complaint, the exterior walls at the south and east were remeasured and portions removed to lower the height to conform to the 30-foot height limit. It now appears that some rooftop improvements in the interior of the building may also exceed the permitted height. Mike will follow through with additional information as it becomes available.
2. Mike Costello noted that on those occasions that he records the DPR meetings, that a recording of the meeting is available on request by emailing a request to him.

August 18, 2015:

1. Bob Collins presented the memorandum from the August 12, 2015 meeting of the Smart Growth & Land Use Committee of the City of San Diego Council, dealing with Vacation Rentals. He noted that it is somewhat vague and that a lot work appears to be needed.

2. APPROVAL OF MEETING MINUTES

SUBCOMMITTEE MOTION 8/11/15: To approve the Meeting Minutes of July 21, 2015.

(Welsh / Costello, 3-0-3)

In Favor: Costello, Leira, Welsh

Opposed: 0

Abstain: Benton, as Chair, Mapes, Will

Motion Passes

SUBCOMMITTEE MOTION 8/18/15: To approve the Meeting Minutes of August 11, 2015.

(Collins / Costello 5-0-1)

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

Opposed: 0

Abstain: Benton, as Chair (Will not present)

Motion Passes

3. PRELIMINARY REVIEW 8/11/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name:	Marisima Travel Center NUP	Permits:	NUP
	1654 Marisima Way	DPM:	Morris Dye, (619) 446-5245
Project #:	412914		mdye@sandiego.gov
	Zone: RS-1-2	Applicant:	Island Architects

LA JOLLA (Process 2) Neighborhood Use Permit for Home Occupation at 1631 & 1654 Marisima Way. The site is located in the RS-1-2 zone, Coastal (non-appealable) overlay zone within the La Jolla Community Plan Area. CES # 221585 for location 1631 Marisima Way only, which will not be the location of the NUP.

APPLICANT PRESENTATION 8/11/15 (Karina Urias)

The purpose of the NUP is to permit a home office for a travel agency. The office has one employee who is present one day per month. A site plan was presented which indicates that 5 parking spaces are available on site. No visitors are expected to the building during business hours. No signage or other improvements are proposed in this project.

The applicant was asked to present the conditions related to the employee's attendance and visits to the house office, and its limitations.

SUBCOMMITTEE MOTION 8/11/15: The Committee wishes to consider this Preliminary Presentation as sufficient to make a finding and recommendation for this project. A unanimous vote is required. (Will / Mapes 5-1-0)

In Favor: Benton (Chair), Mapes, Leira, Welsh, Will

Oppose: Costello

Abstain: None

Motion Fails for lack of a unanimous vote.

FINAL REVIEW 8/18/15

APPLICANT PRESENTATION 8/11/15 (Karina Urias)

The Applicant presented the relevant sections of the SDMC, which permit up to one employee between 8 am and 5 pm Monday through Friday. The date time are similarly limited for business guests. The City has reviewed the parking plan. It is noted that one of the parking spaces had previously been shown incorrectly and has been deleted.

The Code Enforcement case was discussed: the complaint was more about the large family occupying the house rather than the business conducted in the home at 1631 Marisima Way: the current application is for long-term NUP to conduct business at 1654 Marisima Way.

No signage is proposed in this application.

Karina read an email to Morris Dye in which she stated that the client wishes to limit this application to 1654 Marisima Way. Karina added notations to Sheets T1, A1.1, and A2.2 that indicate that the application is limited to that address only, and that indicates that the number of client visits is limited to one person per week.

DISCUSSION

A discussion ensued about home-based businesses and their affect on the neighborhood.

Ed Comartin described some of the difficulties that are encountered when a home-based business is operating in a residential neighborhood. There are deliveries, clients and employees visiting the property, and the increased traffic is difficult to monitor.

SUBCOMMITTEE MOTION 8/18/15: Findings CAN be made for a Neighborhood Use Permit for the Home Occupation at 1654 Marisima Way only, limited to one client visit per week. (Will / Mapes 4-1-1)

In Favor: Leira, Mapes, Welsh, Will
Oppose: Collins
Abstain: Benton (Chair)

Motion Passes

4. FINAL REVIEW 8/11/15 (PRELIMINARY REVIEW 7/14/15)

Project Name:	Lawton Residence Pool Installation	Permits:	SDP
	6525 El Camino del Teatro	DPM:	Edith Gutierrez, (619) 446-5147
Project #:	348808		egutierrez@sandiego.gov
Zone:	RS-1-4	Applicant:	Camille Towey
			(619) 279-0412

Site Development Permit (Process 2) to demolish an existing 2,596 square foot single family residence and construct a new swimming pool and sports court, which will tie the two lots, and associated retaining walls. The site is in the RS-1-4 zone, Coastal (Non-appealable Area 1), Coastal Height and Parking Impact Overlay Zones within the La Jolla Community Plan Area.

APPLICANT PRESENTATION 7/14/15 (Camille Towey)

The project was presented, portions of the written description are incorrect. The former house and structure collapsed during minor renovation, so an emergency demolition permit was issued. There is no request for a permit to construct a residence, and garage, etc. The request is for a pool and lot tie to make a sports court. The owner is an Olympic diver. No other structures except retaining walls and the swimming pool. Will use drought tolerant plants, pool covers. They need a CDP for the demo (after the fact) and pool, and a lot tie.

DISCUSSION

A discussion ensued about the recent history of the property, and the scope of the project. The construction of the house and residence has been eliminated from the project.

The scale and location of the swimming pool were reviewed, in relation to the retaining walls and the landscaping of the area.

PLEASE PROVIDE FOR FINAL REVIEW:

- a. Please provide a section through the neighboring houses on each side of your project.
- b. Please provide an elevation (photo-simulation) showing the pool area and hill, and how walls and vegetation will assure slope stability.
- c. Show an elevation view from the street showing the houses on each side.
- d. Please show an areal view of the project site and surroundings (Google Earth?).
- e. Show the relationship of the sports court to the main house, and how the lots tie together.

APPLICANT PRESENTATION 8/11/15 (Camille Towey)

The supplemental information was presented and reviewed. Additional information was provided regarding residences on double lots in the neighborhood. The historic review has been completed, and the finding is that no historic significance was identified.

A total of 5 parking spaces will be provided on this site, in addition to the one space on the upper lot of the existing house.

Although the project appears to be large scale, the area is a residential use. The owner is willing to agree to a binding agreement not to engage in any commercial activity on this property.

DISCUSSION

A discussion ensued about the relation of the improvements to the existing house and to the neighboring properties. It appears that there is very limited connection between the main house and the subject property, and the bridge connection. The drawings presented stop at the property line, and it is not clear if there is a suitable transition from this project and the neighboring properties, where scale and privacy would be important, and the transition to the main house to be joined to this property, where a usable direct connection is desirable.

Please provide for the next presentation:

- a. An elevation and site plan at 1/4" scale that shows the relation of the improvements on this property to the adjacent property to be joined with this property, which will show the uses and the connections between the related house and the improvements of this project. Provide additional photographs of the adjacent buildings and the site.
- b. Show the relation of this property to the adjacent properties as they exist.
- c. Material samples or images of the stone in the retaining walls and proposed fencing for both properties that eventually will be joined.

FINAL REVIEW 8/18/15

APPLICANT PRESENTATION 8/11/15 (Camille Towey)

The additional information was presented, with photographs of the site and the vacant lot in relation to the existing residence. The planting and the uses of the landscaped areas were discussed.

A letter by the owner was presented which indicates that the pool will not be used for a commercial purpose.

DISCUSSION

A discussion ensued about the configuration, the relation to the adjacent properties, and the improvements.

SUBCOMMITTEE MOTION 8/18/15: Findings CAN be made that the proposed project conforms to the La Jolla Community Plan for a Site Development Permit (Process 2) to demolish an existing 2,596 square foot single family residence and construct a new swimming pool and sports court, which will tie the two lots, and associated retaining walls, at 6525 El Camino del Teatro.

(Costello / Will 7-0-1)

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

Oppose: None

Abstain: Benton (Chair)

Motion passes.

5. PRELIMINARY REVIEW 8/11/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name:	CONRAD PREBYS PERFORMING ARTS CENTER & EASEMENT VACATION	Permits:	CDP, SDP
Project #:	7600 Fay Avenue 421722	DPM:	Patricia FitzGerald, (619) 446-5107
Zone:	RS-1-4	Applicant:	pfitzgerald@sandiego.gov Matthew Geaman, (619) 233-6777

Coastal Development Permit and Site Development Permit (Process 2) to demolish an existing retail building and construct a 44,014- square-foot, 2-story over basement level Performing Arts Center located at 7600 Fay Avenue. The 0.706 acre site is within Zone 3 of the La Jolla Planned District, Coastal (Non-appealable) overlay zone and within the La Jolla Community Plan Area.

APPLICANT PRESENTATION 8/11/15 (Christopher Beach, La Jolla Music Society; Ray Porfilio, Martha Dennis, Marcella Eskobar-Eck, Dave Sorensen, Alan Joslin and Debra Epstein)

The project includes a 500-seat performance hall with stage and fixed seating to the north, and a 150-seat smaller theater in a cabaret setting to the south. These spaces are grouped around a central courtyard. Other uses on the site will include ticket sales office, general offices, and support spaces. The projected start of construction is Summer of 2016. The central courtyard serves as an outdoor entrance lobby and connection to Fay Avenue.

Ray Porfilio described the elements of the design – The community issues include a variation in the scale of the other buildings, a variation in the relationship to the street, and wide variation in scale and materials. There is a varied street edge, including varying use of street trees. The cabaret theater to the south is a lower-scale element that has a separate visible presence at the street. The courtyard is also approached from Fay Avenue, and surrounded by a colonnade, and is equipped with a refreshment kiosk. The exterior materials will be natural, with accent colors.

The project is in PDO Zone 3, which does not have any setbacks, other than the 16-foot curb to front wall setback. There is a storm drain easement that crosses the site: portions of the structure will be built upon the easement. No stormwater management is expected: water infiltration will be managed onsite with permeable pavement and infiltration methods. The lot is 30,760 sf; LC is 70%; FAR is 1.15, less than the 1.3 allowed. The roof of the cabaret theater is 30' above grade, a portion of the roof extends into the angled front yard setback: this roof encroaches less than the permitted 20% encroachment into the angled setback.

A Parking Management Plan was presented. The plan includes designated valet dropoff stations, designated parking spaces, a purchase of 67 parking spaces at the Bank of America parking garage, and other committed parking spaces within 600 foot radius: 241 parking spaces are available. A total of 741 available parking spaces have been identified within a greater radius and for valet service. For daytime office uses, the available parking is the 67 spaces in the Bank of America parking garage. Parking information will be provided with each ticket sale and emailed in advance of the performances where possible.

The landscape approach and design relate to the large structures in a manner that will reduce bulk and scale, incorporate open areas such as plazas and courtyards, provide curbside planting and street trees. Open space of 4614 sf is required at the site, which is provided in the courtyard. The street trees will be Fern Pines and Golden Medallion. Olive trees will be provided in the courtyard, as well as a trellis.

Exterior materials will be stucco, terra cotta finishes and cast forms, glazing is clear. Accent colors at entries, windows, and other similar locations, will consist of a range of blue, terra cotta, and yellow colors. The box office will have a splash of color using the accent colors in a tile mosaic, and some perforated metal. The metal roof will be finished in a terra cotta color.

The entrance canopy is 64 feet long, and projects 5 feet beyond the property line and over the sidewalk fronting Fay Avenue.

The facility will be usable for public events.

The courtyard serves as the lobby for the theater spaces: it will have a gate that is closeable in evening hours. The courtyard will be open to the public from 8:00 am to 8:00 pm seven days a week.

DISCUSSION

Marianne Beister spoke in support of the project as it will serve as a home for the Music Society and will serve as a needed gathering place on Fay Avenue; it will strengthen the educational component of the downtown La Jolla area. Steve Haskins observed that the scale of

the project is appropriate for the scale of the La Jolla area. Mark of the La Valencia Hotel noted that the size of the facility is an appropriate scale, that the use of available parking in other buildings is appropriate for the project and for the parking environment in La Jolla.

David Abrams of Traffic & Transportation noted that his committee voted unanimous recommendation of the project.

Erika Torri, executive director of the Athenaeum described her support of the project, and described the coordination of the coloring with the Athenaeum.

Please provide for the next presentation:

- a. The traffic management plan
- b. Time schedule that the gate leading to the courtyard is open
- c. A description of the community events that are expected to be presented, and how the Music Society will provide for these
- d. A description of the community outreach program for partnering with local restaurants and other businesses for performances and events at the Music Center.

FINAL REVIEW 8/18/15

APPLICANT PRESENTATION 8/11/15 (Marcela Escobar-Eck, Christopher Beach, Matt Geaman, Dave Sorensen)

Copies of the traffic management plan were distributed.

Christopher Beach discussed the alternative uses for the facility, which will be available for other recognized community uses: there will be a charge for these, which should be in line with the fees normally charged for this kind of facility.

The coordination and outreach to the other businesses in the area were discussed. These will principally link the Music Society performances with the local restaurants and the hotels in the area.

The landscaped area was discussed, including those areas that are defined as landscaped areas. The landscaped portion of this site is 15% of the site, 4,827 sf where 4,614 sf is required. The portion of the courtyard open to the sky is included in this. This courtyard will be open from 8:00 am to 8:00 pm seven days each week, as required in Appendix B of the LJPDO.

DISCUSSION 8/18/15

A discussion ensued about the uses of the new facility. Both spaces will have the capability for musical performances in a range of configurations, as well as dances.

There was some discussion about the trellis projecting the interior courtyard, which is required to be open from the ground to the sky. The Applicant presented a Preliminary Review in which the reviewer stated that it is likely to be acceptable to planning staff.

SUBCOMMITTEE MOTION:

(Collins / Mapes 6-0-1)

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

Oppose: None

Abstain: Benton (Chair)

Motion Passes

6. PRELIMINARY REVIEW 8/11/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: **VERIZON ALTA LA JOLLA**
1570 La Jolla Alta Drive

Permits: SCR of NUP

Project #: 394454 DPM: Karen Lynch, (619) 446-5351
Zone: RS-1-4 klynchash@sandiego.gov
Applicant: Jill Cleveland, (760) 420-4833

Substantial Conformance Review Process 2 to NUP # 368020 PTS# 39165 for the replacement of 6 antennas, installation of 12 RRU's 2 power fiber cables, 1 battery equipment cabinet, and one surge demarcation junction box, located in Zone RS-1-4; Geologic Hazard 25.

APPLICANT PRESENTATION 8/11/15 (Jill Cleveland)

Jill Cleveland described the project, which is at the recreational center of the Alta La Jolla Association. The existing structure houses antennae for two different providers. The existing square enclosure will be extended 2 feet higher, and the equipment will be within that enclosure. Portions of the enclosure extension will include faux-brick created with fiber-reinforced plastic, as well as panels that appear to be like stucco. The connections to the antennae will be by the existing coaxial cables.

DISCUSSION

A discussion ensued about the location of the work, the placement and expansion of the equipment. The enclosure was reviewed, and it was not clear that the highest point of the extended enclosure is less than 30 feet above grade. Paul Benton described the method for calculation of height, noting that the height is measured from existing or proposed grade, whichever is lower, and referred the Applicant to the Architect who has prepared the proposed analysis. A detailed analysis is necessary showing how the added equipment will meet the Coastal 30 ft height limit.

Please provide for the next presentation:

- a. Confirmation of the permissible height of the proposed enclosure. This will likely require confirmation of the existing grade at the time of original design and construction of the club house as shown by a topographic site plan in the construction set of drawings at that time.

This matter is continued August 11, 2015 to a later meeting. Not presented at the August 18, 2015 meeting.

7. SUBCOMMITTEE MOTION 8/18/15:

As Chairman Benton is recused from the 801 Pearl Street project, a Chair Pro Tem was elected. Michael Costello was nominated.

(Will / Mapes 6-0-1)

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

Oppose: None

Abstain: Benton as Chair, Costello

Motion Passes

8. PRELIMINARY REVIEW 8/18/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

1.

Project Name: **801 Pearl Street - CONGER** Permits: CDP & TM
Project #: 294307 DPM: John Fisher, (619) 446-5231
Zone: RM-1-1 Applicant: jfisher@sandiego.gov
James Alcorn
(858) 459-0805

Scope of Work:

(Process 4) Coastal Development Permit and Tentative Map to remove an existing service station and construct a new mixed-use project with four retail units and 12 residential units with a subterranean garage: total development 23,340 sf. The property is located at 801 Pearl Street with a portion in Zone 4 of La Jolla Planned District and another portion in the RM-1-1 Zone, within the La Jolla Community Plan, Coastal Overlay (non-appealable 2), Coastal Height Limit, Parking Impact Overlay Zone (Coastal), the Transit Area Overlay Zone, the Residential Tandem Parking Overlay.

APPLICANT PRESENTATION 8/18/15 (James Alcorn)

The Applicant presented the overall site conditions: the Pearl Street side is designated as the Front, the south side abutting the residential properties is designated as the Rear, and the Eads Avenue and alley sides are designated as the respective Street Sides. He presented the existing conditions of the properties on both sides, and the density, pattern of development, and the

The status of the reviews to date by the City staff were discussed: Landscape, Transportation noted that 32 spaces would be required, where 38 are provided. The traffic report indicates that there will be a net reduction in the number of trips to and from the site compared to the existing gas station use (288 less trips per day). The loading area is parallel to the alley, 14 feet wide, with turnout distance, for a total of 600 square feet.

The proposed development is no more than two stories in height. The Rear yard set back is increased to 15 feet, where it had previously been 8 feet. The elevations and sections were presented. The landscape plan was presented including the street trees and the site planting. The pattern of development in the neighborhoods was discussed. The existing commercial properties along Pearl Street in this area range in FAR up to 2.0 and three stories, which is much greater than FAR of 1.12 and the two stories of this project. The residences on Eads Avenue range up to two stories, with many multifamily buildings, and range in FAR up to 0.75.

The sign program will be a separate application, and will likely be governed by the CC&Rs of the association as well.

DISCUSSION

A discussion ensued about the proportion of the development (all 2 stories) and the potential uses in the commercial spaces. The number of units facing the Rear is more than would be provided if the property were not joined to the greater density of the PDO property. The project increases the walkability of the area, with the elimination of several driveways is beneficial.

Constance Branscomb described the project as massive, with a comparison to other projects of this scale. A question arose regarding the locations of trash storage and moving vans. Parking in general is limited in this area, and the provision of additional parking in the project should be provided in the building, and remove parking demand from the street. No tandem parking is proposed.

Ed Comartin requested more information about the articulation of the exterior and ways to soften the appearance of the exterior. The articulation was discussed as a way to possibly subdivide the building into smaller masses. The grilles in the balcony rails will be terra cotta, with repeated elements such as awnings, window openings, and projecting balconies that provide interruption of the planes with shade and shadow.

Don Thompson requested that story poles be erected: these will not be provided.

Karen Moranville commented that the land is 2/3 commercial, and 1/3 residential: the commercial uses do not appear to be that inviting. The conversion of this commercial property to residential is eliminating the commercial opportunities in the La Jolla community. The landscaping was discussed: the neighbor to the south requests canopy trees instead of the Dwarf Italian Cypress proposed. Along the sidewalk fronting Eads Avenue, Aloe Vera and Natal Plum are proposed which could make it difficult for individuals to get access to cars parked along Eads Avenue. She requested that the materials submitted to the Committee be forwarded to the City staff reviewers.

Mark Fackler requested information regarding the current zoning of the site. The lot fronting Pearl Street is Zone 4, which permits one unit for each 1500 sf of lot; the remainder is RM-1-1 which permits one unit for each 3000 sf of lot. The project appears to be an encroachment of the intensity of development that is permitted along Pearl Street into the Eads neighborhood. This will be changing the character of Eads, which is increasing in intensity of use. He stated support for the design presented.

Lesley Henegar described the pattern of development along Pearl Street, where the nearby properties were discussed, and some of these are three stories.

Dave Dilday requested information regarding the processing level of the project. Environmental reviews are not completed, and this presentation is a part of the review. He stated support for the design presented.

SUBCOMMITTEE MOTION 8/18/15: *The Committee wishes to consider this Preliminary Presentation as sufficient to make a finding and recommendation for this project. A unanimous vote is required.*
(Collins / Will 3-3-0)

In Favor: Collins, Costello, Will

Oppose: Leira, Mapes, Welsh

Abstain: None

Recused: Benton

Motion Fails for lack of a unanimous vote.

Please provide for the next presentation:

- a. Provide alternative use of landscape and the form of the building to soften the appearance fronting Eads Avenue.
- b. Develop the planting further as described in the meeting.

This matter is continued on August 18, 2015 to a later meeting.

LA JOLLA TRAFFIC AND TRANSPORTATION BOARD
DRAFT MINUTES
Regular Meeting: Thursday August 27, 2015

Members Present: Dave Abrams LJCPA, Tom Brady LJCPA, Earl Van Inwegen LJTC, Donna Aprea LJTC, Michelle Fulks BRCC, Patrick Ryan BRCC, Nancy Warwick LJVMA Corey Bailey LJVMA, Brian Early LJSA, John Kassar LJSA.

Members Absent: None

Approve Minutes of July 23, 2015. Donna Aprea requests change in time of adjournment to 6:05pm. Patrick Ryan is Chair of ad hoc subcommittee studying parking time limit changes. Motion to Approve Amended Minutes: Van Inwegen, Second Brady passed 9-0-1 (Kassar)

Public Comments- Non Agenda Items: Ed Ward appeared before T&T in April requesting traffic calming measures for La Jolla Scenic Drive South. Traffic Lights on La Jolla Scenic Drive So, Soledad Mt Rd, and Nautilus Streets are not coordinated to maximize traffic flow; resulting in very few cars progressing forward, backing up traffic and causing hazardous conditions among impatient drivers. Mr. Ward spoke to Sherri Lightner's Office and received feedback but he wants to know what effort T&T made on his request in April. He expected a response from the Board. Dave explained that there was another Chairman of the Board in April and he does not know what the former Chair did, but contacting Sherri Lightner's Office is something that he would have done. Dave will follow up on Mr. Ward's request for traffic calming measures on La Jolla Scenic Dr. So.

Agenda Item 1: La Jolla Community and Holiday Parade. SDCDIG Continued from June 25, July 23, and now Applicant is requesting a third Continuance. Mr. Howard Singer of SDCDIG received an email and several new Community Outreach Petitions from Nancy Warwick less than 24 hours before this Meeting and his Attorney advised him to request a Continuance so they can review the new information. At issue is the new Petitions from Monarch and Orange Theory that Mr. Singer had not received at his post office box. Mr. Singer was surprised by the new Community Outreach Petitions stating that there was a July 23, 2015 Petition Deadline but T&T was still receiving them. The email and new Petitions resulted from some follow up work by Nancy with Business Owners on Girard.

Nancy explained that the Board was not able to vote on SDCDIG's request for street closures at the July 23 Meeting until T&T had more information about the Parade as well as verify the Petitions. As a Board it is T&T's responsibility to follow up on complaints that were received. Several Business Owners felt intimidated by Mr. Singer threatening to call them out on his Website or the La Jolla Light would call them out, when they voted No on the Petition, although Mr. Singer denied saying that to the La Jolla Light. Nancy's responsibility, as a Member of T&T, was to verify that there was no confusion with the Petitions. Some people were confused and they changed their votes on the Petitions, other people understood the situation and absolutely wanted to have it and she was not interested in making them change their vote. She received the new Petitions from Monarch and Orange Theory at that time and said that there is no deadline on the Petitions. All she wanted was to verify that there was no confusion with the Petitions and the process so that, knowing we had

correct Petitions, we would be able to Vote on the street closures. The results of her follow up work were that 32 businesses were in favor of the street closures and 52 businesses were opposed to the street closures.

Dave went back to Mr. Singer's earlier remark about the Petition deadline. There is no deadline on receiving the Petitions. We were trying to ascertain community input and in a number of cases, for whatever reasons, Mr. Singer was not able to get more responses, and through further effort and the continuance, T&T was able to get additional responses and there is no reason why they cannot be considered as part of our evaluation.

Mr. Singer spoke about emails he sent saying it didn't matter to them (SDCDIG) what the Vote was, and they would be happy to take a yes or no vote. He asked Nancy whatever made her want to walk around when he stated several times that he did not care what the Vote was, as it didn't matter to them. Dave responded that T&T does care about doing their job diligently and appropriately and that he (Mr. Singer) now wants a Continuance but had repeatedly said that he does not care what the Vote is. Mr. Singer repeated his request for a Continuance. Mr. Singer explained he did not care what the Vote was but now he wants to examine "how this was taken care of by Ms. Warwick."

Michelle advised Mr. Singer that we have spent a lot of time (a lot of time), discussing the same thing. If we are going to discuss it, let's discuss it, and if he is asking to wait until next month let's stop talking about it now because other people are waiting to discuss other things. If he wants to wait another 6 months let's talk about it in another 6 months otherwise we are just spinning our wheels and she is ready to make her decision now and move on. Mr. Singer stated he wanted a one month Continuance and Michelle asked him what was going to change in one month. Mr. Singer stated he did not know if Ms. Warwick was going to "go out and get more No Votes". Michelle asked Mr. Singer if he was going to be able to put on an Event of this caliber if we give a yes vote and he gets the permit in late September. Mr. Singer replied that they have spoken to the City and the City knows what is going on out here. Dave asked him what he was going to achieve with the Continuance. Mr. Singer received new information less than 24 hours ago and his Attorney told him to request a Continuance so they could review it and decide where to go from there. Nancy explained to Mr. Singer she understood he received the information late but we received the Agenda over the weekend and did not know he was on it.

Tom spoke of the email all Board Members received in addition to News Organizations from Mr. Singer asking Mr. Abrams and Ms. Warwick to arrange a meeting between the La Jolla Christmas Parade and SDCDIG Board members. "Voila, two parades on two consecutive Sundays in December would be avoided and eliminated." Tom asked Mr. Singer why his Parade would be eliminated if there was a Meeting. Mr. Singer responded why wouldn't it be eliminated. Tom advised Mr. Singer that we are not in the business of naming parades. That is not the function of T&T. Dave remarked that this was all about the name change and Mr. Singer denied it was about the name change. Mr. Singer stated that we all know why he is here, because this Community does not have a Community Parade. He held up a Banner, with the help of Ms. Linda Wenger that said La Jolla does not have a Community Parade. He started on:

“What Constitutes a Community Parade: How can any Community Event be described as a Community Event when the Event Chair of the Community Event refuses to have a discussion with a decision maker, official organization, or the daily or weekly newspaper. We do not have a Community Event here in La Jolla”.

Dave felt the issues were apparent and that we could move forward with some action. He was looking for a Motion when there was a question from the floor.

Darcy Ashley spoke to being really concerned in our discussion about another Continuance for Mr. Singer. The Merchants were already very uncomfortable with the Petition process and before sending Mr. Singer back out to the Community at large for even more information about the Petitions she requested that there is some direction given to him on how he conducts himself in interacting with the Merchants involved because to have him go back to the Community and stir up businesses and Business Owners is really not appropriate. Dave responded that was our concern the last time.

Michelle spoke of Mr. Singer’s hostility towards the Board. We have never had an applicant announce they were recording us, we never had an applicant sending emails to news organizations, we never had an applicant send us direct emails that could be perceived as threatening. Mr. Singer stated it was a public meeting and he had every right to record it and he did not perceive his emails as threatening.

John wanted to make a Motion but Nancy acknowledged Erika Torri of La Jolla Athenaeum. Ms. Torri spoke about being a bit offended by the Petition that was slipped under the Door of the Athenaeum at a time when it was closed. She was unaware of a Community Parade and was concerned about the date of the Parade. The La Jolla Athenaeum has always celebrated their Holiday Party the second Sunday in December for the past 27 years. It is a rather large Event for them with a lot of going on. The Athenaeum is coordinating this event with UCSD and the local Backers. They expect a lot of Members to attend with their Guests but Members will not come if their Street is closed for the Parade. Mr. Singers Community Parade is conflicting with their Holiday Event. Mr. Singer offered to change the Date of his Parade from the 13th of December to the 20th of December. Ms. Torri was asked by a Member of the audience if she would object to the Parade if it was on a different day and not the day of her Gala. Ms. Torri answered yes because there is always something going on every day.

Ed Ward spoke about the present day La Jolla Community being diverse and inclusive and that we are all better and stronger for it. We have Businesses from anywhere in the World of any kind. Our schools are filled with students from all over the World with diverse race, religion, ethnic heritage. One word should not define our Community as exclusive.

Bob Meanley of Meanley & Sons; he is a Business Owner that found the Petition misleading. The Petition reads that “The Community Parade will be taking place on Sunday December 13 2015 from 2p to 4p” The only Parade he knows of is the traditional parade and he thought the Petition was referring to the traditional parade. Mr. Meanley spoke of the major disruption of traffic a second weekend in a row during the busiest time of the season and as a business man it makes no sense. John responded that it was fairly well established at last month’s Meeting by Members of the Board that there was confusion with the Petitions and how it was carried out with many people commenting on the thing (petition) that they thought it was referring to the Christmas Parade before they signed it.

Dave closed public comments and was looking for a Motion from the Board either to Continue or Action. John said he would make a Motion but he would rather have a Merchant make the Motion. Nancy offered to make the Motion and explained it was long because it was an important issue and she wanted a lot of information to give to the City. John saw the length of the Motion and asked why he could not make a Motion to Deny the Street Closure and attach her document to it. He questioned the format.

Nancy asked if she could read it and let the Board decide. She started to read the Motion and John interrupted her to ask again, why he could not make the Motion to Deny the Street Closure and attach her document to it. The format bothered him.

Nancy explained if we vote no to the street closure the City may decide to disregard our vote and go ahead as Howard has pointed out and this was our chance to clearly tell the City what our thought process was.

The Motion reads: Howard Singer DBA San Diego County Diversity and Inclusiveness Group

Howard Singer DBA San Diego County Diversity and Inclusiveness Group has applied for a permit as an individual to conduct a parade on December 13, 2015. The La Jolla Traffic and Transportation Board recommends that the City deny Howard Singer's application for this date and location for the following reasons:

1. Mr. Singer has not demonstrated support from the affected businesses and organizations to hold an event in this retail dense location at a high volume time of year. It is an impact that can be mitigated by a change in date and location. The chosen time and route will have a catastrophic negative economic impact on the merchants since it would be occurring during the holiday shopping season. In addition, a major street closure is already approved, one week before the proposed event, affecting the same businesses. A second major street closure in December is an unfair and unnecessary burden to impose on the same group of businesses.
2. Mr. Singer's chosen date conflicts with the La Jolla Athenaeum annual holiday party that has occurred on this date for over 27 years. His event would effectively shut down the Athenaeum's event. Existing protocol for selecting a date for a new event provides that the host organizer avoid a date that conflicts with other events that have a long standing tradition in the area impacted.
3. In taking on such a large and complex event, it is of concern that there are no professional planners or experienced volunteers identified that make the likelihood that this event would be able to address the health, welfare and safety of participants and spectators.
4. Mr. Singer has not shown any evidence of any organizations willing to support or participate in his parade. As of this date there is no online presence to inform either potential participants or spectators of the necessary details of the event. There are no identified sources of funds- either by individuals or organizations- that would pay for the vendors needed to provide for the health, welfare and safety of the event.

5. Mr. Singer has stated his intent, in his own words via a recent August 24 email (cc'd to the City of San Diego.) The evidence is clear that Mr. Singer is using the City's Special Event procedures as a means to inflict intentional harm in order to attempt to force a change to the name of the La Jolla Christmas Parade. His application is not a proper use of the City's Special Event procedures, nor does it appear to be a sincere application to host his own special event. These email statements provide explanation as to why none of the needed infrastructure for such a complicated event has occurred to date. **(Copy of August 24 email in separate attachment)**

In the event the City decides to still grant this permit, the La Jolla Traffic and Transportation Board respectfully requests the following conditions be put on his permit:

1. That the parade route be relocated to another area of the Village, without retail density.
 2. Since Mr. Singer lacks experience putting on an event of this magnitude and he has previously agreed to retain the services of an event planner that has the expertise and prior experience of putting on an event of this size, that this be added as a condition on his permit.
3. That all service vendors be confirmed 30 days in advance of the date of the event.
4. That the mechanism for the payment for the Police Department and Traffic control officers be in place so that there is certainty that the City of San Diego will be paid for services.

Tom spoke of supporting the Motion that Nancy made. He thinks it is very important to clarify with the City the action and time we spent in the last three Months on this issue and that the Aug 24 email clearly explains the intent of the Petitioner.

A question was asked about the name of the Parade and Mr. Singer responded that the name was changed from the La Jolla Community Parade to the La Jolla Community and Holiday Parade.

Motion to Deny SDCDIG request for Street Closures on Sunday December 13, 2015. Warwick, Second Ryan passed 10-0-0.

At this time Darcy Ashley called a Point of Order. Darcy said with Roberts Rules the Applicant (SDCDIG) has asked for a Continuance and as a Board we need to make a Motion to Approve or Deny the Continuance. He (Mr. Singer) is the Applicant and he has asked for it. Dave questioned a second Motion but Darcy said that for our records we need to Vote on this, we could not leave it hanging out there. Dave asked for a Motion, so another Motion was made on SDCDIG's request for a Continuance. No Board Discussion on the Motion. **Motion to Deny the Request for a Continuance: Bailey, Second Warwick passed 10-0-0.**

Gale Forbes was not sure we gave our Applicant time to record the Comments on the Motion, just a point she is making. There was not sufficient time for him to record our Comments on the discussion directly affecting his Petition. John commented that he did not think he (Mr. Singer) was interested because he walked out the door but Gale said he had started to record them again but she guesses he decided not to.

Agenda 2: Village Parking Time Limit Review continued from July 23.

Patrick was identified as Chair and they held a Meeting last night (Aug. 26). Committee Members Present: Patrick Ryan, Deborah Marengo, Tom Brady, Nancy Warwick. Also Present Sheila Fortune, Brian O'Donnell.

The Goal of the Sub Committee was to try to strike a balance between enough time for visitors to experience the Village but short enough time to allow maximum access to the Village.

Parking Stay Times in the Village: strike a balance between giving people enough time to experience the Village and short enough time to allow maximum access or turnover, optimize parking times that would suit Visitors to Businesses and minimize any confusion for Visitors. Many Patrons benefit from longer parking stays to visit Restaurants while other Business would benefit from shorter parking stays. Absent greater parking supply at peak times, space turnover is the primary tool that the Village has at its disposal to maximize access to the Village for the greatest number of Visitors. There were several Blocks identified where the Group believed most Businesses would prefer their parking times changed to what was existing. It would be preferable, if possible, to look at Parking Times holistically instead of just one block at a time as it is currently done.

Some unresolved or issues of contention were the question of whether a majority of Businesses or Visitors needed a longest parking stay in other parts (of the village) were not agreed with the Group or that a significant proportion of people find varying parking times not any different from other similar Cities. There were two sides to this as well.

Another Meeting will be scheduled to get a real understanding or survey from Business Owners as to what length of stay would best suit their Customers. Absent the ability to collect the data they would review whether the subcommittee has enough additional information to make any changes that are not based on anecdotal conjecture or whether they should hold up existing needs for changes and simply recommend that anything that needs to be changed be changed from how it currently is. If they are trying to change it looking at it holistically they need some real data, if they do not have that data they are probably in the same place they are in now. The Subcommittee will try to schedule another Meeting to try to collect the data. If they cannot, then they are looking at something best suited not to be changed and be left the way it is. Another Meeting was not scheduled but Patrick will follow up with Dave for future Agenda issues.

Corey described the Village as a microcosm in the shape of a teardrop and if the subcommittee looked on it that way it might help pinpoint area's that where the parking stays could increase or decrease based on its volume.

Gale Forbes pointed out the Committee is seriously lacking Representation from certain Institutions within the Village including the three Churches and also the three Schools that would be affected by changes in Parking. These are vital parts of our Village that feed into the community character and they really should have a Voice in things that are being changed.

A Resident of the Village pointed out that Residents are important as well and should be able to park by their homes. Perhaps a Residential Parking Sticker for Residents could be looked into. Patrick responded that the subcommittee discussed that as well. Someone asked Patrick what his qualifications were and Patrick replied that he has been a Certified Parking Professional working with Municipalities for 23 years.

Agenda 3 Proposal to Change Regular Meeting day to Third Wednesday of the Month. Chartering Organizations that use our Recommendations requested a change in Traffic and Transportation Meeting Time to accommodate their Agenda's. The Third Wednesday of the Month at 4pm was suggested. Dave checked the availability of this Room at the Rec Center and it is available on the third Wednesday of the Month at 4pm. **Motion to Change our Monthly Meetings to the Third Wednesday at 4pm. Inwegan, Second Brady passed 9-1-0 Kassar.**

Gale asked Dave to read T&T ByLaws. He did and the ByLaws say that the Chair has the discretion to change the Meeting Time. The relevant ByLaws section reads:

5.1 Meetings of the La Jolla Traffic and Transportation Board shall be open to the public and held at a regular time each month at a location accessible to the public. Choice of the time and place of meetings shall be at the discretion of the Chairperson and the Executive Board.

Next Meeting is Wednesday September 16, 2015

Agenda 4 Increase Speed Limit on Prestwick Dr. City Staff proposal to increase speed limit on Prestwick Dr. between Calle de Oro and Dunaway Drive from 30mph to

35 mph. The California Speed Trap Law requires that the City survey the prevailing speeds on classified Streets every 7 years in order to remain radar enforceable under the provisions of the Law. The results of the survey for Prestwick Dr. indicate that the speed limit must be raised to 35 mph in order for the Street to remain radar enforceable.

Several Residents wrote Letters to the Board strongly opposing the speed limit increase and there are several Members in the Audience who also oppose the change. Police do not enforce the speed limit now, as a result, drivers are going 65-70. Residents of the Street are very concerned that the Speed Limit will be increased to 35 mph, Drivers will drive even faster than they are driving now, and the Police will still not enforce it. Patrick asked the Members of the Audience for the Prestwick Dr. speed limit increase if they would like the Speed Limit to remain at 30 mph when no radar traffic enforcement can be done, or, given the fact drivers are going 35 mph now would they like it to increase to 35 mph and have the radar traffic enforcement. Residents are concerned that that 35 mph could be increased at a later date to 40 mph. Gale Forbes suggested

that the City investigate accidents due to high rate of speed perhaps they will change their minds about increasing it. Four cars ended up in her front driveway. Audience Members from Prestwick Dr. appeared to be in agreement that they did not want the speed limit to increase and understood it could not be radar enforced.

Dave read 2 Letters from Prestwick Dr. Residents who also oppose the speed limit increase.

Traffic and Transportation usually requests Petitions from area residents who are requesting changes to their Street. This change in the Speed Limit is coming from the City but Residents are opposing it, therefore, a Petition among area Residents opposing a speed limit decrease is being requested. Dave asked them if they can get Names on a Petition and they agreed that they could.

**Motion to oppose increase to Speed Limit on Prestwick Dr. pending receipt of
Petition from area residents Ryan, Second Fulks passed 10-0-0.**

Adjourn at 5:25p

Respectfully Submitted
Donna Aprea

Email that was received by Applicant, sent to Traffic and Transportation Board
Members and referenced in the Motion.

[SDCDIG.ORG](http://www.sdcdig.org)

"Never believe that a few caring people can't change the world.
For indeed, that's all who ever have"

Margaret Mead

<http://www.10news.com/news/san-diego-human-relations-commission-offers-to-help-resolve-debate-over-la-jolla-parade-name>

What Constitutes a Community Parade?

How can any community event be **described** as a community event when the **event chair** of the community event **refuses** to have a **discussion** with any **decision maker**, **official organization** or the daily or weekly **newspaper** in that community?

Cc:

City of San Diego

Ms. Carolyn Wormser

La Jolla Light

Ms. Susan DeMaggio, Editor

Ms. Ashley Mackin

Mr. Pat Sherman

Channel 10

Mr. Dan Haggerty

San Diego Free Press

Mr. Doug Porter, Editor

Mr. Ernie McCray

San Diego READER

Mr. Don Bauder

Good morning, Dave and Cindy.

Please note the **attached pages** pertaining to **page 10A**. In other words, please scroll to the bottom of this email.
Dave, if you have any questions prior to sending this email to LJ T&T Board members, please don't
hesitate to call or email.

The only mistake may be found on page **8A**. I failed to change the number of bands from 8 to read 3. Please point out this change on page **8A** to La Jolla Traffic and Transportation Board members. Cindy, we will be having 3 bands.

Cindy sent only the revised pages and what Cindy did was correct. The revised pages reflected below are:
Pages: 1A, 3A, 4A, 6A, 7A, 9A, 10A, 12A

In other words, there have been no changes to Pages: 2A, 5A, 6A, 8A, 11A. You have previously sent these pages to LJ T&T Board members. If you add the **8** revised pages with the **5** non-revised pages, the total of 13 pages is correct.

To clarify the City of San Diego Special Events Application, I have provide this link for LJ T&T Board members to peruse. <http://www.sandiego.gov/specialevents/pdf/application.pdf>

There is one blank petition that I provided to the City of San Diego that was returned by Ms. Kodama. Please note that on that **approved LJ T&T petition**, the “**San Diego Diversity and Inclusiveness Group**” name appears **one (1) time** and the “**La Jolla Community Parade**” name appears **three (3) times**.

As you can see on **revised page 1A**, the name of our parade has been changed to the:
“La Jolla Community and Holiday Parade”

The SDCDIG is asking LJ T&T Board members to make a decision. We are hoping LJ T&T Board members will vote **YES** (Approved). However, It does not make one particle of difference whether you vote **YES** (Approved) or **NO** (Dissapproved). All this San Diego community of **La Jolla is asking for is that you vote**. That was precisely why the La Jolla Light Editor wrote the headline:

**“3 D’s of obfuscation”
Delay. Derail. Deny.**

We realize that each and every one of you feel you are in a dilemma. I can assure each and every one of you that you are not in a dilemma.

If each and every one of you will **follow the lead of Ms. Nancy Warwick** when Ms. Warwick, as a Board member of the La Jolla Village Merchants Association (LJVMA) voted **YES** and by an 8-2 margin, the **LJVMA “Requested the name of the La Jolla Christmas Parade be changed.”**

Almost every one of you knows very well that you, as decision makers, have been asked to make a very simple choice. Correct, it’s either **YES** or **NO**.

All of you must be aware that while your vote is about “**street closures and street closures only**”, you are voting on much more than street closures. Instead of beating up on the good guys who are ready and willing to answer any and all questions from anyone, we have a much better idea.

Why don’t four or five of you, to include Ms. Nancy Warwick and **three or four other vocal people**, along with LJ T&T Chair Mr. David Abrams, take a **deep breath, muster some courage and form a committee . . . tomorrow!** Politely request to meet with the La Jolla **Christmas** Parade Event Chair **early next week prior** to the **meeting** on Thursday, August 27.

By doing so, Ms. Warwick and Mr. Abrams would arrange a meeting between the La Jolla **Christmas** Parade Event Chair and SDCDIG Board members. Voila . . . two parades on two consecutive Sundays in December would be avoided and eliminated. To reach the La Jolla **Christmas** Parade Event Chair by email, telephone or by other means, a tab on the SDCDIG.ORG website may be accessed for this information. However, I have a feeling Ms. Warwick knows precisely how to reach this individual.

If you are unable to meet with this person, all of you will finally begin to understand why the SDCDIG had no other choice than to obtain **Sunday, December 13, 2015** for our proposed "La Jolla Community and Holiday Parade (LJCHP)." The La Jolla Light has published four editorials strongly recommending the La Jolla **Christmas** Parade name be changed.

Why continue to allow one individual and a few others to hold this San Diego Community of La Jolla hostage and rob all people, regardless of their ethnicity, nationality, race, religion or absence of religion and sexual orientation of the diversity, inclusiveness and tolerance enjoyed by each and every other greater San Diego community.

If you vote **NO**, not only will you be on the wrong side of history, a **NO** vote may have a negative effect on the otherwise positive acts you have accomplished in the San Diego community of La Jolla.

If you vote **YES**, you will be praised far and wide and become a member of the "**Terrific Ten**" and be remembered as the organization that put the final nail in the coffin and buried the last remnants of discrimination and prejudice in the La Jolla Community of San Diego. Everyone should feel welcome inside one tent.

My brother and I have each been on four television quiz programs and both of us were contestants on both television musical quiz shows. **WARNING:** Apropos of nothing, occasionally this Singer may wax musical.

If every LJ T&T Board member will take a moment and select the link following my signature, you will no longer be afraid of the Wizard of Oz or any other subject you fear or have feared. Just remember . . .

All the very best,
Howard
Howard G. Singer
La Jolla Community and Holiday Committee
Cell: 619.980.4586

<https://www.youtube.com/watch?v=Ry8CpIg2fvU>