



PO Box 889, La Jolla, CA 92038
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President: Tony Crisafi
Vice President: Rob Whittemore
Treasurer: Jim Fitzgerald
Secretary: Dan Allen

La Jolla Community Planning Association

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

Thursday, 7 July 2011

D R A F T AGENDA – REGULAR MEETING

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval:** 2 June 2011
4. **Elected Officials Report** – Information Only
 - A. Council District 2 – Councilmember Kevin Faulconer
Rep: **Thyme Curtis**, 619.236.6622, tcurtis@san Diego.gov
 - B. Council District 1 – Councilmember Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@san Diego.gov
5. **Non-Agenda Public Comment**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
 - A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>
6. **Non-Agenda Items for Trustee Discussion**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
7. Officer's Reports
 - A. **Secretary**
 - B. **Treasurer**
8. **President's Report** – Action Items Where Indicated
 - A. Ad Hoc Committee report –Information Only
Chair: Devin Burnstein
 - B. Item 33 of the 7th Update to the Land Development Code – information only
Report: Joe LaCava

9. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

→ *Anyone may request that a consent item be pulled for reconsideration and full discussion.*

→ *Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.*

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. Herschel Mixed Use Lofts

PDO ACTION: The Committee found the project in conformance with the PDO, 7-0-0.

7844 Herschel Avenue- CDP, SDP & Map Waiver to waive the requirements of a TM to create 6 residential condos and 1 commercial condo by converting a portion of existing commercial space to 3 residential units and 1 commercial unit and construct 3 residential units on a 0.16 acre site

B. BMW/Builders Signage

PDO ACTION: The signage as presented conforms to the PDO, provided the awning does not exceed building height, and the signage is less than 102 sf., 9-0-0.

Camino de la Costa & La Jolla Blvd - Awning renovation at the corner of the building and existing signage change.

C. Manzanita Cottage

DPR ACTION: Motion to approve the Coastal Development Permit and for a lot line adjustment at 1327 Coast Walk, 7-0-0

1327 Coast Boulevard - Coastal Development Permit for a lot line adjustment (between Parcels 1 & 3) and a 370 SF addition to an existing cottage

D. Herschel Mixed Use Lofts

DPR ACTION: Motion to approve Coastal Development Permit, Site Development Permit & Map Waiver to create 5 residential condos and 1 commercial unit at 7844 Herschel Ave.

7844 Herschel Avenue- CDP, SDP & Map Waiver to waive the requirements of a TM to create 6 residential condos and 1 commercial condo by converting a portion of existing commercial space to 3 residential units and 1 commercial unit and construct 3 residential units on a 0.16 acre site

E. Nooren Residence

PRC ACTION: Findings can be made for SDP & CDP based on the plans presented--dated 6/17/2011 and submitted to the City 6/28/11, 4-0-3

8001 Calle de la Plata - Demolish an existing single family residence and construct a 2725 3,700 square foot, two-story single family residence over a 656 635 square foot garage on a 0.10 acre site.

F. Consideration of Citywide residential floor area ratios of Chapter 13 of the San Diego Municipal Code apply to La Jolla Shores Planned District.

PRC ACTION: This committee recommends the CPA have a full hearing and discussion on the whether the underlying citywide FARs in all zones should be confirmed as applying in the La Jolla Shores Planned District. 5-0-1

10. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center

11. Torrey Pines Rd. Corridor

Project Manager: Julio Fuentes, Senior Traffic Engineer, City of San Diego

Improvements to Torrey Pines Road between La Jolla Shores Drive and Prospect Place, including slope stabilization, beautification, and addition of sidewalks and bike lanes. Prioritization of one segment of the project to move forward to full design and construction.

12. Kooklani I & II SCR – Planning Commission requests a recommendation from LJCPA & for July 21st Planning Commission hearing

7451 and 7447 Hillside Drive - Substantial Conformance Review to CDP No. 9045 and La Jolla Shores Planned District Permit (LJSPDP) No. 9046 for the Kooklani I Residence; and CDP No. 9047 and LJSPDP No. 9048 for the Kooklani II Residence that includes revised architectural design for the two previously approved single family residences.

LJSPRC Action June 2011: The LJSPRC voted 6-0-1 and 5-0-1 that it did not meet the SCR requirements --Prop D and other reasons--full motion coming

13. 8490 Whale Watch Way - public review of MND extended 14 days to July 12th

Demolish an existing home and construct a new 12,716 sf single dwelling unit on a 0.46 acre site. This includes a 6241 sf first floor and 6,475 sf second floor.

Previous LJSPRC action April 2010: Motion to deny - Project does not conform to LJS PDO section 1510.0301(b), 3-1-1

Previous CPA action May 2010: Motion to accept LJSPRC recommendation, 15-0-1

LJSPRC Action June 2011: The LJS PRC committee moves that the La Jolla CPA send a letter to the Development Services Department taking exception to the City's Negative Declaration 5-1-1

14. Adjourn to next Regular Monthly Meeting, Aug. 4, 2011, 6:00 pm



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La Jolla Community Planning

Association Regular Meetings: 1st

Thursday of the Month
La Jolla Recreation Center, 615 Prospect
Street

Thursday, 02 June 2011

D R A F T MINUTES – REGULAR MEETING

Present: Cynthia Bond, Devin Burstein, Laura Ducharme Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Rob Whittemore.
Absent: Dan Allen, Tom Brady, Ray Weiss.

1. Welcome and Call To Order: Tony Crisafi, President @ 6:08 PM

President Crisafi offered corrections to the Agenda: Presidents Report, Agenda Item 7-D, Palazzo, "Response to CPA decision considering modifications, City Council appeal hearing rescheduled: September 2011".

2. Adopt the Agenda

Approved Motion: Motion to Adopt the Agenda as modified: (Fitzgerald/Courtney 13/0/1).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Whittemore.

Abstain: Crisafi.

3. Meeting Minutes Review and Approval: 19 May 2011

Approved Motion: Motion to approve the Minutes of May 19, 2011, (Fitzgerald/Whittemore 11/0/3).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Whittemore.

Abstain: Crisafi, Little, Merten.

4. Elected Officials Report - Information Only

A. Council District 2 - Councilmember Kevin Faulconer

Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov

Ms. Katherine Miles, the new representative for Councilmember Faulconer's District 2 office introduced herself and was welcomed by **President Crisafi**. **Ms Miles** reported Councilmember Faulconer is advocating for restoration of funds for the Libraries.

B. Council District 1 - Councilmember Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov

Ms. Demorest was present: Reported Councilmember Lightner continues to support and work for restoration of funds for Libraries and restoration of funds for Lifeguard training. Referred community members to Councilmember Lightner's website for updated/specific community information. **Trustee Fitzgerald** requested information re certification: Medical Marijuana petition. **Trustee Gabsch** requested information re: Shared Parking Agreements/Enforcement/Intensification of Use. **Trustee Courtney** commented re: Torrey Pines Corridor/delay of T & T Committee information meeting.

5. Non-Agenda Public Comment

Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

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

Ms. Delouri was present: referred community members to the Spring 2011 UCSD Newsletter for general information and specific updates on UCSD projects. **Trustee Lucas** inquired of **Ms. Delouri**: Would she remain for discussion of Agenda Item 12, (8600 & 8700 blocks of Nottingham Dr. 2 Hour Parking)? **Ms. Delouri** responded in the affirmative.

Ms. Esther Viti, Community Member asked for volunteers to join with The LJTC Nell Carpenter Beautification & Streetscape Clean Up Committee and Friends of Coast Walk Trail in a combined "Giant Clean Up" effort to clean Coast Walk Trail.

John Leek, Community Member reported on the successful effort to reconstruct the South Casa Beach stairway. **Mr. Leek** noted; Dan Daneri, San Diego Park & Recreation, was instrumental in facilitating the reconstruction, as was La Jolla Parks & Beaches, Inc.

Trustee LaCava announced, with great sadness, the death of George Sutton. A valued and dedicated community member, George Sutton volunteered tirelessly on a multitude of issues affecting La Jolla and the Bird Rock Community, where he and his family made their home. He served as a board member on the La Jolla Traffic & Transportation Board and the Bird Rock Community Council. His many kindnesses and his efforts on behalf of the La Jolla Community will be greatly missed. Our thoughts and prayers are with his family.

Ms. Peggy Davis, LJCPA Member, 8387 Paseo del Ocaso, La Jolla Shores. **Ms. Davis** requested the assistance and the advice of the LJCPA re the residence currently under construction at 8368 Paseo del Ocaso. **Ms. Davis** believes there are Code infractions. **Mr. Peter Gantzel**, LJCPA Member expressed his concerns regarding the project. **Trustee Whittemore** noted his concerns re what may be characterized as "Adverse Decisions," regarding situations similar to what was described by **Ms. Davis** and **Mr. Gantzel**. **Trustee LaCava** suggested referral to **President Crisafi** and **Trustee Merten** and **Trustee Whittemore** to consider **Ms. Davis** and **Mr. Gantzel's** concerns.

Ms. Cindy Thorsen, LJCPA Member, discussed the 7th Update to the Land Development Code and suggested the Trustees and the Community should review/familiarize themselves with the documents relating to the proposed revisions. **Ms. Thorsen** distributed a document listing the 33 Amendments for proposed change along with instructions for access to the relevant Municipal Code Sections.

Ms. Kathleen Keehan, San Diego County Bicycling Association: Presented information re an education program available to Planning Groups to encourage cycling in the community. Requested placement on the LJCPA Agenda and/or the Traffic & Transportation Board Agenda.

Ms. Sherry Nooravi, Community Member, representing Residents for Torrey Pines Safety: requested the support of the LJCPA and the La Jolla Community, at the June 23, 2011 Traffic & Transportation Committee meeting, to vote for the option that will bring safety to the La Jolla Community.

Trustee Lucas requested the Community send letters to the California Coastal Commission requesting the restoration of Princess Street Beach Access.

Trustee Courtney commented on the Torrey Pines Road Corridor Project.

Ms. Melinda Merryweather, LJCPA Member, Commented on the Princess Street Beach Access, in agreement with **Trustee Lucas**, requested letters be submitted to California Coastal Commission.

6. Officer's Reports

A. Secretary: Dan Allen / Nancy Manno

Presented by **President Crisafi**, for secretary Dan Allen/Nancy Manno: If you want your attendance recorded today, please sign-in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a Trustee. If you want your attendance recorded without signing-in at the back, then hand to me 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. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

B. Treasurer: Jim Fitzgerald

Beginning Balance: \$308.87 + Income \$160.08 – (Expenses \$151.89)= Ending Balance: \$317.06.

Expenses include: Printing, telephone. **Trustee Fitzgerald** noted: The printing costs for May (\$114.95) were approximately double because the Agenda/supporting documents were printed twice to support both the cancelled and the regular Meeting. **Trustee Fitzgerald** commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity.

7. President's Report - Action Items Where Indicated

A. Committee Appointment - P. Benton ratification / DPR Committee

Trustee Costello commented, requested confirmation of Mr. Benton's attendance and membership status.

Approved Motion: Motion to ratify the appointment of Paul Benton, Development Permit Review Committee, effective twenty-eight days from date (05/25/2011) of Membership Application. Laura DuCharme Conboy to chair DPR committee meetings through June, (LaCava/Burstein 10/3/1).

In favor: Bond, Burstein, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Merten, Manno, Whittemore.

Oppose: Courtney, Little, Lucas.

Abstain: Crisafi.

B. Aron Residence - Hearing Officer hearing June 1st

President Crisafi reported: Project approved June 06, 2011. **President Crisafi** to review the revised Project drawings.

C. Kooklani - Planning Commission hearing June 23

President Crisafi reported this Project has been appealed. **President Crisafi** will review the Project drawings at the City. Applicant has declined to send drawings to the Community.

D. Palazzo - Response to CPA decision considering modifications. City Council appeal hearing rescheduled to September 2011 at Applicants request. President Crisafi noted applicant has declined to return to LJCPA.

E. Ad Hoc Committee report - Information Only

Chair: Devin Burstein

Trustee Burstein announced the next meeting of the Ad Hoc Committee is scheduled for Wednesday, June 08, 2011.

F. Trustee Removal for Lack of Eligibility: Greg Salmon: action item.

President Crisafi reported: LJCPA Secretary Dan Allen has provided written notification: Trustee Greg Salmon has missed four (4) LJCPA Meetings within a twelve (12) month period: 02 September 2010, 02 December 2010, 03 March 2011, 18 May 2011. Per LJCPA Bylaws: "Section 4. Trustee Removal for Lack of Eligibility: A Trustee shall be removed from the Board of Trustees, upon a majority vote of the Board of Trustees, if, during a regularly scheduled public meeting, the Secretary presents documentation and has notified the Trustee in question, that the Trustee is ... (b) the Trustee is no longer eligible to serve as a Trustee due to not meeting the member attendance requirements in Article VI, Section 1.F of these Bylaws." **Trustee LaCava**, noting that Greg Salmon had been informed and does not protest, with regret, offered the Motion.

Approved Motion: Motion to remove Greg Salmon as Trustee of the La Jolla Community Planning Association, (LaCava/Fitzgerald 12/0/2).

In favor: Bond, Burstein, Conboy, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Manno, Whittemore.

Abstain: Crisafi, Costello.

G. Form Special Election Committee: action item.

Adhering to the LJCPA Bylaws, **President Crisafi** announced there would be a Special Election for one (1) vacancy, called for volunteers to staff a Special Election Committee: LJCPA Member **Robert Collins, Trustees LaCava** and **Lucas** volunteered to form an Election Committee.

H. Temporary FAR restrictions in La Jolla Shores

President Crisafi requests La Jolla Shores Permit Review Committee to assume task of reviewing La Jolla Shores Floor Area Ratio re: temporary regulations and/or guidelines, including Single-family, Multi-family, Commercial/Mixed-Use, and to initiate these regulations/guidelines as temporary measures, for La Jolla Shores, until the La Jolla Shores Planned District Ordinance, (PDO) can be updated. LJCPA Members **Helen Boyden, Barry Graceman** commented. **Trustee Whittemore** commented, LJCPA Member **Ms. Kathleen Neil** commented.

I. Consideration of District One Councilmember Lightner's and City of San Diego letters to the Coastal Commission regarding the Kretowicz CDP, public beach access at Princess Street - action item.

President Crisafi encouraged community members to communicate their concerns by letter to the California Coastal Commission. LJCPA Member Melinda Merryweather reminded Community Members the Coastal Commission hearing is a Public Hearing; anyone may speak.

8. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

Anyone may request that a consent item be pulled for reconsideration and full discussion.

Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. Trunkey Residence

PRC ACTION: Findings can be made for a SDP. Findings can also be made for a CDP. 5-0-1
7595 Hillside Drive-Slope repair on environmentally sensitive lands.

B. Wells /Tyler Residence

PRC ACTION: The findings can be made for a SDP and a CDP. Because this is a single story residence the rear setback is acceptable. 4-1-1

8217 Paseo del Ocaso-Demolish an existing SFR and construct 2532sf one-story home plus garage.

C. Taste of the Cove

T&T ACTION: Approve Coast Blvd component 6-1-1

Coast Boulevard (Aug 31st) - Closure of north side (adjacent to Scripps Park) to on-street parking, 6a to 11p

Coast Boulevard (Sept. 1st) - Closure of north side to on-street parking, 6a to noon

Approved Motion: Motion:

To accept the recommendation of the La Jolla Shores Permit Review Committee: (A) Trunkey Residence, 7595 Hillside Drive: Slope repair on environmentally sensitive lands. Findings can be made for a SDP; Findings can be made for a CDP, and forward the recommendation to the City.

To accept the recommendation of the La Jolla Traffic & Transportation Committee: (C) Taste of the Cove: To approve these two components:

1) Aug 31, 2011: Closure of north side of Coast Boulevard (adjacent to Scripps Park) to on-street parking: 6:00am – 11:00pm

2) September 01, 2011: Closure of north side of Coast Boulevard to on-street parking: 6:00am - 12 Noon, and forward the recommendation to the City.

(LaCava/Burstein 13/0/1)

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Manno, Whittemore.

Abstain: Crisafi.

At the request of **Trustee Merten**: A separate vote was recorded for Consent Agenda Item B.

Approved Motion: Motion: To accept the recommendation of the La Jolla Shores Permit Review Committee: (B) Wells /Tyler Residence: 8217 Paseo del Ocaso: Demolish an existing SFR, construct 2532sf one-story home plus garage. This is a single story residence: the rear setback is acceptable: Findings can be made for a SDP and a CDP, and forward the recommendation to the City, (LaCava/Fitzgerald 10/2/2)

In favor: Burstein, Conboy, Costello, Courtney, Fitzgerald, LaCava, Little, Lucas, Manno, Whittemore.

Oppose: Bond, Merten.

Abstain: Crisafi, Gabsch.

9. REPORTS FROM OTHER ADVISORY COMMITTEES -Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD - Inactive

B. COASTAL ACCESS AND PARKING BOARD - Meets 1st Tues, 4pm, Rec. Center

10. Sewer Pipeline Rehabilitation Project O-1 - begin Fall 2011 - Info only

Rep: Maryam Liaghat, City of San Diego Capital Projects (619) 533-3758 mliaghat@sandiego.gov

La Jolla Scenic S., La Pintura Dr., Castejon Dr., Soledad Rd., Palomino Ct., Colgate Circle, Rutgers Rd., Via Cortina.

Ms. Maryam Liaghat presented: Sewer Pipeline Rehabilitation O-1 is part of a program established by the City of San Diego and the Environmental Protection Agency mandating the rehabilitation of old and deteriorated concrete sewer mains and water lines. **Trustee Lucas** questioned re: open trenches: work will utilize trenchless technology. **Trustee Courtney**: hours of operation? Daytime only, 8:30 am – 3:30 pm. **President Crisafi**: Cautioned re sensitive habitat in canyon areas.

11. Children's Pool Beach Closure

Rep: Dan Daneri, City of San Diego Parks & Rec. 619-235-5914 ddaneri@sandiego.gov

Presented: **Mr. Dan Daneri**: An application has been filed with the City of San Diego for a (Process 5) Community Plan Amendment and Coastal Development Permit to annually close public access to La Jolla Children's Pool in perpetuity, by placing barricades with 30-inch x 36-inch signs at the top of the concrete stairs during harbor seal pupping season, from December 15 to May, within the La Jolla Community Plan Area Coastal Overlay, (appealable), and Coastal Height Limit zones. Council District 1.

Trustees Gabsch, LaCava, Burstein questioned **Mr. Daneri** and **Mr. Morris Dye**.

Community Members registering their disapproval with the proposal presented by **Mr. Daneri: Melinda Merryweather, John Steel, Justin Schlaefli, Marie Hunrichs, Ken Hunrichs, Bryant Smythe, John Leek, Thomas Lynch, Roman Castro for Tim Choi, Christopher Davis, Tim Choi, Ashley Davis, Al Silebi, Melinda Merryweather, Dan Byrnes, David Pierce, Don Perry. Trustee Whittemore**, in support of the Motion: expects CEQA will apply and given the state of the City's finances, the City should not consider closing the Children's Pool Beach. **Trustee Lucas** expressed his disappointment with San Diego City Council. **Trustee Costello** spoke to the inappropriate use of the Marine Mammal Protection Act, (MLPA).

Approved Motion: Motion: The La Jolla Community Planning Association, opposes in the strongest possible way, annually closing public access to the La Jolla Children's Pool. Public access to the La Jolla Children's Pool should remain open year round, in perpetuity. The La Jolla Children's Pool is a unique, priceless asset for Children, for all the citizens of California, and a critical part of the La Jolla Community. In addition, the La Jolla Community Planning Association opposes the closure of the Children's Pool Beach, as the findings for a CDP cannot be made because the closure is not in accordance with the vertical access to the beach and coastline provisions of the California Coastal Commission approved La Jolla Community Plan, Local Coastal Program and Land Use Plan, (Burstein/Courtney 11/1/2).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Gabsch, Little, Lucas, Manno, Merten, Whittemore.

Oppose: Fitzgerald.

Abstain: Crisafi, LaCava.

Approved Motion: Motion: Re: The application filed with the City of San Diego for a (Process 5) Community Plan Amendment and Coastal Development Permit to annually close public access to La Jolla Children's Pool in perpetuity, by placing barricades with 30-inch x 36-inch signs at the top of the concrete stairs during harbor seal pupping season, from December 15 to May, within the La Jolla Community Plan Area Coastal Overlay, (appealable), and Coastal Height Limit zones. Council District 1. The La Jolla Community Planning Association recommends that Department of Park & Recreation not pursue initiation of said Community Plan Amendment and the Planning Commission not approve such initiation, (LaCava 12/1/1).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Gabsch, LaCava, Little, Lucas, Manno, Merten, Whittemore.

Oppose: Fitzgerald.

Abstain: Crisafi.

In reference to Agenda Item 11: Children's Pool Beach Closure: A Room Vote was requested. The Room Vote from the floor of approximately thirty persons appeared to be unanimous in favor of the Trustees' action. Trustee Fitzgerald requested his participation in the Room Vote be noted as in opposition. Trustee Conboy requested her participation in the Room Vote be noted as an abstention.

12. 8600 & 8700 blocks of Nottingham Dr. 2 Hour Parking

Previous Action (May '11): Pulled from Consent Agenda

T&T Action (April '11): Motion to approve 6-0-0 Request is to extend the 2-hour parking

Community Members **Mr. Herbert Lazerow, Ms. Roseann Brozinsky, Mr. Brian Miller, Ms. Helen Boyden, Ms. Sally Fuller** spoke to the egregious parking problems on Nottingham Drive. **Trustees Conboy, Costello, Courtney, Gabsch, LaCava, Lucas, Whittemore, President Crisafi** discussed the extremely difficult parking problems residents must contend with in the residential neighborhoods adjacent to UCSD. **Trustee LaCava** suggested Ms. Boyden consider obtaining a petition from homeowners on the 8500 block for 2-hour time limited parking and file an application with the city. **Ms. Anu Delouri**, Senior Community Planner, UCSD, will make the concerns voiced by Community Members and the Trustees known to appropriate UCSD Staff.

Approved Motion: Motion to accept the La Jolla Traffic & Transportation Committee Action, to approve the request for 2 Hour Parking limit on 8600 & 8700 blocks of Nottingham Drive, and forward the recommendation to the City, (Fitzgerald/Whittemore 12/1/1).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Merten, Whittemore.

Oppose: Little.

Abstain: Crisafi.

13. Consideration of revision of Item 33 proposed in the 7th update to the LDC -

Possible Action Item - Item 33 changes the treatment of Separately Regulated Uses in the La Jolla Shores PDO.

Previous LJCPA Action (May 19 '11): Sent to LJSPRC for consideration.

LJPRC Action (May 24 '11): The committee recommends that schools & churches be removed from the list of uses allowed by right as found in §1510.0303 (d) and §1510.0303 (e) of the LJSPDO and be subject to the permit process for Separately Regulated Uses. The committee wants very strongly to continue the specific protections for uses as prescribed in the LJS PDO. Motion approved - 5-0-0

Trustee LaCava presented: The intent of the City is to bring the language of the La Jolla Shores PDO into conformity with the language of the other Planned Districts and to insure equal protections afforded to all Planned Districts. At the 05/18/11 LJCPA meeting, at the direction of **President Crisafi**, consideration of the revision of Item 33 was returned to the LJSPRC Committee for discussion. **Trustee LaCava** was present at the LJSPRC Committee meeting where concerns regarding the proposed revisions were put forward. **Trustee LaCava** returned to City Staff with concerns raised by LJSPRC Committee members: City Staff responded quickly and admirably, providing revised draft language, (copies provided to Trustees attached to 06/02/11 Agenda). **Trustee LaCava** presented language revisions and responded to questions. **Trustees Conboy, Costello, Courtney, Fitzgerald, Gabsch, Lucas, President Crisafi** commented/discussed/questioned extensively. LJCPA Members **Helen Boyden** and **Cindy Thorsen** contributed comments and voiced concerns regarding the proposed language and the LDC process. **Trustee Laura DuCharme**

Conboy expressed concern regarding the language of the Motion re: Student Centers and abstained.

Approved Motion: Motion to recommend approval of the language for Issue #33: Land Development Code Update No. 7 – Issue #33, La Jolla Shores Planned District Ordinance, Summary as applies to Single Family Zone: with the added prohibition: Child Care Centers and Student Centers are Not Allowed along with All Other Separately Regulated Uses, (Courtney/Fitzgerald 11/0/3).

In favor: Bond, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Whittemore.

Abstain: Burstein, Conboy, Crisafi.

14. Adjourn @ 9:30 PM to next Regular Monthly Meeting, July 7, 2011, 6:00 pm

20JUN11

**UNAPPROVED MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE
June 13, 2011**

Present: Steigler, Little, Fitzgerald, Marengo, Rasmussen, Parker, Gabsch, Dershowitz, Fortune. A quorum was established at 4 pm.

The May, 2011 minutes were approved 6-0-2 (Rasmussen/Fortune abstaining) with minor changes.

Public Comment:

D. Little asked where the parking requirements for different commercial uses were specified or referenced in the LJPDO. The Chairperson committed to research the issue, including discrepancies between the on-line and hard-copy versions of the LJPDO.

Projects:

We Olive:

This item was pulled by the Applicant for presentation at a later PDO meeting.

BMW/Builders Signage @ Camino de la Costa & La Jolla Blvd:

This awning renovation at the corner of the building and existing signage change involves the same size awning with a different shape; the LJ Bird Rock Realtor's signage is replaced by BMW. The PDO provides up to 102 sf signage (based on street frontage). The proposal conforms, however the sketch provided by the applicant shows the awning itself projects above the roof parapet (as does the existing) and although the sign message is below the parapet height, a projecting sign cannot project above a parapet.

The applicant does not object to lowering the awning to below the parapet. The applicant agrees to provide written application with the exact signage square footage amounts. The applicant agrees to provide paint chips showing the chosen exterior paint color conforms to the general PDO guidelines of "earth tones, deep red brick; light pastels." The applicant is advised he may choose a green awning.

Motion by Marengo/Parker; Unanimous: The signage as presented conforms to the PDO, provided the awning does not exceed building height, and the signage is less than 102 sf.

Information Item:

7401 La Jolla Blvd, by Island Architects:

This project is on a current vacant lot at the NE corner of Marine Street. Curb cuts exist on N of lot on LJ Blvd; and on Marine St. The City (G. Geilor) advises the front yard (for setback) is on Marine St; required setbacks from curb to building face is 16' on both streets. A 4' side yard setback is required on E side; Zero setback on N end of lot.

Setback from corner is 20' or 20% from property line, whichever is smaller; 30' from curb for visibility purposes.

The project preliminary design is to site the building 20' from curb on average (with some perimeter articulation). The sidewalk is appx 3' below the LJ Blvd (west) side of the building. An ADA ramp to retail is provided along LJ Blvd. All curbs on LJ Blvd are red so a greenway along the sidewalks will be built at the curbs. The building is at grade along Marine St. Eliminating the curb cut on Marine St will create 1 space of curb parking.

Underground parking will be accessed at the north via curved ramp to 12 spaces. Loading, trash and utility areas are located adjacent to the ramp. The new curb cut for parking access will be 25'.

There will be a first floor arcade/covered plaza. There will be 1-3 commercial units; 50% must be for retail per code. The building will be 4' below Prop D 30' height limit.

The owner wishes to construct the building with CMU blocks. The owner is considering a balcony or courtyard on the east side of the second floor

A stair at north will access 2 residential units where 2.6 are allowable; the most northerly 1BR unit will not be ADA and has 1 space of parking provided per code; the southerly 3 BR unit will be accessed by elevator and has 2 spaces of parking per code.

Discussion Items:

Shared Parking Agreements:

O. Gabsch will confer with Chris Larsen of the City about particular businesses where such agreements may exist. For example, there are restaurants within the PDO area where there is no parking provided, yet restaurants require parking. Such Shared Parking Agreements would presumably be recorded.

Chairperson's Draft Letter to the City re PDO Compliance and Means to Promote Enforcement (see May minutes):

This item was continued to the July meeting.

The meeting was adjourned at 5:30 p.m. The next PDO meeting is scheduled for July 11, 2011 at 4:00 p.m.

Respectfully Submitted

Glen Rasmussen, Secretary

LA JOLLA PDO COMMITTEE
Minutes for May 9, 2011 Meeting

Committee Members Present: Stiegler (Chair), Dershowitz, Fitzgerald, Gabsch, Marengo, Parker, Van Galder.

A quorum being present, the Chair declared the meeting to order at 4:10PM.

Agenda Item

1. Chair Report / Board Discussion

- a. April Minutes reviewed and approved unanimously.
- b. Issues regarding PDO compliance and means to promote enforcement. Note: By Committee consent, the “PDO Compliance” discussion was moved on the Agenda until after the scheduled Project-related items were heard and acted on.

2. Non-Agenda Public Comment

- Chris Wayne provided the Committee with a hand-out highlighting parking options for the We Olive project.

3. Recommendations to CPA

A.

Project Name: Puesto Mexican Street Food

Address: 1026 Wall Street La Jolla, Ca 92037

Pn: 3500911200

PDO Zone: Lot 41-43, West-Half Of Lot 44, West 70 Ft. Of South 10 Ft. Of Lot 46

Agent: Studiomyid

City Pm: Tbd

Date of App Notice: 3-29-11

Scope of Work: Quick Service Food Facility Tenant Improvement Including Millwork and Fixtures and Change of Existing Use Permit. The committee will be reviewing the Storefront Facade, Signage, Sidewalk Cafe and Change of Use.

Committee Discussion: 1) Per Code, the proposed project will requires 7 customer parking places; 2) The applicant provided evidence of an agreement with Ace Parking (parking management company) for the required parking spaces; per the Committee, this is not sufficient—the City requires a “shared-parking” agreement between the applicant and the owner of the property on which the parking spaces are located; 3) The applicant was asked to consider redesigning the sidewalk seating to comply with the 8-foot “clear path” in the public-right-of-way (PROW); 4) Other open issues included the possible need for structural reinforcement on a building wall and the need for a coastal development permit.

Committee Action: 1) The Committee elected not to vote regarding the project’s conformance/non-conformance with the PDO; 2) The Committee recommended that the applicant address the open issues, including the need for a “shared parking” agreement, and continue with the community review process by submitting the project to the DPR Committee.

4. Recommendations to DPR Committee

A.

Project Name: Herschel Lofts

Address: 7844 Herschel Avenue

PN: 223788

PDO Zone: 1

Applicant: Herschel Lofts LLC

Agent: Di Donato Associates

City PM: Tim Daly

Date of App Notice: (submitted to City on 10-26-10)

Scope of Work: Remodel of an existing 6072 sf building with a second floor addition of 737 sf and 2038 sf remodel. Proposed use of 3168 sf retail at the first floor and three residential units on the second floor. New rear building (5091 sf) to be constructed, includes three residential units. Both structures are two stories total. The final proposed project will contain 3168 sf retail space and six for-sale condominium units.

Sections of PDO that apply: 159.0101, 159.0102, 159.0103, 159.0110, 159.0111, 159.0201, 159.0202, 159.0204, 159.0205, 159.0207, 159.0301, 159.0302, 159.0306, 159.0307, 159.0308, 159.0309, 159.0403, 159.0404, 159.0405, 159.0406, 159.0407, 159.0408, 159.0909

Committee Discussion: The applicant updated the Committee regarding the proposed project's full compliance with the PDO and the Land-Use Code.

Committee Action: The Committee found the project in conformance with the PDOc, 7-0-0.

5. PDO Compliance and Means to Promote Enforcement.

Committee Discussion:

- PDO compliance in La Jolla is a growing problem.
- The number of A-frame signs in the Village is escalating.
- The instances of inappropriate signage are also increasing.
- City code-enforcement is virtually non-existent and the City appears inconsistent in applying the land-use/PDO rules in La Jolla.
- PDO compliance will be discussed further at June PDO Committee meeting.

6. Information Only

A.

None

Chair declared the Meeting adjourned at 6PM.

AD HOC COMMITTEE ON OPERATING POLICIES
LA JOLLA COMMUNITY PLANNING ASSOCIATION

MINUTES OF MEETING ON WEDNESDAY, June 8, 2011
LA JOLLA RECREATION CENTER, 615 PROSPECT ST. 5:30 PM

Present: Joe LaCava, Rob Whittemore, Laura DuCharme Conboy, Devin Burstein, Helen Boyden.
Absent: None.

1. Meeting called to order at approximately 5:35 pm.
2. Call for public comment: Bob Whitney spoke, followed by David Little.
3. Chair report.
4. Discussion of agenda item 3(A) – regarding the policy on conditional approvals.
 - a. Approved Motion: Recommend that the LJ Community Planning Association eliminate the policy of January 4, 2009, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Whittemore/LaCava 4/1/0).
5. Discussion of agenda item 3(B) – regarding appeal procedures. Committee made significant progress in identifying key points. Committee members all agreed to continue discussion of this item at the next committee meeting, before making recommendations to the LJ Community Planning Association Trustees.
6. Discussion of agenda item 3(C) – regarding miscellaneous policy and procedure issues.
 - a. Committee reviewed a number of suggested policy changes and additions. Many were already being considered and others were beyond the scope of the committee's current assignment. No action was taken on any item.
7. Adjourned at approximately 7:30pm.

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
June 2011

6/14/2011 Present: Collins, Ducharme-Conboy(Chair Pro Tem), Costello,
Gaenzle, Hayes, Kane, Thorsen, (Benton)

6/21/2011 Present: Collins, Ducharme-Conboy (Chair Pro Tem), Costello,
Kane, Thorsen , (Benton)

2. PUBLIC DISCUSSION

6/14/11 Costello mentioned that MTV has a film production at 5212 Chelsea. They have been very disruptive to the neighborhood and inconsistent with R-1 Zoning.

3. FINAL REVIEW

Project Name: **MANZANITA COTTAGE**

1327 Coast Boulevard	Permits:	CDP
Project #: PO#234640	DPM:	Glenn Gargas 619-446-5142 ggargas@sandiego.gov
Zone: RS-1-7	Applicant:	Casey Tosti 760-729-3470

Scope of Work:

(Process 3) Coastal Development Permit for a lot line adjustment (between Parcels 1 & 3) and a 370 SF addition to an existing cottage at 1327 Coast Walk in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit Overlay Zone, First Public Roadway, Parking Impact, Residential Tandem parking, Transit Area. Council District 1.

Subcommittee Motion:

(Hayes/Thorsen 7-0-0) Motion to approve the Coastal Development Permit and for a lot line adjustment at 1327 Coast Walk.

In Favor: Collins, Ducharme-Conboy, Costello, Gaenzle, Hayes, Kane, Thorsen,

Oppose: 0

Abstain: 0

Motion Passes

4. FINAL REVIEW

Project Name: **HERSCHEL MIXED USE LOFTS**

7844 Herschel Avenue	Permits:	CDP, SDP, Map Waiver
Project #: PO#223788	DPM:	Tim Daly 619-446-5356 tdaly@sandiego.gov
Zone: Zone 1	Applicant:	Kim Cwynar, Di Donato Associates 619-229-4210

Scope of Work:

(Process 3) Coastal Development Permit, Site Development Permit & Map Waiver to waive the requirements of a TM to create 6 residential condos and 1 commercial condo by converting a portion of existing commercial space to 3 residential units and 1 commercial unit and construct 3 residential units on a 0.16 acre site at 7844 Herschel Avenue in Zone 1 of LJPDO within the La Jolla Community Plan, Coastal Overlay (nonappealable), Coastal Height Limit, Residential Tandem Parking, Transit Area, Council District 1.

Subcommittee Motion:

(Thorsen/Kane 3-2-0) Motion to approve Coastal Development Permit, Site Development Permit & Map Waiver to create 5 residential condos and 1 commercial unit at 7844 Herschel Ave.

In Favor: DuCharme Conboy, Kane, Thorsen

Oppose: Collins, Costello (asking Applicant to obtain a firmer parking easement)

Abstain: 0

Motion Passes

5. PRELIMINARY REVIEW

Project Name: **THE HAMPTON**

6005 Avenida Cresta

Permits: CDP

Project #: PO #238250

DPM: Sandra Teasley 619-446-5271

steasley@sandiego.gov

Zone: Zone RS-1-7

Applicant: Lauren Jolin, Jonathan Segal Architect

619-955-5397

Scope of Work:

(Process 2) Coastal Development Permit to construct a 3,291 SF single family residence on a vacant 0.12 acre site at 6005 Avenida Cresta in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area, Council District 1.

Subcommittee Motion:

(Collins/Thorsen 4-1-0) Motion to Merge Preliminary and Final Reviews.

In Favor: Collins, DuCharme Conboy, Kane, Thorsen

Oppose: Costello (to afford neighbors another opportunity to attend a Review)

Abstain: 0

Motion Fails

For FINAL REVIEW:

Applicant asked to return in July to afford neighbors another opportunity to attend a Review.

6. COURTESY REVIEW

Project Name: **366 PLAYA DEL NORTE**

366 Playa Del Norte

Permits: N/A

Project #: N/A

DPM: N/A

Zone: RM-3-7

Applicant: John La Raia, The Barratt Group

760-842-6565 x7115

Scope of Work:

There is an approximately 5,000 sq ft lot which is currently vacant located at 366 Playa Del Norte. The site is zoned to allow 5 units. The applicant is planning on building 3 detached condo townhome units on site – each with their own 2 car garage on the first level and two levels of living space above. Currently all of the units would be accessed from the alley, although previously there was a house on this site and a curb cut for a driveway still exists. The applicant wants to explore the option of using this curb cut to provide a driveway for one of the houses.

Subcommittee Comments:

DuCharme: Driveways in Beach Impact Zone limit 12 ft.

Collins: Is SD City asking for dedication on the alley? Other side of alley is a 2.5 ft dedication.

Kane: If doing driveway from Playa del Norte, soften with landscaping and (turf-crete?).

Members: Generally support project, parking plan, less intensity, “the way LJ should be in-filled”.

La Jolla Shores Permit Review Committee – Minutes

4:00 p.m. – Tuesday June 28, 2011

Committee members present: Boyden, Donovan, Emerson, Lucas, Merten, Morton, Schenck; absent: Naegle. Morton left after the vote on Kooklani I.

1. Non-Agenda Public Comment

Phil Merten – Learned from unnamed parties that an applicant had been told by a DSD Project Manager that he could avoid obtaining a discretionary permit by doing serial remodels; i.e. demolish one half the building, get a ministerial permit to rebuild and then do the other half. Boyden and Merten will follow up and ask Tony Crisafi to communicate with DSD about department policy.

2. Chair Comments

- To date we have no information on: Cto. Bello, Gaxiola, City Rialto Drain and LJS electric Undergrounding District as to when they want to schedule.
- Palazzo project appeal to City Council will likely be heard in the latter part of September.
- Whale Watch recirculated draft Negative Declaration expired June 23rd and extension applied for. [After the meeting it was learned that an extension to July 12 had been noticed.]
- Hooshmand should have cycles and be heard July 26. Follow-up needed.
- Trunkey passed LJCPA unanimously on consent, Wells passed on consent 10-2-2.
- 7th Update to Land Development Code. It was heard at the Land Use and Housing Committee, chaired by Sherri Lightner, on Wednesday June 22. LJCPA passed a version revised by the City after the LJSPRC met, but recommended that Child Care and Student Centers be prohibited. City staff made those changes which may be found at: http://docs.sandiego.gov/councilcomm_agendas_attach/2011/LUH_110622_2a.pdf on pages 140 to 148.
- Additionally LU&H made some additional changes, among them prohibiting Community Gardens in the LJSPDO Visitor Zone. [After the meeting it was learned that the record of the LU&H is available at the same website and that the City Council would hold a hearing on July 19th with a likely 2 week deferral for final action. See notice on City Clerk website.]
- A T-Mobile installation on the south side of LJ Village Drive in the PROW between North Torrey Pines and La Jolla Scenic Way has just been noticed.
- Aron residence was permitted on consent at the Hearing Officer on June 1. The chair outlined changes that occurred after it was heard by the LJSPRC.
- Whitney project ... Public Notice of Preparation of a Draft Environmental Impact Report has been issued by the City. See http://docs.sandiego.gov/citybulletin_publicnotices/CEQA/PN1300%2523182513nop%252006%252024%25202011.pdf Comments will be accepted until about July 25th. Interested parties, including the LJCPA and the La Jolla Library will receive copies.
- A Draft Mitigated Negative Declaration has been issued for 1900 and 1912 Spindrift. See http://docs.sandiego.gov/citybulletin_publicnotices/CEQA/PN1300%2523214654%2520%26%2520216073%2520mnd%252006%252014%25202011.pdf The PRC chair has the LJCPA copy and there should be one available at the La Jolla Public Library. Period for public input expires on July 14.

3. LJSPRC Housekeeping – Action items

a. Elect officers for June 2011 to June 2012, Chair, Co-chair, Secretary

Motion: Morton Second: Merten

Motion to re-elect current officers. [Boyden, Chair; Morton, Co-Chair, Lucas, Secretary]

Motion carries 6-0-1

Approve: Donovan, Emerson, Lucas, Merten, Morton, Schenck; Abstain: Boyden (chair)

b. Establish calendar for the remainder of 2011—Should there be a Holiday break, due to scheduled PRC meetings falling within the Thanksgiving and Christmas holidays for November and December respectively? Boyden has concerns about having a quorum for the December meeting. A suggestion was made to combine the November 22 meeting and December 27 meetings into a single meeting in early December. If there are a reasonable number of projects to review this would work. There is still time to work out the calendar, but the committee should keep this suggestion in mind. No further action was taken.

c. Proposal to adopt as PRC procedures current LJCPA procedures affecting the PRC directly: No action taken.

d. Adopt other procedures for PRC operation, including committee members' roles: No action taken.

4A. Nooren Residence - Fourth review (second version)

- PROJECT NUMBER: 226965
- TYPE OF STRUCTURE: Existing Single family residential in Multi Family One (MF1) zone
- LOCATION: 8001 Calle de la Plata
- PLANNER: Jeffrey A. Peterson; 619-446-5237; JAPeterson@san Diego.gov
- OWNERS REP: Michael Rollins; Cell 619-993-6003; Michael@rollinscc.com

Project description: Demolish an existing single family residence and construct a 2725 ~~3,700~~ square foot, two-story single family residence over a 656 ~~635~~ square foot garage on a 0.10 acre site. The proposed project will conform to the Council Policy 900-14 criteria by generating 50% or more of the projected total energy consumption on site through renewable energy resources (i.e. photovoltaic). Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation, Coastal and Beach Impact Areas of the Parking Impact Residential Tandem Parking, and Transit Area Overlay Zones. [City]

Seeking: Site Development Permit (SDP) and Coastal Development Permit (CDP)

Previous action, March 22, 2011- Full minutes at lajollacpa.org

Motion: Merten Second: Schenck

Continue item to a future meeting.

Motion carries: 5-0-1

Previous Action, April 26, 2011, Full minutes at lajollacpa.org

Motion: Morton

To continue the project; died for lack of a second.

Then the applicant requested a continuance on this project.

Motion: Morton; Second: Merten

To continue the project

Motion carries: 5-0-1

Previous Action, May 24, 2011 Revised Project

Motion: Merten; second: Emerson

To continue review of the project until the full submittal package has been submitted to the city. This will include site sections.

Motion carries 5-0-1. Approve: Emerson, Merten, Morton, Naegle, Lucas; abstain: Boyden

Presented by Matt Peterson & Michael Rollins.

Mr. Rollins documented the resubmission to the City.

Changes to the concept design presented last meeting:

- Heights increased to 29.6' and 28.6" to highest roof ridge
- Removed outside fireplace, which steps building back and increases articulation.
- Roof plan changed slightly to allow more area for photo voltaic panels.
- Increase the landscaping from 30% to 34%
- Plants are drought resistant.
- East elevations stepped back wall and roof.
- Adjusted slope of driveway.
- Changed the visibility triangles on the plan.

Morton: Property wall heights? **Response:** *property walls not to exceed 6' on North and East.*

Public Comment:

Tricia Riha (El Paseo Grande): She did not receive notice. Asked questions about how the notices were sent out and is concerned that no other neighbors are present. **Response:** *As she lives within 300' she would have received City notice on how to get involved. This is the fourth hearing and neighbors were present at others. She will get notice of City hearing. She also gets the LJCPA e-blast*

Jim Brown, AIA, likes the original design better. (occurred later in the meeting)

Committee discussion:

Merten: Thinks general massing on site is now more compatible with other houses on the street. There are offsetting planes and articulation – improved from previous design. This project is similar to other properties that have sought CDPs recently. Thinks that this design complies with the LJS PDO and the recommendations in the community plan.

Motion: Merten Second: Schenck

Findings can be made for a CDP and a SDP based on the plans presented--dated 6/17/2011 and submitted to the City 6/28/2011.

Discussion on motion:

Donovan: What were the previous objections from the neighbors? *Response: Neighbor on north was concerned with height of building blocking light on their property. Also, concerns on the first design (modern style) fitting in with the neighborhood.*

Motion carries: 4-0-3

Approve: Lucas, Merten, Morton, Schenck; **Abstain:** Boyden (chair), Donovan, Emerson –Donovan not present for previous three hearings; Emerson not present for first two hearings--Prior to their nomination to the LJSPRC.

B. 8490 Whale Watch Recirculated Negative Declaration

- PROJECT NUMBER: 164545
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 8490 Whale Watch Way
- Project Manager: Will Zounes wzounes@sanidiego.gov
- Environmental Reviewer: Philip Lizzi, plizzi@sanidiego.gov; 619-446-5460
- Applicant: Michael Paluso; Public; 619-682-4083

New Project Description: Demolish an existing home and construct a new 12,716 sf single dwelling unit on a 0.46 acre site. This includes a 6241 sf first floor and 6.475 sf second floor.

Seeking: CDP and SDP but issue today is the Draft ND

LJCPA President Joe LaCava had commented on the previous Draft ND as did other members of the community. Based on input received the project description has been revised and the Draft ND recirculated for public review. Revisions include: modifications to the square footages for the basement, first floor, second, floor and total gross floor areas. The square footages have been updated. No new impacts have been identified and no new mitigation required.

The deadline for response to this Negative Declaration had been June 23rd [After the meeting it was learned that the deadline had been extended to July 12, 2011.]

The applicant's representative James Brown attended but did not make a presentation. However, he made comments and participated in the discussion.

Previous PRC action: April 2010 – see minutes of that meeting and March 2010 for full information

Motion: Furtek Second: Schenck

Project does not conform to LJS PDO section 1510.0301(b): Specifically: “Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area.”

Approved: 3-1-1; Approve: Furtek, Lucas, Schenck; Oppose: Morton; Abstain: Boyden

Previous LJCPA Action, May 2010

To accept the recommendation of the PRC Committee, to deny the Project, (N) 8490 Whale Watch Way: Coastal Development Permit for demolition of existing residence and construct a 9,860 sf (GFA) residence (originally noticed as a 7559 sf residence) on a 0.46 lot. FAR=0.58. Shores Planned District, and forward the recommendation to the City. (Addington/Burstein 15/0/1)

In favor: Addington, Brady, Burstein, Costello, Courtney, Crisafi, DuCharme Conboy, Fitzgerald, Gabsch, Lucas, Merten, Rasmussen, Salmon, Whittemore, Weiss. Abstain: LaCava

Project Representative: Jim Brown

Design is still the same. They have recalculated the FAR, which added to the totals, due to area being covered by overhangs being incorporated into the calculations.

He objects to distribution using the project rendering that is on the project website. The online photo is inaccurate and was made using a fish-eye lens for dramatic effect. Architects like to make renderings dramatic in order to get published in magazines. He urges the committee to only use the drawings from the packet. (Boyden presented elevations from packet at this time) Brown commented on the evolution of the project: the first design was 3-story, the second was 2-story with increased setbacks, third design was even more stepped back and the building was dug into the hillside to reduce height. The structure is poured concrete with a textured finish.

Disclosure: Boyden and Merten had sent comments to city regarding the original Negative Declaration for the project, as did the LJCPA. Boyden read the LJCPA submission. Boyden has already submitted a comment for the recirculated draft ND.

Morton: There are other homes in LJ Shores that this home is similar to, such as in the Montoro development. This is a contemporary home with a bit of an edge to it. Morton does not feel that this is out of place.

Merten: Since the design hasn't changed, the comments made during the previous committee reviews of the project still stand. The contemporary projects in Montoro are in a planned residential development. The projects in that development are obligated to comply with and be compatible with that development. This project is in a different area and must be compatible with the houses in its neighborhood. Merten showed aerial photos of the area and compared footprints with other house in the area.

Merten quoted pertinent design guidelines from the LJS Design Manual: "Large buildings interposed into communities characterized by small scale structures without adequate transition *should be avoided*"; "Visually strong buildings which contrast severely with their surroundings *impair the character* of the area; " Structures *shall conform or complement* the general design and bulk of the buildings in surrounding and adjacent areas."; " new buildings should be *made sympathetic* to the scale, form and proportion of older development; new designs should *promote "harmony* in the visual relationships and transitions between new and older buildings." and "extreme contrasts in color, shape and organization of architectural elements *should be avoided*, so that new structures do not stand out in excess of their importance."

The courtyard is typically a feature of a single-story house whose patio area is on grade. The city exempts courtyards from FAR calculations because the Spanish style with courtyard is typical in San Diego. The city uses FARs as a way to quantify the bulk of a project. When you take a building and lift it up, it affects the perception of bulk and scale, hence areas underneath overhangs need to be calculated.

The FARs originally presented did not include those. He would like to know how the FARs were calculated and what was included. He has concerns with the exterior balconies: If 2 or more sides of those balconies are 40% open, then balconies are not included. Based on the plans he has reviewed, the balcony is enclosed on the south and north side by wing walls. They should be included in FAR.

There is a question of roof deck versus courtyard. A roof deck is an area is over an enclosed space below. He thinks that 2,000 feet of roof deck has been incorrectly classified as a courtyard. Adding up all areas together, the gross area is in excess of 12,000 feet, and FAR would be 75 to 80%. On this size lot the maximum FAR in any other part of the city is .45, this project is significantly higher in FAR. He recommends the committee adopt letter that he previously sent to the city for the first ND.

Brown response: *You can not negate (ignore) the contemporary houses in the Montoro development. He feels that this completely fits in with the neighborhood. The city disagrees with the way Merten is calculating the FAR. The wing walls are open 40% and should not be counted in FAR calculation. Besides, there are no FAR requirements in this zone.*

Merten: After checking the plans presented, he agrees that the wing walls are open and should not be included in the calculations. However, he still feels that the house is too big for the neighborhood and the FAR still bears this out.

Boyden: The adjacent house styles in the neighborhood are: California ranch, Mediterranean and contemporary 1-story.

Morton: Is the lower floor considered a basement? *Response: No*

In discussions with city of courtyard versus roof decks, would these features in this design be included in the gross floor area?

Merten – they must be included.

Morton: This house is a different architectural style. La Jolla has always had cutting edge buildings and homes. It is hard to balance new designs with existing designs. Would have liked to have had this analysis of FAR during previous project evaluation (these full plans were not available at the time of previous committee reviews).

Merten: The LJ Design Manual specifies roof types for the area: Flat roofs, mansard, gable, and hip roof. The LJS PDO specifies that building and structure set backs should be in general conformity. These setbacks are not consistent with the neighbors. 4 concerns:

1. General character of the building with the architectural unity of the area
2. Size of project – bulk and scale
3. Roof forms and long sides without articulations
4. Traffic safety due to retaining walls affecting the visibility triangles.

This is too big a house for a 0.5 acre lot. This design should be on a 3 acre sized lot.

Donovan: Visited the site today and looked at the neighborhood. It is out of scale with the neighborhood. She appreciates that fact that they reduced the size, but proposing huge projects and then reducing them slightly, still results in a house too large with the neighborhood.

Brown Response: *The existing house blocks more of the view of the house to the east than this project. The view down the street is increased. The house is closer to the property line, but the view has increased.*

Morton: Are the plans the committee has (dated 7/28/2010 provided by the city) the ones that are current? *Response: Doesn't know, will need to check at the office.*

Public comment:

Tony Crisafi: The city is very careful when making comparisons of the Montoro development with other neighborhoods. Montoro incorporates considerable open space within the development as a whole, so FARs calculated by the usual method are overly large and need to be proportioned. Has questions on FAR calculations for the roof deck and balcony underneath?

Merten explained how the calculations were made.

Motion: Merten; second: Emerson

The LJS PRC committee moves that the La Jolla CPA send a letter to the Development Services Department taking exception to the City's Negative Declaration for the project for the following reasons:

- **The project is not in character with neighborhood**
- **The bulk and scale are not compatible with surrounding development.**
- **The building setbacks are not in accordance with the LJS PDO**
- **The roof is not in accordance with the LJS PDO**
- **There are public safety issues with visibility triangles for the driveway.**
- **The design is not in accordance with recommendations in the LJCP regarding transitions between newer and older buildings.**

Motion carries: 5-1-1

Approve: Donovan, Emerson, Lucas, Merten, Schenck; **oppose:** Morton; **abstain:** Boyden (chair)

Morton stated he agreed with some but not all of the reasons.

C. Kooklani Residence Substantial Conformance Review

- PROJECT NUMBER: 126578
- TYPE OF STRUCTURE: Two Single Family Residences
- LOCATION: 7451 and 7447 Hillside Drive (Kooklani I and Kooklani II)
- Project Manager: Jeffrey A. Peterson; JAPeterson@sandiego.gov 619-446-5237
- Owner's Rep: Francisco Mendiola; Francisco@cdgius.com; 619-804-4463

Project Description: an application for a (Process 2) Substantial Conformance Review (SCR) to Coastal Development Permit (CDP) No. 9045 and La Jolla Shores Planned District Permit (LJSPDP) No. 9046 for the Kooklani I Residence; and CDP No.

9047 and LJSPDP No. 9048 for the Kooklani II Residence. This application included revised architectural design for the two previously approved single family residences. The project sites are located at 7451 Hillside Drive (Kooklani I) and 7447 Hillside Drive (Kooklani II) in the SF Zone of the La Jolla Shores Planned District within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone for Coastal Impact Area, Residential Tandem Parking Overlay Zone, and Council District 1.

Notes: This SCR was noticed in 2007 and delayed for a variety of reasons. The LJSPRC did not participate in the review process and an appeal was made to the Planning Commission after DSD made a decision to grant the SCR. It was heard on Thursday June 23rd. Planning Commission granted a continuance until July 21, 2011 to enable the Community Planning Group to review the current plans. It suggested that the prime topic of interest is whether the plans conform to Proposition "D" height limits.

Boyden: This is a Substantial Conformance Review for permits originally issued 2002. One set allowed the Munchkin homes to be re-located and the parcel subdivided into 2 lots. A CDP and SDP were issued for both lots. The CDP is vested due to grading being started. The houses could not be moved intact, and there were some legal issues due to this that delayed the project. In 2007 the design was changed and required a SCR. (The plans and records from the original CPA review are not available.)

There was a hearing at the planning commission on this project last week, and will be another in 2 weeks. A decision must be made.

Tony Crisafi – produced a letter for the planning commission and Chris Larson regarding the Prop D height limit. Larson said the project did conform. However, if the plans have changed since Larson's review then his letter does not pertain. He recommends a decision should be on each house individually as to whether they conform to Exhibit A.

Boyden: Some of the documentation from the city only refers to Kooklani I but not Kooklani II. This may be a typo.

Presented by Francisco Mendiola & Matt Peterson

Kooklani I = 7447 Hillside Drive, Kooklani II = 7451 Hillside Drive [This is what he said, but it differs from addresses in description above.]

Peterson: The question is whether the revisions are in substantial conformance. The heights are the same, but buildings have been shifted a bit on the site. For a Substantial Conformance Review the buildings should be similar in size and these are. The pool shape for each house is that main thing that has changed.

Mendiola: Presented Kooklani I drawings which showed the footprint of the original project and the proposed changes on overlays. Areas outside the original envelope are shown in green, those inside are shown in red. The changes appear to be very close to offsetting.

Mendiola pointed out that the dimensions on the various plan sets have changed several times, to better clarify the proposed project, but the project itself has not changed.

Public Comment: None. (Crisafi made comments earlier as noted)

Morton: Original plan garage setback? **Mendiola response:** 11' from property line. The setback for the proposed garage is at 18'.

Merten: Balcony is not cantilevered and goes down to grade. Do you have any elevations showing the pool from the front?

Response: No. The pool will have stone in the front and the front deck will be obscured by the façade.

Merten: There are issues with the prop D measurement. The pool is part of the structure and heights should be measured 5 feet out from the lowest point on the structure to the highest point on the building.

The elevations do not show what the pool will look like. **Response:** It will probably be supported by caissons... **Merten:** Even so, it has to be considered part of the house and deck structure and as such should be measured 5 feet out from the lowest structure. **Response:** We will have to adjust the design to meet the requirements.

Kooklani I:

Motion: Merten; second: Morton

- **The Kooklani I Project is not in substantial conformance with the Exhibit “A” drawings, because the location of the swimming pool is substantially different from previous plans and the supporting documents relating to the pool are inadequate.**
- **The project now exceeds the proposition D height limit.**

Motion carries 6-0-1

Approve: Donovan, Emerson, Lucas, Merten, Morton, Schenck; Abstain: Boyden (chair)

Morton leaves meeting at this point.

The Kooklani II project is reviewed. The plans show a similar design to the proposed Kooklani I project, and has the same issues with the pool and Prop D height measurements.

Lucas: Is the building style the same as the approved original project? **Crisafi response:** *The original design was in a modern style, but used flat roofs. The proposed project is modern but uses curved roofs.*

Lucas: Is the area on each floor similar between the original and proposed designs? **Response:** *yes, very similar.*

Kooklani II:

Motion: Emerson; second: Schenck

- **The Kooklani II Project is not in substantial conformance with the Exhibit “A” drawings, because the location of the swimming pool is substantially different from previous plans and the supporting documents relating to the pool are inadequate.**
- **The project now exceeds the proposition D height limit.**

Motion carries 5-0-1

Approve: Donovan, Emerson, Lucas, Morton, Schenck; abstain: Boyden (chair)

5. Consideration of amending the La Jolla Shores Planned District Ordinance to incorporate the citywide residential floor area ratios of Chapter 13 of the San Diego Municipal Code, in addition to all the other criteria currently specified in the LJSPDO and the LJ Community Plan. This item was placed on the LJSPRC agenda as directed by Tony Crisafi, President of the LJCPA, at its June 2, 2011 meeting.

Tony Crisafi:

Presented a chart on City wide FARs for the single family residential zone (Table 131-04J).

There are problems with setbacks and sizes of developments in the Shores, and recently we have seen these affect projects in the Spindrift area. He proposed that the DSD adopt table 131-04J for residential zones. He is not necessarily proposing that the LJ Shores PDO or the Municipal Code be changed.

Committee members raise the point that the DSD is bound by the Municipal Code, so that this probably will not have the desired affect.

Boyden: Spoke of the need for a broader outreach. Is concerned that the city would treat neighborhood compatibility, bulk and scale, and other guidelines in the LJS PDO with even less importance than they do now. She expressed concerns about the effect on owners of properties on the 5,000 sf lots in the beach area who would now be constrained. She also had concerns regarding areas of larger lots, such as at La Jolla Scenic, where the residential zone table 131-04J would allow for 0.45 to 0.48 for a typical lot size, but the current neighborhood average is much less than 0.40—even in the .20s. She is concerned that this would encourage larger houses and change the current feel of the neighborhood.

A letter from committee member Morton was read, as he had to leave before the item was heard.

He said, “I oppose the motion to include FAR in the La Jolla Shores PDO. The PDO although is not specific in many areas, is a unique PDO in all Southern California. The freedom it avails the community and the property owners is unique in South California. I encourage the committee not to change the La Jolla Shores PDO.”

John Schenck: What is the history of the La Jolla Shores PDO lack of a defined FAR? (answered to a certain degree by Rob Whittemore presentation.)

Public input:

Rob Whittemore: He presented his views in a handout that summarized the history of the LJ Shores PDO. According to Mike Stepner, with the city at the time of the original LJS PDO in 1974, FARs were not specified because they were not thought to be useful in the Shores area due to many odd lot sizes and the various zoning designations at the time. Design guidelines were thought to be better tools. However, as development proceeded in the area, many issues/arguments arose about projects being compatible with the LJS PDO guidelines. In 1993, to eliminate some of the disputes, the Development Services Department created guidelines specifying a maximum of 0.60 FAR, and published and distributed these to the public. These were in use until the LJS PDO was revised and incorporated into the Municipal Code January 1, 2000. At that time the LJS PDO specifically incorporated Chapter 13 of the Municipal Code which included the provisions for city wide base zones.

Whittemore continued--The former city attorney weighed in on this in 2006 and came to the conclusion that base zones should apply, but DSD fought the decision and through unusual and (secretive to the public) circumstances the decision was never enforced.

At a recent meeting, the present city attorney agreed with the previous city attorney opinion about the base zones applying, but feels since they have not been applied to date; it would be arbitrary and capricious to apply them now. Currently two other Planned Districts incorporate provisions of Chapter 13 of the Municipal Code, similar to the way the LJS PDO incorporates them. Rob said that other legal consultants who have looked at the issue feel have the opposite opinion and feel that it is arbitrary and capricious not to apply them from this point forward.

Whittemore feels that the fastest and most effective approach to having the base zone FARs in Chapter 13 apply would be to take this issue before the City Council and have them confirm that citywide FARs should be applied to the La Jolla Shores Planned District.

A second approach would be to re-write the current LJS PDO, which is a large and time consuming task. Some efforts are being made on this currently, but will take years to achieve.

A third approach would be to expand the La Jolla PDO to cover the Shores area (and eliminate the LJS PDO). This would require re-zoning the Shores among other issues that would likely take years to resolve.

Committee discussion:

The committee discussed how to pursue the various proposals and whether to adopt the Table 131-04J as establishing the maximum FARs permitted in the LJS PD, for proposed development in the LJSPD in addition to the neighborhood compatibility and bulk and scale in the LJS PDO. Concerns were raised that there should be more public input taken on this proposal. A PDO re-write is an involved process and it would be presumptuous for this committee to speak for the entire La Jolla Shores area.

Merten: Raised concerns on what a motion made by the committee can consist of based on how this item was noticed.

Mr. Whitney in the audience raised the point that this item was only noticed for residential.

Lucas: Are we asking for a change to the MC or PDO? **Crisafi response:** He is proposing that these be guidelines used by DSD, not changes to the Municipal Code or LJS PDO.

Merten: As guidelines these wouldn't be enforceable... and would most likely be ignored by the DSD department.

Emerson: It is important to add these to the SF zones, but not sure the best way to do this.

Motion: Emerson; second: Merten

This committee recommends the CPA have a full hearing and discussion on the whether the underlying citywide FARs in all zones should be confirmed as applying in the La Jolla Shores Planned District.

Motion carries 5-0-1

Approve: Donovan, Emerson, Lucas, Merten, Schenck; abstain: Boyden (chair)