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President: Tony Crisafi  
Vice President: Rob Whittemore  
Treasurer: Jim Fitzgerald  
Secretary: Dan Allen

## La Jolla Community Planning Association

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

### Thursday, 3 November 2011

### ***DRAFT AGENDA – REGULAR MEETING***

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval:** 6 Oct 2011
4. **Elected Officials Report** – Information Only
  - A. Council District 2 – Councilmember Kevin Faulconer  
Rep: **Katherine Miles**, 619.236.6622, [kmiles@sanidiego.gov](mailto:kmiles@sanidiego.gov)
  - B. Council District 1 – Councilmember Sherri Lightner  
Rep: **Erin Demorest**, 619.236.7762, [edemorest@sanidiego.gov](mailto:edemorest@sanidiego.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](mailto: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. LJ Parks and Beaches on Coast Walk Parking – Action Item  
Whether or not to send a letter to City of San Diego in support of Parks & Beaches Inc. effort to restore Coast Walk Public Parking.
  - B. 8490 Whale Watch Way – Action Item  
Whether or not to appeal the environmental document of 8490 Whale Watch Way project  
Planning Comm. decision on Oct. 20th to Certify the Neg Dec.
  - C. **Children's Pool Lifeguard Station** – Action Item  
Draft Mit Neg. Dec. issued 10/6, comments due 11/5, draft comments attached.

## **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, 2<sup>nd</sup> Mon, 4pm

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

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4<sup>th</sup> Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4<sup>th</sup> Thurs, 4pm

### **A. Opus Bank Signage**

**PDO ACTION: To approve as conforming to the PDO the proposed building signage at a maximum of 31.1 sf; applicant to return with corrected plans for the free-standing sign. 6-0-1.**

1205 Prospect Street - Two face changes of an existing sign cabinet, and one new non-illuminated monument sign.

### **B. Sauvage Lot Line Adjustment / Demo**

**DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 1,214 SF companion-unit accessory use structure (pool cabana) at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses. 5-1-1**

1420 Inspiration Dr. - CDP to construct a 1,214 SF companion unit at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses

### **C. Shahbaz Residence**

**DPR ACTION: Findings can be made for a Coastal Development Permit to demolish an existing 3,869 SF residence and construct a 7,884 SF two story single-family residence and an attached 3-car garage on a .57-acre site. 4-1-2**

6412 Avenida Manana - Coastal Development Permit to demolish an existing 3,869 SF residence and construct an 7,884 SF two story single family residence and an attached 3 car garage on a .57 acre site

### **D. The Heritage on Ivanhoe**

**DPR ACTION: Findings can be made Coastal Development Permit and a Site Development Permit for the Heritage of Ivanhoe Project as described above under "Scope of Work" (see Comm. Rpt). 6-0-1**

7714-7742 Ivanhoe Ave. – CDP & SDP for the following: Historic residence, along with the residences at 7722 and 7740 Ivanhoe Ave. will remain. The residents at 7722 Ivanhoe Ave. will also be relocated from the rear of the lot to the front. All other structures will be demolished. The project also proposes the addition of 3 detached dwelling units, 4 duplexes, and accessory structures and improvements in addition to the expansion of the three existing residential structures discussed above. The total final dwelling count will be 14 dwelling units (1 four-bedroom, 1 two bedroom and 12 three-bedroom units).

### **E. Chao Residence**

**PRC ACTION: Findings can be made for a Site Development Permit as presented with increase to side yard setback and changes to front entry. 6-0-1**

8289 La Jolla Scenic Drive North - Demolish existing 1-story single family residence. Construct new 4,655 sf 2-story single family residence with basement. Changes made to initial plan include increasing south side yard setback to 5'-2" and remodeling front entry.

### **F. La Jolla Concours D'Elegance**

**T&T ACTION: Motion to approve street closure 8-1-0**

Scripps Park / Street Closure March 31<sup>st</sup> –April 1<sup>st</sup>

Time  
Certain:  
6:45p

**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**
- C. COMMUNITY PLANNERS COMMITTEE – Meets 4<sup>th</sup> Tues, 7p, 9192 Topaz Way**

**11. San Diego Canyonlands – [www.sdcanyonlands.org](http://www.sdcanyonlands.org)**

Whether or not to support dedication of La Jolla sites and the concept of dedicating ~10,000 acres City-wide

Presenter: Will Anderson, Programs Manager, (619) 518-6535 email: [will@sdcanonlands.org](mailto:will@sdcanonlands.org)

**12. Jersey Mikes – Action Item**

7836 Herschel Ave. - Tenant improvement, Trash enclosure and shared parking agreement

*PDO ACTION (Sept 2011): Tenant improvement, trash enclosure approved*

*PDO ACTION (Oct. 2011) Signage and shared parking agreement reviewed, but not acted on due to a lack of public notice of the issue. See attached October meeting minutes for review comments.*

(note the City informed the applicant in writing that the use of the space as a restaurant was not a change in use.)

**13. Hennessey's Sidewalk Café – Action Item**

7811 Herschel Ave - Installing wrought iron fence as an encroachment into the PROW

*PDO ACTION (Sept 2011): Sidewalk Café Use conforms with the PDO 6-0-0*

*DPR ACTION (OCT 2011): FINAL REVIEW - motion fails – no recommendation to report*

**14. Encore Trust Residence – Action Item**

9872 La Jolla Farms Road - Coastal Development Permit and Site Development Permit to construct a 21,592 SF single family residence and 2,149 SF guest quarters on a vacant 1.52 acre site

*DPR ACTION (Sept 2011): Findings can be made for Coastal Development Permit and Site Development Permit to construct 21,592 SF single family residence & 2,149 SF guest quarters on vacant 1.52 acre site. 5-0-0*

**15. Hooshmand Residence – Action Item**

2480 Rue Denise - CDP and SDP for a 4,463 sq. ft. addition & remodel to an existing single family residence on a 0.29 acre site

*PRC ACTION (Sept 2011): Findings can be made for a Site Development Permit and a Coastal Development Permit. 6-0-2*

**16. 7401 La Jolla Blvd. Mixed Use – Action Item**

7401 La Jolla Blvd - CDP and SDP to construct a mixed use building with 5,400 SF commercial space and a 4,600 SF single-family residence on a vacant 0.23-acre site

*PDO ACTION (OCT 2011): The project as presented conforms to the PDO. 7-0-0*

*DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 SF commercial and 5,080 SF residential, 7,070 SF underground garage (13 spaces) on a vacant 0.23-acre site. 5-0-2*

**17. On Street Parking – Action Item**

Consideration of Draft of City Council Policy relating to On-Street Parking

*T&T ACTION (Sept 2011): See attached draft minutes for approved motions*

Presenting: Tom Brady, T & T Committee

**18. Ad Hoc Committee on Operating Procedures** – Action item

Ad Hoc Action: Consideration to adopt Ad Hoc Committee's recommendations #2 & #3, listed below.

See Procedures created by the ad hoc committee attached to this agenda.

*Aug 2011 Recommendations:*

*2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).*

*3. The ad hoc committee recommends 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).*

**19. Adjourn** to next Regular Monthly Meeting, Dec 1st, 2011, 6:00 pm



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## La Jolla Community Planning Association

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

**Thursday, 06 October 2011**

### **D R A F T MINUTES – REGULAR MEETING**

Present: Dan Allen, Cynthia Bond, Tom Brady, 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, Cynthia Thorsen, Rob Whittemore, Ray Weiss.

**1. Welcome and Call To Order: Tony Crisafi**, President, at 6:01 PM

**2. Adopt the Agenda**

**President Crisafi** noted: Agenda Item 11, The Riford Center had been removed from the Agenda, at the applicant's request. **Agenda Item 8: Revisions to the President's Report**

**Trustee Fitzgerald** on Agenda Item 11: corrected the record of PDO action re Riford Center Façade.

**Approved Motion: Motion to Adopt the Agenda as revised, (LaCava/Whittemore, 17-0-1).**

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

Abstain: Crisafi.

**3. Meeting Minutes Review and Approval - 01 September 2011**

**Trustee Allen** noted transposition of votes by Trustees LaCava and Bond in the final motion of Item 14.D. LJCPA member **Helen Boyden** corrected Item 9.A: was 8490 Whale Watch Way.

**Approved Motion: Motion to approve the Minutes of August 4<sup>th</sup> 2011 as corrected, (Fitzgerald/Brady, 15-0-3).**

In favor: Allen, Bond, Brady, Burstein, Costello, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen, Whittemore, Weiss.

Abstain: Conboy, Courtney, Crisafi.

**4. Elected Officials Report - Information Only**

**A. Council District 2 - Councilmember Kevin Faulconer**

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

**Ms. Miles** reported two recent developments: The City and Toyota have a new 2-year agreement to provide 34 new lifeguard vehicles, and the issue of oversized vehicle parking is being negotiated with stakeholders.

**B. Council District 1 - Councilmember Sherri Lightner**

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

Ms. Demorest was **not present**. An "update" was distributed by e-mail earlier. Topics covered were Sewer Group Job 714, UCSD Parking Impacts in Residential Neighborhoods, Comprehensive Water Policy and Changes to Park Use Permits.

**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 not present.

**General Public Comment**

Community member **Phyllis Minick** handed out a survey from the workshop October 1 on *Beautification of Coast Boulevard Walk at Children's Pool, Casa Beach* and gave a brief report.

LJCPA member **Fran Zimmerman** expressed concern re the removal of Agenda Item 11: The Riford Center, and requested Agenda Item 11 be reinstated.

Community member **Dr. Herman Froeb** spoke on the subject of the completed Gatto residence in La Jolla Shores. He believes there were misrepresentations and falsification in the original documents on the basis of which it was approved. LJCPA member **Peggy Davis** concurred and requested an investigation. Community member **Peter Gantzel** ceded time to **Ms. Davis**. (The topic was discussed further in Item 6, Non-Agenda Items for Trustee Discussion.)

**John Shannon**, chairman of the Pacific Beach Planning Group, spoke on alcohol-related crime and other quality of life problems common to San Diego beach area communities. The planning group has a report on the subject that can be seen at [www.pbplanning.org](http://www.pbplanning.org). He invites comments by e-mail to [john.shannon@yahoo.com](mailto:john.shannon@yahoo.com).

**6. Non-Agenda Items for Trustee Discussion**

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

Continuing with the subject of the Gatto residence, **Trustee Manno** asked **Trustee Merten** whether the PRC had not investigated the issues already. **Trustee Merten** commented that if there was any fault it mainly was that the committee did not pick up the details that are subject now to objections. **Trustee Weiss** suggested that the Gatto residence is a generic example of problems we are not structurally able to deal with. **Trustee Whittemore** urged to put this on next month's agenda.

**Trustee Little** commented on **President Crisafi's** letter in the newspaper concerning the 1912 Spindrift project procedures.

**Trustee Merten** is surprised that he received a Draft Mitigated Negative Declaration for the Children's Pool lifeguard station. He thought it had been previously approved. He found several places in the report that he believes are at odds with the La Jolla Community Plan. He asked to put consideration of a response on next month's agenda and he will prepare a draft for Trustees' consideration. **President Crisafi** agreed.

**7. Officer's Reports**

**A. Secretary: Dan Allen**

**Trustee Allen** stated that if one wants his or her 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.

When you do sign-in at the back, note there are two lists: one for LJCPA members and one for non-members. LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. This is a meeting of the Trustees, who are elected by the LJCPA members. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, copies of which are available from **Trustee Thorsen** and on-line at our website: [www.lajollacpa.org](http://www.lajollacpa.org).

**B. Treasurer: Jim Fitzgerald**

August Beginning Balance: \$168.93+ Income \$99.62 – Expenses \$179.29 = Ending Balance: \$89.26.  
Expenses include the annual post office box rental.

**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.

**8. President's Report – Action Items Where Indicated**

**A. San Diego Foundation – information only**

Following through from last month's discussion of a donation mechanism to fund LJCPA through La Jolla Town Council Foundation, **Trustee Whittemore** contacted the San Diego Foundation. They are able to support IRS 501(c)4 organizations, of which the LJCPA is one. The minimum separately managed fund value is \$25,000, and they can take donations through wills and bequests.

**B. LJ Community Planning Association policies**

- **Trustee Whittemore** reported that as the result of last month's failure to appeal the 1912 Spindrift project (more about which is under today's Item 14), the officers met and now propose that the Trustees should add a policy authorizing appeals to be submitted alternatively by the Vice President, the Secretary and the Treasurer, in that order, when the higher-ranking officer is recused from the process. He distributed his proposal in written form.
- **Trustee LaCava** will be putting the policy revisions made last month into the LJCPA website pages on policy.

**C. LJ Parks and Beaches on Coast Walk Parking**

LJPB presented to the Trustees in August (through **Trustee Allen**) a proposal for City action on Coast Walk parking. **President Crisafi** will prepare a letter stating LJCPA's support of their resolutions and provide it to the Trustees for action next month.

**D. 8490 Whale Watch Way**

Last month Trustees voted to appeal this project. **President Crisafi** reported that the application drawings are available at the city. The Planning Commission hearing will be October 20.

**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, 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. Hennessey's Sidewalk Café – *removed from agenda; item going to next DPR meeting***

**PDO ACTION: Sidewalk Café Use conforms with the PDO 6-0-0**

7811 Herschel Ave - Installing wrought iron fence as an encroachment into the PROW

**B. Emrich Building Tenant Improvements**

**PDO ACTION: Façade changes conform to the PDO 6-0-0**

7655 Girard Ave - Façade Renovation and Tenant Improvement

**C. Encore Trust Residence – *Pulled: Mr. Tony Brusler***

**DPR ACTION: Findings can be made for Coastal Development Permit and Site Development Permit to construct 21,592 SF single family residence & 2,149 SF guest quarters on vacant 1.52 acre site. 5-0-0**

9872 La Jolla Farms Road - Coastal Development Permit and Site Development Permit to construct a 21,592 SF single family residence and 2,149 SF guest quarters on a vacant 1.52 acre site

**D. Soledad Avenue Slide Repair**

**DPR ACTION: Findings can be made for an emergency Coastal Development Permit at 1760, 1796 and 1840 Soledad Avenue and 7750 Sierra Mar Drive to repair slide damage. 7-0-0**

1760, 1796 & 1840 Soledad Ave & 7750 Sierra Mar - Coastal Development Permit for previous emergency CDP on 4 properties

**E. Undergrounding Residential 1J West**

**PRC ACTION: Findings can be made for a Site Development Permit for Environmentally Sensitive Lands and a Coastal Development Permit for the Undergrounding of Utilities project Project 1J West. [properties not yet undergrounded in the district: Avenida de la Playa north to SIO and La Jolla Shores Drive west to the ocean with some outliers] 7-0-1**

North of Ave. de La Playa, West of LJS Drive – SDP & CDP Undergrounding of approximately 13,300 l. f. of overhead utility lines and poles in an area roughly described as north of Avenida de la Playa to SIO, west of La Jolla Shores Drive to the ocean.

**F. Hooshmand Residence – *Pulled: Mr. Ed Furtek***

**PRC ACTION: Findings can be made for a Site Development Permit and a Coastal Development Permit. 6-0-2**

2480 Rue Denise - CDP and SDP for a 4,463 sq. ft. addition & remodel to an existing single family residence on a 0.29 acre site

**G. On Street Parking – *Pulled by Trustee Brady***

**T&T ACTION: See attached draft minutes for approved motions**

Consideration of Draft of City Council Policy relating to On-Street Parking

**Approved Motion: Motion:**

**To accept the recommendation of the Planned District Ordinance Committee: (B) Emrich Building Tenant Improvements: Façade changes conform to the PDO, and forward the recommendation to the City.**

**To accept the recommendation of the Development Permit Review Committee: (D) Soledad Avenue Slide Repair: Findings can be made for an emergency Coastal Development Permit at 1760, 1796 and 1840 Soledad Avenue and 7750 Sierra Mar Drive to repair slide damage, and forward the recommendation to the City.**

**To accept the recommendation of the LJ Shores Permit Review Committee: (E) Undergrounding Residential 1J West: Findings can be made for a Site Development Permit for Environmentally Sensitive Lands and a Coastal Development Permit for the Undergrounding of Utilities project Project 1J West, and forward the recommendation to the City.**

**(LaCava/Fitzgerald, 17-0-1)**

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

Abstain: Crisafi.

**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, La Jolla Recreation Center

**C. Community Planners Committee** – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego  
**Trustee LaCava** reported that at the last CPC meeting there was a presentation by San Diego Canyonlands. That organization is planning to address LJCPA at a future meeting. They have as one of their objectives the dedication of the Fay Avenue Extension as a city park. Their website, for more information, is [www.sandiegocanyonlands.com](http://www.sandiegocanyonlands.com).

**D. La Jolla Parks & Beaches, Inc.** – Meets 4th Mon, 4pm, La Jolla Recreation Center

**Riford Center Façade** – Pulled from Consent at September meeting

6811 La Jolla Boulevard - ADA access ramp, facade and paint

**PDO Action (Aug '11):** Based on the applicant's representation that the project complied with the ADA: 1) signage conforms to the PDO; 2) materials and colors are in keeping with the existing community character and conform to the PDO; 3) all other proposed façade changes conform to the PDO; 4) the building's side entrance conforms to the PDO. Motion passed 6-0-0. Note: The Chair indicated that none of the proposed changes were in the right-of-way and that possible right-of-way changes would be come back to the PDO Committee at a later date.

This Agenda Item had been Item 11 in the originally posted Agenda but was removed from the Agenda at the request of the Applicant. **President Crisafi**, after discussion among Trustees, elected to hear the comments of the La Jolla Community Members in attendance.

The applicant was not present nor represented.

LJCPA member **Ms. Fran Zimmerman** and community members **Ms. Tricia Kay, Mr. David Singer, Ms. Lianna Bowdler, Mr. Thomas Grunow, Ms. Jan Harris, Mr. Juan Carlos Heguera** and **Ms. Grace Zimmerman** stated their strong opposition to the project. Their concern is that the proposed new side entrance to the building would be an encroachment of commercial property use into a residential neighborhood. **Ms. Fran Zimmerman** distributed to the Trustees a "Bonair Neighbors Appeal" document.

LJCPA member **Michael Morton**, the project's architect, said he understood the Riford Center Board has yet to decide whether or not to resubmit the project for community review.

**Approved Motion: The President is to work with the PDO Chair to have the PDO Committee review the new design for conformance with the La Jolla PDO, (LaCava/Courtney, 17-0-1).**

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

Abstain: Crisafi.

**Trustee Whittemore** suggested a letter be written to the Riford Center Board asking that they return to the PDO Committee. Several Trustees expressed concern that any specific comments on the project in the letter would imply judgment on the project whereas the proponents of the project have not been heard.

**Approved Motion: The President is to write a letter to the Riford Center Board asking them to return to the PDO Committee and to participate in discussion, (Costello/Whittemore, 9-6-3).**

In favor: Bond, Brady, Costello, Courtney, Fitzgerald, Lucas, Merten, Whittemore, Weiss.

Oppose: Allen, Conboy, Gabsch, Little, Manno, Thorsen.

Abstain: Burstein, LaCava, Crisafi.

**11. Children's Pool Lifeguard Station** – Consider Waiving Summer Moratorium

Proposal to waive the moratorium for Summer 2012 and 2013 to allow uninterrupted construction of the new station. (15 min. limit)

**Trustee LaCava** distributed to the Trustees "City Seeks La Jolla's Input on Waiving Summer Moratorium". The Trustees discussed the timetable for the project.

**Approved Motion: The La Jolla Community Planning Association supports waiving the summer moratorium for constructing a new Children's Pool lifeguard station, (Little/Fitzgerald, 17-0-1).**

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen, Whittemore, Weiss.  
Abstain: Crisafi.

A vote of the room was requested.

**Room Vote:** In Favor 34, Opposed: 2, Abstaining: 2

***At this point President Crisafi asked that Item 14 be taken out of order as a courtesy to the representative from the Development Services Department who wishes to address the item.***

**14. 1912 Spindrift – Action Item**

Rescind previous La Jolla Community Planning Association Actions on 1912 Spindrift.

**A. LJ Community Planning Association action of Feb 3, 2011**

Approved Motion: Motion: Findings can be made for a Coastal Development Permit and Site Development Permit. (Burstein/Manno, 9-4-2)  
In favor: Brady, Burstein, Conboy, Costello, Fitzgerald, Lucas, Manno, Salmon, Whittemore.  
Opposed: Gabsch, Little, Merten, Weiss.  
Abstain: Courtney, LaCava,  
Recused: Crisafi (Mr. Crisafi left room).

**B. LJ Community Planning Association action of April 7, 2011**

Approved Motion: Motion: Recommend denial: Findings cannot be made for a Site Development Permit and a Coastal Development Permit: 1) The south setback does not comply with the La Jolla Community Plan. 2) Off street parking within the front yard does not comply with the La Jolla Shores Planned District Ordinance, (Merten/Little, 9-5-1)  
In favor: Brady, Costello, Courtney, Gabsch, Little, Lucas, Manno, Merten, Weiss.  
Oppose: Allen, Burstein, Conboy, Fitzgerald, Salmon.  
Abstain: LaCava.  
Recused: Crisafi

**C. LJ Community Planning Association action of Aug 4, 2011**

To appeal the decision of the Hearing Officer regarding 1912 Spindrift to the Planning Commission, (Little/Courtney, 8-4-1).  
In favor: Allen, Bond, Courtney, Costello, Gabsch, Little, Merten, Weiss.  
Oppose: Burstein, Conboy, Fitzgerald, Manno.  
Abstain: Whittemore.  
Recused - out of room: Crisafi.

**D. LJ Community Planning Association action of Sept. 1 2011**

Approved Motion: La Jolla Community Planning Association commends the applicant for the changes made to the project, (Weiss/Fitzgerald, 7-6-1).  
In favor: Bond, Brady, Costello, Fitzgerald, Gabsch, Lucas, Weiss.  
Oppose: Allen, Burstein, LaCava, Little, Manno, Thorsen.  
Abstain: Whittemore.  
Recused - out of room: Crisafi.

President Crisafi referred to the letter in the newspaper he had written on the subject of the handling of consideration by LJCPA of the 1912 Spindrift project and he stated he stands by what he said in the letter.

***At this point (7:57 PM) President Crisafi recused himself and left the room. Vice President Whittemore assumed the chairmanship of the meeting.***

**Vice President Whittemore** went over the history of consideration by LJCPA of the 1912 Spindrift project. The project was heard first by the Trustees in February, 2011, at which time it was approved. The project was scheduled to be reheard in April. Without rescinding the prior approval of the project as required, the Trustees voted to oppose the project at the April meeting. Then in August the Trustees voted to appeal the Hearing Officer's approval to the Planning Commission. That appeal was not filed. The City refused to extend the deadline for filing an appeal even though the failure to file the appeal was found to be inadvertent. **Vice President Whittemore** explained that President Crisafi had been advised that the President should not personally file an appeal because he had a conflict of interest. **Vice President Whittemore** stated that the officers had met and found no intentional wrongdoing and recommend a new policy to insure all appeals will be filed in the future in accordance with Trustees' direction (see Item 8.B, above). The City Attorney advised that the LJCPA should rescind all previous actions on the project and rehear it in order to correct the errors that had been made, namely the failure in April to rescind the prior vote and the failure to appeal in August.

**Ms. Lesley Henegar** from the Development Services Department confirmed the history and added that the applicant wants the project reheard (hence Agenda Item 15 following). In response to a question as to who could file an appeal in the absence or recusal of the President, she revealed that any Trustee could file an appeal without paying the \$100 fee. **Trustee Burstein** asked for clarification of the project status. The project has been approved by the City and all necessary permits have been granted.

***At this point Vice President Whittemore passed the chairmanship of the meeting to Trustee Fitzgerald.***

**Trustee Fitzgerald** recapitulated the history.

LJCPA members **Claude-Anthony Marengo**, **Bernie Segal** and **Bob Whitney** commented on various aspects of the City's position.

**Trustees Manno, Courtney, Little, Lucas, Allen** and others participated in further discussion, which included comment that the solution presented to the Trustees would cleanly resolve the situation insofar as process but as a practical point there would be no impact on the project.

**Approved Motion: Rescind La Jolla Community Planning Association Actions on 1912 Spindrift from meetings (A) 3 February, (B) 7 April, (C) 4 August and (D) 1 September, 2011, (Thorsen/Manno, 8-5-4-1).**

In favor: Bond, Brady, Conboy, Costello, Gabsch, LaCava, Manno, Thorsen.

Oppose: Allen, Courtney, Little, Lucas, Merten.

Abstain: Burstein, Fitzgerald, Weiss, Whittemore.

Recused - out of room: Crisafi.

## **15. 1912 Spindrift – Action Item**

1912 Spindrift - Demolish existing residence and construct a 3,475 sf, two-story single family residence on a 13,511 sf parcel. La Jolla Shores PDO.

**NEW AUG '11: Add garage to accommodate two cars stacked.**

Presented: Matt Peterson, (619) 234-0361, MAP@petersonprice.com

**PRC Action (Aug '11): Findings can be met for a CDP & SDP for the revised design with the attached garage and stepped back second story, dated 8/11/11. 4-1-1**

**Failed Motion: Motion to postpone the agenda item indefinitely, (LaCava/Allen, 7-8-2-1).**

In favor: Allen, Brady, Burstein, LaCava, Manno, Merten, Weiss.

Oppose: Bond, Conboy, Costello, Courtney, Gabsch, Little, Lucas, Thorsen.

Abstain: Fitzgerald, Whittemore.

Recused - out of room: Crisafi.

**Mr. Peterson** made a brief presentation on the changes made after the August meeting of the Trustees concerning the addition of a garage.

**Approved Motion: Motion to approve 1912 Spindrift: Findings can be made for a Site Development Permit and a Coastal Development Permit, and forward the recommendation to the City, (Courtney/Thorsen, 10-1-6-1).**

In favor: Bond, Brady, Conboy, Costello, Courtney, Gabsch, Lucas, Manno, Merten, Thorsen.

Oppose: Allen.

Abstain: Burstein, Fitzgerald, LaCava, Little, Weiss, Whittemore.

Recused - out of room: Crisafi.

***At this point (8:50 PM) President Crisafi returned to chair the meeting.***

**12. Nooren Residence** - Pulled from Consent at September meeting, Action Item  
8001 Calle de la Plata - Demolish an existing single family residence and construct a 2,725 square foot, two-story single family residence over a 656 square foot garage on a 0.10 acre site. Eliminate subterranean garage and basement.

NEW AUG 2011: substituting a parapet building sides and short walls parallel to street frontages.

*PRC REVIEW: March, April, May, June 2011*

*PRC ACTION (June '11): 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. 4-0-3*

*CPA ACTION (July '11): To accept the recommendation of the LJ Shores Permit Review Committee 12-0-1*

*PRC ACTION (August '11): Findings can be made for a SDP and a CDP 3-2-1*

**Matthew Peterson**, representative of the owner and applicant presented the project. He provided handouts illustrating the project and tabulating features with the changes made since first proposed. Two neighbors had registered complaints. One has since written in support and the other is out of town. LJCPA member and LJ Shores Permit Review Committee Chair **Helen Boyden** expressed concern that there had been changes with respect to the garage since the PRC meeting where the project was approved 3-2-1. **Trustees LaCava, Bond Merten, Courtney** and **Costello** commented on the project. **Mr. Nooren** made a statement.

**Approved Motion: Motion to approve Nooren Residence: Findings can be made for a Site Development Permit and a Coastal Development Permit, and forward the recommendation to the City, (La Cava/Burstein, 17-0-1).**

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

Abstain: Crisafi.

**13. Lundberg Addition SCR** – Action item

Ratify appeal (dated Sept. 21, 2011) of NOD dated Sept. 2nd, 2011

7820 Lookout Drive - add 537 square feet on the second floor, partially over the garage of an approximate 5,770 square foot single family residence on a 0.326 acre site

*PRC ACTION (Aug '11): Findings can not be met that the project is in Substantial Conformance with the original CDP and SDP, 3-2-1*

*PRC ACTION (Aug '11): The city should review the issue on whether the existing driveway wall conforms to the driveway visibility triangle requirements in the municipal code. 5-0-1*

*CPA ACTION (Sept '11): To accept the recommendations of the La Jolla Shores PRC. 14-0-1*

**Marcos Vanorden**, representative of the architect for the applicant, presented the proposed room addition and discussed the conformance issues. LJCPA member and LJ Shores Permit Review Committee Chair **Helen Boyden** distributed written itemization of concerns with the changes to the home that appear to have been made since initial design and several pages of photographs.

**Approved Motion: To ratify the appeal of the Lundberg Addition, noting that LJCPA does not object to the addition but does object to obstruction to the visibility triangle and to encroachments into the right of way including walls not conforming to being 75% open, (Courtney/Conboy, 13-2-2).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, LaCava, Little, Manno, Merten, Thorsen, Whittemore.

Oppose: Burstein, Gabsch.

Abstain: Lucas, Crisafi.

**16. Ad Hoc Committee on Operating Procedures – Action item**

Ad Hoc Action: **Consideration to adopt Ad Hoc Committee's** recommendations #2 & #3, listed below.

See Procedures created by the ad hoc committee attached to this agenda.

*Aug 2011 Recommendations:*

- 2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).*
- 3. The ad hoc committee recommends 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).*

This item is continued to next month.

**17. Adjourn at 9:47 PM.** Next Regular Monthly Meeting, November 3rd, 2011, 6:00 pm.

# UNAPPROVED MINUTES OF THE LA JOLLA PLANNED DISTRICT ORDINANCE COMMITTEE October 10, 2011

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**Present:** Stiegler (chair), Clark, Gabsch, Little, Dershowitz, Rasmussen. Members of the public present signed in on a sheet retained by the Chair and Secretary.

**Agenda:** An error was noted on the agenda; Jersey Mike's signage was inadvertently not posted, though the Chair recognized their timely request to present. It was discussed that the Committee would therefore hear the matter, issue an advisory opinion to the CPA and the applicant would make his presentation to the CPA at the next meeting.

**Minutes/Motion:** To approve the September, 2011 Minutes Fitzgerald/Gabsch passed 2-0-4

**Public Comment:** Roslyn Lane/Cave St. residents L. Hyman and R. Pack presented objections to construction ongoing at the Manchester Building, 1205 Prospect Street, which did not come before the PDO Committee or CPA. The construction includes City-permitted changes of items arguably not Process One, intensification of use including change of use from a gallery to a restaurant with resulting changes in parking requirements, a remote kitchen, a kitchen venting into the area of adjacent residences, alleged code violations, reduction in landscaping, removal of a patio etc. D. Little noted these changes should also have triggered DPR review as well as PDO and CPA review. The applicant was advised to seek advise of a land-use attorney and it was suggested the Chair contact the Building Services Department as to why this matter was not referred during the permitting process. Discussion on this matter will be included in at the end of the meeting under the Agenda item on "Issues regarding PDO compliance and means to promote enforcement."

**Non-Agenda Item: Riford Center--**Rasmussen recused from the PDO Committee in order to make comments on the issue of the referral of this matter to the CPA. The "side door" was presented to the PDO along with other façade changes, but the "ADA ramp" was not presented to the PDO committee. However, the "ramp" was included in the minutes and was therefore misentitled on the CPA Agenda. The Riford Board removed the matter from the CPA agenda because the City Attorney was expected to give its opinion on the ramp and side door, as to whether they were required under the ADA, and which are not discretionary and therefore are not within the discretion of the PDO or the CPA. Rasmussen indicated that the day after the CPA meeting, the City Attorney mandated that there be a ramp in front of the building, narrowing the existing sidewalk to 4' and interpreting ADA law as not requiring a second ADA compliant entrance/exit during construction (where the front entrance is blocked) on Bonair Street. As a result, there should be no further issues with the neighbors who opposed any door on Bonair Street. The CPA's motion to refer these matters back to the PDO Committee may therefore be moot. The Riford Board will vote whether to comply with the City Attorney's mandate, but Rasmussen expects they will. He indicated further appearance before the PDO is not likely. The Chair noted that the ADA is not a part of the Land Use

Code, which the City and the PDO enforce. The PDO may in the future discuss the issue of narrowing the sidewalk, as this may be contrary to the Land Use Code.

**Agenda Items:**

**Project Name: Jersey Mikes**—Because this matter was not included on the Agenda, a full hearing before the CPA is needed. However, the PDO did receive what appears to be a properly executed Shared Parking Agreement, satisfying the requirements from this intensification of use. Also, the applicant presented modified plans reducing signage to the correct ratio of square footage of signage to street frontage. The Chair will notify the CPA that all PDO elements are satisfied.

**Project Name: Opus Bank Signage**—This location is at the Manchester Building, 1205 Prospect Street on the Ivanhoe frontage. The applicant is allowed slightly less than 46 square feet of sign for their 46 lf of frontage. One part of proposed signage is free-standing; the plans however appear to incorrectly depict this sign in the public way. That sign replaces the existing Obernier Gallery sign. The applicant will correct the plans.

**Motion** – To approve as conforming to the PDO the proposed building signage at a maximum of 31.9 sf; applicant to return with corrected plans for the free-standing sign. Stiegler/Clark 6-0-1.

There was additional discussion on the issue of intensification of use (from a gallery to a bank), per the prior Public Comment. A gallery requires 1 parking space per 600 sf; a bank requires 1 per 300 sf, therefore the bank at 2164 sf requires 7 parking spaces. The landowner must also show there is enough spaces for the entire building due to this intensification and the prior noted the intensification of another gallery to a restaurant.

**Project Name: Recommendations to DPR Committee; 7401 La Jolla Blvd.** This is the new retail/residential project on the northeast corner of La Jolla Blvd and Marine St. Aspects of this project were presented previously, and the applicant answered questions about parking, physical layout, garage access, refuse area, loading area, building height measurement, setbacks and landscaping.

**Motion**—The Project as presented conforms to the PDO. Clark/Fitzgerald 7-0-0

**Chair Report/Board Discussion:** G. Geilor of Building Services has provided the option to the PDO Chair that *all* Process One discretionary permits can be routed to the PDO Committee, rather than leaving up to staff “which” are referred that they think may impact the PDO. For example, Jersey Mikes was *not* told that their intensification of use from a toy store to a restaurant required more parking. This is a dual burden on the applicants to appear and will result in more scrutiny, and it is also more burden on the PDO Committee.

**Motion:** Per Geilor’s email, it is requested that all ministerial permittable (Process One) projects within the PDO be referred to the PDO Committee. Gabsch/Fitzgerald 7-0-0.



The meeting was adjourned at about 5:30 p.m. The next PDO meeting is scheduled for November 14, 2011 at 4:00 p.m. at the La Jolla Recreation Center, Room 1.

Respectfully Submitted

***Glen Rasmussen, Secretary***

**LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE**  
**LA JOLLA COMMUNITY PLANNING ASSOCIATION**

**COMMITTEE REPORT**  
**FOR**  
**OCTOBER 2011**

**10/11/2011 Present:** Benton (Chairman), Collins, Ducharme-Conboy, Costello,  
Hayes, Liera, Merten, Thorsen  
**10/18/2011 Present:** Benton (Chairman), Collins, Ducharme-Conboy, Costello,  
Kane, Merten, Thorsen

**1. NON-AGENDA PUBLIC COMMENT**

- a. Phyllis Minick, Treasurer, LJ Parks & Beaches:** The Children's Pool Walk Workshop of Oct 1, 2011 was very successful. A handout summary was provided listing 14 ideas to rebuild the walkway and surroundings. There will be a design in a month or so. For suggestions/comments please contact:  
Patrick Ahern, President, LJ Parks & Beaches, patrickahern@prusd.com  
Phyllis Minick, Chair, LJP&B Beautification Committee, minickphyllis@gmail.com
- b. Tony Crisafi, LJCPA President:** The LJCPA is doing a Bylaws update with the City. Tony would like to include the Joint Committees Bylaws / Policy and have formal discussion next month. We are reminded to update training of the COW at Topaz St. or the eCOW online and inform Leslie Henegar of such.
- c. Phil Merten, DPR Member:** The MND for the CP Life Guard Station is published. Comments are due by the first week in November. This project includes taking Western edge of the existing terrace area to construct an 8 to 10 foot wide sloping handicapped ramp down to the restroom area. It will be over 100 ft in length. It will remove the top 10 ft of the bluff. If you have concerns, please address the MND.
- d. Cindy Thorsen, DPR Member:** Regarding the Hennessy's Sidewalk Café, we should monitor this Project to see if they bring this to the CPA, and not circumvent us and go directly to the Hearing Officer. Contact Glenn Gargas.
- e. Tony Crisafi, LJCPA President:** Discussed the Brown Act with Lesley Henegar about distribution of information outside public meetings. We can distribute facts like photographs or Municipal Code, but not opinions. We should disclose private communications if several (number not specified) Members. LJ DPR may not have pre-prepared motions. LJ CPR cannot conduct collaborative, organized, research on projects.

**2. PUBLIC DISCUSSION**

**Presented by Diane Kane. UCSD Student Intern project.**

Presented a handout describing of a project for UCSD Urban Studies and Planning Internships. Interns will study the 16 identified neighborhoods of La Jolla and define what is the "Neighborhood Character" for each. Presented a list giving the real estate marketing descriptions of neighborhoods. Would like to use a check list from Daniel Palock's text on FBC to make spread sheet to help define character.

**3. FINAL REVIEW 10/11/11**

Project Name: **Hennessey's Sidewalk Café**

7811 Herschel Avenue	Permits:	Neighborhood Use Permit
Project #: PO#243179	DPM:	Glenn Gargas 619-446-5142 ggargas@sandiego.gov
Zone: LJPD – 1	Applicant:	Damian Gulak 619-840-7385

Scope of Work:

(Process 2) Neighborhood Use Permit for a 180 SF sidewalk café (approximately 6 FT x 30 FT) within the public right-of-way for an existing restaurant located at 7811 Herschel Avenue, in Zone 1 of La Jolla Planned District, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Transit Area Overlay Zone and within the La Jolla Community Plan area.

**Provided for Review:**

*Applicant response in italics.*

- a. Consider providing parking, i.e., shared parking agreement. *No additional parking is required by City.*
- b. Revise drawings to show tables and chairs at curbside, leaving center clear for undisrupted pedestrian circulation. *A curbside railing, with parked cars at the street side will keep people from entering from the street. They may have to walk around parked cars into the street. These are safety issues. Waitresses carrying beer across the uncontrolled sidewalk is an issue for the ABC.*
- c. Revise drawings to show preservation of historic sidewalk. *They will drill and anchor bolts into the concrete.*
- d. Provide accurate drawings to scale and with consistent design information. *Done by Marengo Morton.*

**DISCUSSION:**

*Applicant response in italics.*

**Liera:** Asks that the corral be angled at the North end similar to the South end. *If so, will lose a table.*

**DuCharme:** Can you make the 4 ft main entry wider, ie 6 ft? *Yes*

**Benton:** Can you score and stain the new brighter concrete to match the Historic portion? *We can score, it will darken autonomously.*

**Collins:** It would be nice to provide additional parking. *Not required by City, have 11 spaces in back of lot.*

**Merten:** That red brick is an ADA issue if partially sighted persons walk down that sidewalk.

**Unknown:** The City may have allowed the brick never thinking that people would be forced over to it.

**DuCharme:** I'm not sure that red brick work is safe for a sidewalk, and you are going to divert pedestrians over it if you don't angle the corral. You need to make this is safe by getting the neighbor to replace it with concrete or do it yourself. *The City would not have allowed the neighbor to do this if it was not safe.*

**(DPR Member consensus seems to be for an uninterrupted sidewalk with a curbside corral. Or secondarily, angle the North end of the corral(as well as South) to allow pedestrian, especially ADA, traffic around red brick path, this is a safety issue which disallows a NUP.)**

*Applicant commits to: 1) a six foot entry in the corral, 2) corral will only include the first two squares of concrete next to the Café.*

**SUBCOMMITTEE MOTION:** Findings can be made for a Neighborhood Use Permit for a sidewalk café (approximately 6 ft x 30 ft) within the public right-of-way for an existing restaurant located at 7811 Herschel Avenue.

**(Hayes/Costello 2-5-1)**

**In Favor:** Costello, Hayes

**Oppose:** Collins, DuCharme, Liera, Merten, Thorsen

**Abstain:** Benton

**MOTION FAILS**

The Chair offered the Presenter the opportunity to confer with his Client, and trail his Presentation until later in the Meeting. Presenter declined.

**4. FINAL REVIEW 10/11/11 & 10/18/11**

**Project Name:** La Jolla Boulevard Mixed Use

7401 La Jolla Boulevard

**Project #:** PO#241056

**Permits:**

CPD & SDP

**DPM:**

Glenn Gargas 619-446-5142

ggargas@sandiego.gov

**Zone:** LJPD - 4

**Applicant:**

Ariadne Milligan, Island Architects

858-459-9291

**Scope of Work:**

(Process 3) Coastal Development Permit and Site Development Permit to construct a mixed use building with 5,400 SF commercial space and a 4,600 SF single-family residence on a vacant 0.23-acre site. The property is located at 7401 La Jolla Boulevard in Zone 4 of La Jolla Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area. Council District 1.

**Provided for Review 10/11/11:**

*Applicant response in italics.*

- a. Coordinate window & doors between the plans, elevations. *Done on new drawings*
- b. Develop the landscape plan to show landscape concepts, accents, & screening on the property. *Done*
- c. Confirm that the access passageway at the East property line is needed. Filling this area may improve relation to the property to East. *The new drawing is much improved, will be partly filled in, sloped.*
- d. Provide elevation study showing relation to the existing building to the East. Have a photomontage of both buildings and their elevations. *Done, Town homes to the East will be a little higher than LJ Mixed Use.*
- e. Re-evaluate uses, proportions & spaces at the South arcade to provide safe and useful space. *Space redesigned*
- f. Reconsider arcade proportion and scale – size *Done*
- g. Verify structural dimensions at ceiling of arcade to confirm floor elevations. How many levels above garage door? *Two levels above basement garage*
- h. Is the garage door solid? *Depending on ventilation requirements, solid or partly open.* If closed will cars safely stack in street? *There is a 25 ft ramp, yes, safe.* Is garage door solid or not, will ventilation work open/closed? *Design pending as above, could be either.*
- i. Summary statement take a close look at grade separation, retaining walls. *Done*
- j. Verify structural dimensions, specifically the deck, ramp. *Done*
- k. Can we share Island Architects' drawings? *Yes*

**DISCUSSION 10/11/11:**

*Applicant response in italics.*

**Collins:** Will South bound traffic need a turn pocket to turn into the garage? Only one lane each side.

**Collins:** What about parking? *We have provided a couple of extra spaces. Some are tandem for residents. 4+ 2 resident spaces, 9 commercial spaces*

**DuCharme:** On sheet A2.0, garage, if a car pulls out of that South-East parking spot can they avoid hitting the wall OK? *Yes*

**Merten:** Is there a 25 ft visibility angle at the Marine St & LJ Blvd corner? How high are the low walls? Clarify where is the property line. *Is the building setback different from the visibility triangle?*

**DuCharme:** Ask Engineering how this visibility triangle is measured with the curve. *From a tangent?*

**Thorsen:** What is the clearance of the garage? *9 ft clear ceilings in garage.*

**Collins:** Do we have the safety angle from the ramp coming out of the garage?

**Benton:** The Applicant might want to know how we feel about the changes they have made.

**DuCharme:** Now we have a much better appreciation of how the building looks. No bulk & scale issues as the height is in keeping with the building next door. You have set it back in several places

**Collins:** There is an issue of the view aspect of the unit to the East. I went out to view relationships. At these heights, I don't think it will interfere that much

**Benton:** Concerned with the three elements on sheet A4.3. *They will be integrated with signage, stucco.*

**Merten:** Why not garage entry from Marine St? *We would be in a situation like Riford Center!*

**Provided for Review 10/18/11:**

*Applicant response in italics.*

- a. Clarify property lines and safety visibility angles (building setback?) of Marine St. & LJ Blvd *Did Code research with Chris Larson. LJPDO 159.0103 supersedes LDC. 25 ft visibility triangle, per se, not required as per PDO. Railings and stairs pushed out of visibility triangle. 159.0402 Visibility Areas, and 159.037(b)(6) Street Corner Lot Setbacks, only require building setbacks. 11.30273 Measuring Visibility Area, section D allows 15 ft setback. The corner angle, 15 ft, is made by the property setback not 25 ft visibility angle. We ended up complying with PDO and Muni Code.*
- b. Clarify property lines and safety visibility angles of garage egress ramp on LJ Blvd. *From above, 15 ft*
- c. Clarify safety of turns in and out of the garage from LJ Blvd. *There is a unobstructed clear view for 220 ft from Left, 320 ft Right.*

**DISCUSSION 10/18/11:**

*Applicant response in italics.*

**Costello:** Mr. David Little asks that you go over the height limit data. *Measured 5 ft out from building, pick the lowest point. The high points of the property are on the East. Below Zoning height by 1.5 ft, below Prop D by 2 ft.*

**Collins:** what about South bound traffic turns from LJ Blvd, do you need a turn lane? *A) There is room for a turn lane if needed.*

**DuCharme:** Did Traffic Eng have any other issues, they know about the driveway? *A) Traffic Eng may require us to build a new concrete bus pad. B) The driveway off LJ Blvd will need to be perpendicular to the street. C) Yes, there are turn lanes on the Blvd, we will put one in if needed*

**Merten:** What is Chris Larson's interruption again about PDO zones and safety triangles? *PDO Zones 1 to 4 don't require 25 ft, Zones 5 and 6 do require 25 ft*

**DuCharme:** But you are making the visibility triangle work whatever the case? *Yes, this is would otherwise be a liability problem and we would not want to pass this liability problem on to our client.*

**Applicant will research the need for a left hand turning lane on LJ Blvd. (not a "condition" a volunteered comment.)**

Members thanked the Applicant for A) working with neighbors and B) following the PDO Zone requirements to limit stories. C) "A good building for this corner, people expect something like this and some density here, on the corner, since it is a commercial street. There are some nice undulations and articulations here."

**SUBCOMMITTEE MOTION:** Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 SF commercial and 5,080 SF residential, 7,070 SF underground garage (13 spaces) on a vacant 0.23-acre site.

**(Collins/Costello 5-0-2)**

**In Favor: Collins, Ducharme-Conboy, Costello, Merten, Thorsen**

**Oppose: 0**

**Abstain: Benton, Kane**

**MOTION PASSES**

## **5. PRELIMINARY 10/11/11 & FINAL REVIEW 10/18/11**

**Project Name: Sauvage LL Adjustment / Demo**

1420 Inspiration Drive	Permits:	CPD & Lot Line Adjustment
Project #: PO#237318	DPM:	Sandra Teasley 619-446-5271 steasley@sandiego.gov
Zone: RS-1-4	Applicant:	Camilla Van Bommel, Island Architects 858-459-9291

**Scope of Work:**

(Process 2) Coastal Development Permit to construct a 1,214 SF companion unit at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses in the RS-1-4 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Council District 1.

### **DISCUSSION 10/11/11:**

*Applicant response in italics.*

**DuCharme:** What or where are the setbacks on the remaining lot? Can some one else still build a house there?

*Yes. What type of house can be built on that small triangular lot? The small lot will be 13,880 SF, the RS-1-4 min is 10,000 SF.*

**Merten:** What are the surrounding lot sizes?

**DuCharme:** What will the setbacks of the triangular lot be? What can one build on it? Configuration is a question, not sq ft. Sure, a 6,000 sq ft house is possible, but can you fit a 3 bedroom house, what shape would it be?

**Hayes:** Can you show foot prints? What would the new interior sideyard setbacks be? *Would need to calculate that since it is a triangle.*

### **Provided for Final Review 10/18/11:**

a. Please provide an overall neighborhood parcel size map of square footage of lots with FAR also. *Done. With 52 lots, house SF, FARs.*

b. Provide interior sideyard setbacks of new lot B. *Done. Front and rear each 20 FT, West 6'8" and East 11'6" sums to 18'2".*

c. Show footprint of existing and proposed structures, setbacks of Lots A and B. *Done.*

## DISCUSSION 10/18/11:

**Benton:** Our primary concern was that the Lot B be reasonably developed. You have shown that it can be developed with a decent, large, house. Is the smaller lot in Character with the rest of the Neighborhood, it looks like it is.

**SUBCOMMITTEE MOTION:** Findings can be made for a Coastal Development Permit to construct a 1,214 SF companion unit at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses.

(Costello/Thorsen 5-1-1)

**In Favor:** Collins, Costello, Kane, Merten, Thorsen

**Oppose:** DuCharme-Conboy

**Abstain:** Benton

**MOTION PASSES**

## 6. FINAL REVIEW 10/18/11

Project Name: **Shahbaz Residence**

6412 Avenida Manana

Permits:

CDP

Project #: PO#16575

DPM:

Tim Daly 619-446-5356

tdaly@sandiego.gov

Zone: RS-1-5

Applicant:

Chris Martin, Bejan Arfaa Architects

619-293-3118 cm.aarch@pacbell.net

Scope of Work:

(Process 2) Coastal Development Permit to demolish an existing 3,869 SF residence and construct an 7,884 SF two story single family residence and an attached 3 car garage on a .57 acre site in the RS-1-5 Zone in the La Jolla Community Plan, Coastal Overlay (non appealable), Coastal Height Limit, Residential Tandem Parking, Transit Area.

### Provided for this REVIEW:

*Applicant response in italics.*

- a. Provide heavy black dashed dark lines for elevations, such as sections A, B, A2, A3, others. **Done.**
- b. Complete West wall elevations (by the pool area). Show what is retaining wall, where retaining wall meets grade, clear indication of railing, glass rail, heights. **Provided a photo simulation, drawing railing material is glass**
- c. Provide accurate photo simulations, view from the bike path, proper perspective. **Done**
- d. Provide accurate photo simulations, view from the street, proper perspective. **Still, distorted image.**
- e. Provide an accurate photo simulation showing materials and colors. **Done.**
- f. Please replace story poles, and photograph, notify LJDPR members so they will visit. **Not done.**
- g. Please provide a landscaping plan, include backyard, plants, fences. In front yard, some rails or fencing by stair tower, a safety railing or landscaping. **Done. Issue about tree height.**
- h. Clarify lines of building encroaching into front yard setback.
- i. Please provide updated Cycles Issues Letters and Geotechnical Reports. **City has Geo Reports, we don't. Not provided to LJDPR. July 11, 2011 latest CIL, all checked off Bio and Envir CI not completed.**
- j. Provide more information about Community Character, including a neighborhood FAR survey. **Not Done.**
- k. Explain how the lot slope relates to the overall FAR. **All of lot counts in lot SF ie. slope not subtracted.**
- l. Clarify which are retaining walls or raised decks. **They are retaining walls.**

**Chair:** Have you done any research on your FAR issue? **No.** It is an issue of measuring Community Character. **All I know is we are allowed .45 FAR, we are using about .315.** One of your neighbors has generously done that research on FARs. You are about 3 times larger than neighboring houses.

## DISCUSSION:

*Applicant response in italics.*

**Thorsen:** out of Bulk & Scale with the existing houses. Concerned about the large amount of rooftop for neighbors to see.

**DuCharme:** You have hidden size of house. Bulk & Scale solved by blending in. Doesn't block ocean views from across the street.

**Merten:** What color will the roof tiles be? *We don't know yet.* Do you have parapet walls? *Yes.* If you eliminate them the house will look less industrial. *We want them to prevent water flow, staining.* Without parapet walls, the roof will look cleaner for neighbors.

**Merten:** The translucent garage doors will light up the street area at night. Use solid doors? Can use skylights for day time natural light.

**Leon Pawinsky (neighbor):**

1. CC&Rs restrict trees to no larger than the structures, will enforce. *Will plant Kentias instead of Kings or Queens.*

2. Provided a list of the FARs of the neighborhood homes, N= 37, and an analysis. Ave FAR = .189, ave sq ft = 2,600. Current Shabaz FAR = .178, 4,430 sq ft, proposed Shabaz FAR = .345, 8,569 sq ft. This house is significantly larger than any other structures. Almost a doubling of the current home, already the largest home in the neighborhood. More than three times larger than the average home in the neighborhood.

3. North neighbor affected by the pool, deck extending out on slope.

4. There are no other structures on the slope, you will place giant retaining walls on that slope.

5. There are windows actually on that wall facing the neighbors? *Yes, I didn't show that.* It will be disruptive having lights shine in their windows at night.

6. No street lights on our street, lights shining thru those windows at will affect us too.

**Mindy Pawinsky (neighbor):** Will see a wall of glass from the bike path (public path) and her property. Will peer into their windows.

**Merten:** Roof should blend into the neighborhood, dark shingles. Muted will be less intrusive, use darker material.

**Merten:** Translucent garage doors are a Community Character issue.

**Kane:** This is out of scale with the rest of the neighborhood. It opens the door to the cumulative effect of changing the neighborhood.

**Costello:** There is an example of what this will do on the oceanfront on Camino de la Costa. A very large structure was constructed in a 3,000 sq ft home neighborhood and made very nice homes look ridiculous. This house, too, is out of Bulk & Scale, and could cause current residents to relocate.

**Merten:** Front yard paving, hardscape, in RS Zones shall be  $\leq$  60%, of front yard area 131.0447 of LDC. Yours exceeds 60%.

#### **Changes to drawings during meeting:**

1. Will change garage door translucent to opaque
2. Will plant Kentias, not King or Queen palms
3. Paving in front yard area will change to < 60 %, & comply with 131.0447 of LDC
4. Will change roof materials to darker

**Bejan Arfaa signed and dated these changes 18 Oct. 2011 on his drawings.**

**SUBCOMMITTEE MOTION:** Findings can be made for a Coastal Development Permit to demolish an existing 3,869 SF residence and construct a 7,884 SF two story single-family residence and an attached 3-car garage on a .57-acre site.

**(DuCharme/Merten 4-1-2)**

**In Favor:** Collins, DuCharme-Conboy, Merten, Thorsen

**Oppose:** Costello

**Abstain:** Benton, Kane

**MOTION PASSES**

## 7. FINAL REVIEW 10/18/11

Project Name: **SAMIMI RESIDENCE**

Project #: 946 Muirlands Vista Way

PO#211972

Zone: RS-1-5

Permits:

DPM:

Applicant:

CDP

Glenn Gargas 619-446-5142

ggargas@sandiego.gov

Chris Martin, Bejan Arfaa Architects

619-293-3118 cm.aarch@pacbell.net

Scope of Work:

(Process 2) Coastal Development Permit to demolish an existing residence and construct an approximate 6,421 gross SF two story single family residence on a 17,408 SF lot the RS-1-5 Zone in the La Jolla Community Plan, Coastal Overlay (non appealable), Coastal Height Limit.

### Provided for this Review:

*Applicant response in italics.*

a. Complete the un-responded items from January 18 2011 meeting:

1. Comment on the Cycles Letters statements about development encroachment down hillside. *As far as I know we are clear on all items.*
2. Photo of current house and simulation of proposed. *Done.*
3. Bring more sections through property and building (through surrounding properties too).
4. Comparison to the neighboring properties. *Done, but **FAR not provided.***
5. Comparison to the opposite side of the street. *Done.*
6. Show how the building fits into the context of the community (ref LJ Com. Plan). *Response unclear.*
7. How the height relates to the neighbors. *Not in section. Not provided.*
8. Materials board with colors, garage door materials. *Same board as Shabaz, the last project.* You are not going to have a glass garage door?
9. Use large presentation boards for photos and drawings. *Done.*
10. Will house block ocean views? *Response unclear.*

b. Provide letters from City and Soils Engineer that Soils/Geology Report is adequate. *Not provided. Insists I<sup>st</sup> report adequate.*

c. Use Photoshop or similar process to construct a simple massing of adjacent homes:

1. Show buildings on both sides of house. *Done.*
2. Show buildings across the street too. *Response unclear.*

d. Reconfigure design:

1. To have two levels with one below the slope as Neighbor to the East, or *Not provided.*
2. Step back 2nd level (reduce massing side to side) and reconfigure rooms to soften street view, and for East & West Neighbors. *Response unclear.*

e. Show Prop D height on Section A. *Response unclear.*

f. Please provide clear exhibits. *Exhibits are better.*

### DISCUSSION:

*Applicant response in italics.*

**Collins:** Are there other 2-story houses on the street? *Yes, up the street.*

**DuCharme:** Which ones are in your CC&Rs? *I'm not really sure.*

**Merten:** There is one 2-story house up the street, but outside the CC&R area. Samimi house is outside the CC&R area where houses are restricted to 1 story. The Neighborhood Character is one-story houses on down hillside of the street and will remain that way in perpetuity. On this side of the street, downhill, the houses are one story, that's a Neighborhood Character. This will be the only one 2-story out of 27 houses. This house will be the odd one. The 2-story is on the other side of the street, not blocking any views, Community Character Issue.

**Pete Wong (an engineer):** Presented a handout titled "Foundation and Slope Stability Concerns" of the New Proposed Samimi Residence. It is a professional critique of the soils report where the safety factor used in the soils report is questioned as too low. Applicant's Geo report was written only for dry conditions. He also states that water infiltration (excessive rain, improper drainage) may decrease slope stability. (Earthquake too.) Stabilization Options and Mitigation Strategies were presented. Placing the second level on the down slope will "reduce driving force, by reducing the weight of the potential slide mass" (safety factor will increase too). Asks that the second level not be a second story, but go down slope.



**Merten:** At this end of the block the lots are steeper. Other projects have excavated below for greater stability, allows shorter caissons, less concrete and steel. A level below will be significantly more stable. Water was a significant issue in the 1950s and 60s, foundations with a raised floor over a crawl space help.

**Costello:** Last time, Liera mentioned there would be greater slope stability having a lower level down slope.

**Tiffany LaMarch:** this will be out of Community Character because of height, will obstruct views, a second story is out of Character, Bulk & Scale is out of Character, the photo simulation is not accurate. There are conflicting height measurements, would like this resolved.

**Samimi:** There is another two-story house in the neighborhood.

**Arfaa (applicant):** A level down slope, facing North, will have mold problems.

**Benton:** There are significant Neighborhood Character issues, it's simply the Architects skill to prevent mold in a lower level, the house should not be taller than the present structure. **DuCharme:** I agree.

**SUBCOMMITTEE MOTION:** Findings cannot be made for a Coastal Development Permit (primarily because of the second story element).

**APPLICANT REQUEST CONTINUANCE.**

## 8. PRELIMINARY REVIEW 10/18/11

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

Project Name: **The Heritage on Ivanhoe**

Project #: 7714-7742 Ivanhoe Avenue

PO#222657

Permits: CDP & SDP

DPM: Jeff Peterson 619-446-5237

japeterson@sandiego.gov

Zone: RM-3-7

Applicant: Tim Golba, 619-231-9905

### Scope of Work:

The project site contains a historical structure (single-family residence located at 7736 Ivanhoe Avenue) as defined in San Diego Municipal Code (SDMC) 113.0103. This residence, along with the residential structures at 7722 and 7740 Ivanhoe Avenue will remain. The residential structure at 7722 Ivanhoe Avenue will also be relocated from the rear of the lot to the front. All other structures will be demolished. The project also proposes the addition of 3 detached dwelling units, 4 duplexes, and accessory structures and improvements in addition to the expansion of the three existing residential structures discussed above. The total final dwelling count will be 14 dwelling units (1 four-bedroom, 1 two bedroom and 12 three-bedroom units). The proposed project will conform to the Council Policy 900-14 criteria by generating 50-percent or more of the projected total energy consumption on site through renewable energy resources (i.e. photovoltaic). The project site is located at 7714-7742 Ivanhoe Avenue in the RM-3-7 Zone within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zones (Coastal), Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 1.

### DISCUSSION:

*Applicant response in italics.*

**Kane:** The previous design had a garden in the center for the back units, now it is a driveway for the front units.

**Right, we are thinking of adding more landscaping attractive (for buyers). Not worked out yet.**

**Merten:** Has issue with roof types, gables. Building spacing is narrow, pretty unfortunate.

**DuCharme:** There is LJ precedent for housing on the alleys, Cave St, Roseland Ln.

**Benton:** There some issues, these are 3-story units. Roof types, gables maybe an issue. Use of site changed, that's a Community Character issue. Historic standards are maintained.

**Collins:** will the yards be fenced? **No, they will be open.**

**Thorsen:** Will they have roof decks? **Yes.** Nice location, as long as light comes in its OK. Expect some compromises to live in the LJ Village.

**DuCharme:** 6 ft between units? **Yes.**

**SUBCOMMITTEE MOTION:** Motion to combine preliminary and final reviews.

**(Thorsen/DuCharme 7-0-0)**

In Favor: Benton, Collins, DuCharme-Conboy, Costello, Kane, Merten, Thorsen

Oppose: 0

Abstain: 0

**MOTION PASSES**

**SUBCOMMITTEE MOTION:** Findings can be made Coastal Development Permit and a Site Development Permit for the Heritage of Ivanhoe Project as described above under "Scope of Work".

**(Collins/DuCharme 6-0-1)**

In Favor: Collins, DuCharme-Conboy, Costello, Kane, Merten, Thorsen

Oppose: 0

Abstain: Benton

**MOTION PASSES**

## **9. COURTESY REVIEW 10/11/11**

Project name: **Removal of Trees Obstructing a Designated View Corridor**  
Public right of way on north side of Prospect Place at the foot of Park Row  
Applicant: Mark Evans, 858-454-6527  
Scope of Work: Permit to remove trees on public land to restore a currently obstructed public view corridor designated in the Community Plan.

### **APPLICANT PRESENTATION:**

Applicant passed out a handout with photographs, pages from the LJ Community Plan and a City tree removal application. LJCP identifies this as a View Corridor. Wants trees removed. City Forrester recommends five trees be removed, may be done at City expense, but likely will be done at Park Row residents expense. Parks & Beaches endorses removal of trees.

### **DISCUSSION:**

*Applicant response in italics.*

**Hayes:** What is existing ground cover? *Not much, but not specifically known.* We need something for erosion control.

**Costello:** Like some native coastal shrub?

**Liera:** Who is supposed to maintain the trees? *The City but, maintenance has been inconsistent. Residents may need to take over.*

**Merten:** Community Plan says pruning should be 3 ft to 8 ft.

**Unknown:** That doesn't allow much View Corridor.

**DuCharme:** Call Glenn Gargas for advise and inquire about any needed permits. 619-446-5142  
ggargas@sandiego.gov

**Costello:** Also call Dan Daneri, City Parks & Rec about trees on City Park land. ddaneri@sandiego.gov

**DuCharme:** Shall we have an unofficial straw poll to see how we feel about this?

a) Remove trees and provide erosion control (one option, ground cover)?

**Collins, DuCharme, Costello, Hayes, Thorsen**

b) prune within 3 ft to 8 ft limits.

**Liera, Merten**

**APPLICANT WILL RETURN FOR FORMAL VOTE.**



## La Jolla Community Planning Association

October 27, 2011

City of San Diego  
1222 First Avenue  
San Diego, CA 92101

RE: Coast Walk parking in La Jolla, CA

To Whom It May Concern:

On October 6th, 2011 the La Jolla Community Planning Association voted to support La Jolla Parks & Beaches, Inc. to continue in their efforts to restore the public parking spaces along Coast Walk as identified on page 33 of the La Jolla Community Plan. As there are currently two functioning public parking spaces versus the six spaces identified in the plan, the La Jolla Parks & Beaches, Inc. committee has requested that the city take action per the attached decision.

We request that the city provide assistance to their efforts to achieve objectives of the Community Plan for restoration of public parking spaces for the public use of Coast Walk.

Sincerely,  
La Jolla Community Planning Association

Anthony Crisafi, President

cc: La Jolla Parks & Beaches, Inc.

November 3 2011

Mr. Jeffrey Szymanski, Environmental Planner  
City of San Diego, Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

**DRAFT**

Transmitted Via Email: [DSDEAS@sandiego.gov](mailto:DSDEAS@sandiego.gov)

Re: Comments regarding the DRAFT Mitigated Negative Declaration WBS# S-00644.02.06  
La Jolla Children's Pool Lifeguard Station  
Project No. 154844

Dear Mr. Szymanski,

Thank you for the opportunity respond to the referenced DRAFT Mitigated Negative Declaration.  
Please accept the following comments pertaining to sections of the DRAFT document.

## **INITIAL STUDY CHECKLIST**

Section X. LAND USE AND PLANNING, of the Initial Study Checklist asks: **Would the project?**

- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal plan program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

The Environmental Reviewer's response is: **"No Impact"**. The response should be **'Potentially Significant Impact.'**

<sup>1</sup> Text in **red** is quoted from the DRAFT Mitigated Negative Declaration.

<sup>1</sup> Text in **blue** is quoted from the referenced documents.

## **Issue 1**

The La Jolla Community Plan, Natural Resources Element, Natural Resources and Open spaces System, Goals says: [“Protect the environmentally sensitive resources of La Jolla's open areas including its coastal bluffs, sensitive steep hillside slopes, canyons, native plant life and wildlife habitat linkages.”](#)

Under [Shoreline Areas and Coastal Bluffs](#) the La Jolla Community Plan also states:

- a. [“The City should preserve and protect the coastal bluffs, beaches and shoreline areas of La Jolla assuring that development occurs in a manner that protects these resources, encourages sensitive development, retains biodiversity and interconnected habitats and maximizes physical and visual public access to and along the shoreline.”](#)
- b. [The City shall maintain, and where feasible, enhance and restore the shoreline areas such as Torrey Pines City Beach, Coast Walk, Emerald Cove, Wipeout Beach and Hospital Point, along with the areas of Scripps Park, Coast Boulevard Park, including Shell Beach and the Children's Pool, in order to benefit present and future residents and visitors to these areas](#)
- f. [Avoid the placement of sea walls, fences and gunite on bluffs, where feasible, in order to preserve the natural and scenic quality of shoreline bluffs.](#)

Under [Public Access](#) the La Jolla Community Plan also states:

- c. [The City shall maintain, and where feasible, enhance and restore existing parking areas, public stairways, pathways and railings along the shoreline to preserve vertical access \(to the beach and coast\), to allow lateral access \(along the shore\), and to increase public safety at the beach and shoreline areas.](#)

Under the PLAN RECOMMENDATIONS Section the La Jolla Community Plan also states:

### **4. Coastal Bluffs**

- a. [Prohibit coastal bluff development, on or beyond the bluff face, except for public stairways and ramps to provide access from the bluff top to the beach or to maintain bluff stability.](#)

Comments regarding DRAFT Mitigated Negative Declaration WBS# S-00644.02.  
Children's Pool Lifeguard Station  
November 3, 2011  
Page 3

However, contrary to the goals and recommendations of the La Jolla Community Plan, which recommends preservation of coastal bluffs via the enhancement of existing public access ways, the subject project proposes to destroy the coastal bluff face/top with construction of an entirely new 120 foot long access ramp cut into and parallel to the existing sensitive coastal bluff face to provide handicapped accessible access to the lower level public restrooms. As such, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' Therefore, the correct response should be '**Potentially Significant Impact.**'

Note: Rather than excavating into the existing sensitive coastal bluff face for a new 12 foot wide by 120 foot long access ramp west of the proposed lifeguard station, the existing vertical access stairway east of the proposed station could be reconstructed to provide a handicapped accessible ramp to the lower level public restrooms all within the area of current existing development.

## **Issue 2**

Section I AESTHETICS, of the Initial Study Checklist asks: **Would the project?**

b) **Substantially degrade the existing visual character or quality of the site and it's surroundings?**

The Environmental Reviewer's response is: "**Less Than Significant Impact**". The response should be '**Potentially Significant Impact.**'

Contrary to the goals and recommendations of the LJ Community Plan, which recommends preservation of coastal bluffs via the enhancement of existing public access ways, the subject project proposes an entirely new 8 foot wide by 120 foot long access ramp cut into and parallel to the existing sensitive coastal bluff face to provide handicapped accessible access to the lower level public restrooms. The proposed new ramp will necessitate the removal of the upper portion of the sensitive coastal bluff face over the entire 120 foot length of the ramp. The depth of the excavation and removal of the upper portion of the bluff face will be on the order of a couple of feet deep at the southern end of the ramp, 4 to 5 feet deep adjacent the pump station, to 5 or 6 feet deep near the mid point and 5 or 6 feet deep northern end of the ramp. The removal of a significant portion of a sensitive coastal bluff face will degrade the visual character of the site as viewed from the public beach below the bluff and from the public walkway and bluff top south of the project site. As such, the proposed project **will** '**degrade the existing visual character or**

quality of the site...” Therefore, the correct response should be '**Potentially Significant Impact.**'

Comments regarding DRAFT Mitigated Negative Declaration WBS# S-00644.02.  
Children's Pool Lifeguard Station  
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### Conclusion

For all of the reasons listed above **the Mitigated Negative Declaration is flawed** and should be **corrected** to address the issues of Land Use and Planning and Aesthetics, which are significantly affected by the proposed project and which require substantial redesign to mitigate those impacts.

Sincerely,

Tony Chrisafi, President  
La Jolla Community Planning Association

**UNAPPROVED MINUTES OF THE LA JOLLA  
PLANNED DISTRICT ORDINANCE COMMITTEE  
September 12, 2011**

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**Present:** Fitzgerald, Gabsch, Fortune, Parker, Marengo, Berwin. A quorum was established at 4:15 pm. By Vice Chair Fitzgerald. Also present: numerous members of the public and press; sign-in sheet circulated and collected by the secretary.

**Agenda – Motion to approve the agenda - Parker/Berwin passed 6/0/0**

**Minutes -** Amendments to the minutes on the presentation on the Riford Center were presented by the VC Fitzgerald.

**Motion:** To approve the August, 2011 minutes as amended - Berwin/Fitzgerald 2/0/4 Marengo, Gabsch, Fortune, Parker. Note: Fitzgerald will provide a copy of the amended Minutes to the Committee Chair and and to the Secretary.

**Agenda Modification:** Chair Report moved to the end of the meeting

**Public Comment:**

None

**Agenda Items:**

**PROJECT NAME: EMRICH BUILDING TENANT IMPROVEMENTS -  
FAÇADE, LOBBY AND ELEVATOR UPGRADE  
SCOPE OF WORK: Façade Renovation and Tenant Improvement**

Minor façade changes were presented, which included a window being changed to a door to create a shared lobby with an elevator for access to the second and the addition of two windows on the rear exterior of the second floor. One exterior awning will be the extended over the new entry.

No intensification or change of use.

**Motion – Façade changes conform to the PDO Gabsch/Fortune 6/0/0**



**Project Name:** Jersey Mikes  
**Scope of Work:** Tenant improvement, Trash enclosure and shared parking agreement (note the City informed the applicant in writing that the use of the space as a restaurant was not a change in use. Based on this determination the applicant has proceeded with a substantial financial investment)

Committee had a long discussion with applicant regarding PDO requirements (including the impact of a change in use on required parking and the allowable amount of signage), shared parking agreements, and the community review process.

**Item was tabled and will be on October 2011 agenda**

**Project Name:** Hennessey's Sidewalk Cafe  
**Scope of Work:** Neighborhood Use Permit

Applicant presented the addition of a corralled sidewalk café in front of the restaurant to include wrought iron rail with 5 tables. Applicant will maintain 8 foot clear path of travel.

**Motion – Sidewalk Café Use conforms with the PDO Marengo/Parker 6/0/0**

**Project Name:** Larisa Hall  
**Scope of Work:** Signage (“Your sign at 32 square feet is under your allowed 42 square feet. So I would like to bring it to the PDO as just an information item to acknowledge that you have been reviewed and found in conformance.” Quote from email Ione Stiegler sent to applicant)

**Applicant did not appear before the committee.**

**Chair Report/Board Discussion:**

Since the Chair was not present, this item will be moved to October 2011 Committee meeting.

Committee did have a brief discussion regarding the PDO and the city’s lack of enforcement.

The meeting was adjourned at about 5:30 p.m. The next PDO meeting is scheduled for October 10, 2011 at 4:00 p.m. at the La Jolla Recreation Center, Room 1.

Respectfully Submitted

*Deborah Marengo, Acting Secretary*

## **La Jolla Traffic and Transportation Board: Minutes of Meeting, September 29, 2011**

### **Election of Officers**

A vote was taken on nominations made at the August meeting. On unanimous vote, the following officers were elected to office:

Todd Lesser, Chair

Tom Brady, Vice Chair

Van Inwegen,

The Board extends its heartfelt gratitude to these community members for their tireless efforts to make our community a finer place to live and work. Thank you.

### **Voting Agenda Items**

1. After discussion, Joe Dicks moved, Keith Kelman seconded and the board unanimously resolved that:

The Directors of the La Jolla Traffic and Transportation Board believe it is in the best interests of the La Jolla Community that any request for the installation, modification or removal of an On-Street Parking zone within the La Jolla footprint shall be presented first to the La Jolla Traffic and Transportation Board, and second, to the La Jolla Community Planning Association for review and approval prior to the implementation of said installation, modification or removal.

2. After discussion, Joe Dicks moved, Keith Kelman seconded and the board unanimously resolved that:

The Directors of the La Jolla Traffic and Transportation Board approve Draft City Counsel Policy dated August 30, 2011, dealing with the installation, modification or removal of an On-Street Parking zone, modified as follows: **“It is the policy of the Counsel that any request for the installation, modification or removal of an On-Street Parking zone shall be presented to the appropriate Community Planning Groups for approval. If the appropriate Community Planning Group(s) makes a recommendation concerning a request, that recommendation shall be included in the final recommendation presented by the Traffic Engineer and considered by the appropriate decision maker as an additional factor in granting, denying or modifying the request.”** The Directors of the La Jolla Traffic and Transportation Board believe that the references to “Community Parking District Advisory Boards” is unnecessary, as if a community decides that it wishes to have such an Advisory Board, such a Board would fall under the definition of an “appropriate Community Planning Group.”

### **Public Comment**

Comment was heard on the on-street parking issues in and around the Darlington House on Olivetas Avenue. No action item was calendared as a result of said discussion.

**AD HOC COMMITTEE ON OPERATING POLICIES**  
LA JOLLA COMMUNITY PLANNING ASSOCIATION

**POLICY RECOMMENDATIONS**

After significant review and discussion, the ad hoc committee on operating policies and procedures offers the following recommendations to replace the policies currently in effect, which appear on the LJ Community Planning Association website:<sup>1</sup>

1. The ad hoc committee recommends that the LJ Community Planning Association retain the flexibility to use operating policies, adopted by a majority vote of the Trustees, and submitted by the President to the City for review and approval. (LaCava/Boyden 5/0/0).
2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).
3. The ad hoc committee recommends 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).
4. The ad hoc committee recommends that the LJ Community Planning Association adopt the Appeal Procedures created by the ad hoc committee. (Whittemore/LaCava 4/0/0) (These procedures are set forth on the pages that follow).

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<sup>1</sup> References to prior policies by date refer to the manner in which they are listed on the LJ Community Planning Association website:

**AD HOC COMMITTEE ON OPERATING POLICIES**  
LA JOLLA COMMUNITY PLANNING ASSOCIATION  
August 2011

**POLICY RECOMMENDATIONS**

After significant review and discussion, the ad hoc committee on operating policies and procedures offers the following recommendations to replace the policies currently in effect, which appear on the LJ Community Planning Association website:<sup>1</sup>

1. The ad hoc committee recommends that the LJ Community Planning Association retain the flexibility to use operating policies, adopted by a majority vote of the Trustees, and submitted by the President to the City for review and approval. (LaCava/Boyden 5/0/0).  
*Sept 2011: Approved by La Jolla Community Planning Association, 14-0-1*
2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).
3. The ad hoc committee recommends 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).
4. The ad hoc committee recommends that the LJ Community Planning Association adopt the Appeal Procedures created by the ad hoc committee. (Whittemore/LaCava 4/0/0) (These procedures are set forth in full in the Sept. 2011 La Jolla Community Planning Association minutes).  
*Sept 2011: Approved by La Jolla Community Planning Association, 12-2-1*

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<sup>1</sup> References to prior policies by date refer to the manner in which they are listed on the LJ Community Planning Association website:



## THE CITY OF SAN DIEGO

October 12, 2011

Mr. Tony Crisafi, President  
La Jolla Community Planning Association  
7626 Herschel Avenue  
La Jolla, CA 92037

Dear Mr. Crisafi:

This letter is to memorialize the recent meeting that we had on September 30, 2011 with you, Rob Whittemore and Joe LaCava of the La Jolla Community Planning Association (LJCPA) to discuss recent actions by the LJCPA, planning group operations, voting procedures and appeals. The primary cause for concern were the recent actions taken regarding the 1912 Spindrift project and the fact that the LJCPA voted to appeal but then did not follow through. The actions of the group appeared biased in that the Chair's project was not appealed and thus the applicant was spared additional costs for the appeal hearing. The actions and procedures were not consistent with the intent of Council Policy 600-24 or the LJCPA bylaws. Based on our discussion we would like to document our recommendations for any future actions in order to be consistent with Council Policy 600-24 *Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups*. Therefore, we recommend the following:

- 1.) *Revote*: A planning group should generally act only one time to provide a formal recommendation on a proposed development project. When a community planning group wants to revote on a matter originally voted upon at a prior meeting, due to project revisions or new information, a motion to reverse or modify a previous position at a subsequent meeting can be made by any member. This will ensure that only one vote is sent to the City's Development Services Department Project Manager for inclusion in the staff report. See Council Policy 600-24, Article II and the Administrative Guidelines for more information.
- 2.) *Consent agenda*: Council policy allows for any item to be taken off the consent agenda by request. The LJCPA bylaws state that items taken off the consent agenda will be placed on the next monthly or special meeting for a full discussion. Items that are requested to be pulled off the consent agenda should be heard the following month in accordance with the LJCPA bylaws.
- 3.) *Recusal*: When the Chair or another board member needs to recuse him/herself from an item for any reason, they should have no further contact with the proposed project and should not sign the letter to record the final vote. If it is the Chair that must recuse from



an item, then the Secretary should annotate this in the minutes along with who is currently chairing the meeting.

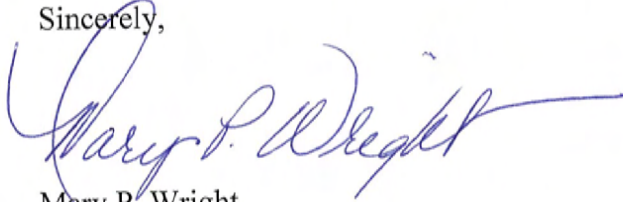
- 4.) *Abstention:* The CP600-24 Administrative Guidelines state that abstention is voluntary but strongly recommended where a member has a legitimate, non-economic, personal interest in the outcome that would, at a minimum, give the appearance of impropriety, or cast doubt on their ability to make a fair decision. For this reason we advise that there may be cause for abstention when two board members have a financial relationship in order to avoid the appearance of impropriety. We understand there was some discussion about who would fill-in when the current Chair must abstain or recuse from an item.
- 5.) *Appeals:* According to the City's Information Bulletin 505 only the Chair of a recognized community planning group may file an appeal without paying the \$100 fee. However, other interested persons as defined by Municipal Code Section 113.0103 may also file an appeal for Process 3's and 4's. Interested person means a person who was present at a public hearing from which an appeal arose and who had filed a speaker slip with the decision maker at that public hearing or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing. When the Board votes to appeal a project, the Board should also appoint a member to come down to the City and file the appeal, particularly when the situation is such that the Chair had to recuse or abstain. This should be captured in the minutes and the LJCPA could amend their bylaws to propose language that would address this situation. The appeal should be filed unless the planning group votes to recind its vote to appeal a project at a regular or special meeting of the planning group. The Brown Act requires that all deliberations be conducted openly.
- 6.) *Subcommittees:* Planning groups may not, as a condition of placing an item on their agenda, require applicants to submit additional information and materials beyond which the applicant has been required to submit as part of the City's project review application process. However, if additional materials would aid in their review, they may make a request of the project applicant to provide, if available. Due to timing and/or when a project is in the City's Affordable/In-Fill Housing and Sustainable Buildings Expedite program the LJCPA Project Review Subcommittee could consider meeting more frequently.
- 7.) *Bylaw amendments:* We understand that the LJCPA has Policies and Procedures to guide members through meeting operations. As we and the City Attorney's office have advised in the past, we strongly recommend memorializing these procedures and policies by incorporating them into the LJCPA bylaws in order to make them official and recognized by the City. See CP600-24 Policy (paragraph 3).
- 8.) *Development Plans:* Development packages that are sent to all planning groups for project review may contain copyrighted information. Architectural drawings and plans have been found eligible for copyright protection. For planning groups this means that the set of plans that is sent is to be used for public review and discussion and may not be reproduced or distributed to persons who are not members of the planning group.

Mr. Tony Crisafi  
October 12, 2011

- 9.) *Brown Act Training*: At the meeting, we agreed that Brown Act training for the LJCPA would be appropriate. The City Attorney's Office is unable to provide such a training at this time but planning staff is very familiar with the application of the Brown Act for community planning groups, presents this information every year at the annual Community Orientation Workshop (COW), and would be able to provide such a training at an LJCPA regular or special meeting.

Please feel free to contact me if you have any further questions.

Sincerely,



Mary P. Wright  
Deputy Director, Development Services Department – Planning Division

Cc: Rob Whittemore, Vice President, La Jolla Community Planning Association  
Joe LaCava, Trustee, La Jolla Community Planning Association  
Kelly Broughton, Director, Development Services Department  
Christine Rothman, Program Manager, Development Services Department  
Lesley Henegar, Senior Planner, Development Services Department