



PO Box 889, La Jolla, CA 92038

<http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

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President: Tony Crisafi

Vice President: Joe LaCava

Treasurer: Orrin Gabsch

Secretary: Dan Allen

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

La Jolla Recreation Center, 615 Prospect Street

Thursday, 6 September 2012

D R A F T AGENDA – REGULAR MEETING

6:00p

1. Welcome and Call To Order: **Joe LaCava, Chair ProTem**, Vice President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval: 2 August 2012**
4. **Elected Officials Report** – Information Only
 - A. Council District 2 – Councilmember Kevin Faulconer
Rep: **Katherine Miles**, 619.236.6622, kmiles@san Diego.gov
 - B. Council District 1 – Councilmember Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@san Diego.gov
5. **Non-Agenda Public Comment**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
 - A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>
6. **Non-Agenda Items for Trustee Discussion**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
7. Officer's Reports
 - A. **Secretary**
 - B. **Treasurer**
8. **President's Report**
 - A. Children's Pool Rope Barrier – Planning Commission Hearing 8/30 canceled
 - B. Tong EOT - Hearing Officer continued this item to Oct. 10, 2012
 - C. Palazzo SCR – Notice of Decision noticed Aug 17th, no appeal made
 - D. FY2014 Capital Improvement Program Budget – CPGs invited to submit recommendations, LJCPA to take action in October.

9. **CONSENT AGENDA – Ratify or Reconsider Committee Action**

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

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

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

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

DPR – Development Permit Review Committee, Chair Paul Benton, 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, 4p

A. 5628 La Jolla Blvd

PDO Action: Signage and façade colors comply with the PDO 6-0-0.

5628 La Jolla Blvd.- Review signage and façade colors for LJPDO code compliance in LJPDO zone

B. Herringbone Sidewalk Café Permit

DPR ACTION: findings can be made for a Neighborhood Use Permit for a 151 SF sidewalk café for a restaurant at 7837 Herschel Avenue. 7-0-1

7837 Herschel Ave- 151 sq ft sidewalk café permit with railing at 3ft 6inches tall and clearances of 8 ft through out and 2 street trees

C. EC English School

DPR ACTION: Findings can be made a for Site Development Permit and Conditional Use Permit to increase the number of students to 300 and number of employees to 25 for an English language vocational school in an existing building at 1010 Prospect Street. 6-0-2

7837 Herschel Ave- 151 sq ft sidewalk café permit with railing at 3ft 6inches tall and clearances of 8 ft through out and 2 street trees

D. Tong Residence EOT

DPR ACTION: to deny the EOT. Findings can not be made for Extensions of Time for Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage at 961 La Jolla Rancho Road. 7-0-1

961 La Jolla Rancho Rd. - Extensions of Time for Coastal Development Permit 139245 and Site Development Permit 141335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage on a 18,100 SF lot

10. **REPORTS FROM OTHER ADVISORY COMMITTEES** - Information only

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

B. **COMMUNITY PLANNERS COMMITTEE** – Meets 4th Tues, 7p, 9192 Topaz Way

11. **Valet Permit 909 Prospect St** – Action item

909 Prospect St. - Request for Valet Parking permit for Barfly restaurant.

T & T ACTION (July 2012): Motion to approve, 4-1-1.

LJCPA ACTION (August 2012): Pulled from Consent Agenda by Nancy Manno.

Applicant: Troy Martin, owner of Finest City Valet

12. **9th Annual La Jolla Concours d’Elegance** - Action Item

Friday April 6th to April 7th- Street Closures

T&T ACTION (JULY 2012): Approved, contingent on showing support of businesses on Wall and Prospect Streets, 5-0-2.

CPA ACTION (AUG 2012): Pulled from Consent Agenda by Dan Courtney

Applicant: Laurel McFarlane, Trip Bennett

13. **Red Curb 7205 Olivetas** – Action Item

7205 Olivetas – red curb opposite the driveway of 7205 Olivetas

T & T ACTION (JULY 2012): Not approved, 3-3.

CPA ACTION (AUG 2012): Pulled from Consent Agenda by Mathew Welsh, applicant

Applicant: Mathew Welsh

14. **Wu/Tsai Residence- Full Review by Trustees per request of Applicant** - Action Item

9882 La Jolla Farms Road - Demo existing 10,383 sq ft house & build a new 9,708 sq ft home with attached 1051 sq ft 4 car garage, pool, and 951 sq ft companion unit/pool house

DPR ACTION (Aug. 2012): Findings can be made a for a Coastal Development Permit to demolish existing 10,383 SF residence and construct a 10,759 SF single family residence and a 951 SF companion unit on a 2.37 acre site at 9882 La Jolla Farms. 6-0-1

Applicant: Matt Peterson

15. **Ad Hoc Committee on Operating Procedures** - Action Item

Action: Consideration to adopt Ad Hoc Committee's Motions #1 & #2, listed below.

Aug 2012 Motions:

1. That the LJCPA Bylaws be amended to state that the LJCPA President, Vice-President and Joint Committee Chairpersons not be allowed to be retained solely to represent individuals or groups of people who are opposed to a proposed project/discretionary permit which is under consideration by the City of San Diego and the LJCPA (Crisafi/LaCava 3-2-1).

3. That the LJCPA Bylaws be amended to create the office of a Second Vice-President. (For the purpose of chairing a meeting or hearing when the President and Vice-President are unable to chair the meeting or hearing) (Whittemore/Costello 3-1-2).

9:30p

17. **Adjourn** to next Regular Monthly Meeting, October 4, 2012, 6:00 pm



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Treasurer: Orrin Gabsch
Assistant Treasurer: Jim Fitzgerald
Secretary: Dan Allen

La Jolla Community Planning Association

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

Thursday, 2 August 2012

D R A F T MINUTES – REGULAR MEETING

Trustees 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, Cindy Thorsen, Frances O'Neill Zimmerman.

1. Welcome and Call To Order: Tony Crisafi, President, at 6:05 PM

2. Adopt the Agenda

Approved Motion: Motion to adopt the Agenda, (Fitzgerald/Brady, 9-0-1).

In favor: Allen, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Manno, Merten.
Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 5 July Regular Meeting

Approved Motion: Motion to approve Minutes of the 5 July Meeting, (Brady/Fitzgerald, 9-0-1).

In favor: Allen, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Manno, Merten.
Abstain: Crisafi.

4. Elected Officials Report - Information Only

A. San Diego City Council District 2 - Councilmember Kevin Faulconer

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

Ms. Miles was not present.

B. San Diego City Council District 1 - Councilmember Sherri Lightner

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

Ms. Demorest reported that the Historical Sites Board will consider changes to the historical designation process at their meeting 13 August; the Planning Commission will hear the year-round rope barrier at Children's Pool on 30 August at 8:20 AM in the City Council chamber at 202 C Street, 13th floor; there will be a career fair 25 August 8 AM to noon at Golden Hall.

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://physicalplanning.ucsd.edu>

Ms. Delouri was not present.

General Public Comment

Jane Reldan repeated Erin Demorest's announcement concerning the Children's Pool rope barrier. **Marne Foster**, candidate for San Diego Unified School District board, District E, spoke. **Michelle Fulks** announced that Tuesday, 7 August, is "National Night Out", crime/drug prevention event; she hopes La Jolla will organize activities in the community for next year. **Robert Felix**, from Walk San Diego, announced "Walk Audits" planned for the end of September; SANDAG has increased funding for pedestrian facilities. **Joe Parker**, President, Bird Rock Community Council, announced their community event/fundraiser to be held 11 August. **Michael Morton**

reported that the Gatto Residence (8368 Paseo del Ocaso) was completed, and he also spoke about seeking donations for the La Jolla Community Center, formerly the Riford Senior Center.

6. Non-Agenda Items for Trustee Discussion

Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.
There were no comments from Trustees.

7. Officer's Reports

A. Secretary

Trustee Allen stated LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. By providing proof of attendance one maintains membership and becomes eligible for election as a Trustee. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application. Forms are on-line at www.lajollacpa.org.

B. Treasurer

Trustee Gabsch asked assistant treasurer, **Jim Fitzgerald**, to give the Treasurer's report. **Trustee Fitzgerald** presented the results for the past month. July Beginning Balance: \$589.34+ Income \$156.01 – Expenses \$398.02 = August Beginning Balance: \$347.33. Expenses for the month included agenda printing, telephone expenses and the semi-annual rent payment for the meeting room.

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 are in cash to preserve anonymity.

8. President's Report – Action Items where indicated

A. Trustee Special Election – today; polls to close at 7 PM.

B. A Committee Appointment by other community group - for ratification by Trustees – action item

Approved Motion: Motion to ratify the appointment by the other parent organization, La Jolla Town Council, of Mathew Welsh to the Development Permit Review Committee, (Costello/Manno, 12-0-1).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, Manno, Merten, Gabsch, LaCava, Little.
Abstain: Crisafi.

C. Confirm membership of Ad Hoc Committee on Trustees Representing Project Applicants or Project Opponents – Action item

Appointees, per May LJCPA meeting action: Phil Merten - Chair, Mike Costello - Vice Chair, Laura Ducharme-Conboy, Jim Fitzgerald, Joe LaCava, Tony Crisafi, Cindy Thorsen, Rob Whittemore.

Comments about the makeup of the committee were made with regard to appropriateness of participation by persons with professional interests in development, construction, architecture, *etc.* Speaking were **Trustees Little, LaCava, Manno, Courtney, Brady and Fitzgerald**. Also commenting were **Jane Reldan, Esther Viti and Bob Whitney**.

Approved Motion: Motion to ratify the appointments to the Ad Hoc Committee on Trustees Representing Project Applicants or Project Opponents, (Gabsch/Manno, 10-2-3).

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

9. Consent Agenda – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm
DPR – Development Permit Review Committee, Chair Paul Benton, 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. SPOT Kids Sign

PDO Action: This sign substantially conforms to the PDO. 7-0-0

7632 Herschel Ave- New signage to be positioned on the front stucco wall above trellis.

B. Mazon EOT

PRC ACTION: The findings can be made for an Extension of Time for the CDP No. 569852 and SDP No. 569853. 5-0-2

7921 El Paseo Grande - EOT for CDP No. 569852 and SDP No. 569853 to demolish an existing residence and construct a 4,461 SF single-family residence on a 0.14 acre site

C. Palazzo SCR – *Pulled by Mike Costello*

PRC ACTION: The Findings can be made for Substantial Conformance of plans dated July 2, 2012 and submitted to the City against vested CDP No. 46240, SDP No. 4624, PDP No. 207962 and Map Waiver No. 219822. 6-0-1

2402 Torrey Pines Rd - SCR against PTS#19379; CDP No. 46240, SDP No. 46241, Planned Development No. 207962 & Map Waiver No. 219822. The original approval allows 30 dwelling units and SCR proposes 27 dwelling units

D. Lai Residence EOT

PRC ACTION: The findings can be made for an Extension of Time for CDPs 51302 and 40871, SDP 51303 and 40872 and Lot Line Adjustment 165689. 6-0-1.

2037 Torrey Pines Rd - Extension of Time for CDP 51302 and 40871, SDP 51303 and 40872 and Lot Line Adj. 165689 to construct a 6,700 SF residence on a 0.23 acre vacant site and demolish an existing two car garage and add a 677 SF three car garage and add a 1,196 SF guest quarters to an existing 1,787 SF res

E. Valet Permit 909 Prospect St – *Pulled by Nancy Manno*

T & T ACTION: Approved, 4-1-1.

909 Prospect St. - Request for Valet Parking permit for Barfly restaurant.

F. 9th Annual La Jolla Concours d’Elegance – *Pulled by Dan Courtney*

T&T ACTION: Approved, contingent on showing support of businesses on Wall and Prospect Streets, 5-0-2.

Friday April 6th to April 7th- Street Closures

G. Red Curb 7205 Olivetas – *Pulled by Mathew Welsh, applicant*

T&T ACTION: Not approved, 3-3.

7205 Olivetas – red curb opposite the driveway of 7205 Olivetas

Trustee LaCava commented on the sloppy reporting of Traffic & Transportation Board minutes to the Trustees.

Approved Motion: Motion

To accept the action of the Planned District Ordinance Committee: (A) SPOT Kids Sign: The sign substantially conforms to the PDO, and forward the recommendation to the City,

To accept the action of the Development Permit Review Committee: (B) Mazon EOT: The findings can be made for an Extension of Time for the CDP No. 569852 and SDP No. 569853, and forward the recommendation to the City,

To accept the action of the La Jolla Shores Permit Review Committee: (D) Lai Residence EOT: The findings can be made for an Extension of Time for CDPs 51302 and 40871, SDP 51303 and 40872 and Lot Line Adjustment 165689, and forward the recommendation to the City,

(Gabsch/Fitzgerald, 14-0-1).

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

Abstain: Crisafi.

10. Reports from Other Advisory Committees - Information only

A. Coastal Access and Parking Board - Meets 1st Tues, 4pm, La Jolla Recreation Center.

Did not meet in July

B. Community Planners Committee – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego

Trustee LaCava reported that the CPC is still working on the issue of utility boxes; the Mayor wants Community Planning Associations to participate in the October/November period in the development of next year's list of Capital Improvement Projects. **Trustee Manno** suggested forming a committee to work on this. **Don Schmidt** commented.

11. Robbins Residence - Action Item

475 Gravilla Street - Variance for over height walls within the required setbacks, eliminate required on site parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way.

DPR MOTION (June 2012): Findings can be made for a Variance for over height walls within the required setbacks, eliminate required onsite parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way at 475 Gravilla St. 5-0-0

LJCPA ACTION (July 2012): Pulled from Consent Agenda by Phil Merten.

Presenting: Matt Peterson attorney for applicant: Jim Robbins

Mr. Peterson explained the situation and provided a handout. It is a garage conversion to living space and associated wall, fence and landscape improvement. **Trustee Merten** opposes due to the loss of parking in a neighborhood where there are small lots and an apparent parking shortage. He emphasized the details of the development code which indicate that findings could not be made and provided a handout. **Jim Robbins**, the applicant, stated that the original garage and driveway were unusable for modern automobiles with lower ground clearance than those at the time of the home construction; no reasonable driveway modification would solve the problem. There were questions from **Trustees Burstein, Courtney, LaCava, Allen** and **Bond**. Questions also were asked by **Jane Reldan, Claude-Anthony Marengo** and **Bob Collins**. In addition to **Trustee Merten**, there was discussion by **Trustees Costello, Lucas, Crisafi, LaCava, Fitzgerald** and **Zimmerman**.

Approved Motion: Findings can be made for a Variance and Neighborhood Development Permit for over-height walls within the required setbacks, remove required non-conforming on-site parking and modify non-conforming walls to comply with the three-foot high SDMC visibility requirements and to allow the bottom three feet of the existing wall to remain in the public right-of-way based on the right-of-way and fence revision drawing dated 10/3/2011 and understanding that the variance will include the proposed deed restriction, (Costello/Burstein, 12-4-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Thorsen.

Opposed: Little, Merten, Zimmerman.

Abstain: Crisafi.

12. Increase speed limit from 25 MPH to 35 MPH - Nautilus Street – Action item

Nautilus St from W. Muirlands to Fay - an increase in the posted speed limit

T & T ACTION (June 2012): Motion to approve failed 2-3-1

LJCPA ACTION (July 2012): Pulled from Consent Agenda by David Little.

Applicant: City of San Diego

Trustees Little, Gabsch, Conboy, Allen, Brady, Courtney, Lucas, LaCava and **Thorsen** spoke on the issue. The problem is that San Diego Police will not use radar in areas such as this one where the posted limit is less than the 85th percentile of car speeds measured in a speed survey. A raise in the posted limit from 25 to 35 MPS would permit use of radar on Nautilus St from W. Muirlands to Fay to apprehend and cite speeders. A secondary issue was participation of neighbors in the City's process to propose this changed speed limit. **President Crisafi** read letters in opposition to changing the speed limit from **Barbara Hagey** and **Allen Brown**.

Approved Motion: Do not increase the speed limit on Nautilus St from W. Muirlands to Fay, (Burstein/Zimmerman, 14-2-1).

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

13. **Bird Rock Mixed Use** - Action Item

5702 La Jolla Boulevard - CDP to construct 10 residential for-rent units and 7,726 SF of commercial space on a vacant 0.37 acre site.

PDO MOTION (JULY 2012): The proposed Bird Rock Mixed Use project #259362 conforms with the LJ PDO. Balcony rail planters and grasscrete in the alley dedication area are recommended. 6-0-1

DPR MOTION (JULY 2012): The Findings for a CDP and NDP, that the development complies with the applicable regulations of the Land Development Code, cannot be made because the LJPDO does not allow tandem parking for commercial uses. 5-0-2

Full consideration at request of Applicant

Presenting: **C.-A. Marengo**, applicant's representative and project architect

Mr. Marengo provided written presentation material. He explained why the DPR voted that findings could not be made, and he provided his counter arguments. This is the fourth iteration of development proposals for this parcel. **Sara Breck, Jane Reldan, Don Schmidt, Joe Parker, Bill Breck, Darcy Ashley** and **Fred Webber** addressed the issues. **Trustees Little, Lucas, Costello, Courtney, Thorsen, Conboy, LaCava, Merten, Manno, Gabsch** and **Crisafi** discussed the proposal. Trustee discussion centered on the issue the functionality of tandem parking accessed by the relatively narrow alley. An additional concern was the parking impact of this project and others as the commercial area of Bird Rock fills in.

Approved Motion: The findings can be made for a Coastal Development Permit and a Neighborhood Development Permit for the proposed Bird Rock Mixed Use project, (Thorsen/Brady, 13-2-1).

In favor: Allen, Brady, Conboy, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen, Zimmerman.

Opposed: Bond, Costello.

Abstain: Crisafi.

Trustee Special Election Result – one vacant seat due to Trustee resignation announced in May

Election Chair **Cindy Thorsen** presented the vote count to **President Crisafi**, who then announced the result: Elected to a three year term: Bob Collins

The number of ballots cast was 48. **President Crisafi** announced that results can be challenged until Thursday, August 9, 5:00 pm. If no challenge, the ballots will be destroyed.

President Crisafi thanked Election Chair **Trustee Thorsen** for running a flawless election, and thanked **Trustees Little** and **Zimmerman** who contributed their time assisting. **Trustees** expressed their gratitude.

14. **CPA Role in Code Violations within the Community** – Discussion / Action Item

DPR MOTION (JULY 2012): The DPR Committee recommends that the LJCPA take a formal position on projects where code violations negatively affecting community and neighborhood character have occurred. 7-0-0

Discussion ensued on what kinds of violations – visual appearance or building technicalities – would be subject. How would LJCPA initiate an action and to whom would it deliver it? There was an assertion that City code enforcement is separate from building inspection staff and the former cannot act until the latter has approved and signed-off a permit. Is the matter that the Development Services Department is interpreting codes in error in the permit process? A concern voiced was that if the LJCPA acted outside the scope of functions for which it is recognized by the City of San Diego, although it certainly could under its status as a corporation, indemnification from the City might not apply. If that were the case, costly insurance might be needed. **Trustees Merten, Zimmerman, Crisafi, Conboy, Little, Allen, Fitzgerald** and **Thorsen** spoke on the issue as did **John Berol, Erin Demorest, Bob Whitney, Helen Boyden,** and **Claude-Anthony Marengo**. **Trustee Manno** suggested that because of the

complexity of the issue the discussion be continued at committee level, namely by the DPR Committee. **President Crisafi** suggested referral to the Ad Hoc Committee on Trustees Representing Project Applicants or Project Opponents.

15. Adjourn, at 9:40 PM.

Next Regular Monthly Meeting, 6 September, 6:00 pm.

**UNAPPROVED MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE
August 13, 2012**

Committee members present: Fitzgerald, Gabsch, Marengo, Palmer, Little, Van Galder. **Members of the public also present:** C.A. Morengo, B. Printz, H. Lazer, K. Holland, J. Walker, E. Adler, J. Lombrow, M.P. Cortes, A. Di Donato

Acting Chair Fitzgerald called the meeting to order at 4:10PM.

1. Public Comment – Issues not on today’s agenda (2 minutes maximum.): None

2. Chair Report / Board Discussion

- a. Review and Approve July Minutes: Motion to approve: 3-0-2
- b. Letter sent by CPA regarding the role of the PDO committee in the city review process. (Fitzgerald): Tabled
- c. Issues regarding PDO compliance and means to promote enforcement: Tabled

3. Recommendations to CPA

A.

Project Name: **N/A**
Address: **5628 La Jolla Blvd**
Project Number: **N/A**
PDO Zone: **LJPDO**
Applicant: **Ken and Sejla Holland**
Agent: **N/A**
City Project Manager: **N/A**
Date of App Notice: **8/3/2012**
Scope of Work: **Review signage and façade colors for LJPDO code compliance in LJPDO zone**

- Applicant noted proposal includes a blade sign that is located more than 7 feet above the public right-of-way.

Motion: Signage and façade colors comply with the PDO (Morengo/Little): 6-0-0.

B. Note: At the request of the Chair and with agreement of the Applicant, this item was moved to the last item on the Agenda.

Project Name: Herringbone Sidewalk café permit
Address: 7837 Herschel Ave
Project Number:
PDO Zone: zone 1
Applicant: CA Marengo
Agent: C.A. Marengo
City Project Manager:
Date of App Notice: July 17th 2012

Scope of Work: a 151 sq ft sidewalk café permit with railing at 3ft 6inches tall and clearances of 8 ft through out and 2 street trees

Motion: The proposed Herringbone Sidewalk Café conforms with PDO (Gabsch/Van Galder): 5-0-0 (D. Morengo recusing)

C.

Project Name: **PUESTO SIDEWALK CAFE**; Address: **1026 WALL STREET, LA JOLLA, CA, 92037**; Project Number: **288007**; PDO Zone: **LA JOLLA**; Applicant: **MEXICAN STREET FOOD, LLC**;

Agent: **MARCO POLO CORTES**; City Project Manager: **LAILA ISKANDER**; Date of App Notice: **JULY 10, 2012**; Scope of Work: **THE APPLICANT IS APPLYING FOR A NEIGHBORHOOD USE PERMIT FOR A SIDEWALK CAFÉ.**

Discussion: 1) The proposed, the sidewalk café corral provides a 6-foot “clear path” in the public right-of-way, which is less than the 8-foot “clear path” required under the PDO; 2) It was also noted that the Applicant has increased the restaurant’s square footage (kitchen area)/intensified use without returning for community review.

Motion: Deny the Neighborhood Use Permit; the proposed sidewalk café does not conform to the PDO because it does not provide for an 8-foot clear path in the public right-of-way (Gabsch/Van Galder): 6-0-0...

D. This item was for **information only**

Project Name: 939 Coast; **Address:** 939 Coast, LA JOLLA, CA, 92037; **Project Number:**

PDO Zone: LA JOLLA **Applicant:**

Agent: James Walker **City Project Manager:** **Date of App Notice:** **Scope of Work:**

Painting

Discussion: 939 will be repainting the exterior of the building to lightly soften its appearance as well as painting the flanks bronze, which was the original color.

4. Recommendations to DPR Committee

A.

Project Name: English School

Address: 1010 Prospect Street

Project Number:

PDO Zone: 1A

Applicant: C.A. Marengo

Agent: C.A. Marengo

City Project Manager:

Date of App Notice:

Scope of Work: to expand the school in the existing building by taking over existing sq ftg within and increase the student count from 65 to 312 students and employees from 10 to 36 . these items are being requested through a Site Development permit and a conditional use permit to amend the special use permit no 93-0685

Motion: Support Conditional Use Permit to increase the number of students, teachers, and employees at the English School to a maximum of 300 students and 25 staff (Van Galder/Palmer): 5-0-0 (D. Morengo recusing)

5. Information Only: See 939 Coast above (Item #3D)

Acting Chair Fitzgerald adjourned the meeting at 5:30PM.

Respectfully submitted,

Anna Palmer, Acting Secretary

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
August 2012

August 14 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Merten, Welsh

August 21 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Welsh
Benton recused during projects Camaisa & The Reserve. Collins was elected Chair Pro Tem.

1. FINAL REVIEW 8/14/12 (previously reviewed 7/10/12)

The applicant's client has chosen not to revise the drawings per the committee. The DPR committee has been asked to proceed with a vote without further discussions with the applicant.

Project Name: **TONG RESIDENCE EOT**

961 La Jolla Rancho Road	Permits:	EOT for CDP 139245 + SDP 141335
Project #: PO# 280468	DPM:	Mike Westlake 619-446-5220 mwestlake@sandiego.gov
Zone: RS-1-4	Applicant:	Albert Morone 760-294-7122

Scope of Work:

(Process 3) Extensions of Time for Coastal Development Permit 139245 and Site Development Permit 1413335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage on a 18,100 SF lot located in the RS-1-4 zone, at 961 La Jolla Rancho Road in the Coastal Zone (non-appealable), within the La Jolla Community Plan.

DISCUSSION:

Merten: Provided handouts: 8 drawings illustrating issues, 7 pages of excerpts / references from the SD Muni Code, LJ Com Plan, Local Coastal Program Land Use Plan.

In 2008 this was reviewed as Kelly residence, LJ CPA voted not to approve the project 15:0:1 on 3 April 2008. None the less, SD Plan .Com. approved plan in 2008 (City Planners failed to understand the Com Plan and Muni Code). Issues include:

1. The proposed development does not comply with the La Jolla Community Plan,
2. including VC obstructions.
3. This development is contrary to the Open Space Preservation and Natural Resource Protection standard, for Environmentally Sensitive Lands and Steep Hillside.
4. The proposed development does not conform to the Steep Hillside Design Guidelines, as follows:
 - a. The proposed development extends farther into a steep hillside than is permitted:
 - b. For development of a swimming pool in a steep hillside area
 - c. For development of over-height, 21 ft, retaining walls without adequate separation of the walls.
 - d. The measurement of the height of the retaining wall is in error: this refers to what appears to be a simulated boulder field that extends across several retaining walls.
 - e. The measurement of the overall height of the structure by Proposition D is in error

Merten: A finding for an EOT “no new condition is required to comply with State Law”. This never did comply with the State Law. To comply with Law the above issues need to be corrected.

Costello: The Muni Code says that an EOT must go thru the same, ie complete, review process as the initial application.

PUBLIC COMMENT:

Michael Flood: urges us to go to the Plan Com, ask them to get it right this time, not extend their error.

Bob Burkett: This is a toxic project. There are prime views here, but this will seriously impact the views.

Costello: The Applicant has presented his project and we have given him our comments, the minutes too. He has twice declined to return, and asked us to vote without him. This is a *nolo contendere* situation.

SUBCOMMITTEE MOTION: to deny the EOT. Findings can not be made for Extensions of Time for Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage at 961 La Jolla Rancho Road.

(Costello/Collins 7-0-1)

In Favor: Collins, Costello, Grunow, Kane, Liera, Merten, Welsh

Oppose: 0

Abstain: Benton

MOTION PASSES

As the Tong Project was to be heard at the Hearing Officer at 8:30 AM the next day, Mr. Merten was asked to telephone Glenn Gargas to ask for a Continuance at the HOH to allow the LJCPA to vote on the Project. Mr. Gargas advised to send an email asking such to HO Chris Larson, Glenn Gargas, Mike Westlake. Email was sent by DPR Chairman. (**Note:** Continuance was granted by email, until 10 Oct. 2012)

2. FINAL REVIEW 8/14/12 (previously reviewed 7/17/12)

recorder setting 07/07 00 19 36

Project Name: **EC ENGLISH SCHOOL**

1010 Prospect Street

Project #: PO# 280323

Permits: SDP & Conditional Use Permit

DPM: Patrick Hooper 619-557-7992

phooper@sandiego.gov

Zone: PDO Zone 1A

Applicant: CA Marengo 858-459-3769

Scope of Work:

Brandon Smith 760-805-1730

(Process 3) Site Development Permit and Conditional Use Permit to amend 93-0685 to increase the number of students from 65 to 312 and number of employees from 10 to 36 for an English language vocational school in an existing building at 1010 Prospect Street in Zone 1A of the La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Transit Area.

APPLICANT PRESENTATION: (CA Marengo)

300 English language vocational students, 25 teachers and employees. LJ PDO approved 5:0:0. We checked and acted upon Mr. Collins information about elevator disrepair and flooding. I asked about the elevator/parking lockout, because of liability issues floors are locked out. They will be opened for high parking demands. To have elevators and parking available will be part of lease agreement.

Provided for FINAL REVIEW:

1. Demographics of student population. *International, mostly 17 to 27 years old, some 30 to 40 year olds.*
2. Can you create attractive areas that will attract students to congregate? *Three student break areas created on upper floor patios, and “speak easys”.*
3. What are the hours of operations of school? *8:15 AM to 6 PM Mon to Fri, lunch staggered 11:15 to 1.*
4. Status of elevator, its function, flooding in parking structure? *One elevator functioning, one being repaired. Parking / elevators must be available before permit issued.*
5. Will the parking be valet parking? *Yes, to operate the automobile elevators.*

DISCUSSION:

Applicant response in italics

Collins: Parking issues. *Property management is aware of parking requirements, lease contingent upon spaces.*

Grunow: What about the flooding? *None now, floors and walls are stained though*

Costello: Are there smoking areas? *There are the 3 outside congregation areas. Living Room will likely come forward to sell refreshments. Trying to keep congregation on site.*

Grunow: Are you counting on some students not using parking spaces? *Even if all students have cars, there will be enough spaces.*

Collins: Parking valet will be available during school hours, if there are extra spaces? *They must accept tenets, students, first, then spaces will be available for the public.*

SUBCOMMITTEE MOTION: Findings can be made a for Site Development Permit and Conditional Use Permit to increase the number of students to 300 and number of employees to 25 for an English language vocational school in an existing building at 1010 Prospect Street.

(Collins /Kane 6-0-2)

In Favor: Collins, Costello, Grunow, Kane, Merten, Welsh

Oppose: 0

Abstain: Benton, Liera

MOTION PASSES

3. FINAL REVIEW 8/14/12 & 8/21/12 (previously reviewed 7/17)

Project Name: **WU/TSAI RESIDENCE**

9882 La Jolla Farms Road

Permits: CDP

Project #: PO# 260171

DPM: Tim Daly 619-446-5356

tdaly@sandiego.gov

Zone: RS-1-2

Applicant: Janay Kruger 858-454-4326

Scope of Work:

(Process 3) Coastal Development Permit to demolish existing 10,383 sq ft residence and construct a 9,708 sq ft single family residence and a 951 sq ft companion unit on a 2.37 acre site at 9882 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem parking.

APPLICANT PRESENTATION 8/14/12: (Matt Peterson, Mark Singer, Janay Kruger)

Provided for Review 8/14/12:

Applicant response in italics

1. Surfer trail easement, move the fence back to give the same width as Encore. *About 95% on Wu property. Will enhance the trail, path is 8 ft. Can't make wider.*
2. Surfer trail easement, landscape treatment and treatment of fence. *Nice landscaping with open see thru vertical fence, enhance views. Has their own landscaping plan.*
3. Illustrate neighborhood context, simulation of street scene, showing both sides of property. *Photos shown, with VC*
4. Report that the neighbors have been contacted (Encore and Wheelers).
 - A. *Wheelers, provided letter favoring project*
 - B. *Brusers, provided letter favoring project*
 - C. *Morris, email OK with Wu project*
 - D. *Weinbergs want a letter to favor their project, Wu's want to stay neutral because of other neighbors.*
 - E. *Kruger is attempting to get all 65 neighbors to approve Wu house. No opposition yet, except, potentially the Weinbergs.*

DISCUSSION 8/14/12:

Kruger: *We are contacting all 65 neighbors asking for their approval. the trail expands from 8 ft to 15 ft down the trail.*

Kane: 1. Actually, last time I didn't ask for the whole neighborhood to be contacted, just the immediate ones. **2.** Can we get a unified landscaping experience on the trail for the public? Can't you and Encore use the same plant palette? **Peterson: Yes** Asks Paul Metcalf if Encore can share their landscaping plan with Wu/Tsai to have a uniform plan?

Liera: Can you ask the City for a unified plan? **Peterson: will do**

Welsh: Is the VC blocked by the Wheeler trees? **Peterson: only up the street at the beginning of Black Gold Rd**

Welsh: Could you look into moving the guest house back? **Yes**

Paul Metcalf: There has been communication between neighbors. Weinberg doesn't plan a guest house. Neighborhood politics not working for his client. He is OK with the Wu plan. Can easily work on the same landscaping plan for the trail. Encore removed the their guest house for two reasons: 1. project was too big, (removed 25%, the guest house was 40% of that), 2. Wu didn't want it, removed to help her. The Weinbergs have not seen plans yet, pool and guest house too close to their play area. Would like to meet for changes.

Kruger: Wu guest house is 18.9 ft from PL.

Welsh: Where is the Salk Institution historic VC ? *it is too far back and East to see.*

Merten: Is the trail fence transparent? **Yes** Can you move the guest house and pool away from the PL? (Note: Generally DPR Members were concerned about the relationship of the pool, guest house to their neighbors and the lack of an elevation section illustrating the relationship to the proposed Encore project.)

Project Continued until 21 Aug 2012. (Client does not really want to have to return another time.)

Provided for FINAL REVIEW 8/21/12:

Applicant response in italics

1. A cross-section thru the middle of the Wu guest house, thru the surfer trail, to the nearest Encore structure(s). *Site cross-section provided showing Wu Companion Unit / pool house (12 ft tall), trail easement, nearest Encore structure: total separation 67 ft 8 in, distance Wu Companion Unit to PL (includes trail) 20 ft; PL to Encore has 9 ft 9 in planter by trail, and auto courtyard, then the main house. An over view of the property plan also provided. A color photo simulation of the trail improvements showing Wu and Encore fences and landscaping was provided.*
2. Explore moving, backing, the guest house and pool away from Encore. **Not going to move it**

DISCUSSION 8/21/12:

Liera: what is the difference in elevations Encore / Wu? *~ 9.5 ft, sports court 12 ft*

Kane: Commends your team all for their efforts, answered many of our questions.

Collins: Is the Companion Unit for the pool or guests? *Both, pool cabana mostly, but a guest house as needed, no kitchen.*

Paul Metcalf: Thanks Matt for sharing plans, his client is traveling, still has not seen them. The Encore guest house "was" the same distance (10ft) from the trail as the Wu guest house. Wants the same treatment for his client (a GH).

Collins: Applicant has done an excellent job on this project, and providing answers

SUBCOMMITTEE MOTION: Findings can be made a for a Coastal Development Permit to demolish existing 10,383 SF residence and construct a 10,759 SF single family residence and a 951 SF companion unit on a 2.37 acre site at 9882 La Jolla Farms.

(Collins / Grunow 6-0-1)

In Favor: Collins, Costello, Grunow, Kane, Liera, Welsh

Oppose: 0

Abstain: Benton

MOTION PASSES

recorder setting 08/08 00 19 51

6. PRELIMINARY REVIEW 8/21/12Project Name: **CAMAISA RESIDENCE**

9450 La Jolla Farms Road

Project #: PO# 260171

Zone: RS-1-2

Permits: CDP

DPM: Patrick Hooper 619-446-5001

phooper@sandiego.gov

Applicant: Sandra Escobedo

858-456-8555 x109

Scope of Work:

(Process 3) An 1,835 SF addition to an existing single family residence on a 0.74 acre site located at 6450 La Jolla Farms Rd in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway and Parking Impact Overlay Zone.

APPLICANT PRESENTATION (Joseph Reid, Sandra Escobedo):

Remodeling existing residence. Built 1989. (DPR Members asked Presenter to speak louder, clearer. Many times it was not possible to hear or understand the Presenter.) **Adding 1,835 sq ft, part is second level. Required to have 9 parking spaces.**

Costello: What about the VC discussed by the Calif Coastal Com in the City Cycles Issues Letters? **LJ Com Plan, LJ Farms – Visual Access shows VC is not over Camaisa property.**

Collins: what part is second level? **Answer inaudible**

Reid: FAR is 0.44, allowed 0.445

Tennis court will not have a fence.

Tennis court will also serve as six parking spaces, to sum to needed number of spaces, nine.

Over the max allowed for hardscape, 60% max, have 69-70%.

Kane: is there a fence round the pool? **Answer inaudible**

Liera: Do you have a “Constraints and Opportunities Plan” ie, take the lot, outline where slopes are, views, setbacks and show adjacent property. Helps place items in context. I would be interested in the relationship of this elevations and this volume to the neighbors next door and across the street. Relative elevations are very important. You are squeezed so much.

Kane: I’m concerned about privacy issues and the bulking up of the neighborhood. How does this project relate to the neighbors.

Costello: What is the side yard setback on the south? **7.8 ft** $0.74\text{acre} \times 43,500\text{ ft}^2/\text{acre} = 31,755\text{ ft}^2$
 $\sqrt{31,755} = 179\text{ ft} \times .08 = \mathbf{14\text{ ft } 5\text{ in setback.}}$ Very narrow for such a large lot. **City says we can use the previously existing setback of 7.8 ft. (if calculated City says 15.4 ft)**

Collins: Did you say you are not putting up the typical tennis court fence? **Yes, 3 ft tall stucco, ... the rest inaudible.** There should be a deed restriction for the tennis court fence.

Liera: what are the details of the tennis court off of LJF Rd? Is it higher, lower, how will it look from the road? What will the feel be from the road?

Kane: we need a more detailed and developed landscape plan, particularly along the edges, adjacent to neighbors, how are the walls treated, too much hardscape.

Collins: will the tennis court be clay, or hard surface, or grass? You are going to park on it? **Engineer looking at problem of too much hardscape, hydrology**

Kane and Liera: What does the Muni Code say about tennis courts in the front yard?

Jim Alcorn: representing neighbors to the South with the 7 ft setback. Can’t understand from the drawing what is existing and proposed. Can you shade or color? Wants to get together before next DPR meeting. You are going to have demolition on the North side of your property and transfer that mass to the South in the form of a second story. This will overlook the neighbor’s property.

Kane: That is a major issue we are seeing in La Jolla as people want more space. They are pushing up houses removes your neighbor’s privacy, especially with little setback like this, and is harmful for both parties. No one can use their yard any more for lack of privacy. As well as loosing their yard because it is built over for house.

Jim Alcorn: It looks like you are removing however many sq ft of the house to make room for a tennis court. Then adding sq ft on a second level to the South side of the house. This is too close to the PL, and overlooks his clients property. Having difficulty reading drawings, can you shade or color your drawings?

Kane: Can you differentially color new and existing? Same with 1st and 2nd levels? We can't see the third dimensionality.

Welsh: The house facing the neighbors to the South is a big blank wall. Too plane. Doesn't have enough treatment, motif.

Liera: How about more landscaping to mitigate the overwhelming power /nature of the south part of structure?

Welsh: Can we get a cross-section between the two properties?

Liera: We need a cross-section of the tennis court and the properties next door. TC is pretty close to the PL what does that do to the property next door..

Costello: We need to get updated City Cycles Issues Letters. Also documentation that the City will allow a front yard tennis court and that tennis court can be used for the required parking. Also can a soft court be used for parking?

Kane: If you need to go to a soft court, because of excessive hardscape, will you still be able to park on it?

Collins: Next time, we need a parking layout plan for nine spaces. Is parking allowed in the front yard setback?

Please provide For FINAL REVIEW:

- a. Please meet with neighbor's representatives, Architects.
- b. Exactly, what will you use for a tennis court fence? If no or limited fence, will you place that in a deed restriction?
- c. What will the tennis court surface be?
- d. Provide documentation that the City Staff will allow parking in the front yard, and tennis court for the required parking. What is the Muni Code reference?
- e. Provide updated CILs.
- f. Provide parking layout plan.
- g. Provide clearer drawings, differentially color existing and new/proposed. As well as 1st and 2nd level color drawings. Shade or color.
- h. Provide more treatment, motif, of the South facing structure.
- i. Please show a cross-section of proposed 2nd level structure and neighbors to the South.
- j. Please provide a street scene showing proposed structures including the current property's structures to the North and South.
- k. Please have a compliant landscape plan and with compliant hardscape. recorder setting 08/08 00 54 11

7. COURTESY REVIEW / INFORMATION ONLY 8/21/12

Project Name: **THE RESERVE**

6850 Country Club Drive

Permits:

CDP & SDP

Project #:

PO# 292065

DPM:

Zone:

RS-1-4

Applicant:

Greg Shannon 858-414-6777

Scope of Work:

The Reserve project proposes to develop a very high quality and environmentally sensitive four lot subdivision comprised of three estate home lots and an open space lot that will be sold to an adjacent property owner. The proposed entitlements for The Reserve include a Vested Tentative Map and individual Coastal Development Permits (CDP), Site Development Permits (SDP) and Design Guidelines that will regulate the development of future homes and improvements. The proposed siting of homes and driveways is intended to nestle development into the land with minimum disruption and preserving significant topographic and biological features. These features, which include the canyon, knolls and Nuttall's scrub oak

communities, will be preserved and thereby showcase the natural environment of the site. Development has also been sited, to the extent practicable, on previously disturbed areas and new development has been clustered to preserve contiguous open space based on comments we received from City staff. A conservation easement will be placed on 75% of the total site to ensure its preservation.

APPLICANT PRESENTATION (Greg Shannon, Jim Alcorn):

The Applicants presented a PowerPoint presentation showing the site, surrounding neighborhoods, topography, the four lots, photosimulations of proposed development, previous road cuts, trails and steep slopes, earthquake faults and landslide. The Reserve project is involving 25 acres of vacant land near LJ country Club near LJ summit. Need separate CDPs and SDPs of each of four lots. 1 to 21 acre lots, largest “possible” house is 25,000 sq ft. will be four homes. RS-1-4 plus Open Space Overlay from LJ Com Plan. Only 25% of land in the overlay can be developed. There are some non-permitted encroachments that will need permits. There is a earthquake fault line and an ancient landslide (not located by geo coring, 6 each 80 ft deep holes, 30 inch diameter). Many different VCs to ocean, very important to us as all of La Jolla.

Alcorn: The topography – the site designs its self.

Each lot has a considerable conservation easement, making most of the lot non-buildable. Fire breaks included, all the way around the perimeter. Home owner must preserve conservation easement (to City). Predetermined Development Guidelines will set potential buyers restrictions, but also help new buyer, have pre-approved permits. Keeping houses low where possible.

recorder setting 08/08 01 13 57

Four lots

Lot #1	1.4 acres	all developable,	existing building
Lot # 2	1.63 acres	½ developable,	7.500 sq ft max
Lot #3	21 acres	4.3 acres developable,	60,000 sq ft but will only use 25,00 sq ft max
Lot #4	1.0 acre	0 developable	

Presented many possible fence types, open types, split rail, etc. City wants a fence around perimeter.

Will interweave native vegetation in with the ornamental planting. Twice been to Summit home owners.

Summit home owners asked that there be significant landscape controls similar to Prop D height limitations, ie landscaping will not be allowed in certain areas higher than roof heights.

Romero Road has a 1920s road cut, very deep. It will have a porous concrete road surface.

Kane: Likes what you are doing, looking at topography and working with it. Not bulking up and maxing out, you are very sensitive to the surroundings and neighborhood.

In LJ Summit area:

1. VC very important
2. edge conditions, interface with Summit neighbors, many want open fencing.
3. City wants area fenced

The Applicant doesn’t want the home owners to be required to fence their homes since they are required to maintain the conservation area.

The City wants to control (perimeter) access by fencing.

The perimeter is ice plant, must remove it, re-vegetate with native and maintain for 5 yr.

Kane: Isn’t there an opportunity for walking access? what if the LJ Community asks the City to open the area for walking? *Don’t know if the City will change its mind, liability, maintenance issues.*

Shannon: Will schedule tours site for LJ DPR Members. The process is started, plan submitted to City, geo bio reports done, start EIR, CILs started.

Ethna Piazza: A walking trail already exists.

Carolyn and John Detwiler: would like open type fences so as not to look “prison-like”. Would like wildlife to be able to move thru fences.

Dr. Gaston Molina: LJ summit has 150 areas that are not fenced. 1) thinks an environmental report is needed, 2) fencing is an issue for wildlife, 3) Monarch butterfly habitat, 4) wants houses lower for views, 5) how will development be in the future as it undergoes gradual changes/improvements over time. One of these houses will be in his view.

Shannon: home owners can be compelled to maintain the easement, but what about encroachments by neighbors if there is not a fence.

Ethna Piazza: Concerned about fence, we were told this space was permanent open space. These houses will be massive, wants houses moved down hill more thereby less blockage of ocean view. Previously, SD FD asked that ice plant not be removed without a road, fire break in place.

Shannon: We can work out a lot of things and already have. Has taken photos from the houses of all that allowed and shown no one's ocean view will be anywhere near 50% blocked. A search for records can not find a promise from Ms. Copley saying this would be open space forever.

Kane: Is there a connection between the open spaces / habitat for wildlife transit? *No, there is no corridor.*

8. COMMITTEE ANNOUNCEMENT

Kane: University students will do an analysis of the Neighborhood Character of the Barber Tract. More information to come in the future.

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

**COMMITTEE REPORT on Motions and Votes
for the THURSDAY, AUGUST 9, 2012, 4:00 PM MEETING**

Committee Members in attendance: DuCharme Conboy, Costello, Crisafi, Fitzgerald, LaCava,
Merten (Chair), Whittemore

Others: Robert Steck, Dave little, Michael Morton, Robert Whitney, Jane Reldan, Sally Miller

1. NON-AGENDA PUBLIC COMMENT:

David Little – Contested the fact that four of the seven Ad Hoc Committee members are actively involved as land development professionals.

Rob Whittemore - Rendered comments in support of the Committee Chairman.

Robert Whitney - Rendered a comment contesting the appointment of the Committee Chairman.

Michael Morton - Commented that trustees and all committee members be required to disclose their biases and relationships with organizations that are opposed to projects under LJCPA review, and to recuse themselves from discussions regarding projects in which they have a vested interest.

2. A general discussion regarding LJCPA Trustees representing individuals or groups of people in support of, or opposed to, proposed projects that are under review and consideration by the LJCPA; including LJCPA Trustees representing individuals or groups of people in support of, or opposed to, proposed projects after the LJCPA has made a formal recommendation on a project and the permit application is still under consideration by the City of San

Motion: (Crisafi / LaCava) That the LJCPA Bylaws be amended to state that the LJCPA President, Vice-President and Joint Committee Chairpersons not be allowed to be retained solely to represent individuals or groups of people who are opposed to a proposed project/discretionary permit which is under consideration by the City of San Diego and the LJCPA.

Motion Carries: 3-2-1 (In Favor: DuCharme Conboy, Crisafi, LaCava; Opposed: Costello, Whittmore; Abstained: Merten (Chair) Absent: Fitzgerald)

Motion: (Whittemore / Costello) That the LJCPA Bylaws be amended to create the office of a Second Vice-President. (For the purpose of chairing a meeting or hearing when the President and Vice-President are unable to chair the meeting or hearing)

Motion Carries: 3-1-2 (In Favor: Costello, Whittmore, Crisafi; Opposed: LaCava
Abstained: DuCharme Conboy, Merten (Chair) Absent: Fitzgerald)

3. A discussion and action item as to whether or not the LJCPA should take a formal position on projects where code violations affecting community and neighborhood character have occurred.

This issue was not discussed due to the lateness of the hour.

Meeting was Adjourned at 6:25 PM

Submitted By: Phil Merten (Chair)