



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 December 2012

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: 1 November 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. 7755 Sierra Mar – applicant postponed hearing by Trustees to Jan. 2013
 - B. Tong EOT – Planning Commission hearing on Dec. 13th
 - C. Hillel EIR – requested 30 day extension for EIR response submittal
 - D. CD Recordings of past meetings

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. 7720-7728 Fay Ave.

PDO Action:

7720-7728 Fay Ave. – Façade Renovation

B. La Jolla Village Information Center

PDO Action:

1162 Prospect Street – new signage

C. La Jolla Beach Townhomes EOT

DPR Action: Findings can be made for an Extension of Time for a previously approved CDP to demolish existing building and construct 4 residential units on a 5,760 sq ft site at 6633 La Jolla Blvd. 6-0-1

6633 La Jolla Blvd. - Extension of Time for approved Coastal Development Permit to demolish existing building and construct 4 residential for rent units on a 5,760 sq ft site

E. Roberts Residence

DPR Action: Findings can be made for a CDP & SDP for the remodel of an existing 3,377 SF one-story single-family residence to a total of 8,058 SF, with some 2nd level, on a 49,145 SF lot at 9438 La Jolla Farms Road. 5-0-1

9438 La Jolla Farms Rd. -A Coastal Development Permit for the remodel of an existing 3,377 SF one-story single-family residence on a 49,145 SF lot. The proposed project expands the house to a 8,058 SF single-family residence. The majority of the proposed home is one story with the exception of a 861 SF lower level, which creates a 2-story portion on the south western portion of the footprint. In addition to expanding the existing house there will be an addition of a 2-story detached studio/exercise room (accessory building) and a detached 1-story garage/recreation/pool house (may serve as guest quarters). Site improvements include a new driveway, pool, garden walls and landscaping.

F. Rickards Residence

PRC Action: The findings can be made for an SDP and CDP based on plans dated October 8, 2012 and modified at November 27 PRC meeting to reduce curb cut to 12 feet. 6-1-2.

8469 Paseo del Ocaso - Demolish existing 2-story 3,761 sf SFR, garage and pool. Construct new two story 4416 sf SFR with roof deck and attached garage on a 5,500 sf Beach Parking Impact and Residential Tandem Overlay Zones.

G. Two 15 minute parking spots at 1026 Wall Street

T& T Action: Deny the request for two 15 minute parking spaces. 4-3-0

1026 Wall St. – Two 15 min. parking spaces.

H. Remove Handicap Parking at 7525 High Street

T& T Action: The space should be removed but the City should first notify the affected area in order to give interested parties 30 days to object. 7-0-0

7525 High St. – Remove handicap parking space

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. **Butterfield Residence** - *Pulled by Carmen Noranto - because of the lot tie agreement – Action Item*
5328 & 5334 Calumet Ave. – CDP & SDP to demolish 2 existing structures totaling 8,042 SF & execute a lot tie agreement, and construct a new 7,308 SF single story home, a spa, and a 2820 SF basement on a 15,201 SF site (Lot 15 is 7,272 SF and Lot 16 is 7,929 SF)
DPR Action (Oct. 2012): Findings can be made for a Coastal Development Permit and Site Development Permit to Demolish 2 existing structures at 5328 and 5334 Calumet Avenue, execute a lot tie agreement, and construct a new 7,308 SF single story home and a basement on a 15,201 SF site based on revised drawings dated 16 Oct 2012 signed by Kristi Hanson. 4-3-0
Applicant: Matt Peterson
12. **Gaxiola Residence** - *Pulled by Myrna Naegle - based on the split vote – Action Item*
2414 Calle del Oro – SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2-story 11,696 sf residence (of which 4,744 is phantom floor) with 4 bedrooms, 7 bathrooms and 2 car garage, attached guest quarters (parking in driveway), swimming pool and retaining walls on a 29,120 sf lot. Square footage includes extensive non-habitable space.
PRC Action (Oct. 2012): The findings can be made for a SDP & CDP based on plans dated July 22, 2012 and presented today with square footage corrected to 11,696 including 4,744 sf phantom floor. 3-2-1.
Applicant: Gricel Cedillo
13. **Goldfish Point Re-Vegetation Plan**
Goldfish Point – re-vegetate Goldfish Point with native plants, maintaining diver access while limiting public access and controlling erosion
LJ Parks & Beaches (Nov. 2012): unanimous approval
Applicant: Jim Neri, Neri Landscape Architecture
14. **Draft 8th Update to Land Development Code – Action Item**
Possible Action: Whether to approve the updates to the Land Development Code.
There are a total of 50 issues included in the 8th Update, that are divided into issue categories including Permit Process, Measurement, Parking, Green Building Regulations, Planned District Ordinance, and Minor Corrections. See summary link:
<http://www.sandiego.gov/developmentservices/industry/landdevcode/index.shtml#projectsOpen>
Comments due by December 14, 2012
15. **Adjourn** to next Regular Monthly Meeting, January 3, 2013, 6:00 pm



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Secretary: Dan Allen

La Jolla Community Planning Association

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

Thursday, 1 November 2012

DRAFT MINUTES – REGULAR MEETING

Trustees Present: Cynthia Bond, Tom Brady, Devin Burstein, Bob Collins, Laura Ducharme-Conboy, Michael Costello, Tony Crisafi, Dan Courtney, Jim Fitzgerald, Joe LaCava, David Little, Tim Lucas, Phil Merten, Cindy Thorsen, Frances O'Neill Zimmerman.

Absent: Dan Allen, Orrin Gabsch, Nancy Manno.

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

2. Adopt the Agenda

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

In favor: Bond, Brady, Collins, Conboy, Costello, Fitzgerald, LaCava, Little, Merten, Thorsen.

Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 4 October Regular Meeting

Approved Motion: Motion to approve Minutes of October Meeting, (Fitzgerald/Manno, 8-0-5).

In favor: Bond, Brady, Collins, Conboy, Costello, Fitzgerald, LaCava, Little, Lucas, Merten, Thorsen.

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 reminded us that redistricting takes effect next month removing La Jolla from Council District 2; she says "Fairwell" to us. The Council Land Use and Housing Committee will hear the Over-sized Vehicle Ordinance issue 28 Nov at 2 PM in the Committee Room. We are invited to participate; would like our support. **President Crisafi** expressed our appreciation of the help given us by Councilmember Faulconer; will send a letter of appreciation to Kevin.

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

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

Ms. Demorest was unable to attend; sent several copies of the Councilmember's newsletter, "The Spotlight".

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 passed out a flyer about the SIO Research Support Facilities Building to be constructed in Sea Weed Canyon. She has given updates in this in the past; demolition is to begin in Dec 2012. Tallest part is to be about 20 ft. About 50,000 sq ft of storage.

Rob Whittemore had a question for **Ms. Delouri**; about 6 months ago he asked about opening up an area by Birch Aquarium. It is a really beautiful area for walking, and seeing the view. This could be opened up for parking and views. She replied she had seen this and will take this idea to the University.

General Public Comment

Phyllis Minick on the beautification of Coast Blvd at the **Children's Pool**: She is treasurer of LJP&B and Chair of the Beautification Committee. It will require \$250,000 to rebuild sidewalk and area. She distributed a flyer asking if anyone knows of a funding grant source, please send either inform Phyllis so she may apply for a grant or one may apply for the grant themselves.

Gail Forbes on the subject of bird guano stench. Re-establish natural predators, raccoons, skunks. Since the smells are a recent phenomenon, the question is asked what has changed to allow this? Construction and habitat disruption could have displaced the natural predators which keep the birds from roosting. Foxes, raccoons, skunks used to live in the area. Suggests their re-introduction for a natural balance to remove source of stench.

Rob Whitemore announced that La Jolla Shores Tomorrow has prevailed after filing a lawsuit against the Whale Watch Way development. He distributed a handout.

Bill Robins informed us of LJP&B the unanimous support for **Phyllis Minick's sidewalk** beautification project at the **Children's Pool**. If LJ raises the funds, the City will waive their fees.

6. Non-Agenda Items for Trustee Discussion

Trustee LaCava reported on the San Diego Canyon Lands program about dedication of parkland in La Jolla; LJCPA earlier voted to support the effort. The matter went to City Council Land Use and Housing Committee earlier this month where the Mayor's Office recommended that none of the parcels be dedicated. There is one last window of opportunity. For La Jolla, primarily the Fay Ave road extension / bike trail is a stake. Questions, ask Joe; indicate support to Councilmember Lightner; mid-Nov time frame for City meeting.

Trustee Little commented favorably on the LJCPA President's letter about MESOM, and he also likes the DPR minutes. **President Crisafi** adds praise of the minutes of the Shores PRC too!

Trustee Lucas announced that LJSA still has vacancies on the Board. There are a lot of issues to work on; they need more help.

7. Officer's Reports

A. Secretary

President Crisafi, on behalf of absent Secretary, Dan 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. October Beginning Balance: \$317.25 + Income \$160.48 – Expenses \$169.33 = November Beginning Balance: \$308.40.

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

A. 7755 Sierra Mar – Appeal filed October 9th; applicant will "attend" the December LJCPA meeting.

B. Tong EOT – Appeal filed Oct. 23rd – Action item - to approve appeal

Approved Motion: Motion to approve appeal of Tong EOT, (Merten/Collins, 11-0-3).

In favor: Bond, Brady, Burstein, Collins, Costello, Fitzgerald, Little, Lucas, Merten, Thorsen, Zimmerman.
Abstain: Conboy, Crisafi, LaCava.

- C. UCSD SIO MESOM Laboratory** – letter sent Oct. 24th. The letter was sent to all recipients on the list as well as a disk with Trustee Conboy's simulation presentation. **We have, as of yet, not had a response. Trustees Little and Lucas commented. Trustee Costello** noted that on at least two occasions when it was in the planning stages concerns about the MESOM project were brought up at the LJCPA – one time by Greg Salomon and in October 2010 by himself. Apparently neither time was there follow-up when there should have been.
- D. Subcommittee Review of Projects – President Crisafi** emphasized that the primary purpose of Trustee and subcommittee review is to advise the City on land use policies of the La Jolla /La Jolla Shores Community Plan, Planned District Ordinances & City General Plan. Notwithstanding, other community issues can be also addressed.
- E. Lack of response to Trustee concerns re: land use issues**
President Crisafi related the history and present status of 1223 Muirlands Vista Way.

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. Heritage On Ivanhoe Map Waiver

DPR Action: The findings can be made for a Map Waiver and Amendment to CDP #793182 to create 14 residential condominium units at 7716 Ivanhoe Avenue. 5-0-1

7716 Ivanhoe Ave (mult addresses) - Map Waiver and Amendment to CDP #793182 to create 14 residential condominium units

B. Benson Residence

DPR Action: Findings can be made for a Coastal Development Permit and Site Development Permit to demolish an existing two level 7,554 sq ft single family residence, and construct a two level 9,995 sq ft single family residence located at 5970 Camino De La Costa. The Motion is based on the revised drawings dated 9 Oct. 2012, signed by the applicant, Sheet A1.1. 5-0-1

5970 Camino De La Costa - CDP and SDP to construct additions to an existing single family residence.

C. Butterfield Residence – *Pulled by Carmen Noranto - because of the lot tie agreement*

DPR Action: Findings can be made for a Coastal Development Permit and Site Development Permit to Demolish 2 existing structures at 5328 and 5334 Calumet Avenue, execute a lot tie agreement, and construct a new 7,308 SF single story home and a basement on a 15,201 SF site based on revised drawings dated 16 Oct 2012 signed by Kristi Hanson. 4-3-0

5328 & 5334 Calumet Ave. – CDP & SDP to demolish 2 existing structures totaling 8,042 SF & execute a lot tie agreement, and construct a new 7,308 SF single story home, a spa, and a 2820 SF basement on a 15,201 SF site (Lot 15 is 7,272 SF and Lot 16 is 7,929 SF)

D. McIlvaine (Landa) Residence

PRC Action: The findings can be made for a SDP & CDP based on plans dated 5-10-2012 but presented today with bedrooms reduced from five to four with no change in footprint. 5-0-1

8415 Avenida de las Ondas –CDP and SDP to demolish an existing 2,484 sf SFR, garage and pool. Construct new 2 story 7830 sf 4 bedroom SFR (incl. 113 sf from 3242 sf partial basement) on a 25,757 sf lot. Includes garage, new pool with wine grotto & exercise pavilion, new site retaining walls and associated landscape features. Campus Impact Zone.

E. Gaxiola Residence – *Pulled by Myrna Naegle - based on the split vote*

PRC Action: The findings can be made for a SDP & CDP based on plans dated July 22, 2012 and presented today with square footage corrected to 11,696 including 4,744 sf phantom floor. 3-2-1.

2414 Calle del Oro –SDP and CDP to demolish existing 1-story 3,178 sf residence and construct a new 2- story 11,696 sf residence (of which 4,744 is phantom floor) with 4 bedrooms, 7 bathrooms and 2 car garage, attached

guest quarters, swimming pool and retaining walls on a 29,120 sf lot. Square footage includes extensive non-habitable space.

F. Lambert Felice Residence

PRC Action: The findings can be made for a SDP & CDP for the project as presented with plans dated October 23, 2012 and a letter from Geotechnical Exploration, Inc. dated 10-23-2012. 5-0-1

2382 Via Capri Court –SDP and CDP for a 702 sf first-floor addition and a 580 sf garage addition to an existing 4,204 sf SFR on a 13,250 sf site.

G. La Jolla Christmas Parade and Holiday Festival

T& T Action: Motion to approve street closures 7-0-0

Street Closures – Dec. 2nd for annual holiday parade

Approved Motion: Motion

To accept the actions of the Development Permit Review Committee: (A) Heritage On Ivanhoe Map Waiver: The findings can be made for a Map Waiver and Amendment to CDP #793182 to create 14 residential condominium units at 7716 Ivanhoe Avenue 5628 La Jolla Blvd: Signage and façade colors comply with the PDO, (B) Benson Residence: Findings can be made for a Coastal Development Permit and Site Development Permit to demolish an existing two level 7,554 sq ft single family residence, and construct a two level 9,995 sq ft single family residence located at 5970 Camino De La Costa. The Motion is based on the revised drawings dated 9 Oct. 2012, signed by the applicant, Sheet A1.1., and forward the recommendations to the City,

To accept the actions of the Planned District Ordinance Committee: (D) McIlvaine (Landa) Residence: The findings can be made for a SDP & CDP based on plans dated 5-10-2012 but presented today with bedrooms reduced from five to four with no change in footprint, (F) Lambert Felice Residence: The findings can be made for a SDP & CDP for the project as presented with plans dated October 23, 2012 and a letter from Geotechnical Exploration, Inc. dated 10-23-2012, and forward the recommendations to the City,

To accept the action of the Traffic and Transportation Board: (G) La Jolla Christmas Parade and Holiday Festival: To approve street closures, and forward the recommendation to the City,

(Merten/Fitzgerald, 11-0-1).

In favor: Bond, Brady, Burstein, Collins, Conboy, Costello, Courtney, Fitzgerald, LaCava, Little, Lucas, Merten, Thorsen, Zimmerman.

Abstain: Crisafi.

10. Reports from Other Advisory Committees - Information only

A. Coastal Access and Parking Board - Meets 1st Tues, 5pm, La Jolla Recreation Center.

Did not meet; no report.

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

11. Fairway Views SCR – Full Review by Trustees per request of Applicant – Action item

1456 Nautilus St - SCR for a proposed dwelling on an undeveloped site.

The three lot project was previously approved. One house was built, two others not. Now applicant wants to construct a second house. Will use the previous CDP, need SCR. Approved for three levels (FAR .27), modern flat roof style, now wants two levels Mediterranean (FAR .22). House will go in a trough and not affect views. Driveway to be off Nautilus. No change in access, shared access driveway. Will need retaining wall to make driveway.

DPR Action (Oct. 2012): Findings cannot be made for a Substantial Conformance Review for the existing Coastal Development Permit because the Architectural concept is significantly different from the original design. 6-0-1

Applicant: Bob Belanger

Trustee Little offered a clarification that while the City had approved the earlier project, the LJCPA did not. **Mr. Belanger** presented drawings and discussed the regulations for Substantial Conformance Review. **President Crisafi** noted that the circular for Substantial Conformance Review was sent to the Trustees with the agenda. **Mr. Belanger** addressed the issue of architecture of the new project. **Sally Miller** asked about view obstruction and traffic studies. **Trustee Conboy** pointed out that radical change of architecture negates Substantial Conformance. **Trustee Merten** said that the proposal constitutes a major change that requires the process of review of a permit amendment. **Trustee Burstein** emphasized the regulations for Substantial Conformance Review allow passing a project if the changed architectural features are equal to or better than the previously approved project.

Failed Motion: Motion to approve Fairway Views, (Burstein/Fitzgerald, 6-8-1).

In favor: Bond, Brady, Burstein, Fitzgerald, LaCava, Lucas

Oppose: Collins, Conboy, Costello, Courtney, Little, Merten, Thorsen, Zimmerman.

Abstain: Crisafi.

Approved Motion: Motion to deny Fairway Views; specifically, that findings cannot be made for Substantial Conformance with the existing Coastal Development Permit, (Conboy/Little, 8-6-1).

In favor: Collins, Conboy, Costello, Courtney, Little, Merten, Thorsen, Zimmerman

Oppose: Bond, Brady, Burstein, Fitzgerald, LaCava, Lucas

Abstain: Crisafi.

12. FY 2014 Capital Improvements Program Budget

Review & recommend projects that have not yet been funded, only partially funded and thus delayed, or have yet to be taken up by the City. Submit proposals to CPC by no later than November 7;

References: <http://www.lajollacpa.org/cip.html>;

<http://www.sandiego.gov/iba/pdf/cipguidefullversion.pdf>

<http://www.sandiego.gov/iba/pdf/cipguidequickversion.pdf>

<https://www.sandiego.gov/cip/projectinfo/index.shtml>

Trustee LaCava renewed the discussion from last month's LJCPA meeting. He addressed the list distributed with the agenda which evolved at the last meeting. He suggested not proceeding with those proposals that have only recently been put forth and have not been vetted by community groups.

Approved Motion: Motion to approve the following for submission:

**FY2014 Capital Improvement Program - La Jolla Community Plan Area
Projects Approved by LJCPA at November 1st Hearing**

Parks & Recreation

- 1. Coast Boulevard Sidewalk Improvements at Children's Pool**
(Restore and enhancement of last remaining segment, endorsed by LJCPA and LJTC in March 2012)
- 2. Scripps Park Restoration**
(Restoration of Scripps Park as detailed in the 2009 plan)
- 3. South Coast Boulevard Park (2008 plan)**
(Enhancement of park and walking path along Coast Boulevard from Climbing Wall to its southerly end. AKA "Jim Neri Plan"; aka Cuvier Park, Hospital Point & Wedding Bowl.)
- 4. Coast Walk Parking Feasibility Study**
(Restoration of up to 6 parking spaces on Coast Walk. Endorsed by LJCPA, Oct 2011 and by LJTC, Dec 2011)

Transportation

- 1. Torrey Pines Road Corridor – Phase 1 (CIP refs. S00877 & S00613)**
(Remove barriers in the north sidewalk from the Throat to the Village)

(LJCPA, Jul 2011); hillside slope stabilization on south side between Roseland and Calle Juella)

- 2. Torrey Pines Road Corridor – Phase 2**
(Segment 4 improvements as approved by LJCPA, Jul 2011)
- 3. Torrey Pines Road Corridor – Phase 3**
(Segments 1, 2 & 3 pursuant to the City of San Diego's 2011 Torrey Pines Road Preliminary Project Plan)
- 4. Prospect Street Belvedere at Girard Avenue**
(Convert northbound Prospect between Girard and Herschel to pedestrian only; convert southbound Prospect to two-way traffic. Endorsed by LJCPA and LJVMA. Project LJ-T4 on community facilities finance plan.)
- 5. Sidewalk at Rock Park (aka La Jolla Hermosa Park)**
(Connect sidewalks on W side of Chelsea Avenue S of Cam de la Costa, supported by BRCC but not previously voted on by LJCPA)

(Zimmerman /Thorsen, 11-0-3).

In favor: Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, LaCava, Little, Lucas, Merten, Thorsen, Zimmerman.
Abstain: Collins, Courtney, Crisafi.

13. Valet 7979 Ivanhoe – Full Review by Trustees per request of Applicant – Action item

7979 Ivanhoe – Amaya restaurant is requesting a valet parking permit

T & T Action (Oct. 2012): Motion to approve with conditions: 1 Year approval & Applicant come back to LJTT for renewal, signage to say Open to Public. Motion failed 3-3-1

Applicant: Nate Sposato, Perry Deal

Mr. Sposato representing Grand Parking and Consultant **Perry Deal** projected a presentation. The restaurant is being built at 1205 Prospect, the valet zone is proposed there and 7979 Ivanhoe is the address of the relevant parking garage. **Helen Boyden** commented on proliferation of valet zones. **Gail Forbes** expressed concern about the location of the valet zone and circulation to and from the garage. **Sally Miller** agreed with these concerns.

Failed Motion: Motion to deny approval of the Valet Parking, (Courtney/Zimmerman, 6-7-1).

In favor: Bond, Collins, Courtney, Little, Merten.

Oppose: Brady, Burstein, Conboy, Costello, Fitzgerald, LaCava, Lucas, Thorsen, Zimmerman.

Abstain: Crisafi.

Approved Motion: Motion to approve two valet parking spaces at 1205 Prospect between the hours of 6pm to 2am, with applicant to return in one year for renewal and for clear signage to allow 2-hour public parking during other hours and clear valet signage saying "open to the public". (LaCava/Burstein, 7-6-1).

In favor: Brady, Burstein, Conboy, Costello, Fitzgerald, LaCava, Lucas, Thorsen.

Oppose: Bond, Collins, Courtney, Little, Merten, Zimmerman.

Abstain: Crisafi.

14. Adjourn, at 9:45 PM.

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

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

**COMMITTEE REPORT
For
November 2012**

November 13 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Merten, Welsh

November 21 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera, Merten, Welsh

1. NON-AGENDA PUBLIC COMMENT 11/13/12

Costello: The draft Environmental Impact Report for Hillel is out and comments are requested. This project has very important implications for the residential zones.

Benton: Hillel will be heard next Tuesday, 20 Nov, 2012 at the LJSAB at 9 AM

Grunow: Mr. Grunow will recuse himself from voting on the Reserve Project because of family involvement in neighboring property.

2. NON-AGENDA PUBLIC COMMENT 11/20/12

Chairman Benton: the Pham Project has been removed from the Agenda by the Applicant.

3. SITE VISIT 11/13/12 + PRELIMINARY REVIEW 11/20/12 (PREVIOUS REVIEW 8/21/12)

Project Name: **THE RESERVE**

6850 Country Club Drive	Permits:	CDP, PDP, SDP
Project #: PO# 292065	DPM:	Glen Gargas 619-446-5142
Zone: RS-1-4		GGargas@sandiego.gov
	Applicant:	Greg Shannon 858-414-6777

Scope of Work:

Process four – CDP, PDP, SDP (ESL) and Vesting Tentative Map to subdivide a 25.14 Acre site into four lots (three SDU and one open space lot). The site is located at 6850 Country Club Drive and is within Zone RS-1-4, Coastal Overlay (non appealable), Coastal Height, Parking Impact, Brush Management, Very High Fire Hazard, and Earthquake Fault Buffer Zones.

Site Visit Present 11/13/12: Grunow, Kane, Liera, Welsh

Presenters:	Greg Shannon	Marty Poirier	Nick Lee
	James Alcorn	Brad Lents	Asha Blier
	Charity Lonberger	Amber Lake	

SITE VISIT APPLICANT PRESENTATION 11/13/12:

At the Reserve site visit there were DPR members, the team consultants, and about 14 residents of the immediate area.

Attendees walked the site and first viewed the parcel that will remain with the fox run parcel, then the central large parcel, and lastly the upper parcel. Attendees stopped at the highest point of each parcel and heard a description of how the building will sit on the site to avoid view impacts on surrounding areas and resident's views. The un-permitted encroachment was identified.

Questions were raised about height, view impacts, runoff impacts, fencing impacts on wildlife corridors and hikers.

Presenters: Greg Shannon, Marty Poirier
James Alcorn, Brad Lents

APPLICANT PRESENTATION 11/20/12: Seeking a CDP for future homes, if future owners accept restrictions of CDP they will come back to Community only needing a SCR. Applicant is working with some neighbors to lower roof line on lot 2, and potentially rearrange locations. Project encompasses about 25 acres, divided in 4 lots. One lot will be open space with no development. Using an open space overlay, 25% of lot can be developed. Landscape Architects provided a simulation showing how topography, vistas, buildings can be situated. Trying to provide options of how structures can be massed within the maximum and minimum constraints of the volume. No fences are allowed in the Conservation Area.. Fences will be at the option of home owners around their property. There can have fence along perimeter of Reserve (not a requirement to fence). The fence can be solid if not in view.

Liera: Considering how visible these houses are from above, the roof type is very important, flat low pitch, high pitch.

Kane: what will be the disposition of the 12.5 ft non-conforming retaining wall? ***You could deny it and it will come down. It is over height, in setback, not enough footing. It is up to the City if it is to be removed. House is over 30 ft, with wall, a lot of mass.***

Unk: Will a house go on Lot 3? ***Yes. Lot 3, 21 acres, can only dev 4 acres because of City Conservation Easement. It could be the largest estate in SD County. It can have one primary house up to 25,000 sq ft, a guest house of up to 5,000 sq ft, and three outbuildings of up to 1,000 sq ft each.***

Judith Vacquier: Concerned about fencing, loss of habitat, enjoys wildlife. Thinks it is important that animals be able to cross perimeter fence from wildlife corridors. ***City now says it will be the option of home owners to fence or not (previously City said they must fence). This will be in the CILs.***

Shannon: ***we could have openings at intervals (ie 100 ft) for wildlife.***

Unk: why have fences at all? **Shannon:** ***We have had a problem of neighbors encroaching on land of others and built structures. We are in Court on several such issues.***

Molina: The house on Lot 3 will be 50 ft from my home. Concerned about the profile of the house, ie pitched roof, also about loss of protected areas by encroachment, likes the idea of openings in fence for wildlife.

John Coughlin: concerned that the simulation is accurate, not actually a reduction of the actual mass, as with the MESOM building at SIO-UCSD.

Colin Seid: most impacted. 1st choice is not to develop area – the impact is not acceptable. With 25 acres can't it go elsewhere? Asks us to take a role correcting violations of Code by illegal landscaping, the retaining wall. Asked to minimize impacts. Can house be moved back more, out of view?

Shannon: ***We will continue to work with Colin. We can control the height of landscaping to protect the ocean views.***

Mrs Coughlin: Restrict the height of trees to the roof line?

Kane: What don't you like about the photo simulation? **Seid:** Loss of privacy from the living areas of the house. Asks to slide the house back (true for future house too, privacy), not concerned about materials, landscaping, etc.

Unk: the most important is to respect the ocean views.

Shannon: trying to bring the house more into the ridge, not up the ridge.

Liera: Fences can do three things, keep people out, delineate the property, fencing to obstruct views is another thing.

Please provide For FINAL REVIEW:

1. Present a different design for Lot 2.
2. Please continue working with neighbors on privacy, proximity, ocean views, roof lines and pitch, limiting tree height, fencing and other items.
3. Discuss SD City Cycles Issues Letters, soon to be completed. recording setting 16 01 35 59

4. FINAL REVIEW 11/13/12 (PREVIOUSLY REVIEWED 10/16/12)

Project Name: **GIRARD AVENUE MIXED USE**

7610 Girard Avenue	Permits:	CDP
Project #: PO# 274439	DPM:	John Fisher 619-446-5231
Zone: RS-1-2		jfisher@sandiego.gov
	Applicant:	Ashley Prikosovits 858-527-0818
		Beth Reiter 858-232-4580

Scope of Work:

A Coastal Development Permit and Map Waiver application to waive the requirements of a Tentative Map to construct eight residential condominium units and one 5,125 square foot commercial condominium unit on a vacant 0.27 acre site at 7610 Girard Avenue in Zone 1 of La Jolla Planned District within the La Jolla Community Plan in Council District 1.

Presenters: Phil Quatrino
Ashley Prikosovits

APPLICANT PRESENTATION 11/13/12:

The Project was presented to LJ PDO on Monday where it was learned their LJ PDO Zone 1 is restricted to 2 stories. Not asking DPR for an approval at this time.

DPR Members expressed concern for the very dark color of the wood stain. The PDO calls for avoiding dark colors, preferring earth tones, pastels, light colors. Applicant will return when their PDO 2 story limitation design dilemma is resolved.

5. FINAL REVIEW 11/13/12 (PREVIOUSLY REVIEWED 08/21/12, 10/16/12)

Project Name: **CAMAISA RESIDENCE**

9450 La Jolla Farms Road	Permits:	CDP
Project #: PO# 260171	DPM:	Patrick Hooper 619-446-5001
Zone: RS-1-2		phooper@sandiego.gov
	Applicant:	Sandra Escobedo 858-456-8555
		Joseph Reid 858-456-8555

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.

Presenter: Ione Stiegler

APPLICANT PRESENTATION 11/13/12:

Ione Stiegler stated that they thought all of the neighbor's and DPR's issues were addressed. As a result of the DPR denial vote, the applicant has withdrawn the Project.

recorder setting 15/15 00 12 29

6. PRELIMINARY REVIEW 11/13/12 + FINAL REVIEW 11/20/12

(Previously Reviewed 10/16/12)

Project Name: **ROBERTS RESIDENCE**

9438 La Jolla Farms Road

Permits: CDP

Project #: PO# 294531

DPM: Jeff Peterson 619-446-5001

Zone: RS-1-2

japeterson@sandiego.gov

Scope of Work:

Applicant: Charity Lonberger 858-459-0805

A Coastal Development Permit for the remodel of an existing 3,377 SF one-story single-family residence on a 49,145 SF lot. The proposed project expands the house to a 8,058 SF single-family residence. The majority of the proposed home is one story with the exception of a 861 SF lower level, which creates a 2-story portion on the south western portion of the footprint. In addition to expanding the existing house there will be an addition of a 2-story detached studio/exercise room (accessory building) and a detached 1-story garage/recreation/pool house (may serve as guest quarters). Site improvements include a new driveway, pool, garden walls and landscaping.

Presenters: Charity Lonberger
Jim Alcorn

APPLICANT PRESENTATION & DISCUSSION 11/13/12:

Property in question has a historic designation for a previous owner, Dr. Jacob Bronowski. The proposed drawings expand on his plan, by adding 1,400 sq ft to house totaling 4,800 sq ft for the house, adding a 1,700 sq ft pottery studio, guest house, cabana and lap pool. The building plans maintain a large courtyard around the pool area. The front street view is overgrown and will be corrected, there will be a wall with trees screening it. The San Diego City is asking for a "Visual Corridor" on each side yard. "SDMC 132.0403(b) requires a visual corridor of not less than the side yard setbacks or more than 10 feet in width, and running the full depth of the premises, be preserved as a deed restriction as a condition of CDP." As a result, trees can not be placed in the view corridor. The City is enforcing view corridor on behalf of the California Coastal Commission.

Provided For REVIEW 11/13/12:

1. Will the 10 ft high South wall have view corridor issues? *Not the wall per se. See Muni Code 132.0403(b) above, will comply.* Please articulate the wall. *Will articulate the wall.*
2. Detail elevations *We are still working on this*
3. Detail materials used *Presented a Materials Board*
4. Provide a landscape plan (depending on features, you may not want orchard) *Trees, maybe fruit trees, will be planted to appear as if the house, etc, was carved out of an orchard. Still working on some landscape details. Area by the ESL / slope is not designed yet.*
5. Consider articulating the long straight walls. *The walls will be articulated*
6. Please provide an outline, street scene, of the houses on each side with the proposed house. *A street scene drawing of the proposed project and the neighbors was provided showing building height, side yard setbacks, and massing.*
7. Detail of flat roof, treatments of roof. *Provided roof plan, new roof 3/8 in/ft slope, 1 1/2 in flashing with 6 in stucco parapet. Roof drainage will be pumped to the street. Crushed brick or gravel surface.*
8. Is there a View Corridor required or established? *Yes, required, see above #1 and Applicant Presentation.*

DISCUSSION 11/13/12:

Finish floor is 7 ft lower than the Camaisa house. FAR = .16, (next door FAR = .34).

Five bedrooms = seven parking spaces.

Albert Yedidsion: His house is across the street. He fully supports the Alcorn and Benton design. It preserves the integrity of the house and adds to its value. The Project will preserve the historical value of the house.

Liera: Likes the way the Project expands on what is existing, would like to see more of this in the Farms. What trees species will be used?

Merten: Is that a bluff “coastal”? **Alcorn:** *No, it is a “Coastal Canyon”.* What about drainage? *Paving tiles will be permeable, and roof runoff will go to the street.* What is the Landscaping by the canyon? **Lonberger:** *in Fire Zone 1, so far the landscape is concept plan only. Fire Zone 1 is 35 ft. Modified Brush Management Plan, this area is in Fire Zone 1, there are sprinklers in the house too.* Are you showing the Brush Management Zones on your plan now? *No.*

Kane: What is your hard-scape coverage? **Alcorn:** *hardscape = .226 to .228, about 25%*

Provided for FINAL REVIEW 11/20/12:

1. Please finalize details of Fire Zone, landscaping. *We had a meeting with the landscape plan reviewer and Fire Officer.*

Fire zone 1, mitigation measures, thicker walls, house windows will be double paned tempered glass, Fire zone 2, low ground cover and shrubs, ESL, Coastal Sage shrubs.

2. Please resolve the brush management plan, and interaction with ESL *Done with above.*

3. Please complete details of the paving character of the parking spaces, courtyard. *Interlocking permeable pavers, limestone non-permeable pavers. 12 % permeable pavers, 5% impermeable pavers. 17 % hardscape, 16% building.*

4. What species of trees and ground cover will you use? *Two options for trees, Sweet Bay and Camphor trees. Ground cover, wild strawberry.*

SUBCOMMITTEE MOTION:

(Kane / Costello 5-0-1) Findings can be made for a Coastal Development Permit and Site Development Permit for the remodel of an existing 3,377 SF one-story single-family residence to a total of 8,058 SF, with some 2nd level, on a 49,145 SF lot at 9438 La Jolla Farms Road.

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

Oppose: 0

Abstain: Collins

MOTION PASSES

recorder setting 16 00 19 37

7. PRELIMINARY REVIEW 11/13/12

recorder setting 15/15 00 57 57

Project Name: **PHAM RESIDENCE**

7411 Olivetas Street

Permits: CDP

Project #: PO# 282249

DPM: Sandra Teasley

Zone: RS-1-7

steasley@sandiego.gov

Scope of Work:

Applicant: Hillary Lowe 858-274-5978

Variance to reduce the required street sideyard setback for a 855 sq ft addition to an existing single family residence on a 0.05 acre site at 7411 Olivetas Street in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Ht Limit, Parking Impact, Residential Tandem Parking, Transit Area. Council District 1.

Presenter: Mark Mitchell

APPLICANT PRESENTATION 11/13/12:

Applicant is requesting a variance for a 4 ft setback from the street where 10 ft is required. The lot is 25 ft by 100 ft. He is proposing a 2nd story addition and roof deck of 855 sq ft. Lot is substandard with a min. width of 50 ft. in this Zone. There is an existing carport plus a parking space. Allowed FAR = .70 (because lot is so small), proposed FAR = .69. There are three other properties in the area that have a non-conforming setback / variances.

DISCUSSION 11/13/12:

Merten: The City will require the four findings for a Variance in writing. One of the items is that you are asking for the minimum required to accomplish your goal. You have a fairly blank façade, and then you want to place another wall on top. This is an in your face sort of building mass. It is exacerbated by the roof extending out. You need to soften it, articulate the design.

Kane: Next time, can you color the drawings to differentiate features? Can you distinguish existing from proposed? Will this be a two story blank wall, would you articulate, cover with vines, or paint in different colors?

Mitchell: *There will be glass around the roof deck, ie a terrace.*

Liera: Historical, 45 yr review, has yet to be completed. Setbacks have been 10 ft for a long time, what community benefits will there be?

Kane: Maybe you should research the history of why the lot is so narrow.

CA Marengo: A problem you may have in making more building openings is that you are in the 0 to 5 ft range of the property line. There will be the fire rating issue on the order of 25% openings of the wall area.

Mitchell: *the street side is measured from the center line of the street for Fire. On the other side, we can minimize the window area on the neighbor's side.*

Please provide For FINAL REVIEW:

1. Please color your elevations / illustrations to differentiate structures, texture, etc.
2. Provide a landscaping plan.
3. Survey the neighborhood, 4 to 6 houses from your project. How many houses have narrow lots, non-conforming street setbacks, variances, 2-story homes, and calculate FAR
4. Provide a setback study.
5. What is the result of the historical review?
6. Provide an Olivetas St. elevation.
7. Articulate building: methods of articulation include: varying planes of surface, varying texture of surface, varying use of windows, and color. Alternatively, present a stellar modern design.
8. Provide a massing study of Marine St. and Olivetas St.
9. Please email your letter of findings for a variance to the DPR Chairman.

recorder setting 15/15 01 31 38

8. PRELIMINARY REVIEW 11/13/12 + FINAL REVIEW 11/20/12

Project Name: **LA JOLLA BEACH TOWNHOMES EOT [SHAW PROPERTIES]**

6633 La Jolla Boulevard	Permits:	CDP
Project #: PO# 295001	DPM:	Paul Godwin
Zone: RM-3-7		PGodwin@sandiego.gov
	Applicant:	Claude-Anthony Morengo
Scope of Work:		619-417-1111

Extension of Time for approved Coastal Development Permit to demolish existing building and construct 4 residential for rent units on a 5,760 sq ft site at 6633 La Jolla Boulevard in the RM-3-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Ht Limit, Parking Impact, Residential Tandem Parking, Transit Area, Council District 1.

Presenter: Claude Anthony Marengo

APPLICANT PRESENTATION & DISCUSSION 11/13/12:

Applicant needs an EOT for a 2009 Permit, he is applying now so he will not lose the CDP. The EOT will be valid for 3 years. The project site contains yellow cottages on the East side of the street including subterranean garage with alley access. The project includes two bedroom rental units, with 9 parking spaces required. Floor Area allowed is 10,294.6 sq ft; proposed plan is 7,462.7 sq ft.

Provided for FINAL REVIEW 11/20/12:

1. Minutes from the 2009 LJ CPA and DPR meetings regarding the Shaw Project.
I went thru the Minutes, so did Mike Costello, the records have gaps. Our DPM doesn't have CPA records but shows no conflict. The project was pulled from CPA Consent 2009 by Darcy Ashley, but there are no records of any LJ community group hearings. The project was approved at City, there was no evidence that anyone opposed the project at the City.

From the Minutes of LJCPA, DPR, CDP.

I. Minutes of the La Jolla CPA, 2 April 2009

A. SHAW PROPERTIES

CDP ACTION (6/12/2007): Findings can be made, 6-0-1.

CPA ACTION (7/05/2007): Approved on consent, 10-0-1.

6633 La Jolla Blvd – CDP (Process 2) to demolish an existing building and construct 4 residential for rent units with underground parking on a 5,760 SF site. RM-3-7 zone.

Pulled by Ashley and sent to DPR/CDP Committee.

II. CPA Minutes for July 5, 2007

10. COMMITTEE REPORTS & CONSENT ITEMS:

A) Coastal Development Permit Review Committee:

(7) Shaw Properties, 6633 La Jolla Boulevard – Approved unanimously at the June 19, 2007 CDP meeting by a 6-0-1 vote. **ON CONSENT. Mr. Morton recused.**

APPROVED MOTION: To accept recommendation of the CDP Committee on Items (5), (7) and (8) and forward recommendations to the City. (Merten/Hayes: 10-0-0)

III. COASTAL DEVELOPMENT PERMIT COMMITTEE

COMMITTEE REPORT of the June 19, 2007 Can Not Be Located, CA Marengo Chair

IV. COASTAL DEVELOPMENT PERMIT COMMITTEE

COMMITTEE REPORT of the June 12, 2007

PRELIMINARY REVIEWS:

Project Name:	SHAW PROPERTIES	Permits: CDP
	6633 La Jolla Blvd.	
Project Number:	JO 42-7662/ PTS 127201	DPM: Dan Stricker 619-446-5251

Zone: RM-3-7 Applicant: CA Marengo
 Scope of Work: CDP (Process 2) to demolish an existing building and construct 4 residential
 for rent units on a 5,760 s.f. site. Parking Impact. Residential Tandem Parking. Transit Area.
Applicant will return at a later date with additional information.

DISCUSSION 11/20/12:

Costello: why was the 2007 approved project returned to the CPA in 2009? *There was a delay for financial reasons.*

Costello: I telephoned Darcy Ashley and asked her why she pulled the project. She didn't remember. Called **Lesley Henegar**, she said all the comments have been cleared and the permit issued. Called **Paul Godwin**, the DPM, who was not able to find community voting records, said there were no outstanding issues and emailed the Mitigated Negative Declaration and a copy of the Permit, CDP.

Kane: What were the Bulk & Scale issues brought up by Lesley Henegar, City Long Range Planning. *She thought the North building should not be part of the criteria for evaluating B&S because it is greater than 30 ft and non-compliant. Over-ruled by DSD. L.R. Planning thought a window on the North façade of the building would look better than a blank wall. We all agreed on a stained glass window.*

SUBCOMMITTEE MOTION 11/20/12:

(Grunow / Kane 6-0-1) Findings can be made for an Extension of Time for a previously approved Coastal Development Permit to demolish existing building and construct 4 residential units on a 5,760 sq ft site at 6633 La Jolla Boulevard.

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

Oppose: 0

Abstain: Benton

MOTION PASSES

recorder setting 16 00 10 39

9. PRELIMINARY REVIEW 11/20/12

Project Name: **BERNATE TICINO RESIDENCE**

1328 Virginia Way	Permits:	CDP
Project #: PO# 293008	DPM:	Laura Black 619-236-6327
Zone: RS-1-7		LBlack@sandiego.gov
	Applicant:	Sarah Horton 619-231-9905

Scope of Work:

Sustainable expedite program process two Coastal Development Permit to construction a 4,918 sq ft, two story, above basement, single family residence with detached garage and guest quarters, on a 6,995 sq ft vacant lot located at 1328 Virginia Way in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Ht Limit, Parking Impact, Residential Tandem Parking, Transit Area. Council District 1. Notice Cards=1

Presenters: Sarah Horton
 Richardo Torres

APPLICANT PRESENTATION:

The previous house was demolished. Need a CDP to build a single family 2-story house with guest house and basement. Project is sustainable expedite process. House is large but preserving as much yard as possible. The house is not stepping in the upper level, but have moved house away from the setbacks.

DISCUSSION:

Collins: Have you talked to the neighbors to the South? Two level guest structure?

Liera: How does this building fit the neighbors on each side? We need a section, for neighborhood context, to see how this fits in, with spacing, height ,etc, to the existing condition.

Collins: Is the garage two car? *Yes, two car with guest parking too.*

Welsh: Did the demolition have a Coastal Permit?

Leslie Davis, Preservationist: The demolished house was the Irving Gill Historic Craftsman Cottage known as "**Windemere**". The house was demolished under improper circumstances. Davis agreed to email links to newspaper articles to the Committee Chair. Project needs a full environmental review (CEQA), historic review too. There may be historic artifacts on the property. The project is eligible for California Register designation at the State level of significance, according to OHP Staff. La Jolla Historical Society was in process.

Liera: An expedited review has certain requirements, can you go over them? How much energy will this be producing, using, saving? *Efficient exterior wall insulation, solar panels 50% energy needs, dual pane low E windows, energy efficient appliances.*

Liera: You are asking for an expedited permit which would not be appropriate because of the demo process. **Collins:** When was the emergency demo?

Davis: 23 Dec 2011, with an "emergency" demo permit.

Welsh: The size of the previous house was 1360 sq ft.

Liera: We need to evaluate what is left on the site, maybe artifacts. Environmental documents will help evaluate loss and potential mitigation.

Collins: How long have you been working on this project? *Six months or something like that*

Costello: what are the side yard setbacks and profile height? *Both sides 4 ft 3 in, front 15 ft. profile is below 24 ft.*

Davis: would like to see environmental documents and no expedited permit.

Kane: The Windemere Cottage was demolished to avoid State Historical Review, and CEQA Review. Application timing is good example of "project splitting", in violation of CEQA requirements.

recording setting 16 02 02 06

Please provide For FINAL REVIEW:

1. Please provide a clear statement about the CEQA status of the previous project and its relation to this project and note if this came about as a result of project splitting. We would like to know from the Planner if indeed project splitting has occurred. There may be artifacts remaining on this site, please tell us how this will be addressed. Whether there is an Archeological study or as part of a CEQA study, there should be record of architectural drawings of the structure.
2. Are other Environmental Documents needed?
3. California State Preservation Office said this is a significant historic property and definitely could be designated; is authorization needed from California State Office of Historic Preservation to proceed with development?
4. Discuss project with neighbors on the south side of street.
5. Please provide a neighborhood context study, 1) a section (massing) showing neighboring houses on both sides with the proposed house, 2) a section going across the street, show relationship to building across the street.
6. Please provide GFA and FAR calculations and their break down.
7. Please provide a clear and detailed statement of how this project meets requirements for sustainable development.
8. Provide more articulation of the rear structures to help the appearance from the alley. The rear structure is rather plain compared to the main structure.
9. Please provide a materials sample board of the exterior.

recording setting 16 02 13 39

La Jolla Shores Permit Review Committee Minutes

Tuesday, November 27, 2012

Members in attendance: Boyden, Donovan, Ducharme Conboy, Emerson, Lucas, Merten, Naegle, Schenck

1. Non-Agenda Public Comment - None

2. Chair Comments

- The LJCPA voted to recommend approval of the McIlvaine and Lambert/Felice residences on consent
- The Gaxiola residence was pulled from the consent calendar of the LJCPA for a full hearing at the December meeting.
- LJS AB agendas have an official posting URL of:
<http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- The Viterbi project will not be heard until some issues are resolved with the City.

3A: Rickards Residence

- PROJECT NUMBER: 296189
- TYPE OF STRUCTURE: Single Family Residence
- LOCATION: 8469 Paseo del Ocaso
- PROJECT MANAGER: Laura Black; 619-236-6327; lblack@sandiego.gov
- OWNER'S REP: Sasha Varone; 619-231-9905; svarone@golba.com

Project Description: Demolish existing 2-story 3,761 sf SFR, garage and pool. Construct new two story 4416 sf SFR with roof deck and attached garage on a 5,500 sf lot in the Coastal (non-appealable), Coastal Height Limit, Beach Parking Impact and Residential Tandem Overlay Zones.

Seeking: SDP and CDP, Process Three

Presented by Sasha Varone

The house is similar to houses on either side. It is almost a mirror image with the neighboring house on the north side. It is currently a two-story 6 bedroom house with a detached garage in the rear. They are proposing a 5 bedroom house with the garage attached to the house and in front. They currently have 2 curb cuts, with 3 parking spaces in the front yard area. They will eliminate the parking and 1 curb cut and have a single driveway for the garage. The house underwent a historical review. The second floor was an addition and the first floor was determined to not be historical. The landscaping plan and elevations were shown to the committee. First floor has living room, guest room, kitchen and garage. Upstairs is stepped back. There are 4 bedrooms upstairs. There is a roof deck in the center of the building.

Conboy: There is a red curb and fire hydrant in front. By switching the driveway to the south side, will the whole curb along the front of the house be red curbed? **Varone:** Not sure. There is a fire hydrant to the immediate north of the northern driveway. After the curb cut for that driveway is eliminated, it will depend on the fire hydrant regulations for red-curbs. The new driveway has room for

2 cars and will have a 12' curb cut [not on plans provided to PRC, but requirement cited in City cycles]. Board discussion followed regarding the front curb area and whether there is room for 1 or 2 cars. Is there enough room for guest parking? **Varone:** They meet the parking requirements with 2 spaces in the garage

Boyden: The city had three issues: visibility triangle not being drawn on the plans, archaeological issues, and encroaching on a utility corridor. **Varone:** They will add the visibility triangles to the plans. They meet the visibility requirements. For the archaeological issues they hired Laguna environmental research the site. They will have paleontological monitoring during construction.

Boyden: Setbacks? **Varone:** They provided a 300' setback study to the committee. The average side setback for the neighborhood is 4' 6", they are proposing 5' 1" at the closest points on either side. The front and rear setbacks line up with the houses on either side, so they are in conformance with the neighborhood.

Donovan: In general in this neighborhood, the beach bungalow styles are being replaced by two-story larger houses. This proposed two-story house does seem to fit in with the neighbors. As this trend continues, the character of the Shores will be changing. It does raise the question of where and when the line should be drawn for the larger replacement projects.

Emerson: What is the square footage difference between the old and new houses? **Conboy:** The current house is 3,761, the proposed (with garage) is 4,416. They are tearing down one of the larger houses in the neighborhood. Not sure if the 3,761' figure includes the small garage in the rear.

Emerson: Do you have a plan that shows the existing footprint of the house and the proposed footprint overlaid on it? **Varone:** No.

Merten: Driveway length from garage door to sidewalk? **Varone:** 20' to property line, probably another 2' in the parkway to sidewalk. Setback is similar to other setbacks in the vicinity. **Merten:** (Pointing to drawing) how high are the elements shown in the visibility triangle area? **Varone:** Less than 3' high. **Merten:** Anything taller would be an issue in the visibility triangle, but since they are less there are no issues. Prop D height limit? **Varone:** Max building height is 25.4'. The height of the eaves is 22'. **Merten:** He is comfortable with the setbacks being similar to others in the vicinity and the way the house sits in the neighborhood. He feels that the project conforms to the codes.

Schenck: Have they talked with neighbors? **Varone:** Believes that owner has talked with 2 immediate neighbors, but doesn't know for sure.

Lucas: There is no street parking in front presently, and this proposal eliminates one curb cut, so presumably there will be at least one parking space, perhaps two, depending on how it is red-curbed next to the fire hydrant. Can you address the encroachment of the utility easement? **Varone:** They had proposed putting in decorative paving at the rear of the house, but there is a 6' wide utility easement located there. They will work with city on this and eliminate the pavement if the city requests it.

Conboy: Is this a sustainable expedite project? **Varone:** Yes. They are installing solar panels. The system is not fully designed yet. The plans show 7 panels on the roof and 4 on the eaves on the south side of the house. The panels will be integrated into the roof and are not visible from the street.

Public comment: None. No neighbors were present.

Note: Varone annotated the plans to reflect the 12' wide curb cut for the driveway.

Motion: Donovan; second: Conboy

The findings can be made for a Site Development Permit and Coastal Development Permit based on plans dated October 8, 2012 and modified at November 27 PRC meeting to reduce curb cut to 12 feet.

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

Discussion on the motion:

Donovan: Feels that the house fits in with the immediate neighbors, but has concerns with the overall LJ Shores development trend.

3B Costebelle Residence

- PROJECT NUMBER: 295796
- TYPE OF STRUCTURE: Single Family residence
- LOCATION: 7940 Costebelle Way
- PROJECT MANAGER: Paul Godwin; 619-446-5190; pgodwin@san.diego.gov
- OWNER'S REP: CA Marengo; 858-459-3769; camarengo@san.rr.com

Project Description: Amend the previously approved Site Development Permit #4522, two-building Single Family Residence, partially built, abandoned and recently repermited with modifications (10-2225), currently under construction on this 26,994 sf lot. Modifications requested here to Building "A" include adding a third floor consisting of an art studio (now two stories above street level) and modifications to the lowest floor and mezzanine, (entertainment room), with a net enlargement of GFA from 1,266 to 2,040 for Building "A" with no changes to any previously permitted 5,118 sf lower Building "B." Additions to deck and patio area, raising that square footage from 1126 sf by 1,622 sf of new disturbance to 2,748 sf. Environmentally Sensitive Lands, Brush Management Zone, Coastal Height Limit and Geologic Hazard zones. Additional Info below taken from Sheet T-1.1

Seeking: Amendment to SDP for Environmentally Sensitive Lands. Process Three

Boyden disclosure: She lives in the neighborhood and walks by this area frequently. Saw the sign from Torrey Pines Road and noticed the construction underway from Pottery Canyon. She got a copy of the permit from the City. Went down to the City and looked at the plans. The project had been abandoned for a long period so a new permit was required. The current permit did have modifications approved for changing the orientation of the building, adding 250 living space to the lower level, adding 1000' garage space. There are steel I-beams that protrude up (these are shoring to hold up the street during construction).

Presented by C.A. Marengo

This project has a complicated history. There are two houses that were halfway through construction when they were abandoned due to monetary issues. The project being presented is for 7940 Costebelle Way only which was subsequently purchased by the present owner. The adjacent property at 7930 Costebelle is under foreclosure and there is currently no construction underway on it.

A hearing officer approved the project in 2004 and a Site Development Permit was issued in 2006 or 2008. The grading permits for the entire site were issued for 7930 Costebelle before the property was split. The underlying grading permits for 7940 are based on the 7930 permits issued before the split. The structure was partially built, enough so that the city had to reissue the permits to allow the project to be completed. They have to be in compliance with any new building codes. There are two structures on the lot: building "B" which was partially built and is now in the process of being completed, and building "A" which doesn't exist yet. The original permit went through a substantial conformance process to re-orient the second structure and increase the square footage by around 300 sq ft. The site is on a steep slope greater than 25%. Environmentally sensitive lands surround the site, so they have to install a fire sprinkler system.

All of the proposed changes would qualify under substantial conformance, but due to the way the SDP was worded with respect to the height of building "A", they are here today regarding the third floor addition on this building.

The city had some questions about hydrology issues, but Mr. Marengo said the building was already established and vested. The water discharge with a third story is the same as what has already been approved. The original project had a water quality technical report with a MND. He is working with Paul Godwin at the city to resolve the City issues on this.

The city had a second issue with regards to the height limit on building "B" which has already been built. The diary notes from the building inspection years ago show that the heights are in conformance, but Peter Chou of city planning thinks that the building is over-height in two places. The structure has a radiused front. To address the concerns, they did an additional section showing the height based on the ground slope and the building is not over-height.

Building "A" is setback 5' from the street, and the garage is on the second floor at street level. Since this is a steep slope and on a cul-du-sac, they only need a 5' setback. There is an elevator in each building to transition from the street level to the lower levels.

Committee discussion:

There was discussion focused on how the project and permits changed through the years and the committee was trying to understand all the aspects of this complicated project. Elevations and plans were studied.

Naegle: Height of the third story addition? **Marengo:** The room is 9' high, and it sits at 19' from street level.

Merten: What are your parking requirements with regards to the bedrooms and guest house?

Marengo: 2 spaces for main house plus 1 for the guest house. They have 3 enclosed, plus lots of parking on the cul-du-sac. **Merten:** According to the city codes, a house is supposed to have a 20' driveway to allow 2 spots for guest parking. If there is no 20' driveway, the codes specify that you can meet the requirement through street parking in front. Although there is lots of street parking here, it doesn't qualify because the street parking is supposed to be abut the property. This property doesn't have enough frontage with the driveway in front to allow a parking spot directly in front. The city codes don't differentiate between a normal street and a cul-du-sac. It seems to me that since there is sufficient street parking in the general area, you could ask for a variance. **Marengo:** Even though the project has previously been approved, you are saying that amending the permit to allow a third story

will bring in to question the previous approvals? **Merten:** When you apply for an amendment, you have to bring everything else into compliance. **Marengo:** Doesn't agree.

Merten: Is concerned about the suspended stairs leading from the street and curving between the two structures. Under the current city codes, this is considered a structure, and the stairs come within 6' of each structure, from a plan view, so therefore the two buildings are considered a single structure. If this is a single structure, then the building will now be over the prop-D height measuring from the lowest point to the highest on the structures. **Marengo:** If this is the case then they will remove the stairs and shorten the lap pool so that the stairs are more than 6' away.

Boyden: Do you conform to the 25% rule? **Marengo:** Yes.

Lucas: Are there any vistas or view corridors specified for this area in the community plan or PDO?

Marengo: No.

Emerson: It would be nicer without the proposed third story. **Conboy:** Thinks that the third story is not an issue. From the street you will only see the garage level and a smaller addition on top, so it won't be imposing. **Boyden:** Has issue with how the project looks from below. People driving on Torrey Pines will be seeing it. **Answer:** Building "B" has already been built, so there is no design change that can be made to address that.

Public comment: None. No public present.

Motion: Naegle; second: Merten

Continue item for purposes of revising the plan to comply with the city's rules for maximum overall structure height.

Motion carries: 5-2-1

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

La Jolla Traffic and Transportation Board: Minutes of Meeting, October 25th, 2012

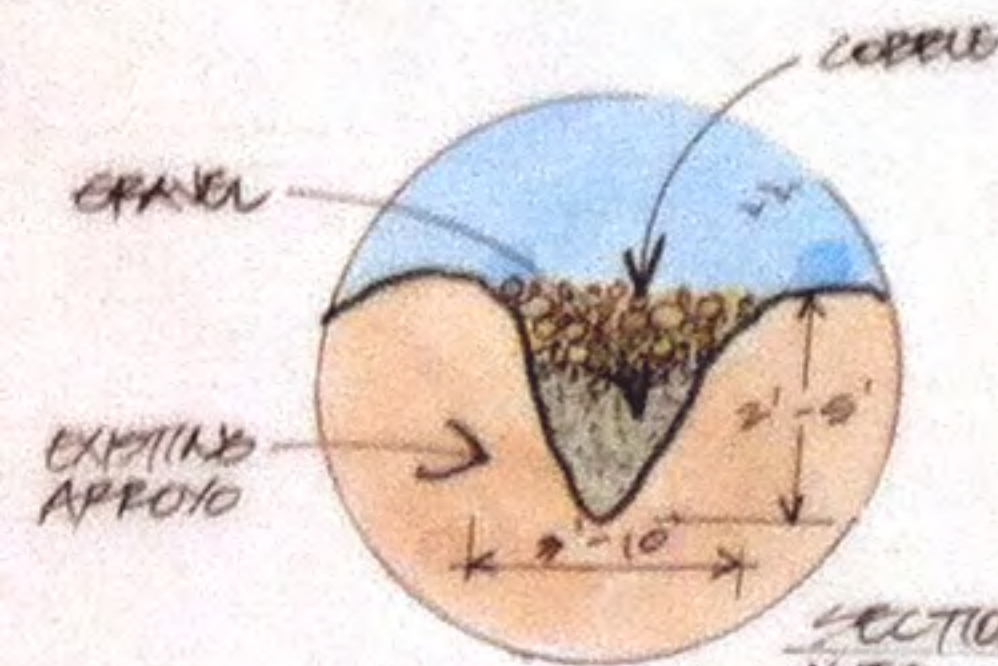
Attendance: Todd Lesser LJSA, Michelle Fulks BRCC, Joe Matibag LJVMA, Tom Brady LJVMA, Rob Hildt LJTC, Patrick Ryan BRCC, Earl Van Inwegen LJTC

Absent: Dan Courtney LJCPA, John Kassar LJSA, Orrin Gabsch LJCPA

Voting Agenda Items

- 1. Two 15 minute parking spots at 1026 Wall Street** – Applicant is requesting two 15 minute parking spaces in front of 1026 Wall Street- Voting item Motion: Approve one 15 minute space: Tom Brady – Second Michelle Fulks – Denied 3 - 4 New Motion. Deny request for Two 15 minute parking spaces. Patrick Ryan – Second Joe Matibag Motion Passed to Deny the request. 4 – 3.
- 2. Remove Handicap Parking at 7525 High Street** – Removal of Handicap Parking at 7525 High Street. Applicant didn't qualify for the space since the owner has a four car garage. Motion. The space should be removed but the City should first notify the affected area in order to give interested parties 30 days to object. Patrick Ryan. Second – Michelle Fulks. Approved 7-0

PACIFIC OCEAN



FILL APPROX WITH
COBBLE/PEBBLE FILTER
BLANKET TO MATCH
EMERALD COVE BEACH

SECTION C FILTER BLANKET
N.T.S.

REVEGETATE GOLDFISH POINT
WITH INDIGENOUS PLANTS (SIMILAR
TO TORREY PINES STATE RESERVE)

RELOCATE EXISTING BENCH
AND REMOVE RAILING

EMERALD
COVE

PERVERSE
GATE
SWING

OPTION 2

POST & CHAIN
AROUND DECOMPOSED
GRANITE OVERLOOK
TO LIMIT ACCESS
TO ROCKS BELOW

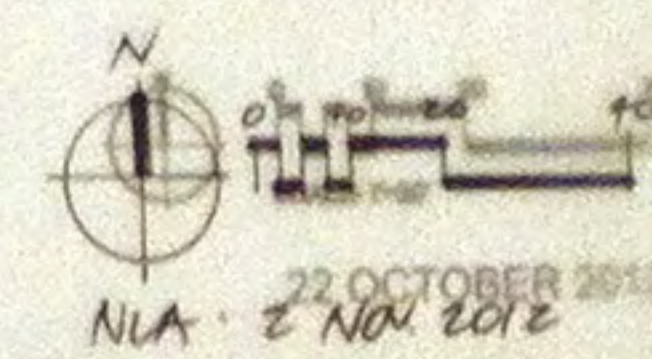
ADD COBBLE UNDER
OBSERVATION DECK

EXISTING TORREY
PINES TO REMAIN

GOLDFISH POINT
REVEGETATION SCAPE PLAN

CAVE STREET

CAVE
STORE



NLA 22 OCTOBER 2012
2 NOV 2012

Draft Issue Matrix - 8th UPDATE TO THE LDC
November 19, 2012

Following is a summary of the 52 amendments proposed. The amendments are organized into Permit Process, Measurement, Parking, Green Building Regulations, Planned District, and Minor Corrections categories. Within each category the amendments are listed in order of the associated code sections to be amended.

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
Permit Process Amendments: The following amendments are proposed to improve the permit process and address inconsistencies.			
1	Address Inconsistency/ Regulatory Reform	59.5.0202 59.5.0203 59.5.0204 59.5.0206	<u>Noise Abatement</u> <ul style="list-style-type: none"> Sections 59.5.0202 through 0204 refer to an outdated process for issuance of noise abatement permits. Amend the duties and responsibilities of the Administrator to allow for exceptions in cases where there are practical difficulties or unnecessary hardship involved in carrying out the noise abatement requirements if the Administrator finds that the exception will not be contrary to the code purpose and intent or detrimental to the public health, safety, and welfare. Section 59.5.0206 is outdated and should be removed. Section 59.5.0206 makes reference to a citywide map of community noise equivalent levels that does not exist. The measurement and regulation of noise levels is adequately covered by existing Noise Element policies in the General Plan, CEQA significance thresholds for new development, and sound level limits for single event noise in Municipal Code Section 59.5.0401.
2	Clarification/ Regulatory Reform	New 111.0107	<u>Decision Process For Land Development Code Amendments</u> <p>Section 111.0106 specifies that major amendments to the Land Development Manual are Process 5; however, the process for amending the Land Development Code is not clearly specified. State law requires that a Planning Commission hearing be held for all zoning ordinance amendments. Clarify that zoning code amendments are required to be processed via Process 5 in accordance with Section 112.0509, and that other LDC amendments (non-zoning ordinance amendments) shall be processed via Process 5, but shall not require a Planning Commission hearing.</p>
3	Address Inconsistencies/ Comply with State and Federal Law	112.0203	<u>Remove Provision for Waiver of Use Permit Fees for Non-Profit Organizations</u> <p>The City Attorney advised that the existing subsection (b), which allows for a waiver of permit fees for certain non-profit institutions and organizations, poses significant issues for the City including negative fiscal impacts and legal conflicts. The California Constitution precludes the City from making this type of gift of City funds. Subsection (a), which allows for the waiving of appeal fees for officially recognized community planning groups for a public purpose, can remain.</p>

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
4	Clarification/ Regulatory Reform	112.0501 Diagram 112-05A	<u>Notice to Planning Groups for Process Two Decisions</u> Diagram 112-05A shows the points in a decision process where notice is given to community planning groups, interested persons, and nearby property owners. For Process Two, the open-circle indicates “limited notice to applicant and anyone requesting notice”. Amend to also include affected community planning groups within 300 feet of the project.
5	Regulatory Reform	113.0103 129.0104	<u>Administrative Flexibility to Meet Regulatory Intent through Alternative Compliance</u> Consider amendments to provide a flexible administrative process for alternative compliance where strict application of the regulations would deprive the property owner of reasonable use consistent with similarly situated properties. This process would be limited to minor deviations that still meet the intent of the LDC regulation similar to the Building Official’s authority to approve alternative materials consistent with intent and purpose of building code regulations, and would only apply to situations that are unanticipated where the need for alternative compliance was not created by the applicant.
6	Clarification	122.0105 122.0107	<u>Decision Process for Land Use Plans</u> Clarify that requests for land use plans must be initiated in accordance with the initiation process and criteria identified for all land use plans, including specific plans, in the General Plan Land Use Element. Revise the title for Section 122.0107 to clarify the subject matter is “required contents of specific plans”, and that the process for specific plans is the same decision process applicable to all land use plans.
7	Regulatory Reform	125.0120	<u>Process for Commercial and Industrial Condominium Maps</u> Allow new commercial and industrial condominiums through a map waiver process (Process 3). The existing code explicitly identifies the process and special requirements for residential condominiums, but is silent as to which process and regulations apply to commercial and industrial condo maps.

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
8	Address Inconsistency	125.0124 125.0461 126.0111	<u>Appeal Process for Extension of Time (EOT) Requests</u> Amendments would provide a process for City Council decision on appeals of extensions of time for tentative maps and map waivers in accordance with the Subdivision Map Act. (The existing code only provides for appeal of Process Two decisions to Planning Commission.) Amendments would also provide for a Process Two decision on EOTs for development permits and allow for appeal to City Council consistent with the EOT appeal process for tentative maps and map waivers.
9	Regulatory Reform	Title of Div. 10 125.1001 125.1010 125.1030 125.1040	<u>Easement Vacations</u> Section 125.1030 currently requires a Process 5 action for any request to vacate an easement. State law allows for the City to adopt a process different than the Streets and Highway Code for public service easements (utility easements). The proposed amendment would allow for vacation of public service easements through a Process 2, except that easements vacated with a tentative map will continue to require a Process 5 consistent with the Subdivision Map Act. The amendments would also remove special noticing requirements and allow all easement vacations to provide notice in accordance with the noticing requirements in LDC Section 112.0301.
10	Clarification	126.0106	<u>Payment of Required Fees Prior to Recordation of a Development Permit</u> Amendments would clarify that an applicant is required to pay all required fees/charges prior to recordation of a development permit. This is already required prior to issuance of building permits by the existing code.
11	Regulatory Reform	126.0110	<u>Cancellation of a Development Permit</u> Amendments would eliminate the requirement that City must wait at least 120 days after the request is received before a development permit can be cancelled.

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
12	Regulatory Reform	126.0203 129.0203 129.0702 129.0750 131.0522 141.0621	<u>Sidewalk Cafes</u> Amendments would streamline the permit process by reducing the process level from a Neighborhood Use Permit Process 2 to a process 1 limited use for establishments that meet the criteria, and consolidating construction permits where appropriate. Sidewalk cafes require an Encroachment, Maintenance and Removal Agreement (EMRA) and a Public Right-of-Way permit or Building Permit as applicable to project scope. Amendments would also reduce the minimum width for path of travel from 8 feet to 5 feet consistent with other cities, allow sidewalk cafes to set up a single row of tables and chairs within a 4 foot 6 inch extension of the establishment without the need for a barrier, and clarify what design standards must be met to be exempt from building permit.
13	Regulatory Reform	126.0402 141.0420	<u>Lower Process for Wireless Communication Facility Equipment Enclosures</u> Currently, telecom projects are subject to a Process Four Planned Development Permit where the associated equipment enclosure would exceed 250 square feet in size or would be located above grade. As a result, projects are regularly required to be processed through an extensive, costly process even though there is no concern or opposition. The proposed amendment would provide regulatory relief by lowering the process for this type of deviation to a Process Two Neighborhood Development Permit—staff level decision appealable to the Planning Commission. The Planning Commission recommended that staff process this regulatory reform amendment. The amendment would also fix the typo in 141.0420(a) that refers to 140.0420 instead of 141.0420.
14	Regulatory Reform	127.0102 131.0443	<u>Allowance for Development Consistent with Previously Conforming Setbacks</u> The code allows for new development in RM-1 zones to observe a previously conforming side setback for up to 50 percent of the length of the building envelope on a floor by floor basis. As proposed, this flexibility would be extended to all zones and would be allowed for all previously conforming yards. New development would be permitted in accordance with previously conforming setbacks in all zones in accordance with a new subsection in 127.0102.

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
15	Address Inconsistency	New 129.0120	<p><u>Lot Tie Agreements</u></p> <p>Amendments would specify the process for recording a lot tie agreement in order to combine two or more parcels to maintain common ownership and control when compliance with zoning or building code regulations depends on treating the parcels as one. For example, lot tie agreements may be needed for fire protection of exterior walls, protection of building openings/egress, disabled access, foundation encroachment, parking, or other reasons determined by the Building Official.</p>
16	Regulatory Reform/ Clarification	129.0202	<p><u>When a Building Permit is Required</u></p> <p>Amendments remove existing requirement that a building permit be obtained for each structure since the development as a whole can be covered by a single building permit. Revised language clarifies that a building permit is required for development of a structure unless exempted by Section 129.0202(b) or 129.0203.</p>
17	Clarification	129.0702 129.0715 129.0720 129.0742	<p><u>Public Service Easement Encroachments</u></p> <p>Amendments to clarify that proposed encroachments within a public service easement require a Public Right-of-Way Permit and Encroachment Maintenance and Removal Agreement. Public service easements (i.e. water, sewer, drainage, slope, or access) are granted to the City for services provided by the City.</p>
18	Clarification/ Regulatory Reform	131.0220 131.0320 131.0323 131.0420 131.0423 131.0520 131.0540 131.0620 131.0623	<p><u>Additional Use Regulations for All Base Zones</u></p> <p>Chapter 13 includes a “use regulations” section for each type of base zone category to describe the connection between the use table for that type of zone category and the determination of whether or not the use is permitted. Additional use regulations are applicable if indicated by footnote in the Use Regulations Table for a specific land use in the context of a specific zone. The issue is that these additional use regulations sections currently identify the limitations as applying to all development, which contradicts with instances where footnotes were selectively not applied in order to exempt the use from the additional use regulations in a particular zone. Amendments are necessary to clarify that the additional use regulations in Sections 131.0323, 131.0423, 131.0540, and 131.0623 only apply if indicated by footnote in the corresponding use table.</p>

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
19	Address Use Inconsistencies/ Regulatory Reform	131.0222 131.0422 131.0522 131.0622 141.0404 141.0502 141.0702 1510.0303	<u>Public Assembly Uses</u> Amendments are needed to address inconsistencies in the use tables to make sure that churches are being regulated similar to other assembly uses. Amendments identify churches as “not permitted” in OR zones in order to implement the MSCP subarea plan, which does not list churches or other assembly uses as compatible land uses. (MSCP compatible land uses are passive recreation, utility lines and roads, water facilities and essential public facilities, limited low density residential, brush management zone 2, and limited agriculture.) Identify churches as “permitted” in the RM-5 zone for consistency with allowance for private clubs. Identify churches as “permitted” in all CN, CR, CO, CV, and CC zones. Identify churches as “not permitted” in the IP-2 zone, and as “permitted” in the IS, IL-2 and 3 zones, unless the property is designated prime industrial land.
20	Regulatory Reform	131.0322 Table 131-03B Footnote 9 141.0606	<u>Child Care Facilities in the Agricultural Zone/Coastal Overlay</u> Currently, child care facilities are not allowed in agricultural-residential (AR) zones within the coastal overlay zone. However, there are circumstances where child care facilities would be appropriate in AR zones. Amendments to Section 141.0606 would allow child care facilities to be developed in accordance with the local coastal program, and not in locations where they would have the potential to impact the open space character or unique coastal resources.

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
21	Regulatory Reform	131.0622 141.0407	<p><u>Educational Facilities: K-12, Colleges/Universities, Vocational/Trade Schools</u></p> <p>The code currently does not define vocational/trade schools or university, and there has been some confusion as to how schools that function like an office or a vocational or trade school, but call themselves a university should be regulated. Vocational schools are facilities that offer instruction and practical introductory experience in skilled trades such as mechanics, carpentry, plumbing, and construction with training that emphasizes the skills and knowledge required for a particular job. Trade schools are facilities organized by an industry or a large corporation to provide training, apprentice education, and similar courses. Vocational/trade schools can operate in a variety of indoor and/or outdoor settings including offices, labs, repair garages, or other training facilities as applicable. Traditional post secondary educational universities typically have dorms, student centers, athletic facilities, campus libraries, and other facilities to accommodate a large assemblage of people. Amendments are proposed to better classify and address the potential land use impacts of these uses, and clarify that it is not the intent to regulate private colleges and universities that provide training and education in a traditional office building without any extracurricular facilities of a traditional post secondary educational facility.</p>
22	Compliance with law	141.0601	<p><u>Adult Entertainment Business License Transfers</u></p> <p>The existing “transfer of ownership” section is not legally enforceable per the City Attorneys office. Zoning regulations can’t prohibit the transfer of a previously conforming use to another person. The use runs with the land irrespective of a change in ownership. The amendment is necessary to address the conflict in Section 141.0601(b)(1) and (b)(2) per City Attorney direction.</p>
23	Clarification	141.0620	<p><u>Recycling Businesses</u></p> <p>Amendments would clarify in Section 141.0620(d)(6) that small collection facilities that are not fully enclosed must be located at least 10 feet from any building and from any public right-of-way.</p>
24	Regulatory Reform	142.0412	<p><u>Brush Management</u></p> <p>Address inconsistencies related to authority of the Fire Chief to grant alternative compliance for brush management. Existing code language is unintentionally limiting the Fire Chiefs authority to grant modifications to the standard brush management requirements through alternative compliance. Amendments will add necessary flexibility to account for Fire Department expertise.</p>

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
25	Regulatory Reform	143.0212	<u>Historic Resources: Site Survey Exemption for Roof Replacement In Kind</u> Provide exemption from the requirement for the 45 year site specific survey for development that is limited to in kind roof repair/replacement for a non-designated structure as recommended during the regulatory reform workshop.
26	Regulatory Reform	143.0220	<u>Historic Resources: Archaeological Resource Buffer</u> Provide for exemption from a discretionary permit in cases that will not result in substantial alteration, demolition, destruction, removal, relocation, or encroachment into archaeological resources during or after construction even if a 100 foot setback from archeological resources is not provided.
Measurement Amendments: The following clarify how various things are defined or measured in the Land Development Code.			
27	Clarification	131.0431 Table 131-04D	<u>Variable Setbacks</u> Clarify that footnote 2 to Table 131-04D; which relates to the 4 foot minimum, applies to lots greater than 50 feet only. Lots 50 feet and smaller are subject to the minimum setback in the table which is indicated as a percentage.
28	Regulatory Reform/ Clarification	131.0461	<u>Architectural Projections and Encroachments</u> Amendments would clarify in Section 131.0461(a)(12)(B) that encroaching accessory non habitable buildings shall be limited to a maximum structure height of 15 feet within the setback, and that any attached development above one story shall comply with the required setback. Amendments would also clarify that architectural projections and encroachments are permitted in all RM base zones that currently allow “architectural encroachments”. In the RM-2-4, RM-2-5, RM-2-6, RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM-4-11, and RM-5-12 zones, architectural <u>projections and</u> encroachments listed in Section 131.0461(a) are permitted with the following limitations.
29	Clarification	131.0543	<u>Setback Requirements for Commercial-Neighborhood Zones Abutting Residential</u> Clarify that the zero setback option can’t be used for neighborhood commercial development that abuts low density residential zoned properties (less than 15 dwelling units per acre).

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
Parking Amendments: The following would provide regulatory reform, clarification, and would address inconsistencies.			
30	Clarification	132.0902 132.0905 132.1002	<u>Residential Tandem Parking Overlay Zone/Transit Area Overlay Zone</u> Proposed amendments would help clarify the action previously taken on ordinance O-19288 that was adopted by the City Council on June 7, 2004 and certified by the Coastal Commission on March 17, 2005 thereby making the ordinance effective citywide. The concern is that the existing description in the code of the applicability of the Residential Tandem Parking and Transit Area overlay zones is unnecessarily complex and has caused confusion as to which maps apply. Amendments would also allow for use of tandem parking that is not otherwise provided for by right, to be requested via a Process Two Neighborhood Development Permit.
31	Regulatory Reform	142.0540(a)	<u>Modify Parking Exception for Commercial Uses on Small Lots</u> Modify the existing parking exception for commercial uses on small lots to apply to commercial uses on lots 10,000 square feet or less. The existing regulation applies outside the beach impact area to <i>lots</i> that are 7,000 square feet or less that existed before January 1, 2000, including abutting <i>lots</i> under common ownership. In such cases, the applicant has the option to use parking requirements set forth in Table 142-05G as an alternative to the requirements set forth in Section 142.0530. (Table 142-05G allows 1 space per 10 feet of <i>alley</i> frontage, minus one space if site has alley access; otherwise no spaces required if site has no alley access).
32	Regulatory Reform	142.0545	<u>Lower Process for Shared Parking based on Alternative Studies</u> Section 142.0545 allows for shared parking agreements in all zones (except single unit residential zones) through a Process One, but requires a Process Two Neighborhood Development Permit for uses not listed in the City's parking demand tables. Amend Section 142.0545 to allow for process One approval of shared parking using alternative parking demand rates that more accurately represent the parking demand and peak parking demand of a development consistent with the latest Urban Land Institute study or equivalent parking study to the satisfaction of the City Engineer.

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
33	Clarification/ Regulatory Reform	142.0560 Table 142-05M/L	<p><u>Parking Impact Overlay Zone</u> Table 142-05C correctly identifies in footnote 4 that parking impact concern is only related to beach impact and campus impact areas. Consider whether to remove the coastal zone areas outside of the beach impact area from the parking impact overlay zone map or whether to add a footnote to tables M and L that clarifies that the parking impact concern is only related to beach impact and campus impact areas similar to Table 142-05C. Tables M and L were added via 5th Update O-2006-87 and amended by 6th Update O-19802 (11/13/09 date of final passage).</p>
<p>Green Building Regulation Amendments: The following would address inconsistencies with the State's adopted 2010 California Green Building Regulations (CalGreen).</p>			
34	Address Inconsistencies	142.0402 142.0413	<p><u>Irrigation Controllers for Non-Residential Development</u> Amendments would incorporate the CalGreen requirement for water efficiency that requires all new commercial development that involves a landscape area of 1000-2500 square feet, including additions to existing commercial development, to install irrigation controllers that are weather or soil moisture based if potable water is being used for the irrigation.</p>

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
35	Address Inconsistencies	142.0530 1410.0104 1410.0105 1410.0106	<p><u>Parking for Zero Emissions Vehicles, Carpools, and Bicycles</u></p> <p>Amendments clarify how the CalGreen requirements for parking for fuel efficient vehicles and bicycles will be modified in accordance with state law for local implementation via the LDC.</p> <ul style="list-style-type: none"> • The LDC requires carpool spaces for certain types of commercial development, but does not require designated fuel efficient parking spaces. CalGreen requires commercial development (2,000 square feet or TI valuation of \$500,000) adding 10 or more vehicle spaces to provide designated spaces for any combination of low-emitting, fuel-efficient and car pool/van pool vehicles based on the number of vehicle spaces being added with the project. To avoid the potential for displacement of carpool vehicles and still meet the intent to reduce greenhouse gas emissions, the amendments would expand the LDC requirement for reserved carpool spaces to include certified zero emissions vehicles, but would not allow vehicles that are simply considered low emitting or fuel efficient to occupy those designated spaces per CalGreen since arguably most contemporary vehicles could be argued to be low emitting and/or fuel efficient. • The LDC requires bicycle parking based on gross floor area and requires various use types to provide both short term (bicycle racks) and long term bicycle parking (lockers/showers). CalGreen requires short term bicycle parking for commercial development adding more than 10 parking spaces if the project is anticipated to generate visitor traffic (at rate of 5% of vehicle parking being added- minimum two bike rack located within 200 feet of the visitors entrance); and requires long term bicycle parking (i.e. covered, lockable enclosures with anchored racks) for buildings with over 10 tenant-occupants that add 10 or more vehicular spaces (secure bicycle parking at rate of 5% of vehicle parking being added- minimum one secure bicycle space). Requiring bicycle spaces based on the addition of new automobile parking spaces per state law may not be as effective as the LDC requirement because no permit is required for a new parking layout, but is required for the addition of floor area.
Planned District Ordinance Amendments: The following would address inconsistencies and minor errors in the Planned District Ordinances.			

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No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
36	State Law/ Regulatory Reform	Chapter 15, Article 19, Appendix A	<p><u>Southeastern San Diego PDO- Companion Units and Guest Quarters</u></p> <p>For consistency with state law 65852.2 (CA Government Code) and citywide regulations related to companion units and guest quarters/habitable structures. The SESDPDO lists companion units and guest quarters as permitted in MF zones, but as requiring a discretionary review Special Permit in SF zones, contrary to California Government Code Section 65852.2 which requires second units (companion units) to be considered ministerially. For consistency with citywide regulations the requirement for a discretionary permit would be removed for complying companion unit and guest quarter structures.</p>
<p>Minor Corrections: The following 16 items would fix typos, formatting errors, and incorrect terms/section references.</p>			
37	Address Incorrect References	111.0101 121.0202 121.0308	<p><u>References to the Chapter 14 Building, Electrical, Plumbing, Mechanical, Residential Building, and Green Building Regulations</u></p> <p>Sections 111.0101, 121.0202, and 121.0308 currently refer to the Chapter 14 Building, Electrical, Plumbing, and Mechanical Regulations. As a result of previous Council action taken to adopt the 2010 state building standards and codes, the reference should be expanded to include Article 8 Mechanical Regulations, Article 9 Residential Building Regulations, and Article 10 Green Building Regulations, which are collectively referred to as the Building, Electrical, Plumbing, Mechanical, Residential Building, and Green Building Regulations.</p>
38	Address Incorrect Reference	113.0103	<p><u>Definition of Business Day</u></p> <p>A business day is defined in Section 113.0103 as any day except a Saturday, Sunday, or holiday listed in Municipal Code Section 21.04, unless otherwise listed. Section 21.04 was renumbered in 2000 to 21.0104. Correct to reflect the amended section reference.</p>

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39	Address Incorrect Reference	113.0103 153.0101 158.0101 159.0101 1510.0101 1512.0101 1515.0101 1516.0101 1519.0302 1519.0303	<u>Definition of Land Use Plan</u> The existing LDC definition of Land Use Plan refers to the Progress Guide and General Plan. The reference should be updated refer to the General Plan, which was updated in 2008.
40	Address Incorrect Reference	113.0103	<u>Definition of Parking Structure</u> The definition of <i>parking structure, underground</i> states see <i>underground parking structure</i> . This is a leftover code reference from when the term “underground parking structure” was previously a defined term in Chapter 11 of the LDC.
41	Address Incorrect Reference/ Term	113.0202 Table 113-02A	<u>Existing Grade</u> Amend Table 113-02A to identify Section 113.0228 as the reference for the rules for calculation and measurement of “existing grade”. Remove the reference to “proposed grade”, which is a defined term in 113.0103, but has no applicable section in the rules for calculation and measurement.
42	Address Incorrect Term	113.0270	<u>Fence and Wall Height</u> Replace the term “No” with “The” to correct the statement regarding calculation of fence and wall height under Section 113.0270(b)(1)(A). “ No <u>The</u> height of any portion of a <i>fence</i> or wall is measured from...”
43	Address Incorrect Reference	123.0103	<u>Commencement of a Zoning or Rezoning Action</u> Reference to Section 123.0104 should be changed to 123.0105. Section 123.0104 does not exist.

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44	Address Incorrect Term	126.0504	<u>Site Development Permit Findings for Historical Resources</u> The existing code language contains a typo in the heading for the required finding that a decision maker must make for any deviation requests for development with historical resources that involve substantial alteration. Remove the term “in” from Section 126.0504(i) so that it reads “Historical Resources Deviation for Substantial Alteration of a Designated Historical Resource or Within a Historical District”.
45	Address Incorrect Reference	Ch 13 use tables 131.0622	<u>Comprehensive Sign Plans</u> Replace old term “reallocation of sign area” with updated term “comprehensive sign program” in all of the Chapter 13 use tables pursuant to the code change adopted with the 7 th Update.
46	Address Incorrect Reference	131.0431 Tables 131-04C and 131-04D	<u>Resubdivided Corner Lots</u> Under Tables 131-04C and 131-04D the reference to Section 131.0443(i) should be changed to Section 113.0246(f) for information on how to measure the setbacks for resubdivided corner lots.
47	Address Incorrect Reference	131.0631 Table 131-06C	<u>Street Wall Requirements in Industrial Zones</u> In Table 131-06C, the reference to Section 131.0660 should be changed to Section 142.1030.
48	Address Incorrect References	132.1402 Table 132-14A	<u>Community Plan Implementation Overlay Zone</u> It appears that the College Area CPIOZ was repealed by Ordinance O-18004 (October 26, 1993), and that subsequently references to the College Area CPIOZ were accidentally added into the LDC in Section 132.1402 by ordinances O-18814 (June 19, 2000) and O-20081 (July 20, 2012). Diagram 132-14A needs to be relabeled from College Area to Clairemont Mesa. The reference to College Area CPIOZ should be deleted from Table 132-14A, and Diagram 132-14B (College Area) needs to be repealed.
49	Address Incorrect References	141.0604	<u>Boarding Kennels</u> Under subsection (b)(5), the reference to Section 146.0604 should be changed to 141.0604.
50	Address incorrect spelling	141.0619	<u>Pushcarts</u> The word “notarized” is misspelled as “notorized” under Section 141.0619(b)(4).

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51	Address Incorrect References	141.0625	<u>Veterinary Clinics</u> Under subsection (b)(4), the reference to Section 146.0625(a) should be changed to 141.0625(b).
52	Address Incorrect Reference	142.1290	<u>La Jolla Sign Control District Abatement and Severability Subsections</u> The existing format for the code language suggests that the regulatory language related to abatement and severability is related only to signs in one subdistrict within the La Jolla sign control district instead of applying to the district as a whole. Reformat subsections from (5) and (6) to be new subsections (f) and (g).